

Combines Investigation Act

to be established in this particular regard. Rather than do that we think it would be a less objectionable course for parliament to adopt the amendment which my friend the Leader of the Opposition has put forward.

I should like to say one other thing. The minister ended his objections by talking about concern for small business. Everybody who takes his duties in this house seriously is concerned for small business as he is for all other sections of the population. But there is one common characteristic of all Canadians, whether small or big: we are all consumers and, our first concern should be for consumers especially those who belong to the least protected section of this community, especially in the export industries where producers are unable to protect themselves against the movements of the world market. To weep crocodile tears about small business when in fact what is going to be done will very likely have the effect of increasing the prices which fishermen and farmers must pay for the necessities of life is something which does not appeal to us. It is for this reason that the St. Laurent government banned resale price maintenance, and we have enough evidence to know that this action did have some effect in keeping prices down at a time of inflation, and that it is having some effect now in reducing prices to the consumer.

I had a clipping from the *Financial Post* handed to me by the hon. member for Kenora-Rainy River—I have lost it now—which referred to the fact that the day after General Motors in the United Kingdom had taken the ban off resale price maintenance in connection with the Vauxhall car the price went down \$400 or \$500. That was in England. There is no doubt whatsoever that if by the front door or by the back door resale price maintenance is reintroduced the consumer is the one who is going to pay.

Mr. Aiken: I wonder if in view of the amendment he is now supporting the hon. member would agree that the practice of loss leader selling is a serious problem to retailers?

Mr. Pickersgill: I am not sure that it is, but I am sure that most small businessmen think it is, and if we can do anything reasonable and proper which is not going to soak the consumer to remove that kind of grievance we ought to do it.

Mr. Fulton: That is exactly what we have done.

Mr. Howard: I think our objections to the proposed section 34, which were made clear during the second reading of this bill and developed further in the committee, apply at this stage also, because only one slight alteration has been made by the government, and regardless of that alteration we consider that

our criticisms are still valid. I am speaking now of the bill as put forward by the government with the addition of subsection 5 to section 34. This confirms our impression that the government just has not got enough courage to put forward its own ideas in the proper form; it has to hide behind some loopholes and pretend it wants to do one thing while really doing another. This government wants to reintroduce price maintenance. This is a campaign which they carried on day after day while in opposition eight or nine years ago. I do not recall this personally, but I remember reading reports of the debate in the House of Commons at that time and the hysterical opposition which was voiced by government supporters, then on the other side of the house, to the then Liberal government's ban on price maintenance. All these feelings are in evidence here again, and it would have been much nicer, much cleaner and more decent if the Minister of Justice had introduced an amendment to repeal section 34. This is what he wants to do in one way or another.

We can only look at this new subsection from one point of view and that is that it should be rejected out of hand. It does nothing more than attempt to legalize price discrimination by private manufacturers because they would now have authority of a legal nature to pick and choose and discriminate against and exercise control over their products from the time they are manufactured until the time the consumer gets them. Manufacturer after manufacturer has either appeared before the committee or made submissions to the minister indicating that what was wanted was a return to resale price maintenance; that they wanted the right to have price control not only at manufacturing level but also at wholesale and retail levels. Of course, this would lead not only to price control but, inevitably, to an increase in prices.

It is very easy to see what will occur in Canada under this particular amendment put forward by the minister. This sob stuff about wanting to help small businessmen cope with the problem of loss leaders is simply window dressing to cover up the real intentions of the government. If the government wished to deal with the problems of small businessmen—and there is no statistical evidence of the degree of severity of this particular problem—then measures could have been taken in one of the other sections of the act, such as the section on price discrimination. If we have a free enterprise economy, if that is what people believe in and if that is the type of economy which we desire, then surely the consumer should have the right to pick and choose between, for argument's sake, an article in one store which has a certain price and in connection with which there is a certain degree of service, if