

plea not in any partisan sense, nor with the idea of imposing further worry upon the Leader of the Government in this chamber. I do think that some kind of arrangement could be worked out so that we will not be put in this embarrassing position.

Let me take a little recent history to illustrate what I mean. Last year, on the last day of the session, in the dying hours of the session, we received an amendment to the Customs Act. We on this side of the house said that we felt that amendment was a violation of the provisions of GATT. We were assured that this was not so. Parliament closed on Saturday night, and on Monday morning a press conference was held at the American legation at which it was stated not only that the Americans had objected to this legislation because it was in violation of GATT, but that their objections had been placed before the Government several weeks before the bill received parliamentary consideration. We were not told that. That is an iniquitous position for the Senate to be put in, and I hope that kind of thing will not happen again.

I do not say that those considerations apply to this measure. I think if this measure came to us in the normal course of events earlier in the session we could do what the honourable gentleman from Hanover (Hon. Mr. Brunt) has asked us to do tonight, namely, pass it without having it go to committee, and I for one would be glad to do that. I am not too sure that I can follow the factual explanation which he gave, because I am not quite sure from what I understand of this measure that that information is completely accurate.

Let me say this: I understand that in the fishing industry, in the packing industry, in British Columbia, before the fishermen go out for their catches they sit down with the cannery, with the people in the industry to whom they sell their fish, and an arrangement is made about the price the fishermen will get.

Hon. Mr. Brunt: It goes much further.

Hon. Mr. Connolly (Ottawa West): Perhaps it goes further, but this point I think is crucial. I think the price is predetermined. It is based upon what the sellers of the fish feel they can get in their markets. Starting with that price, they then determine what the fishermen will be paid for their catches as they bring them in. I think it is this combination of agreements made between the packers and the fishermen which is thought to offend against the act. In other words, the market for the year in question is surveyed and then the price is determined; after that the fishermen are told how much they will get, and off they go.

If this is a situation which offends against the Combines Investigation Act and is not favoured by the law, and if, on the other hand, prosecutions under the Combines Investigation Act or even an investigation by the Restrictive Trade Practices Commission will upset the industry, then I think it is the part of wisdom on the part of the Government to defer this development until such time as the situation can be properly studied. I think this is all this section does, and it should commend itself to the judgment of all of us that further study be given to it. It may be that an amendment will have to be made to the Combines Investigation Act and to the Criminal Code to change the position in which these people in the fishing industry in British Columbia find themselves. If that is so, then I think that when such a measure comes before Parliament we should have, and I am sure we will have, ample opportunity to give it full consideration. In the meantime, this postpones the day of decision. I think it is a wise move, and I will certainly support the bill.

Hon. Arthur W. Roebuck: Honourable senators, I have heard nothing yet that would justify me in supporting this measure. I look upon this enactment as a matter of very great importance, and the effect of it I regard with grave concern.

Here we are told that the fishermen's union and the processors' association propose to do something which they fear may bring them within the limits of the Criminal Code, and they come to this house at 11 o'clock at night and ask us to set aside these two very important acts made for the protection of the public, without any real knowledge on our part of the situation or of what we are doing.

Unfortunately, I do not have the Criminal Code before me, so I must rely on memory. The Code says that an act, to be criminal, must unduly—we have heard that word "unduly" used so frequently—affect the public interest; that the act must be contrary to the public interest, and unduly so at that.

I say we are asked to set aside a provision for the protection of the public without any real knowledge of what we are doing. A simple statement by one of the members of this house, based on instructions which have been handed to him, is all we have, and we are asked to adopt a measure of this kind—three readings, one right after the other—without even an opportunity of reading the sections of the act affected by this bill.

It is outrageous; it is extraordinary; it is unprecedented in this house. I have never heard of an assembly such as this being asked to stultify itself in this way. We might at least have been given the sections of the acts