

with test market products, specialty products, greeting cards, books, talking toys, and games in which a knowledge of the language used is a basic factor essential to the use of the game. The Bill keeps those exceptions in order to maintain consistency throughout the legislation. That means that a whole series of regulations relating to bilingual labelling, made under other Acts and applicable to particular items, would also be exempt under Bill C-280. This is the case, for example, of baby carriages and prams, products containing petroleum distillates or pine oil, liquid cleaners for drains, and charcoal, under the Hazardous Products Act. The Explosives Act also contains standards, as well as the Radiation Emitting Devices Act and the Shipping Act.

Bill C-280 is not intended to upset completely the labelling system, but rather to strengthen the regulations by incorporating them into law. Thus, the labelling in English and French would no longer be required by regulations made by the Governor in Council, but by an Act of Parliament duly passed at all stages.

All this stems from the trade deal between the United States and Canada, which raised concerns as to its impact on the Canadian policy respecting bilingualism. Indeed, many are concerned that regulations on bilingual labelling may not be honoured by the United States who could invade the Canadian market with products labelled in one language only or who could consider regulations a commercial barrier and could perhaps ...

M. McDermid: It is not true!

M. Gauthier: ... I said perhaps could bring the issue to court. I heard the Hon. Member saying that it is not true. He may want to take part in the debate and correct perceptions. I said there is a perception. Interested parties have told me it is a possibility. That's why I am raising the issue. That is also why, by incorporating that labelling and packaging measure in the Official Languages Act, we could give it precedence over any future legislation arising from the trade deal under Section 3 of the present Act.

Madam Speaker, we know that, unlike an Act, regulations can be amended anytime by the Governor in Council whereas an Act must follow the various stages of the legislative process and be approved by members of both Chambers. Bill C-280 aims at ensuring that only a Parliamentary majority can legislate on that vital element of our Canadian culture and identity.

Out of respect for present regulations and the industry that has adjusted so well to them, I do not and will not propose amendments to the regulations. They are incorporated without any change in the Bill, except that the French version has been amended to correct some flaws in content and form. I sought legal advice on that and was told to tighten up and amend the French version to make it more accurate.

Consumer Packaging and Labelling Act

Madam Speaker, that explains the absence of sanctions in the Bill other than those already existing, that is those provided in sections 15, 16 and 17 of the Consumer Packaging and Labelling Act regarding seizure, detention and forfeiture of consumer goods where the legislation or regulations have been violated. These would continue to apply and thus would ensure respect of the legislation. Again, as I said a moment ago, it is out of respect for the existing regulations that I decided not to add any new sanctions in the Bill. Since the present system is working, it would seem unwise to change it now and, above all, to launch a full debate on these amendments which would result in delaying passage of Bill C-280.

Madam Speaker, the bilingualism issue has achieved considerable progress these past years, through the impetus given by successive governments. First and foremost, Bill C-280 is aimed at preserving these advances in the labelling area. Time and experience have led us, Canadians, to consider as granted the fact that throughout the country our products are identified in both official languages. It is not sure whether the Americans, with the trade liberalization between our two countries, would show the same amount of good will.

Since the government did not incorporate into the trade deal clauses providing that our labelling regulations be recognized as an integral part of our cultural identity, it was necessary to proceed otherwise. A lawsuit brought under the dispute setting mechanism could easily jeopardize the obvious efforts that we have made in the labelling area.

If this bill is passed by the House, we would enjoy some form of protection since Canadian legislation is protected by the free trade agreement and particularly since the Government will be reassured, I think, concerning trade between both countries. If, Madam Speaker, pressures exerted by Americans were ever strong enough to cause us difficulties in that area of labelling and packaging, the Government would only have to say that the Canadian law prevails as passed and that the policy of the Canadian Government is to the effect that the labelling and packaging are done in Canada in both official languages.

I think, Madam Speaker, that this bill is reasonable. I do not intend to shake up or disturb anyone. There are no major changes here, except that it is time, I think, to incorporate into the law the whole question of labelling and packaging in order to ensure future continuity in that area in Canada.

● (1720)

[English]

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Madam Speaker, I rise to speak in this debate today not only because I am interested in the subject, but also because of the free trade implications which the Hon. Member has brought to the floor of the House. He has left some misconceptions which I hope to clear up.