

*Proposed Consumers Affairs Department*

assuring the better carrying out of the objectives of consumer protection whether they be objectives as stated in existing law or statute or general objectives which the consumer council might recommend should be made law either at the federal or provincial level.

The Molony report went to some pains to make it clear that they were not recommending a kind of a consumers' complaints bureau. At page 280 of the Molony report they made this observation:

What we reject is the idea that a consumer council should be under duty to receive, consider or handle individual complaints or to attempt to adjust them.

Paragraph 855 of the report, briefly stated, indicated the following functions?

1. Collecting information about consumer problems.
2. Considering what, if any, action is required.
3. Promoting that action.

I think it would be very useful for an entity of this kind to have the responsibility of surveying the consumer field generally in Canada and deciding what, if any, protection is necessary for consumers either by changes in the law or through the vehicle of prosecutions or other legal action under existing statutes.

One of the real difficulties involved in many of these consumer problems—and it is not unique to the consumer field; it applies to many other legal questions—is that the mere scale of the problem in the individual case may not justify legal action by the person involved. Therefore even the person who has had a bad deal in the purchase of an electric fan, television set or refrigerator is inclined to take the attitude that he should not throw good money after bad in trying to enforce the warranty and bring to justice the particular unscrupulous salesman or manufacturer who may have been responsible for selling the article.

• (5:50 p.m.)

What a consumer council could do, where practices of a fraudulent nature were disclosed and certainly where there was a pattern of misleading sales practice, would be to take whatever legal action might be involved such as the rescinding of the contract in a number of particular cases. This action, of course, would be brought at the expense of the council in order to establish the kind of practices which would not be enforceable or, conversely, the kind of practices which could result in the contract being upset. In this way

the consumer council could take the initiative to have the court declare standards where now so often in these consumer cases the consumer in question decides not to proceed with any particular action.

I have made reference already to the fact that I do not accept the hon. lady's suggestion with regard to the establishment of a separate department. I have suggested that perhaps a more effective way of achieving consumer protection would be a separate entity, a semi-autonomous entity, to which responsibility for enforcement of consumer legislation at the federal level could be given by this parliament and perhaps by delegation by the provincial governments.

I should like to express my approval of one suggestion in the brief of the Consumers Association of Canada. I am referring to page 3 of the brief where reference is made to the establishment of an interdepartmental committee of government departments which are responsible for enforcing various aspects of consumer legislation. For example, I have made reference to the fact in my earlier remarks that no less than six different parts of government are involved with the enforcement of consumer legislation. They are the Departments of Finance, Trade and Commerce, Agriculture, National Health and Welfare and the combines investigation branch which under the bill currently before parliament is to become the responsibility of the Registrar General in the general grouping of business matters under one department.

The sixth, of course, is the Criminal Code, the actual enforcement of which is not the responsibility of the federal government but the responsibility of the provinces. I say it would be very useful that there should be an interdepartmental committee on a continuing basis within the federal government in order that certain practices or patterns of practices which appear may be brought to the attention of the appropriate departments. For example, a problem might involve health and would be referred to the Department of National Health and Welfare, while any weights and measures aspect of the problem should be referred to the Department of Trade and Commerce. Merely because part of the problem came under another department we would not necessarily run the risk of its falling between two stools.

I hope the government will give serious consideration to the establishment of an interdepartmental committee on consumer affairs for the purpose of making sure that