

*Competition Tribunal Act*

We can look at the takeover in 1981 by Noranda Mines Limited of McMillan Bloedel, 49.8 per cent at \$626 million. McMillan Bloedel is one of the largest employers in British Columbia. It has a long history of involvement in the forestry industry and was taken over by Noranda Mines, a corporation that has no real history or interest in the forest industry. Later that same year Brascade Resources Inc. took over Noranda Mines for \$1.6 billion. Here we have Noranda taking over McMillan Bloedel and then we have Brascade taking over Noranda. We have the big fish coming along and swallowing the smaller fish.

We have to ask where it is all going to stop. We do not have confidence that this Bill will solve this problem. We see in some of the definitions that we have of anti-competitive acts that Government knows what these are. It defines them as squeezing, acquisition by a supplier of a customer who would otherwise be available to a competitor, the use of fighting brands introduced selectively on a temporary business to discipline or eliminate a competitor, pre-emption of scarce facilities for resources required by a competitor for the operation of a business, buying up of product to prevent the erosion of existing price levels, adoption of products specifications that are incompatible with products produced by any other person, designed to prevent his entry into or eliminate him from a market, or requiring or inducing a supplier to sell only or primarily to certain customers.

The Bill defines all of these in Section 50 as the abuse of dominant position and as anti-competitive acts. Section 51 imposes the conditions under which an application by the law takes place. These conditions have to be met before the tribunal may make any order prohibiting these practices. As my hon. friend from Nickel Belt said yesterday, this Section is filled with weasel words that allow practically anything to happen.

For example, in Section 51(c) "the practice has had, is having or is likely to have the effect of preventing or lessening competition substantially in a market". There can be a lot of debate about what the word "substantially" means. It is going to be a lawyers' field day, but it is not going to provide much protection for the average consumer.

In conclusion, I want to say that Canada badly needs legislation to protect consumers from monopoly and predatory pricing practices. It badly needs legislation to protect smaller businesses from being gobbled up and eliminated, for no other reason than the desire for bigness. It badly needs proper anti-combines legislation. Unfortunately, Bill C-91 does not meet that need, and on this basis I urge the Government to bring in some proper amendments that will make it more effective.

**Mr. Blenkarn:** I would like to make a couple of comments and then perhaps ask the Member a question. He will realize that this is the fourth Bill that has been introduced on competition over a period of time. I remember one was introduced by one Tony Abbott, the Minister of Consumer and Corporate Affairs following the 1974 Parliament. He defeated

me in the general election and went on to be Consumer and Corporate Affairs Minister, and the competition act defeated him.

Then we had the Hon. Member for Papineau (Mr. Ouellet) who introduced a paper on competition. It was circulated around the countryside, and every storekeeper, every small businessman, every person in the whole country that was in any way involved in franchises or whatever formed almost a squad to run the Minister out on the rails. That Minister was very fortunate in losing the portfolio of Consumer and Corporate Affairs. So the Bill has had a very rough time.

• (1220)

The Hon. Member will know that there has been a great deal of consultation. For example, the Consumers' Association of Canada has been heavily involved. The Canadian Federation of Independent Business and the Canadian Independent Petroleum Association heavily support the Bill. I wonder, in view of that support, and in view of the very hard history, why the New Democratic Party and, in particular, the Hon. Member for Cowichan-Malahat-The Islands (Mr. Manly), would not stand up and applaud the Government for introducing the legislation, and applaud the Minister of Consumer and Corporate Affairs (Mr. Côté), bearing in mind the way other Ministers of that portfolio have gone down the pipe with competition Bills. He should be applauded for having the strength of character to introduce this Bill.

**Mr. Manly:** Mr. Speaker, the Hon. Member talked about strength of character being needed to introduce this Bill. I am speechless at the idea that the introduction of a Bill like this requires strength of character. That is utterly beyond my comprehension, unless the Tories have a completely different understanding of what "strength of character" is all about. The Hon. Member talked about the great deal of consultation which has taken place. The labour movement was essentially asked a few questions, but there was no extensive follow-up with the labour movement, or any consultation. The Consumers' Association of Canada was essentially told to take it or leave it. It was not really involved in helping to draft the kind of legislation which is needed by the Canadian public for its protection. I do not think that the introduction of this Bill requires any kind of strength of character. Certainly, it is not the kind of Bill I would want to applaud.

**Mr. Blenkarn:** Mr. Speaker, is it the view of the Hon. Member of the New Democratic Party that, for example, Crown corporations should not be included in a Competition Bill? Is it his Party's view that the banks should be able to carry on the way they have and not be covered by a competition Bill? Does the Hon. Member not begin to understand that for the first time Governments have had the strength to be able to say to Crown corporations and the banks: "You, too, are going to be subject to the competition legislation this Government proposes"?