

*Government Orders*

5. Section 39.15 of the said Act is repealed and the following substituted therefor:

39.15 (1) Where an order under paragraph 81(1)(d) is made by the Board, the Commissioner shall forthwith inform the holder of each licence granted under section 39 in respect of any invention pertaining to the medicine to which the order relates of the terms of the order.

(2) Where the Commissioner revokes a patent pursuant to a direction of the Board made under subsection 80(4), the Commissioner shall forthwith inform the holder of each licence granted under section 39 in respect of any invention pertaining to the medicine to which the direction relates.

6. Subsections 39.16 (5) to (13) of the said Act are repealed and the following substituted therefor:

(5) Where an order is made under subsection (4), the Commissioner shall forthwith inform the holder of each licence granted under section 39 in respect of any invention pertaining to the medicine to which the order relates of the terms of the order.

7. Subsections 39.17 (1) to (3) of the said Act are repealed and the following substituted therefor:

39.17 (1) A hearing by the Commissioner under section 39.16 shall be public unless the Commissioner is satisfied on representations made by the person to whom the hearing relates that specific, direct and substantial harm would be caused to the person by the disclosure of the information or documentation to which the hearing relates.

(2) Subject to subsection (3), information and documentation provided to the Commissioner under section 39.16 is privileged and shall not, without the authorization of the person who provided the information and documentation, knowingly be or be permitted to be communicated, disclosed or made available by any person who has obtained that information and documentation pursuant to this Act unless the information and documentation is disclosed at a public hearing held by the Commissioner under that section.

(3) Information and documentation referred to in subsection (2) that is obtained by the Commissioner may be used by the Commissioner for the purpose of the report referred to in subsection (4) and may be communicated, disclosed or made available by the Commissioner to a person engaged in the administration of this Act under the direction of the Commissioner.

8. Sections 39.18 to 39.25 are repealed.

9. Subsections 39.26 (1) to (4) are repealed and the following substituted therefor:

39.26 (1) After the expiration of nine years after section 39.11 comes into force, sections 39.11 to 39.17 shall stand referred to such committee of the House of Commons, of the Senate or of both Houses of Parliament as may be designated or established for that purpose and the committee shall, as soon as practicable thereafter, undertake a comprehensive review of the provisions and operation of those sections and shall, within one year after the review is undertaken or within such further time as the House of Commons may authorize, submit a report to Parliament thereon including such recommendations pertaining to the continuation of those sections and changes required therein as the committee may wish to make.

(2) No action or proceeding for any compensation or damages lies against Her Majesty in right of Canada as a result of the application of subsection 39.11 (1) to 39.14 (1) to a licence referred to in that subsection."

Motion No. 2.

That Bill C-91 be amended by deleting Clause 3.

[English]

**Mr. Nowlan:** Mr. Speaker, I have a very simple point of order. I know you want to get to the substance of the bill because we have not really had too much chance to debate its substance. Normally is there not a necessity to have two ministers in the House to move the government motion or bill?

**Mr. Speaker:** The answer to that is no. Of course members may wish to pursue whatever commentary may flow from it.

**Mr. Ron MacDonald (Dartmouth):** Mr. Speaker, before I get into the debate on this particular motion I want to indicate that it has been a very difficult time for members of the opposition in trying to prepare themselves to deal with this particular debate.

I know we may have put some unusual stresses and strain on the staff at the Journals branch, but quite simply we had no choice because the government has proceeded in unholy haste with this bill. It has taken it before the Chamber, let us debate it for three hours and invoked closure on it at second reading. It sent it to committee and, something I have never seen before at committee, forced time allocation in committee.

The government passed a motion with its majority at the committee which indicated clearly that we only had *x* number of hours of debate. If members of the opposition did not agree it would have passed a motion in the House which would have seen the bill reported back without any witnesses.

Yes, it has been very difficult and I offer my apologies if we have overworked the staff here, but it is not of our doing. When the government decides to barrel through riding shotgun on a bill like this one, we have had to stay up at times 24 hours just getting ready for what the government was trying to perpetrate on the Canadian public. We start off by setting the record straight about who has been doing what on this bill.