

Canada Business Corporations Act

fore I would approve of the work done by the Standing Committee on Justice and Legal Affairs.

Mr. Arnold Peters (Timiskaming): Mr. Speaker, I have not had an opportunity to read the committee report and I did not have the opportunity of attending the committee meetings.

I had anticipated there would be some explanation or discussion by some members on third reading regarding the point which was raised just now by the hon. member for Edmonton West (Mr. Lambert), in relation to the translation. I mentioned at the time that it would have been easier if the translation had also carried the original text beside it so it could be easily checked by those members of the House who have that exceptional fluency in both languages. Members would have been able to check the detail that the one language demands, and relate it to the purpose and intention that obviously the other language gives to the legislation.

There have not been any amendments made by the government or by the opposition at the report stage. This may be an oversight on my part, but when the bill was before the committee, consideration should have been given to doing something on behalf of the poor, abused, frequently agitated public. The willingness of members of parliament to do something about the type of protection that could be given under this bill to protect the public from the corporations and the machinations in which they engage, should have been indicated.

● (1512)

It was pointed out by a number of members, including myself, that we were far behind the United States. We were playing with legislation that obviously had been handed to the government by civil servants. I indicated that the Minister of State (Multiculturalism) (Mr. Cafik) had, in his more enlightened days, been interested in this subject. He had indicated that corporations often did things that were diametrically opposed to the wishes of the average citizen. Much of what they did was detrimental to the health and property of individuals in this country.

This bill is now back for third reading. None of this has been done. All we have done is correct some of the abuses that were taking place in the bureaucracy. All that members of parliament are doing is fixing up the legislation so that it can be handled more easily by the civil servants.

A large number of members in this House practise law. Occasionally there is lobbying by their colleagues in practice. They find the law a little difficult to handle in one aspect or another.

Maybe we cannot protect the shareholders, directors and others against the limited penalties in this legislation. However, surely somebody on that committee should have been interested in putting some restrictions on the corporations. The corporations are given the right to establish under Canadian law. We are setting forth the protection the shareholders will receive. We are setting the regulatory powers of directors and how they will relate to the shareholders. However, we are not

[Mr. Lambert (Edmonton West).]

doing anything to protect the public against the corporations which often work against them.

The example was given of aluminum wire. Because we do not have the guts or the intelligence to put into this bill restrictions on corporations, they do things that are both immoral and unsafe. There are still companies that manufacture aluminum wire for domestic purposes. If the price is right, that wire will be installed in houses and may ultimately result in the death of some people.

The same is true of Ford Motor Company. It was allowed to incorporate. We protect the shareholders and do many other things. However, there is no protection for the consumer who buys from his dealer who, in good faith, is selling automobiles which the company and the board of directors know are dangerous and may result in fatalities.

Ford Motor Company has calculated how many fatalities there will be per thousand or per million cars. In addition, they have calculated what the lawsuits will cost, what the company will have to pay for each accident. They have determined that is easier than redesigning the automobile. That would not be allowed under any other act, but it is allowed in the Corporations Act. That is not because the committee did not know about it. It was because the committee just did not care. They listened to the Minister of Consumer and Corporate Affairs (Mr. Allmand) who says there is protection under another act. However, it should be under that act which gives the corporations the power to set up. That is where protection for the consumer should be. It is the only way the power could then be taken away from the corporations.

The companies are allowed to incorporate. They are established under this legislation. If they do not live up to the requirements in the legislation, their power should be taken away. It is all right to talk about the consumers protection act and other devices we have tried to establish, but they have not worked. The wire companies can still manufacture aluminum wire which could conceivably kill people.

We have not told Ford Motor Company that it must have the type of engineering that will ensure the automobiles they manufacture are safe. If a limiting clause had been put in this legislation, Ford would not be able to sell the Bobcat or Pinto in Canada at the present time. The board of directors, the shareholders and anyone who reads the newspapers know about this because it has been publicized in the United States. With that limited clause, Ford could not sell those cars or could lose its certification under the Corporations Act of Canada.

This is a very limited requirement, but we are not including it. Why all the fuss? Why are we going through this exercise, making the French version coincide with the English version, at least by implication? We have not put the two together. What we have done is write two different acts. The one before us will operate in French. The English act has already been passed.

This act is not being opened up that much by this bill. In effect, only the French version is before us, except for the