

*Canada Post Corporation Act*

monopoly enjoyed or to be enjoyed by this Crown corporation to be established.

The hon. member for Mississauga South (Mr. Blenkarn) had an opportunity to deal with the exceptions to that monopoly as they apply to letters that must, in fact, under this bill become the exclusive property for delivery of the new corporation. Those exceptions relate in a very limited fashion to letters of an urgent nature that are delivered by messenger for a fee at least equal to the amount that is three times the regular rate of postage; letters concerning goods for delivery carried by a common carrier; letters concerning the affairs of an organization that are transmitted between offices of that organization or by an employee thereof; and letters in the course of transmission by any electronic or optical means. Those exceptions, which I suspect apply to the majority of those areas about which the public may be concerned, are not broad enough, in my submission, and specific representations have been made to me by constituents concerned about the application of the exclusive monopoly to be granted to this corporation, which itself will define what a letter is and, accordingly, the limits of that monopoly.

I have in front of me a letter dated March 25, 1981, which I received on April 1, 1981 from Smith and Associates Insurance Agencies Limited, insurance brokers, expressing their concern about the impact on the insurance industry, particularly during the time of a postal interruption, when they and insurance agents like themselves will not be in a position to cause others or their own agents to deliver the necessary insurance policies without demanding excessive fees.

If we were to take a look at the provisions of the insurance act in the province of Ontario, we would find that a life insurance policy does not become effective until it is physically in the hands of the insured. Companies relied upon the Post Office until it became apparent that that reliance was somewhat misplaced, and accordingly they have taken it upon themselves to see that their representatives deliver these policies, which include covering letters. I submit that even on the narrowest of interpretations which we may anticipate finding in the regulations, this would be an illegal act of which this House should be aware because of the impact it will have on this industry.

I should like to take some time of the House to read a couple of paragraphs which appear in that correspondence. Mr. Smith writes:

I am concerned that these exceptions do not go far enough—

He is referring to the exceptions to the necessity for the Post Office to deliver the mail. He continues:

—and that the wordings do not include insurance documents. It is inevitable that there will be another strike, and what would our clients do if they were unable to take delivery of their policy and furthermore, they are unlikely to pay for it. As a broker, we would not be able to live up to our obligation to our insurers and the whole fabric of the insurance business would be in jeopardy as maintenance of an effective communication system is urgent.

In the U.S., legislation exempts delivery of stocks, bonds, insurance documents, etc., as does legislation in the United Kingdom.

He then urges me, when I speak in the House, to draw the attention of members to these significant matters.

I cast my mind back to the representations which were made to the Standing Committee on Miscellaneous Estimates with respect to this specific issue. We had presented to us, particularly by people in the messenger and courier business, specific words which were extracted from the U.S. regulations dealing with time-sensitive materials. We were given not only specific illustrations of the words but examples in a concrete form of some time-sensitive, life-giving materials which were delivered by courier and with respect to which there might have been a covering letter concerning the method to be applied by a medical institution in the use of that medical device.

I know the argument that will be made by the Postmaster General (Mr. Ouellet) is that, under those circumstances, we are confronted with a cost at least three times the regular rate of postage applicable to those materials, but that argument does not cover the situation where, as in the case confronting us here, the cost might indeed not exceed three times the regular cost, or where an organization takes it upon itself to deliver the letters and enclosure in the letters of insurance policies.

I have also received a letter from the Markham Hydro Commission drawing to my attention the fact that that commission is, or has been until now, in the regular habit of having its bills delivered by those who read hydro meters. That practice, in the event that this legislation is passed in unamended form, will have to come to an end. They were concerned, of course, as are most people carrying on an active business practice, about the effect upon their operation of a mail stoppage, a strike, as referred to by Mr. Smith. Very clearly, the business community in Canada cannot come to a grinding halt because the Post Office corporation, as intended by this legislation, is unable to come to some agreement with its employees. I cannot for the life of me see how the passage of this legislation will end all labour-management disputes which have existed in the past and plagued the Post Office. It is unrealistic to expect that all those troubles will suddenly come to an end.

• (1750)

As a result of other provisions of the bill which place employees under the protection of the Canada Labour Code, the basis for potential disagreement between management and labour in fact will be extended. Under the circumstances, how can we realistically expect to find no disputes between the parties which will give rise to a strike and the non-delivery of mail?

It is incumbent upon the House to have regard for those circumstances. It is absolutely essential for taxpayers generally and for individuals who correspond with other segments of the business community or their customers to have at their disposal a way to carry on their business activities without being hamstrung by the present bill.

The hon. member for Mississauga South reflected the conduct of the affairs of the committee when he indicated that the