

*Patent Licensing of Drug Manufacturers*

consideration. I presume they are under consideration at the present time by the Minister of Finance and members of the cabinet.

Mr. Speaker, I move, seconded by Hon. Maurice Lamontagne—

**Mr. Speaker:** Order, please. Before the hon. member is allowed to put his motion a decision should be taken by the Chair as to whether there is a prima facie case of privilege in the statement. If there is no objection I might take the matter under advisement. If there is a prima facie case of privilege then the hon. member might be allowed to make the motion. I might say, perhaps, that I have some serious doubts at the moment about whether there is a prima facie case of privilege.

**Hon. R. A. Bell (Carleton):** Mr. Speaker, with reference to the question of privilege, when Your Honour is considering the matter would you consider the fact that the member for Davenport has referred to a public document prepared by the inspector general of banks. I suggest and submit that the rules of the house would require that this document should be laid on the table of the house, and I would ask Your Honour to take that matter into consideration at the same time.

**HEALTH AND WELFARE****TABLING OF REPORT ON PATENT LICENSING OF DRUG MANUFACTURERS**

**Hon. A. J. MacEachen (Minister of National Health and Welfare):** Mr. Speaker, with leave of the house I should like to table copies, in English and in French, of the report of the special committee which was established to look into matters involved in the patent licensing of drug manufacturers. This committee, which was established on June 14, 1965, consisted of Dr. Irwin Hilliard, Dr. Charles Gowdey and Dr. Roger Gaudry.

In general the various recommendations of the committee which are not directly within existing regulations are being considered, and to the extent necessary are being implemented by appropriate arrangements with the commissioner of patents, as well as by changes in our drug regulations.

Arrangements have been discussed with the commissioner of patents to ensure close cooperation between the food and drug directorate and his office. The directorate will provide the necessary report to the commissioner relating to the competency of the applicant to manufacture a particular drug,

[Mr. Gordon.]

and while the decision with respect to the issuance of a compulsory licence is entirely within the discretion of the commissioner, I consider that the arrangements which have been discussed will effectively take into account the views of the committee.

The recommendation of the committee with respect to the furnishing of samples and informational material to the food and drug directorate and the inspection of premises, are matters which can be taken care of under the authority of our existing regulations. Hon. members can be assured that careful attention will be given to the supervision of matters which are involved in this portion of the recommendations.

We have also under consideration an amendment to the definition of a new drug, which is designed to give effect to the purpose of the fifth recommendation which is contained in the report. It is felt that the existing regulations which require suitable conditions of manufacture for a drug are sufficiently broad to cover the purposes of recommendation No. 6.

The question of adequate direction for use, including information to the professions, is a matter that has been under consideration for some time and appropriate steps are being taken to amend the regulations as would be necessary to give effect to this part of the report.

As regards notification, I expect that the necessary regulations in this regard will be in force within a very short space of time. Consideration is being given to strengthening the regulations with respect to the testing of drugs imported into Canada. The present regulations require that the container of a drug in dosage form bear a lot number. My officers are looking into the practicability of the individual capsule or tablet carrying a distinctive mark.

In concluding my remarks I would like on behalf of my colleague the Secretary of State, who established the committee, and myself, to pay particular tribute to it for its willingness to undertake this work at short notice and for the quality of the report which it provided.

**PUBLIC SERVICE****LEGISLATION RESPECTING EMPLOYMENT IN GOVERNMENT SERVICE**

**Right Hon. L. B. Pearson (Prime Minister)** moved for leave to introduce Bill No. C-181, respecting employment in the public service of Canada.