"graphs (*a*) to (*c*), including the concentration of corporate ownership by one or more individuals to levels which the Director finds excessive,».

[*English*]

The amendment speaks of corporate concentration, and that is the point I would like to address in my brief remarks. Preventing interlocking directorships and corporate concentrations *per se* is a preoccupation of many Hon. Members of Parliament including myself. I believe the finance committee has eloquently addressed that subject and is dealing with the approach of self-dealing that flows from the concentration of power.

I would like to remind the House that some useful comments were put to the committee and indeed cited in the House. I would like to cite one comment which put forward very adequately and eloquently the point I wish to make. Mr. Justice Wyzanski of the U.S. Federal Court had this to say:

Concentration of power, no matter how beneficially they appear to have acted, nor what advantages they seem to possess, are inherently dangerous. Their good behaviour in the past may not be continued; and if their strength were hereafter grasped by presumptuous hands, there would be no automatic check and balance from equal forces in the industrial market ... Dispersal of private economic power is thus one of the ways to preserve the system of private enterprise.

I think that comment puts it better than I could. Indeed, we must address the question of corporate concentration. I would like to congratulate the Hon. Member for Winnipeg North for giving us the opportunity to make a few comments about it.

I believe that free enterprise is better protected and expressed if we do not allow corporate giants to be created. As I said, the *status quo* could become a difficult and dangerous problem. Therefore, we have an obligation to state clearly that Parliament views the concentration of powers in the corporate field as a dangerous and possibly difficult situation with which to deal.

• (1520)

In conclusion, we will support this amendment and vote in favour of it.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): The House has heard the terms of the motion. All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Pursuant to Standing Order 114(11), a recorded division on the proposed motion stands deferred.

Competition Tribunal Act

The House will now proceed to the consideration of Motions Nos. 9 and 10 which have been grouped for debate and will be voted upon separately.

Hon. André Ouellet (Papineau) moved:

Motion No. 9

That Bill C-91, be amended in Clause 47 by adding immediately after line 32 at page 53 the following:

"(*f*) any history of anti-competitive behaviour on the part of any party to the merger or proposed merger;"

Mr. David Orlikow (Winnipeg North) moved:

Motion No. 10

That Bill C-91, be amended in Clause 47 by adding immediately after line 42 at page 53 the following:

"(*i*) and to the extent to which concentration of corporate ownership is in the public interest, by avoiding conflicts of interest between merged financial and non-financial commercial operations, and by providing lower prices, innovation, employment and other public benefits through economic efficiency."

[*Translation*]

Mr. Ouellet: In my opinion, Mr. Speaker, the clauses concerning mergers are probably among the most important of this Competition Tribunal Act. I am glad that mergers no longer come under criminal law.

As I was saying, Mr. Speaker, the clause concerning mergers in Bill C-91 is probably one of the most important in this Bill. I am delighted that the Government has elected to follow-up on this recommendation that mergers no longer come under criminal law but under civil law. In this operation, however, the Government seems to have overlooked a number of factors which the previous Bill introduced by former Minister Judy Erola had taken into account. That is why, during the Parliamentary Committee study, I moved a number of amendments to increase the number of factors. As a matter of fact, Bill C-29 contained no fewer than 12 factors to be considered at the time of a merger while the original Bill C-91 presently before us contained only six. During the Committee hearings, several witnesses came forward to indicate that this part of the legislation was not as strong and adequate as former Bill C-29. I am glad to see that the Government has accepted two amendments which I had moved at the time, that is, any likelihood that the merger or proposed merger will or would result in the removal of a vigourous and effective competitor, and the second amendment, the nature and extent of change and innovation in a relevant market. Those amendments are important because they allow for a specific identification of the factors to be considered in cases of mergers. I appreciate the Government wanted to condense the 12 factors in Bill C-29 into the six factors in this legislation. But it is my view that the Act should include among the factors that may be considered, not only those that might encourage the tribunal to accept the merger but also to list a number of factors that could lead the court to reject the merger. It is with that in mind that I proposed this series of amendments.