

Foreign Extraterritorial Measures Act

I hope as well that this era of allegedly warm friendship will indeed prove to be productive for Canada. We will have to remember that every time a measure is adopted, and I am thinking, among other things, about markings on steel pipes, something which may very well be to the detriment of Canada's industry. There is a series of other measures, and every day I see colleagues opposite who are interested in the pork industry for instance. But they very well know what is going on in the United States, and with that kind of discrimination they intend to handle Canadian pork. I could give dozens of other examples. I hope this legislation is the first in a series that will be introduced to ensure that our Canadian identity remains intact. Unfortunately, if the cultural aspect is any indication of that after the signals we have been getting these last few days, I am somewhat doubtful as to the preservation of an economic identity, let alone a cultural identity. And in that sense, I think that the legal and economic identity can be maintained, although this is a theoretical debate in my view because in fact the American influence on those subsidiaries stretches beyond judicial influence, and is a moral and financial influence that is more powerful than anything the Minister of Justice could do. But anyway this is a favourable signal, and I hope the Americans will perceive it as an opposition to any attempt at intervention in Canadian law and Canadian business.

Therefore, our party is very pleased in the first place, to have introduced the measure some years ago. But the fact that the discussions have not led to any withdrawal of the American extraterritorial claims is a great disappointment to us. Because in relations that are supposed to be serious, finally having to pass such a legislation certainly goes against a spirit of open trade, good relations and friendship. I think that when you shut the door in your neighbour's face, it is not necessarily a sign that you are getting along very well with him. In that sense it is a sad thing that we have to enact such a legislation, and I hope that this new friendship with our American cousins—philosophical cousins of course—will help us set aside such measures that are not very good for our relations. But anyway, we must remain firm if we do not want to be had in those relations.

And as my colleague from Vancouver-Kingsway (Mr. Waddell) suggested earlier, this is an unbalanced relationship and to that extent, we must be doubly careful. Moreover, I am convinced the Minister of Justice (Mr. Crosbie)—not that he wanted to get the credit for the legislation—is admitting with this Bill that negotiations between his Government and the American Government have failed, and that he had to resort to such a measure because he could not convince the Americans to withdraw the provisions in their legislation that were unacceptable to the Canadian Government.

I am sorry that the Minister of Justice (Mr. Crosbie), the Secretary of State for External Affairs (Mr. Clark) and the Prime Minister could not convince the Americans of our legal sovereignty. This is a bad start. However, he has honestly

recognized his error, his failure to convince the American Government, and he has finally introduced this legislation. We are happy to support it in the hope that in the future those special relations will preclude the need for similar bills, for the reason that, not the equality but the mutual respect of our two countries will be maintained. At any rate, it is not by kneeling before the Americans that we will achieve this in my view.

● (1250)

[English]

Hon. John C. Crosbie (Minister of Justice): Mr. Speaker, I will not speak at any length, except to say that I remember reading Mr. Lower's book *Colony to Nation*, and one of our problems is that some people still have the fears that they had when Canada was a colony. Today we are a nation and I believe that we have less to fear.

The most important relationship in the world for us to manage is the one between the United States and Canada. It is largely a matter of attitude. At the moment there is a very healthy relationship between Canada and the U.S., but that does not mean that there will not be conflicts and differences of opinion, particularly in some of the areas which the House has been discussing. That is why this legislation is needed.

We are asking the House to pass this Bill in the absence of a crisis or a battle concerning the particular areas in which problems could arise at any time. We are satisfied that Canada will have a productive relationship with the United States in the next few years. It is a relationship which will benefit both countries. We are Canadians first, last and always. The passage of this Bill will serve to remind people of that. I thank Hon. Members for their contributions and their support for the Bill.

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, I have no intention of letting some of the remarks which were made by the Hon. Member for Vancouver-Kingsway (Mr. Waddell) go unchallenged. When it comes to nation-building, if the Hon. Member would consult his history books he would find that it was Members of the Progressive Conservative Party—gentlemen such as John A. Macdonald—who did more than anyone else to create the nation of Canada.

I have a couple of comments with respect to the Bill. My first comment deals with the penalties which can be imposed under the Bill—a maximum \$10,000 fine under indictment and \$5,000 on summary conviction. It would appear to me, in light of some of the transactions and commercial dealings which might be involved under this Bill, that hundreds of millions of dollars, if not billions of dollars, might be involved. That small fine probably is not large enough. Possibly at a future occasion the maximum fines which can be imposed by this Bill could be increased. At the same time, we may want to examine the length of the maximum prison terms. They seem to be somewhat excessive.

The Bill is being passed by the House today because of the extraterritorial jurisdiction claimed by other nations with which we do not agree. If we look at subclause 7(2) we will