

Bills of Exchange Act

have been implemented many years ago. As usual we are about 20 years behind. I hope this measure will get speedy passage through the committee and that other issues connected with consumer credit will not take as long to resolve.

Mr. Colin D. Gibson (Hamilton-Wentworth): Mr. Speaker, I believe this measure goes a long way toward correcting many of the abuses which have taken place in the area covered by the legislation. For many years, now, there has been evidence of serious problems encountered particularly by those in low income groups in connection with the signing of promissory notes and contracts. In some cases the goods were not delivered, or were delivered too late, or were found to be defective. Then, the finance companies moved in like vultures to collect the amounts due on the notes and contracts.

I would call the attention of hon. members to the reference to section 190 in clause 2 of the bill:

Every one who, knowing that an instrument, other than an instrument described in paragraph (c) or (d) of subsection (1) of section 189, has been, is being or is to be issued in respect of a consumer purchase, obtains the signature of the purchaser or of any one signing to accommodate the purchaser to such instrument without its being or having been marked as required by section 190 is guilty of

- (a) an offence and liable on summary conviction to a fine not exceeding one thousand dollars; or
- (b) an indictable offence and liable to a fine not exceeding five thousand dollars.

That provision enforcing the consumer credit aspect of these notes is most praiseworthy, in my opinion, and it will add a great deal of uniformity to the law on sales throughout Canada, particularly sales of such goods as refrigerators, automobiles and other consumer goods sold today on a time basis.

The hon. member for St. John's East (Mr. McGrath) said the government had delayed taking action. Mr. Speaker, over the last three or four years there have been several conferences between the provinces to try to speed up the laws in their provinces relating to conditional sales and I am advised the provinces have come close to an agreement with regard to the standardization of many of their requirements. In the meantime, the time has come for Parliament to move on to clean up this aspect of our statutes and I hope the action taken will prove most beneficial to the Canadian people.

Mr. Ambrose Hubert Peddle (Grand Falls-White-Bay-Labrador): Mr. Speaker, the news
[Mr. Saltsman.]

release from the minister's department respecting Bill C-208 is headed "Bills of Exchange Act—Amendment to Aid Victimized Consumers." The amendment is designed to stop abuses of promissory notes by unscrupulous or irresponsible sellers. At the moment, I am neither a seller, responsible or otherwise, nor am I a consumer; I suppose I am a consumer, but I do not regard myself as one who has been victimized.

Having had considerable experience in the appliance sales field for a number of years—ten or a dozen years—I can say that I wrote thousands of consumer sales contracts. I am not now associated in any way with that kind of business or with any finance company. Neither do I presume to be the champion of finance companies, as the minister presumes to be the champion of the consumer. That is not my point at all. But I do feel that in a responsible Parliament we cannot have certain images created—perhaps not deliberately created—without somebody saying something about it.

● (2:40 p.m.)

First of all, let me say I have written thousands of contracts. I come from the province of Newfoundland, and according to the current rash of Newfie jokes we are not supposed to be the most understanding people in the world. But I have yet to remember a purchaser coming back to my dealership and saying that he did not know that his purchase was financed through a finance company. I say that with honesty, and I have a good memory for such things. I remember the first appliance that I sold 15 years ago, and I could name almost every one sold subsequent to that, so the House can see that I know what I am talking about. I cannot remember one single person coming back to me and saying he did not know he had purchased one of these appliances through a finance company.

In his statement this morning the minister said that one of the most flagrant abuses was non-delivery, and I should like to comment on that. Before the noon adjournment I checked, to confirm my own memory, with one of the prominent finance companies that take non-recourse paper, and they confirmed that 98 per cent of the deals that they accept acknowledge delivery of the merchandise by telephone before they issue the cheque to the dealer. The real point that I want to make is that the relatively new Department of Consumer and Corporate Affairs is one of the most necessary departments of which I know.