

*Combines Investigation Act*

opportunity to discuss the matter again every time. Thus, it is not an unmixed blessing so far as he is concerned.

**Mr. Howard:** I did not know you would invite me to take part in the discussion again.

**Mr. Fulton:** The reason I do not like to see it extended for too long a period is that the arrangement might continue to operate for an appreciable length of time after it had been found that it was otherwise a contravention of the act. For these reasons I am not able to accept the extension of the postponement under this section.

**Mr. Howard:** In so far as the minister's suggestion is concerned, may I say I think that some of his friends on that side of the house would object strenuously to my participating in any debate which might prolong the session.

I do not intend to press the matter to a vote because of what the minister has said, and I think it can be taken as a solemn guarantee to everyone concerned that if circumstances are such at a subsequent session that it is necessary to extend the precaution for an additional period of time, this will be done until the matter is cleared up.

**Mr. Fulton:** Yes, I will confirm that understanding, Mr. Chairman.

Clause agreed to.

On clause 5—*Counsel*.

**The Deputy Chairman:** The Chair has an amendment of the hon. member for Ottawa West.

**Mr. Fulton:** Mr. Chairman, it was agreed that we would allow this clause to stand and that I would review the remarks and suggestion of the hon. member for Ottawa West in the light of what I had said and would then attempt to produce an amendment which reconciled the points of view. Accordingly, I have one which I would be glad to ask my colleague the Minister of Labour to move. I think the hon. member for Ottawa West has been provided with a copy. I will send one over now if he has not one.

**Mr. McIlraith:** Before the amendment is moved perhaps I should withdraw the amendment I had offered.

**The Deputy Chairman:** Will the committee give unanimous consent to the hon. member for Ottawa West to withdraw his amendment?

**Some hon. Members:** Agreed.

Amendment withdrawn.

**Mr. Starr:** I move:

That lines 3 to 5 on page 3 be deleted and the following substituted therefor:

[Mr. Fulton.]

13. Whenever in the opinion of the commission or the director the public interest so requires, the commission or the director may apply to the minister to appoint and instruct counsel to assist in an inquiry and upon such application the minister may appoint and instruct counsel accordingly.

**The Deputy Chairman:** The committee has heard the amendment.

**Mr. McIlraith:** I just wish to indicate that this fully and clearly expresses the views that I was seeking to embody in the amendment I moved.

**Mr. Fulton:** I do not wish to appear to obstruct my own amendment, but I notice now it seems to have reference to the original bill and I am just wondering, to avoid misunderstanding, whether we are working on the reprinted bill or—

**The Deputy Chairman:** We are working on the original bill.

**Mr. Fulton:** Then it is alright.

Amendment agreed to.

Clause as amended agreed to.

**The Deputy Chairman:** Shall the committee revert to clause 9.

On clause 9—*Findings to be included in report*.

**Mr. Howard:** I understand this clause was held over to make sure that it would not conflict with the possibility of one or more amendments being accepted to section 32 but, in as much as none was accepted, perhaps we might deal with this in a formal way. The minister introduced, or there was introduced on his behalf by the hon. member for Burnaby-Richmond, an amendment to section 32, notably to subsections 4 and 5, which deal with the export trade question. I am not advancing this favoured point of view because I do not think the clause before us now, namely clause 9, commends itself to our acceptance, in any event. There is a specific reference to findings in the clause and authority is to be given to the commission so that it shall include—and I am reading now from the top of page 4:

—a finding whether or not the conspiracy, combination, agreement or arrangement relates only to one or more of the matters specified in subsection (2) of section 32 and, if so, shall include a finding whether or not the conspiracy, combination, agreement or arrangement, has lessened or is likely to lessen competition unduly in respect of one of the matters specified in paragraphs (a) to (d) of subsection (3) of section 32,—

And so on. If it is desirable to give the commission authority to make findings with respect to subsection 2 and subsection 3 of section 32, would it not also be correct for