

*Oral Questions*

consult with the Province of Quebec before appointing a justice from Quebec to the Supreme Court of Canada.

Can the Minister ensure Quebecers that the Quebec Government will be consulted before that important appointment is made?

[English]

**Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada):** Mr. Speaker, I appreciate the Hon. Member's question. There are two elements involved here. One is the discussion that is going on with my colleague, the Minister of State for Federal-Provincial Relations, and Mr. Remillard, on the constitutional question and the whole range of options being put forward in that discussion which will involve consultation with all provincial Governments as well.

The other question now is with respect to the appointment of a new Justice for the Supreme Court of Canada under the present regime. The Hon. Member might be interested in knowing that I have already had one chat with my provincial counterpart, Mr. Marx, in this regard. However, we will not be making a constitutional change on the basis of precedent with respect to this particular appointment, if that is what the Hon. Member is asking.

• (1450)

**Mr. Robinson:** Mr. Speaker, we hope that it is not the same kind of chat which the Minister had with the Attorney General of Manitoba before appointing Sterling Lyon.

**Some Hon. Members:** Oh, oh!

**Mr. Andre:** Why don't you slander out there so that somebody—

**An Hon. Member:** Harvie, be nice.

**Mr. Speaker:** The Hon. Member for Burnaby.

[Translation]

REQUEST THAT SECOND WOMAN BE APPOINTED TO SUPREME COURT OF CANADA

**Mr. Svend J. Robinson (Burnaby):** Mr. Speaker, my question is directed to the Minister of Justice. Since the Supreme Court of Canada has only one woman member, the very distinguished Justice Bertha Wilson, and since there are many woman lawyers and justices in Quebec who are well qualified to sit on the Supreme Court, will the Minister appoint a second woman to the Supreme Court of Canada?

[English]

**Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada):** Mr. Speaker, I do not understand why the New Democratic Party breaches every rule of fairness and principle to attack a member of the judiciary. It is an ongoing thing, and I think it is malicious and absolutely unacceptable. The fact of the matter is that we are considering a wide range of candidates for the Supreme Court of Canada. We are

looking at everyone who has the qualification to serve on the highest court in our land. I think it is a matter of some personal pride that, while I have been Minister of Justice, I have been involved in the appointment of a higher percentage of women to the bench, the elevation of women to the bench, of which the Hon. Member is fully aware. I think the role of women in the judiciary—

**Mr. Turner (Vancouver Quadra):** I would challenge that.

**Mr. Hnatyshyn:** The Right Hon. Leader of the Opposition should not get involved in this debate. The fact of the matter is that the Government's record in respect of the appointment of women to important judicial and other positions is precedent setting. We intend to improve on our present record.

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## COPYRIGHT

## ROYALTIES PAID TO SONG WRITERS AND PUBLISHERS

**Mrs. Sheila Finestone (Mount Royal):** Mr. Speaker, very few of us are aware that each time a song is composed and recorded in Canada, our Copyright Act requires the song writer to split a royalty of only two cents per song with the publisher. This is the lowest royalty rate in the world. My question is for the Minister of Communications. Will the Minister introduce a simple Bill abolishing this antiquated and outdated two cent ceiling, so that Canadian song writers and publishers will receive a fair return for their creative talents? It has been two cents for too long.

**Hon. Flora MacDonald (Minister of Communications):** Mr. Speaker, as the Hon. Member knows, and as I have told her in committee on a number of occasions, the revision of the copyright law will be introduced in the House very shortly. I will look forward to having the support of the Hon. Member and her Party for that revision when it is introduced.

**Mrs. Finestone:** Mr. Speaker, the Minister knows full well that we have had two reports on this particular article in the Bill and that both of them have recommended the abolishment of Clause 19. In the meantime, while we go through the whole process, we do not have a copyright for song writers in Canada; we have a "copywrong".

[Translation]

REQUEST THAT MINISTER INTRODUCE BILL TO ABOLISH COPYRIGHT ACT SECTION ADVERSELY AFFECTING COMPOSERS

**Mrs. Sheila Finestone (Mount Royal):** My question is also directed to the Minister. Does she have the political will to introduce a Bill that would abolish that section of the Copyright Act that is harmful to music composers? Two cents is a shame!