

Combines Investigation Act

point—there are more people who will argue in favour of the rules and regulations concerning professional and amateur sport, yet we are being asked to determine that this is an indictable offence and that the penalty shall be imprisonment for up to five years. Then everybody has to go to jail.

Mr. Rodriguez: You put the blue collar workers in jail.

Mr. Lambert (Edmonton West): I see; it depends upon whether one has a white collar or a blue collar. I find extraordinary the preoccupation, the fixation and the phobia which the hon. member has for this so-called class distinction. He is the one who raises it. He is the one who persists in it. Other people are prepared to forget about it and bury it. It is only in that type of mentality that it exists.

I am much more interested in making it patently clear that the court, on conviction, shall have the option of fining the individual concerned or, if it is so flagrant that it merits it, imprisoning for up to five years, though I can conceive of practically no crime of that nature which would merit being sent to jail or being both sent to jail and fined.

● (1520)

The minister and others who are reasonable about these amendments have agreed that the combination of the amendment and the subamendment provides a clear indication to the court, within the terms of this act, what the penalties are, and so one does not have to go to an obscure section of the Criminal Code to find that the court would have power, in certain circumstances, to substitute a fine. I just wish to make the law that much simpler for everyone to understand so that we can have a little more certainty and clarification in it. I therefore move:

That motion No. 9 be amended by striking out all the words following the word "following" and by substituting therefor the following:

"liable on conviction to a fine in the discretion of the court or to imprisonment for five years, or to both."

Mr. John Rodriguez (Nickel Belt): Mr. Speaker, having followed this bill through the whole process I am amazed that the Department of Consumer and Corporate Affairs has taken so long to bring it before parliament, considering all the expertise it had on hand to prepare the bill. We had the bill in committee; it was amended there and came to the floor of the House, and we have had amendments here. Here is one example. Now we are getting amendments handed to us which are making a mockery of a bill which, according to the minister, is supposed to be so important for the consumers of Canada. One would think all the studies and proper research would have been done by now, but at this stage of the game we find we are getting amendments to amendments to amendments. There is no way that I can accept this amendment. It is just a watering-down. I prefer motion No. 9 which is on the order paper in the minister's name.

We in this party do not want to fill the jails, but of course we must have punishment which is proper and commensurate with the crime committed. In this whole area of consumer protection and what they call competition policy, if one looks at the record one is struck with the leniency and mercy which overflows the hearts of the

[Mr. Lambert (Edmonton West).]

justices who pass sentence on those found guilty in the corporate sector. When we are dealing with the little woman who rips off the welfare department for \$65 a week and may have obtained \$700, we send her to jail. When a person rips off a few hundred dollars we put them in jail, but when we get the corporate sector limiting freedom of action and offering their services to the highest bidder, we find the Tories—and a perfect example is the hon. member for Edmonton West (Mr. Lambert)—running to their defence.

We do not have to look very far in the history of anti-combines legislation in this parliament to see who has put up the biggest lobby against any kind of legislation that would cut down the power of the corporations, the monopolies, those who would destroy what both old-line parties in this House hold up as free enterprise, as the capitalist system. Who is it who always wanted to monopolize and destroy that freedom? It is those who want to become more powerful, the large conglomerates, the large monopolies. Who has been their biggest ally? Those in the other place. This bill originated in the Senate and it has gone through the other place which is filled with the corporate directors of this country. The board-rooms of the nation are amply represented in the other place. Their mouthpieces stand in this House saying we should have this clause when we are dealing with a certain class of people.

We in this party want the law to be just, to apply equally to the rich and the poor. If we can send a woman on welfare to jail, surely when this corporate elite commits infractions against the system that they hold so dear, the free enterprise system, they ought to be sent to jail directly. I said before that we should look at the kind of punishment we are meting out. In committee the minister said that we have to telegraph to the courts that we are serious about this legislation, obviously leaving it wide open to the discretion of the courts, knowing that is the condition under which the courts levy punishment now.

This government has just brought down wage controls and they are telling the people there will be price controls. If they mean what they say in the white paper tabled yesterday and the bill that is to come on Friday, that the small consumer will have some protection, we cannot leave it to the discretion of the courts; we have to give specific guidance that we, the parliamentarians of this country, are serious about the direction in which we want to move against those who infringe upon the rights of Canadians. I urge my colleagues in the House to defeat this amendment and to support the minister's original amendment, motion No. 9.

[Translation]

Mr. André Ouellet (Minister of Consumer and Corporate Affairs): Mr. Speaker, I listened attentively to the rhetoric of the hon. member for Nickel Belt (Mr. Rodriguez) and I want to remind him that the amendment moved by the hon. member for Edmonton West (Mr. Lambert) does not change anything at all in the legislation. It is a mere clarification. In other words, all he said applied under the previous amendment and still applies under this amendment. I did read earlier from the Criminal Code in relation to motion No. 8. Perhaps it might be useful to read it again because it is exactly the same thing as for motion