

Patent Act

The question of what power a non-elected Senate should have in dealing with this or any other Bill is a separate question that needs to be debated on other occasions. The fact is that we have a non-elected Senate which has virtually all the powers of an elected House of Commons. That is an issue which neither the Liberal Party nor the Conservative Party has wanted to address. Obviously, they still do not want to deal with it.

The fact is that this whole question surrounding Bill C-22 was not opened by the present Conservative Government but by the former Liberal Government when the then Minister of Consumer and Corporate Affairs, the Hon. Member for Papineau (Mr. Ouellet), yielded to pressure from the multinational drug companies, agreed that a study had to be made, and appointed Professor Eastman to make the study. By the time Professor Eastman made his report to Parliament, there was a change in government. The Liberal Government was gone and the Conservative Government came to power.

Professor's Eastman's study stated that the system which was in place since 1969 had worked well and saved Canadians hundreds of millions of dollars. It stated that the multinational drug companies that were campaigning for changes, pleading an inability to fund and finance research, were among the most profitable companies in Canada. The prescription drug industry in Canada, as in the United States and other countries, is among the most profitable.

Professor Eastman told us that the licensing system which permitted generic companies to manufacture prescription drugs, after receiving the licence and paying a royalty to the multinational companies, was working well. However, he suggested some improvements that could be made, including the proposal that royalty fees be increased.

It is evident from this Bill and the discussions that have taken place since its introduction that the Government has rejected virtually every important recommendation made by Professor Eastman. One can only come to the conclusion that if this Bill were not written in the offices of the Pharmaceutical Manufacturers Association, the organization representing multinational companies, it could have been written there because the Bill gives those corporations virtually everything they want.

Despite all of the debate we have had in the House, the Government adamantly refused to accept or even consider any of the serious amendments and recommendations that were brought forward. The same happened when the committee which dealt with this Bill held its hearings.

I do not recall when I have seen such unanimous opposition to any proposal as I saw in the committee which dealt with this Bill. We heard from labour groups, consumer groups, seniors, and organizations representing nurses. A number of provinces indicated that their citizens would not only pay tens of millions of dollars directly in drug costs, there would be an additional cost of tens of millions of dollars for the various pharmaceutical and insurance programs that cover part of the prescription

costs of those who are ill. The Government ignored all the submissions and recommendations. The only support for the Government's proposals was from some of the medical researchers who told us that this Bill was important in order to provide funding for medical research.

The reason that medical research in this country is in a crisis situation is not that this Bill has not been passed, but that the Government has ignored all the promises it made before it was elected. It said that a Conservative Government would stop the underfunding of medical research and scientific research in every aspect of Canadian life. The Conservatives knew before they became the Government that Canada had one of the worst records of any of the industrialized countries in the world with respect to support for and funding of medical and scientific research.

We are not opposed to the amendments which were made by the Senate and sent back to the House of Commons. These amendments we are discussing today are very moderate and very much a retreat from the version of the Bill which the Senate returned to the House of Commons last August. These amendments, if adopted, would require each company to invest the \$1.5 billion they said they were prepared to invest in medical and drug research. The Bill in its present form does not include this intent and, if passed in its present form, would not require the companies to live up to those promises.

The Minister repeatedly argued that we opposed this Bill for politically partisan reasons. During the committee hearings, dozens of groups representing almost every segment of society expressed their opposition to this Bill and made reasonable, sensible, and valid suggestions to improve it. All those proposals and recommendations were rejected. The Minister keeps on lecturing Members of Parliament and groups which oppose what the Minister insists on doing in this Bill, saying their criticisms are not based on partisan political reasons but on a lack of information and lack of understanding of what this Bill sets out to do.

● (1550)

I want to put on the record in the few moments I have some of the views expressed by business groups and media people who are not very far-out radicals. In fact, they usually speak up on behalf of the business community. On October 26, the *Financial Post* carried an editorial entitled "Drugs and Trade". I would like to read a few sentences from that editorial which talks about the brusque dismissal of all the proposals received by the Minister of Consumer and Corporate Affairs (Mr. Andre). I quote in part:

The Senate Banking, Trade and Commerce Committee's recommendations only sharpen the Bill's purpose, that it might at least achieve what it intends. One sets explicit guidelines for the new Drug Price Review Board. A second establishes R&D commitments in law, on a company-by-company basis, rather than industry-wide. And a third merely cancels the Bill's retroactivity, in accord with natural justice.

The article ends by saying: