

today, but in the light of some very important observations and questions raised by honourable senators opposite I have asked the minister's office to provide more information on these important matters. I think it would be helpful to stand this until tomorrow, at which time I will have that information, rather than have the Senate survive on the kind of insufficient information I might tend to give.

Order stands.

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BILL TO AMEND—MESSAGE FROM COMMONS AND MOTION
REFERRED TO COMMITTEE

On the Order:

Resuming the debate on the motion of the Honourable Senator Doyle, seconded by the Honourable Senator MacDonald (*Halifax*):

That the Senate do not insist on its amendments to the Bill C-60, An Act to amend the Copyright Act and to amend other Acts in consequence thereof, to which the House of Commons has disagreed; and

That a Message be sent to the House of Commons to acquaint that House accordingly.—(*Honourable Senator Sinclair*).

Hon. Ian Sinclair: Honourable senators, on May 4 a vote was held in this chamber considering the report of the Standing Senate Committee on Banking, Trade and Commerce on Bill C-60. That bill was sent back to the House of Commons and, after its being over there for some 18 days, a message was sent to this chamber suggesting that the Senate not insist upon its amendments. I was more than a little taken aback, as I am sure were other members of the committee, by what I will call "MacDonald to the power of 2," or "MacDonald squared," if you want to put it that way.

Senator Frith: Oh, she would resent being "squared".

Senator Sinclair: Well, you never know how these things will parenthetically work out until you try them. At any rate, in the other place, the "Honourable Flora MacDonald to the power of 2," if I can put it that way, said that our committee sat for only three days and heard 20 witnesses and that it did not have professional advice in this complicated matter. Well, I would suggest that any objective reading of the record of the Senate committee would indicate that there was more than " cursory examination" given to the bill. I could, however, be wrong. And maybe this bill does need more examination. Maybe it is required that the Senate take this bill to the people. Maybe it is required that the Senate committee travel. Maybe the bill should not be before the committee for three days, but for three months. I do not know if that is what she had in mind.

In any event, honourable senators, I would suggest that the message and the bill be referred back to the Standing Senate Committee on Banking, Trade and Commerce for consideration and report.

Hon. C. William Doody (Deputy Leader of the Government): Honourable senators, quite obviously, if it is the wish of the Senate to send this bill back to the committee, then that is where it is going to go. It seems to me to be a rather tragic misuse of the powers of this place to so treat a bill that has been passed by all parties in the other place and has obviously got the consent of the elected people of all political stripes. If this place decides, in a fit of pique or a fit of disturbance over the minister's comments, that the Senate has not taken enough time to look at the bill, then perhaps the Senate should also think of the fact that the minister suggested that we accept the bill as it was originally presented and as, once again, it was passed at its second presentation in the House of Commons.

Honourable senators, I think it is most unwise for this house to take the position that it is obviously going to take on a bill of this nature. I am not going to go into the details of the bill. Those who served on the committee are very familiar with it. As to the suggestion that it has not been well considered, I think members of this place know differently. Not only this government but previous governments have tried for a long while to find a fair and equitable way to treat members of our artistic and creative community in this country. To find that they will be further delayed in receiving the kind of justice they so deserve, simply because of some fit of distemper of certain members of the Banking, Trade and Commerce Committee, is deplorable in my view. If, indeed, it is the wish of this house to send the bill back to committee, then obviously that is what will happen. But I have to advise honourable senators that, in my opinion, that is a very short-sighted course of action in terms of the future of this house.

Some Hon. Senators: Hear, hear!

Hon. Royce Frith (Deputy Leader of the Opposition): Honourable senators know how I feel about this bill. I have spoken about it in committee and in the house. As I said then, I believe the bill should pass.

● (1410)

However, concerning the procedure of sending it back to the committee, as a courtesy and for efficiency in the operation of the Senate and its committees, and to maintain a cordial relationship between the Senate and its committees—and I have said this on other occasions with regard to other bills—when the Senate adopts a committee report on a bill that is sent to the House of Commons with amendments, which are not accepted in the other place, and the Senate is asked to not insist on those amendments, it should be sent back to the committee whose report was first adopted to enable them to react to the message from the House of Commons.

As I said, honourable senators know how I feel about the merits of the bill itself; but as for sending it back to the committee, I believe that we ought to do so.

The Hon. the Speaker: In amendment, it is moved by the Honourable Senator Sinclair, seconded by the Honourable Senator Frith:

That the motion, together with the Message from the House of Commons on the same subject, dated 17th May,