

The Acting Speaker (Mr. Paproski): In my opinion, the nays have it.

Some Hon. Members: On division.

The Acting Speaker (Mr. Paproski): I declare the motion lost.

Motion No. 12 (Mr. Orlikow) negatived.

Mr. David Orlikow (Winnipeg North) moved:

Motion No. 13

That Bill C-91, be amended in Clause 47 by striking out line 21 at page 77 and substituting the following therefor:

"tribunal, may, and".

PROCEEDINGS ON ADJOURNMENT MOTION

[Translation]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Etobicoke—Lakeshore (Mr. Boyer)—External relations—Size of Polish consulate in Etobicoke—Lakeshore; the Hon. Member for Broadview—Greenwood (Ms. McDonald)—Health—Ban on tobacco advertising requested. (b) Hazardous products designation inquiry; the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart)—Benefits for widows and widowers aged 60 to 64 years—Exclusion of single, divorced and separated persons.

• (1600)

GOVERNMENT ORDERS

[English]

COMPETITION TRIBUNAL ACT

MEASURE TO ENACT

The House resumed consideration of Bill C-91, an Act to establish the Competition Tribunal and to amend the Combines Investigation Act and the Bank Act and other Acts in consequence thereof, as reported (with amendments) from a legislative committee; and Motion No. 13 (Mr. Orlikow) (p. 14021).

The Acting Speaker (Mr. Paproski): I must also include Motion No. 14 which has been grouped for debate.

Mr. David Orlikow (Winnipeg North) moved:

Motion No. 14

That Bill C-91, be amended in Clause 47 by striking out lines 7 to 9 at page 78 and substituting the following therefor:

"tribunal, may make representations to and"

He said: Mr. Speaker, I moved these amendments because we look on this Bill as permitting further federal intrusion into areas which come under provincial jurisdiction. They deal in part with the same subject in Motion No. 3.

Competition Tribunal Act

The amendments were put forward in a letter from Mr. Mackling, the Minister for Telecommunications in Manitoba, to the federal Minister of Consumer and Corporate Affairs (Mr. Côté). Part of the letter explains the reason for this amendment and demonstrates the concern of the Government of Manitoba about a situation that occurred some time ago.

I suggest to the Parliamentary Secretary that the same concern would be expressed at least by the Governments of Saskatchewan and Alberta because there was an occasion when CN-CP attempted to enter into competition for long distance telephone business with the existing trans-Canada system. This involved the whole question of telephone rates and the relationship of household rates, small business rates, and local service rates to long distance rates.

The former Director of Investigation took it upon himself to make a case for permitting CN-CP to enter into the long distance telephone business.

The Manitoba Government, acting for the publicly owned Manitoba Telephone System, was very disturbed by that intervention. Therefore, the Minister from Manitoba wrote to the federal Minister of Consumer and Corporate Affairs. I want to quote part of his letter which explains Manitoba's concerns. He said in part:

With regard to the mandate given to the Director of Investigation and Research in sections 97 and 98—

These are sections of the Act still in effect.

—my predecessor in this portfolio, Hon. Eugene Kostyra, has sent you copies of correspondence identifying the Government of Manitoba's concern with the role played by the Director on his own initiative in telecommunications regulatory hearings. The introduction of competition into telecommunications services has the potential for such an enormous impact on all telecommunications users, it is a policy matter which should be decided by Ministers, not through the regulatory process. The Government of Manitoba has joined with your colleague, the Honourable Marcel Masse, and the majority of other provincial governments in determining that telecommunications policy should be established not by regulatory agencies, but rather through federal-provincial co-operation at the ministerial level. It is therefore unacceptable for an agency of the federal Department of Consumer Affairs to be given a mandate to access public funds on its own initiative to advocate one approach to industrial organization policy without regard for other aspects, such as consumers' interests and the development of an efficient and cost-effective telecommunications system. Regulators such as the CRTC and the Manitoba PUB—

That is, Public Utility Board.

—are charged with the responsibility of reviewing each case in the public interest, and they have established procedures to provide financial assistance to any independent intervenors who provide worthwhile input to regulatory hearings, regardless of the interests which they represent. Under this system, there is no evidence that those who advocate competition within the industry are in any way underrepresented or unable to present their case adequately, and there is no evidence that the Director is making effective use of taxpayers' funds by participating in the CRTC's hearings on his own initiative.

With respect to section 98, the Government of Manitoba would find it totally unacceptable for an agency of the federal Government to intervene on his own initiative to provide policy recommendations in a provincial regulatory hearing.

It is our contention that, if the federal government wishes to comment on provincial policies, such debate should take place between and among elected officials. Honourable Marcel Masse joined with all provincial and territorial Ministers responsible for telecommunications to establish a co-operative process to review telecommunications policy across Canada. The inevitable effect of Bill C-91 in its present form would be to complicate and perhaps jeopardize these important and sensitive discussions. Therefore, I respectfully urge you to: