

Combines Investigation Act

the words he used, that "no one can foretell the outcome". If the principle of the legislation was acceptable to the house on previous occasions and if it is acceptable to the house on this occasion, than I suggest that the amendment offered by the hon. member for Skeena should likewise be acceptable. The minister has suggested that if we await the outcome of the investigation it may turn out favourably to the people who have been relieved by the legislation that the house has before it today and has had before it on previous occasions in other sessions, but I suggest we should not have to wait for the outcome of the investigation. If it is in the public interest to exempt the fishing industry of British Columbia from the provisions of the act, then the amendment that has been offered by the hon. member for Skeena ought to be accepted. The minister has said this is legislation of a very special nature, and I gathered he felt it was legislation which the committee ought to pass only with extreme caution because it was of a special nature.

The amendment that has been proposed would remove that deficiency from the legislation. It would make the legislation of general application, applicable to the fishing industry throughout the country. It would make the exemption unlimited in time and it would remove the sword of Damocles that has been hanging over the fishing industry of British Columbia for some time past. The minister has suggested that if the fishing industry is exempted from the provisions of the combines legislation there will be requests from other industries for a similar exemption. We are dealing with one industry only in this particular case. The amendment to the legislation that the minister has offered deals with one industry only. The amendment to the amendment that the hon. member for Skeena has offered to the committee deals with that same industry only. When other industries put their claims before the Minister of Justice, no doubt they will be given fair consideration and if the minister feels it legitimate to bring in further legislation exempting other industries, no doubt he will do so. But at the present time we are considering only the fishing industry. In the view of the members of this party, if it was legitimate and proper to exempt the fishing industry for one year and for additional years, as has been done, then surely it is legitimate and proper to exempt that industry for all time to come or until parliament chooses to alter the policy of the combines act.

Mr. Fleming (Eglinton): Mr. Chairman—

Mr. Pickersgill: Mr. Chairman, I wonder whether I could ask the minister a question?

[Mr. Berger.]

Mr. Fleming (Eglinton): I was just going to make an observation, if I may, first. The hon. member for Vancouver Centre suggested in his last intervention that the legislation might be extended for two years instead of one. I am quite willing to accept that suggestion, and if the amendment now before the committee is withdrawn or rejected I will be quite prepared to ask the committee to amend the bill by changing "1963" to "1964".

Mr. Pickersgill: Before any decision is made on that point I would like to ask the minister a question. It is this. Is it not true that collective agreements for wages are exempted from the Combines Investigation Act?

Mr. Fleming (Eglinton): In general, yes, that is true, Mr. Chairman. In my remarks I have tried to emphasize the extraordinary nature of this particular situation. The inquiry was instituted. It is not for me to say now what the outcome of it will be, but it was lawfully instituted in accordance with the provisions of the act. There is more involved here than merely a collective bargaining agreement. I think that is only one of the elements in the situation.

Mr. Pickersgill: The minister said there is some other element involved, and perhaps he will explain to the committee what it is. If there is no other element than the mere question of exempting another kind of collective agreement, I would point out to the minister that unemployment insurance for fishermen is based on precisely the same principle, that the price paid for fish is a wage. That is, I think, the ground on which this parliament has seen fit to agree to these bills year by year, that in these agreements prices are really analogous to remuneration by wages. There is also, of course, an analogy with the operations of the wheat board. There does not seem to me to be any very new principle. It looks rather as though the Combines Investigation Act has been deficient—and I am not criticizing anybody by saying that—in this particular, that it covers collective agreements for wages and, of course, it does exempt all these agricultural arrangements, but the fishermen, with their peculiar situation, were just not taken into account; it was assumed that they were analogous to those others I have mentioned.

Would the minister tell us what special circumstance there is in the litigation that makes it important to have the litigation proceed, because if parliament made this exemption for good and all that would end the litigation and the whole problem, it seems to me. If the exemption is really analogous to collective agreements for wages, then it does