

Canadian International Trade Tribunal Act

I would point out that as of this morning the Senate had 15 Bills before it. If we complete our work as scheduled this evening, they are likely to have 19 Bills before it. It would be very helpful to the nation and to the House if it were to move expeditiously on most if not all the matters before it.

I thank Hon. Members for their attention. I hope that the particular Bill will receive a minimum of debate and relatively swift passage at third reading stage. I am optimistic in that regard.

Hon. Herb Gray (Windsor West): Mr. Speaker, I intend to be very brief in taking part in this debate. Our critic, our spokesperson for this Bill, the Hon. Member for Trinity (Miss Nicholson) has done an excellent job in putting forward the point of view of Liberals on this Bill and in putting forward possible amendments to improve the Bill. I cannot say that all our ideas were accepted, but I think one should recognize the excellent work done by my colleague, the Hon. Member for Trinity, in the study of this Bill.

Certainly there is a point to be made for Bill C-110, since it rationalizes and combines three separate pieces of trade legislation into one. The rationalization and improvement of Canadian trade legislation is a central component of Liberal trade policy. This policy has been set out in the reports that we have put forward to the public. For example, the Liberal report entitled *Reaching Out*.

More precisely, we have said that in order to communicate effectively and to deliver federal trade policy it is necessary to have transparent omnibus trade legislation which addresses all possible trade issues.

I did want to put on record some problems that we see with the Government's approach. The Government has gone ahead and negotiated a trade deal with the United States. We have told the House and Canadian people how in our view the trade deal undermines Canadian sovereignty, puts at risk hundreds of thousands of Canadian jobs, and limits the ability of present and future Canadian Governments, federal and provincial, to make decisions which Canadian people may consider in their interest and in the interest of their country in future years. I am talking about limiting the ability to make decisions in areas like energy, investment, financial institutions, agriculture, and cultural industries.

We now have a situation where the Government is trying to put us in a position where we will have two sets of trade legislation or rules. One set for our dealings with the United States and one set for everybody else. Ultimately I do not think that it will help Canadians or those who want to deal with Canadians, who want to understand and make the best use of Canadian trade legislation.

We have already made many comments about the flaws in the Government's trade deal with the United States when it comes to the rules set out in that deal on our trading relationship with that country. We pointed out that although the Government has set as its primary objective in a trade deal

with the United States the freeing of Canada from any possibility of harassment by American trade through penalty legislation.

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It is very clear that we have not been freed from the threat of American trade legislation. Even if the trade deal becomes law, we will continue as before. The only difference will be that added to it will be another stage of bureaucracy, the so-called machinery which the Government says it has negotiated with the United States for a dispute settlement. However, this dispute settlement mechanism will do nothing other than decide whether or not the American law has been applied correctly according to its own terms. Also, there will be a very complicated set of rules arising out of the trade deal, if it ever becomes law, for determining whether goods can flow on a duty-free basis between Canada and the United States. Many Canadians had hoped that a comprehensive trade deal with the United States would mean that they could go to the U.S., buy anything they wanted and bring it back here duty-free. They are in for a big surprise, Mr. Speaker, if this deal goes through.

The rules provided in the Government's trade deal with the United States indicate that people who purchase goods in that country will still have to pay Canadian federal-provincial sales taxes. They will be able to bring in products duty-free, only if they can prove that those goods are essentially of an American origin. We know today that many of the things we want to buy when we go to a country such as the United States do not come from there at all but from countries like Japan, Korea, Singapore, and Taiwan. If that is the case, those purchases will be subject to duty as before. If the deal with the United States goes through, we will have one set of rules no less cumbersome than the rules that may exist at present dealing with our relations in trading matters with the United States, and another set of rules and a tribunal to examine the rules which will be set up under this Bill in respect of trade with all other parts of the world.

There is a second concern that I have to express about Bill C-110. It could well be argued that Bill C-110 does not cover a very essential area. The kind of trade legislation proposed by Liberals in the trade policy we have put forward would specify how complaints are to be processed and administered. However, this legislation will make it possible to deal with the issue of whether there should be federal assistance available to help Canadian industry that would be affected by any ruling of the tribunal to adjust to import competition. If so, what type and amount of assistance should be put into effect to bring about this kind of adjustment?

Bill C-110 does not do this. It basically prescribes how complaints and investigations are to be handled. An essential corollary of any ruling being made by the tribunal proposed under Bill C-110 is what effect it will have. If there are effects that will be evident because of a ruling, even though that ruling is said by the tribunal to be in the over-all Canadian