

Competition Tribunal Act

time in which the oil companies, through their refineries, have a way of restricting supply to the independent operators. This legislation will do nothing to prevent the price gouging which has occurred in the past. It will do nothing to protect the rights of the public effectively.

When I spoke on this legislation earlier in the week I talked about what was happening in society. I indicated that ownership is falling into the hands of fewer and fewer people and that it is of major concern when financial institutions are bought by non-financial institutions. When those non-financial institutions borrow from their subsidiaries, the rights and interests of the depositor and small investor are not protected. The bank inquiry made it apparent that that was one of the problems which resulted in the closure of the two major banks in western Canada last fall. Here we have a situation where that danger is going to return and the legislation in front of us will do nothing to prevent that.

● (1700)

Very few Conservatives have spoken on this legislation, but some of those who have, have said that ownership is not the question. It is not a matter of who owns a financial institution, it is a matter of Government regulation and enforcement which will protect the small investor or someone with deposits in a financial institution. The inquiry which is going on right now into the bank failures shows that our regulations have not been effective in preventing those bank failures. They were not effective in preventing some self-dealing between the Commercial Bank, the Northland Bank and some of their principles. In addition, the enforcement of these regulations was hampered by the fact that the present Conservative Government and the previous Liberal Government would not provide the Inspector General of Banks with the staff he requested in order to enforce the existing regulations. In other words, the Government was unwilling to provide the staff to the Inspector General of Banks which could have prevented the closure of those banks through proper enforcement of the regulations. Therefore, we have to be concerned when we have legislation which is as weak as this is, knowing that regulation has not worked in the past and that the Government has not provided the financial resources to see that the regulations are enforced.

There is another problem which exists as a result of the fact that we have more and more concentrated ownership in our country. It is not just that decision-making is in the hands of a limited few, it is that effective management disappears when ownership is taken from those who have some knowledge and experience of the industry involved and deposited with those who are best at stock market and tax loophole manipulation in order to gain control of a corporation. For example, MacMillan Bloedel is no longer managed by people with knowledge of the lumber industry. Noranda, which is facing an economic crisis, is no longer effectively managed by people who have knowledge about that company's industry. The real control rests in the hands of a bunch of people who are out to increase the power of their holding company. Therefore, for any number of reasons, this is bad legislation.

As well, this Bill illustrates how Parliament does not always work properly. The Liberals have said they are in favour of competition legislation. The Conservatives have said they are in favour of competition legislation. Yet we still have weak legislation in front of us. When the Liberals were in power there were five different attempts to pass competition legislation and only one succeeded. That one resulted in weak legislation. The Conservatives have now introduced another piece of weak legislation. If all three Parties in this House are in favour of strong competition legislation, why do we not have it? Why, after 15 years of trying, have we not provided the legislation which all three Parties say they are in favour of? The answer is either that the Parties are not sincere, or that the power of those affected is so enormous that the Government of the day, whether it be Liberal or Conservative, is unwilling to take the political risk, to demonstrate the political will, to provide the legislation it says it is in favour of.

It reminds me of how the Parties stand on political rights for public servants. In the last election campaign the Conservatives indicated they were in favour of those rights. The Liberals have indicated they are in favour of those rights. However, when either of those Parties is in Government, it will not legislate those rights. So we have a situation where Parties campaign on platforms and policies which they will not effectively implement when they become the Government. The Conservative Government campaigned on political rights for public servants. It has been in power for almost two years now and nothing has happened. The Conservative Party campaigned in favour of effective competition legislation. Again, we are not getting effective competition legislation.

I realize that my time is almost up but I want to say one more thing. The credibility of this House under parliamentary reform has to be based on whether or not the government back-benchers actually have the guts to get up and say that something is wrong when their Government presents it. On Monday night all three Parties in the Standing Committee on Finance and Economic Affairs called upon the Government to do something to prevent the takeover of Genstar. We are now in danger of passing legislation which will do absolutely nothing to prevent that takeover. If all three Parties agreed on Monday night that that is what should be done, then we should be passing legislation which would prevent such takeovers.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, we are dealing with a subject which has been of concern to Canadians for many, many years. There have been innumerable efforts, supposedly, to bring in legislation which would help protect the interests of ordinary Canadians. Unfortunately, the legislation which we have had up until now has been almost a complete failure. Let me quote what two well-known competition analysts, William Stanbury, a professor at the University of British Columbia, and Gill Reschenthaler said about our competition track record:

The Canadian anticompetitive legislation is quite properly viewed by practitioners and academics—in Canada and abroad — as relatively weak. Recent decisions have further weakened the law.