

Adjournment Debate

[English]

Mr. Deputy Speaker: Order, please. It being six o'clock it is my duty to rise, report progress, and request leave to consider the bill again later this day. Is that agreed?

Some hon. Members: Agreed.

Progress reported.

PROCEEDINGS ON ADJOURNMENT MOTION

[English]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

PUBLISHING—PROTECTION OF CANADIAN AUTHORS FROM REPRODUCTIONS OF THEIR WORKS IMPORTED FROM UNITED STATES

Mr. David MacDonald (Egmont): Mr. Speaker, I want to return today to a question I raised on November 18 with respect to a recent meeting between the Writers' Union of Canada with the Secretary of State (Mr. Roberts) and the Minister of Consumer and Corporate Affairs (Mr. Allmand) on November 15. This concerns the very serious matter, as they said in their brief, of the possible collapse of the Canadian publishing industry, indicative of the very heavy loss of income both to Canadian writers and publishers that has occurred in recent years because of the selling at below-cost prices of the works of Canadian authors by American publishers and remaindered or wholesaled in Canada.

● (1802)

The meeting that took place a few days ago was the third that has occurred between the Writers' Union of Canada and the government since 1975. The core of the problem is that American publishers who have printed far too many copies of Canadian authors sell these leftover or remaindered copies to middlemen or book jobbers at dirt cheap prices. In recent years these middlemen have been selling specifically to three Canadian book chains which make up a large part of the Canadian market. I refer to Coles, W. H. Smith, and Classic. Coles was the first to sell remainders on a widespread basis. The three chains have been able to sell at one half the price of the Canadian edition. As a result, the Canadian edition immediately stops being printed. Canadian authors receive no royalties on the remaindered copies. In 1975 only Coles was doing this, but by 1977 the three major book chains are participating.

This at present affects some 26 major Canadian authors, but time does not permit me to run down the list. As far back as 1975 it was suggested that action should be taken to provide that well-known publications by Canadian authors being pub-

lished in the United States should be put on a prohibited list. The problem is that the prohibited list has not been satisfactory because at the moment it takes about six months to become operative. I understand a meeting has taken place in the last few days which hopes to reduce the time from six months to one month. This would be a step in the right direction but would not come close to meeting the type of commitment to the Canadian publishing industry and the Writers' Union that they have requested of the government.

It seems to me that at the very least there should be some kind of top-level co-ordination between the departments basically concerned with this problem. I think of the Department of the Secretary of State, the Department of Consumer and Corporate Affairs, the Department of Justice, and the Department of National Revenue as being able to take some effective action.

I think it is the traditional Canadian dilemma, and something striking and unique, that this is the only English-speaking nation I am aware of that does not have strong protection for its writers and its publishing industry. The United States and Great Britain for sometime have had clear laws which prohibit the sale in those countries of the works of their authors published abroad, particularly at prices that would totally undermine the payment of royalties to the authors or publishers.

The most recent change of copyright law in the United States which is about to go into effect states that when foreign publishers of American authors wish to bring remaindered copies into the United States, the United States publisher must be notified in advance of this potential competition and has veto power over the importation.

The Department of Consumer and Corporate Affairs has been considering revisions to the Copyright Act for over a year, but the earliest that legislation might be forthcoming is 1980, and more likely it will be later.

What the Writers' Union has asked for is two possible courses of action. They seek amendment to the Copyright Act to forbid not just the importation but also the sale of remaindered copies. That would concern Sections 27 and 28 of the Copyright Act, and especially the elimination of Section 28(3).

The second route that could be taken, and should be taken, is that the Crown undertake costs of prosecution in test cases. Present serious ambiguities in the act have meant that previous challenges have faced legal setbacks, indicating that any court case will drag on for a long time and obviously involve higher courts.

What have we heard from the Minister of Consumer and Corporate Affairs and from the Secretary of State? They promised to examine the Copyright Act again, but there has been no promise of an interdepartmental committee from the Department of Justice and the Department of National Revenue. They have promised to meet with bookstore owners to use moral suasion and not to carry remaindered editions. I say to that "fat chance!". We know how far moral suasion goes in the world of business, particularly the very competitive world of