

Patent Act

Government calls the intellectual property argument. It sees patents as a form of intellectual property. The Minister in his speech defending the legislation appealed to a centuries-old tradition. There are also centuries-old traditions where knowledge is to be used for the benefit of all humankind, not just the personal advantage of the people who developed it.

Some Hon. Members: Hear, hear!

Mr. Manly: I wish to remind the House that no property rights are absolute, whether they are intellectual property rights, or not. This summer when I returned to my place in British Columbia I found that the Department of Highways had driven stakes through my property because it thinks that it might want to build a highway there. My property rights are subject to considerations of the public good.

That is also true in terms of intellectual property. There is a great need for the Government to maintain some level of control in this area. For example, research that has been done by the Imperial Oil Company of Canada does not belong to the Imperial Oil Company of Canada. It belongs to the parent company. The idea of intellectual property can be used for syphoning intellectual research results away from Canada down to the headquarters of multinationals in the United States or elsewhere.

What are the rules for intellectual property regarding drugs? Even the present legislation acknowledges that there are some limitations. The present Patent Act provides for a two-year protection period. The Government legislation states that there will be a 10-year protection period. Even the Government's own legislation acknowledges that there are limits to the concept of intellectual property rights. These limits have to be very clearly stated. They have to be made in the interests of the Canadian people. The multinationals have known what the rules have been since 1969. They have been prepared to come into Canada under those rules, and they have been able to make money under those rules. I do not feel that the justification of property rights stands up—

The Acting Speaker (Mr. Paproski): I regret to inform the Hon. Member that his time has more than expired.

Do we have questions and comments?

Mr. Greenaway: Mr. Speaker, before lunch the Hon. Member gave us a litany of items about the present Government, what it had accomplished and what it had not accomplished. One of the things that the Hon. Member said was that we had gutted the National Energy Program. As a western Member, I was wondering if the Member or his Party was in favour of the National Energy Program?

Mr. Manly: The position of our Party on the National Energy Program is very well known to the Hon. Member. We supported some aspects of it, and we opposed other aspects of it. The part that the Government did away with that I am particularly concerned about was the back-in provisions, where

Canadian people have supported exploration and drilling through their taxes.

On the basis of that, we believe that the Canadian people, through their Government, should have the right to a certain percentage of the resources that were found as a result of that exploration. The Government has done away with that. That was another example of caving in to the United States, which was not in the interests of the Canadian people. I am sure that the Hon. Member would agree with me.

Mr. Greenaway: No, I do not agree you. I was wondering if you consider that that one item justified gutting the whole program?

The Acting Speaker (Mr. Paproski): Would the Hon. Members address their questions and comments through the Chair, please.

Mr. Manly: Thank you, Mr. Speaker. I will try to do that.

Certainly the back-in provision, as far as we were concerned, was one of the most important aspects of the National Energy Policy. I will concede to the Hon. Member that the Liberal Government, before this one, had already gutted its own National Energy Program when it did not include strong Canadian content regulations, regulations that would have made it the type of National Energy Program we on this side could have supported 100 per cent. But the elimination of the back-in was a very serious mistake on the part of this Government.

Mr. Murphy: Mr. Speaker, the member of our caucus who was speaking earlier was making an excellent speech as to why he was opposed to the legislation which is being shoved down the throats of Canadians, especially those who are really suffering because of the already fairly high drug costs. This legislation will increase drug costs, especially for the elderly. The Member had one or two more remarks to make. May he finish his speech and explain exactly why he is opposed to this legislation.

Mr. Manly: Mr. Speaker, there are a couple of other points that the Government has given as justification for this legislation. The first is that there would be a prices review board to monitor prices. The Government states that even if prices go up, there is the prices review board. Everybody in the House, including the Members opposite, know what this Government's attitude is toward such a mechanism as a prices review board. They regard that as the very essence of unnecessary regulation. We saw this Government going around the country during the last election campaign making promises that it was going to be deregulating. It is bringing in legislation to deregulate the whole transport area. Do we have any confidence that it will bring in a prices review board that is going to have any real teeth, that is going to be able to take hold and say to these pharmaceutical companies, "Your prices are too high. We are going to cut them down". That is not the style of this Government. It does not believe in that approach