

legislation gets refined and gets to be better legislation by the committee process.

Motion No. 4 is an incredibly good motion because it ensures that there is more than one individual on the advisory committee and that there are a group of individuals to assist in ensuring that the act is being administered as it properly should as to licensing and other such things.

Motion No. 5, as my colleague has said, codifies the relationship with the Department of Consumer and Corporate Affairs. If there is any fear of the development of a monopoly—and we would hope and expect that the department would be very wary of that in any respect—it basically commanded by this piece of legislation to be very vigilant to ensure that the consumer, in this case the farmer, is not at some future time gouged as a result of the legislation.

I rise in support these two motions and I would hope that others on all sides of the House would support them because it betters this piece of legislation.

**Mr. Murray Cardiff (Parliamentary Secretary to Deputy Prime Minister, President of the Privy Council and Minister of Agriculture):** Mr. Speaker, I will be responding to Motion No. 4 and Motion No. 5.

The minister indicated in his speech at second reading and in the background document he released when the bill was first introduced, that he intended to have an advisory committee to advise on the administration of the Plant Breeders' Rights Act.

When the bill was drafted it followed a format that had been used previously, dating back to Bill C-32 which received first reading in May of 1980. In this format it states that the minister may appoint an advisory committee. I want to remind the House that it was a minister of agriculture who served for many years in this country, the hon. Eugene Whelan, who brought that bill in at that time.

The opposition has expressed a concern that the word "may" in clause 73 implies that there could be situations in which the minister may not appoint an advisory committee. The minister sees an ongoing function for the advisory committee and does not envisage a situation in which the committee would become redundant. For those reasons the government is very supportive of this motion.

### *Government Orders*

Motion No. 5 would require the commissioner, in consultation with the advisory committee, to consult with the Department of Consumer and Corporate Affairs on matters related to the administration of the act which could reasonably be considered as being of concern to that department.

The motion is very similar to one which was considered by the legislative committee and rejected. It was rejected not because there was an objection in principle to the proposal, but because this matter is already being covered in a different way. There already exists a memorandum of understanding between the Department of Consumer and Corporate Affairs and Agriculture Canada with respect to this legislation. This MOU covers administrative aspects relating to other laws in the Competition Act and the other intellectual property laws. It is intended to ensure that the two departments work closely together and such agreements are not usually included in acts or regulations.

It should be pointed out, Mr. Speaker, that the existing MOU is broader in its coverage than this motion. The motion refers to an official in Agriculture Canada, the commissioner of plant breeders' rights, but the MOU is an agreement between departments. Considerable consultation has been necessary between the two departments in the development of the plant breeders' rights bill. Such consultation will be ongoing as the legislation is implemented. This is provided for in the MOU and so this motion is unnecessary.

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

**Some hon. members:** Question.

**The Acting Speaker (Mr. Paproski):** The question is on Motion No. 4. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

Motion No. 4 (Mr. Foster) agreed to.

**The Acting Speaker (Mr. Paproski):** The next question is on Motion No. 5. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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