

the CRTC has done. This is what the Government has agreed to. It is something which has received the unanimous condemnation of virtually everyone in the industry except the people who were involved in First Choice, who were afraid, for good reason, that they would lose a major part, if not all, of their investment, and give control to Astral Bellevue and the people who are involved in very large corporate interests and have very large financial stakes.

● (1815)

We are told by the CRTC in its ruling that it has laid down very stringent rules as to how Astral must not do the things which the CRTC has always said companies shall not be permitted to do, that is, it will not be able to use the power which it has as a vertically integrated company.

Over the years the CRTC has said to applicants for TV licences that they would have to do these things and have Canadian content—plays, music and ballet. Those have been ignored by the successful applicants for the regular TV channels. I predict they will be ignored by Astral Bellevue when it takes over First Choice.

Mr. Jack Burghardt (Parliamentary Secretary to Minister of Communications): Mr. Speaker, first may I say that I am rather surprised at the criticism levelled by the Hon. Member upon the CRTC regarding this transfer of control of First Choice to Hees International. It seems to me that quite often the CRTC is criticized for not responding quickly enough to the needs of the broadcasting industry. Here is a perfect example where the CRTC has responded to a specific problem relating in this case to First Choice and it has responded in a very positive manner.

Mr. Orlikow: To the detriment of everybody else.

Mr. Burghardt: The Hon. Member mentions a letter from ACTRA regarding the vertical integration. The CRTC has specifically made mention of this, that this is one of its major concerns as well in considering the application of transfer of control. The Commission also said that it gave consideration to the concerns expressed by interveners, obviously ACTRA as well, particularly with respect to this issue of vertical integration.

I might mention, Mr. Speaker, that the Member has mentioned the strict conditions placed by the CRTC in granting approval. All he has to do is to read the decision handed down by the CRTC and he will inform himself of those strict controls. Never in my experience in the broadcasting industry have I seen such strict controls placed upon a particular decision.

Mr. Orlikow: What happened to the other controls?

Mr. Burghardt: So the CRTC in this case certainly has put very stringent controls in approving this application.

The other point which the Hon. Member does not mention is that some of those who opposed this application of transfer of control took their case before the Federal Court of Canada.

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The Federal Court of Canada obviously felt that there was no case, and allowed the decision to be made.

If time permitted I could go down and list some of the very strict commitments which this decision renders upon the principles involved. For example, the board of directors of First Choice will be independent of the board of directors of Astral. The Hon. Member knows this.

Mr. Orlikow: If you believe that, you will believe anything.

Mr. Burghardt: The board of directors of First Choice will include, in addition to the present representation from some of the Provinces, additional representation from British Columbia and also from the Atlantic Provinces. There is complete separation of First Choice from Astral. The management of First Choice will be entirely separate, distinct and independent from that of Astral.

I see that I am running out of time, Mr. Speaker, but I would suggest to the Hon. Member that he read in detail the decision handed down by the CRTC in this case and I am sure he will feel much better about the decision.

● (1820)

METRIC CONVERSION—COURT DECISION ON LEGALITY OF IMPERIAL AND METRIC MEASUREMENT SYSTEMS—GOVERNMENT POSITION. (B) INQUIRY WHETHER APPEAL WILL BE LAUNCHED

Mr. Bill Domm (Peterborough): Mr. Speaker, on November 2, 1983, we had some discussion in the House dealing with the regulations which caused the Government to force metric on various sectors of the retail trade. At that time it was pointed out to both the Minister of Consumer and Corporate Affairs (Mrs. Erola) and the Prime Minister (Mr. Trudeau) that a judge in Toronto had ruled that imperial measurement would remain legal in the Province of Ontario and that they could not enforce the regulations.

The Prime Minister confirmed in the House of Commons, in response to questions on November 2, that it would be impossible to enforce metric regulations in Ontario at that time. The Minister of Consumer and Corporate Affairs alluded to the possibility that if they were to launch an appeal of this provincial court decision, at that time they would start enforcing the regulations. I am pleased to announce that since that day the Minister has agreed with the Department of Justice which advised her that it would not be possible to prosecute anyone in the Province of Ontario for the use of imperial measurement until the outcome of the appeal was known.

In my discussions with various lawyers involved in the case, it has been drawn to my attention that it will probably take a year or two to get through the appeal courts if the Government decides to appeal the case. The sad thing is that the Government cannot seem to make up its mind on whether or not it intends to appeal. While it is trying to make up its mind, I would like to draw its attention to a couple of incidents which have occurred in Canada. Perhaps the Parliamentary Secretary who will respond to my comments will endeavour to answer these concerns.