

HOUSE OF COMMONS

Friday, April 27, 1990

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

• (1010)

[*English*]

PLANT BREEDERS' RIGHTS ACT

MEASURE TO ENACT

The House resumed from Thursday, April 26, consideration of Bill C-15, an act respecting plant breeders' rights, as reported (with amendments) from a legislative committee and on Motion No. 9 (Mr. Foster) (p. 10738).

The Acting Speaker (Mr. Paproski): When Bill C-15 was last before the House, the hon. member for Mackenzie had the floor. The hon. member for Mackenzie.

Mr. Vic Althouse (Mackenzie): Mr. Speaker, I had risen to begin discussing Motion No. 9 on Bill C-15. This motion proposes to amend the clauses of the bill which outline the rules or the goals of a review of the act. In effect, the ministry of agriculture of the day is to lay a copy of the report before the House after the expiration of 10 years of use of the Plant Breeders' Rights Act.

The bill itself lays out some areas that should be looked at when reviewing the act. They are to find out whether the implementation of the act has resulted in the stimulation of investment in the businesses involving the breeding of plant varieties. They should decide whether the operation of the act results in any improvement in obtaining foreign varieties of plants in the interest of Canadian agriculture. They should check whether the operation of the act results in protection abroad, for commercial purposes, of Canadian plant varieties, and they should test whether the operation of this act provides improvement of plant varieties to the

public benefit and particular to the benefit of farmers and nurserymen.

My friend from Algoma has proposed in Motion No. 9 that three more areas be looked at: whether the implementation of the act has led to the development of sustainable agriculture in Canada; whether implementation of the act has increased or decreased the expenditure and application of public research in plant breeding in Canada; and whether the implementation of the act has resulted in the transfer of technology to Third World countries and the development of sustainable agriculture in those countries.

The parliamentary secretary argued on behalf of the government that these three additional areas would be very difficult to measure because there is no agreed single definition of sustainable agriculture. I would accept that, except I have great difficulty when I look at the rules that the government is prepared to accept. The criteria that the minister's parliamentary secretary has used for rejecting the additional three points in Motion No. 9 could apply equally to the four points that the government is willing to accept.

It is not easily determined how anyone could decide whether investment had been stimulated by the introduction of this act. The government and the department admit that no baseline study has been done to determine how much investment there is now. So if there is nothing to measure from, how can one tell that there has been an improvement or a diminution of investments? The minister's Parliamentary Secretary could have argued equally strongly that it would be very difficult to carry out this part of the Act, and yet he is prepared to support that.

In the Act itself, the government is proposing to measure whether or not the operation of the Act results in an improvement of facilities in obtaining foreign varieties of plants into Canada. No one knows now how many foreign varieties are working in Canada. I am aware that there are foreign varieties here which the Department of Agriculture probably does not know about or, if it does, it does not seem to have a list that it