

Competition Tribunal Act

competition law, something that is long overdue. Competition law sets the rules of the game. Canadians need a competition law that works.

I want to begin by highlighting some of the points in Bill C-91 and what they touch on. By way of some comment, I would like to address a few thoughts to the comments made by my hon. colleagues in the Opposition.

Some of the highlights of this legislation will involve international competition. International competition is emphasized throughout to help Canadian business compete in world markets.

As for adjudication provisions, the new competition tribunal to be established will combine judicial and business expertise to deal with anti-competitive mergers and trade practices. Investigatory powers will now be dealt with in a more effective fashion. New investigatory powers of the director of investigation and research will be made consistent with the Charter of Rights and Freedoms. There will be more attention in this legislation to the issues of merger. Obviously in recent days and weeks there has been considerable discussion about mergers, particularly from the Opposition as evidenced today.

The competition tribunal can stop mergers that lessen competition substantially. International trade will be a major factor in this, and pre-notification is required for large mergers. I will be touching on these in greater depth later in my comments, Mr. Speaker, but I wanted to highlight a few of these for the record.

As far as the abuse of dominant position or what is known as monopoly is concerned, the tribunal can stop anti-competitive practices on behalf of monopolies. Also in the area of conspiracy, there has been a considerable tightening up in that regard. Banks will now be included in this legislation as well as Crown corporations.

To run over these particular highlights, I would like in a few moments to deal in greater depth with several of these proposals. It has been 60 years since the last change to competition legislation in Canada and 75 years since there has been any degree of substantial change.

I would like to comment on how the opposition Parties have been dealing with this matter so far. While not being an overly great fan of the Official Opposition, I must remark that in this particular instance the Liberal Party has dealt with its response in a reasonably responsible fashion. We have heard such expressions as "improvement from the past" in debate today. We have also heard many members of the Official Opposition standing to support passage of this Bill into committee stage where it can be dealt with in greater detail and, of course, in the new spirit of reform of the House of Commons—here I am sure I am speaking on behalf of all Members—where it can be dealt with through an exhaustive study of the provisions in order to ensure that this legislation, as effective as it is, stays to be an effective voice and an effective measure of competition law.

The Liberal Party as well in government has been the author of no less than four previous pieces of legislation that dealt with competition law. In so doing, many of the speakers today have agreed that Bill C-91 does go significantly further. I give credit to the Official Opposition for dealing in this respect in a reasonably responsible fashion.

Mr. Nunziata: What about the NDP?

Mr. Gormley: I hear a Member asking what about the NDP. In Saskatchewan, maybe it is because we have only 14 Members out of 282, we are proud of electing to this House of Commons Members who are very strong in spirit if not voice as advocates of the Saskatchewan way of life. Unfortunately, the Saskatchewan way of life is often reflected in the number of New Democratic Members who continue to put appearances in here after every four years.

Mr. Epp (Thunder Bay—Nipigon): Say it for competition.

Mr. Gormley: That could be called competition, I suppose, as one NDP Member reminds me. We have heard comments today, from members of the New Democratic Party particularly, that I think bear a further look.

The Hon. Member for Yorkton—Melville (Mr. Nystrom), my friend who obviously predates me by many years in this House, has referred to the input in smaller Saskatchewan communities from people in the smaller businesses of Saskatchewan and ways of making a livelihood. He refers to this as part of competition.

I will touch on it later, Mr. Speaker, but I would like to remind the Member that the degree of input received in this process through the formulation of the Bill has come from groups like the Canadian Chamber of Commerce, which is made up of many small chambers of commerce like our Chamber of Commerce in The Battlefords which reflects small retail businesses, agricultural service companies and oil field service companies. We have seen people from The Battlefords Chamber of Commerce emerge as some of the primary leaders in the Saskatchewan Chamber. Of course, we are well heard in the national Chamber. As well we hear from groups like the Federation of Independent Business and the Consumers Association of Canada. I do take some exception to what the Member for Yorkton—Melville said, that there is no input into this kind of competition legislation from smaller communities and from smaller businesses in different and perhaps more remote walks of life in Canada.

Another long-term habit of the New Democratic Party is what I call the vilification of business. We heard members of the NDP at length today and the day before, in referring to the Big Five, I think they call them, somehow referring to the evils of Canadian business. As one examines further the measures contained in Bill C-91, as we will in committee and in this House, we will see that part of the philosophy of legislation that deals with competition has to address itself primarily to the kind of business environment we want for Canada.