

Bill C-102, An Act to amend the Patent Act, the Trade Marks Act and the Food and Drugs Act as reported without amendment from the Standing Committee on Health, Welfare and Social Affairs was again considered at the Report Stage;

Whereupon, the House resumed debate on the motion of Mr. Rondeau, seconded by Mr. Fortin,—That Bill C-102, An Act to amend the Patent Act, the Trade Marks Act and the Food and Drugs Act be amended by inserting in Clause 1(4) after the word “prescribed” on line 29, page 2, the following words:

“that the Commissioner may at any time revoke such a licence, where the terms specified in the application are not complied with.”

After further debate, the question being put on the said motion, it was negatived, on division.

Mr. Matte, seconded by Mr. Rondeau, moved,—That Bill C-102, An Act to amend the Patent Act, the Trade Marks Act and the Food and Drugs Act, be amended by inserting in Clause 1(10)(b) after the word “effect” on line 6, page 4, the following words:

“or immediately where the quality or safety of the product has been the cause of the rejection, and all persons who have acquired such product under a patent shall have their licences revoked.”

After debate thereon, the question being put on the said motion, it was negatived, on division.

Mr. Monteith, seconded by Mr. Rynard, moved,—That Bill C-102, An Act to amend the Patent Act, the Trade Marks Act and the Food and Drugs Act, be amended by deleting in Clause 3 the words “to be sufficiently different in its composition from” in lines 12 and 13 on page 7 and substituting therefor the following words:

“if it is not identical in its composition to”.

After debate thereon, the question being put on the said motion, it was negatived, on division.

Mr. Saltsman for Mrs. MacInnis, seconded by Mr. Knowles (Winnipeg North Centre), moved,—That Bill C-102, An Act to amend the Patent Act, the Trade Marks Act and the Food and Drugs Act, be amended by inserting immediately after clause 5(b) the following new sub-paragraph:

“(c) the regulation of drug manufacturing, importing and distribution so that only drugs having a generic name be allowed to be sold in Canada.”.

And debate arising thereon;

RULING BY MR. DEPUTY SPEAKER.

MR. DEPUTY SPEAKER: It is suggested that the newly-proposed amendment must be read and considered in the light of the wording of the last two lines of subclause (1a) of clause (5) in the bill so that we would have a construction reading as follows: “5(1a) the Governor in Council may make such regulations governing, regulating or prohibiting the regulations of drug manufacturing, distribution,” etc.

It is suggested that in tacking the amendment to the clause it purports to amend, its inconsistency becomes apparent.