

*Combines Investigation Act*

new bill this year the government would in the committee stage have agreed to an acceptable number of proposed new amendments and would have considered a number of the voices of objection, and that we would have had a different kind of bill before us now returning out of the committee stage. It was most amazing how last year, to the best of my knowledge, only one organization, one of the boards of trade, out of one of the major Canadian urban areas, expressed their reservations.

Immediately upon a telegram being received at that time by the government, the government at once knuckled under and was not prepared to proceed with the bill at the session which was then in progress. It is amazing how one powerful organization is able to make this government alter its plans and agree to postpone certain action being taken, yet when a year has rolled by there can be many voices raised in objection but the government feels it ought to proceed regardless.

The minister in reply to earlier speakers said in effect that the government was now imposing restraints upon businessmen. It is our contention that a lot depends on what is the definition of the word "businessmen". I do not think the minister is restraining the more powerful businessmen of Canada from continuing to do what they like. I believe that the legislation now before us is, however, going to place a lot of restraint on businessmen of small and average size, a restraint of which many of them are not aware. It all depends on what class of businessmen the minister had in mind when he spoke of placing restraints on businessmen. I should like to ask whose interests are now being served by this legislation? We have in this bill a clear indication that whereas the law heretofore placed offenders before the courts, for the courts to decide whether there was any violation of legislation and, if so, what penalty should be imposed, now we have a bill before us which is going to make the manufacturers, in effect, the judges of the activities of the small retailers, and it will be up to the manufacturers to levy penalties upon the small businessmen of our nation.

I regret that the government did not amend the legislation so as to remove from the manufacturer or the distributor the right to be the judge of the activity of the small businessman. I regret it did not remove from the manufacturer and the distributor the right to penalize the small retailer if, in the opinion of the manufacturer or the distributor—not in the opinion of the law—the small distributor was found to be ultra vires of the intent of the act.

[Mr. Regier.]

I believe that here is very clearly indicated the attitude of this government with regard to the announcement by the minister of the government's attempt to place restraint upon businessmen. Yes, there is going to be a limitation of the rights of the small retailer. He is placed, as he has always been placed, at the mercy of the law, but now he is also placed at the mercy of the prejudices of the distributors and manufacturers of any commodities which he happens to be retailing.

I should like to refer for one moment to the submissions which were made this year by the retail merchants association of Canada, and when I look at their attitude and compare it with that expressed in Ottawa in 1954 I cannot come to any conclusion other than that the executive, the directors, or at least the executive management of the association has become nothing more than a mouthpiece of the Canadian retailers association. I refer, as did the hon. member before me, to the report of the restrictive trade practices commission on loss leader selling and particularly to the evidence found in volume 21 at page 3507. I call the attention of the committee to the following questions and answers. Mr. Keith, on behalf of the association, is replying to Mr. Wickwire.

Mr. Wickwire: Some briefs have been presented, and some very strong arguments have been made, that the solution to this whole problem is the restoration of resale price maintenance. Your organization would not agree with that?

Mr. Keith: No, that is not our approach to the problem. We are retailers, primarily and throughout, and our desire, as all proper retailers, should be to bring goods at as low as possible a figure to the public as we can get them; and to have manufacturers dictate our prices—and our policies—well, we do not agree with that.

Mr. Wickwire: And that applies to your whole association, not to just a particular department of it? It does not apply only to the food field?

Mr. Keith: No, I do not think there is any distinction.

Now some limited number of years later this organization, which derives so much of its income from the small retailers of Canada, is now becoming an echo of the interests and opinions of the Canadian Manufacturers' Association.

As we explained to Mr. Gilbert a little over a year ago, I think it was, we have no fundamental argument against a planned economy which, naturally, would involve fixed prices to a certain degree. However, before we would ever agree to that principle we would demand and call for protection for the interests of the consumer. We do not believe that Canadian manufacturers or Canadian distributors should be granted arbitrary authority to fix retail prices and ignore completely the interests of the consumer and to have only their own