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Friday, September 30, 1994

Speaker: The Honourable Gilbert Parent

HOUSE OF COMMONS

Friday, September 30, 1994

The House met at 10 a.m.

Prayers

[*English*]

POINTS OF ORDER

MEMBER FOR CENTRAL NOVA—SPEAKER'S RULING

The Speaker: I am now ready to rule on the matter raised Tuesday last by the hon. member for Burnaby—Kingsway concerning the speech of the hon. member for Central Nova on September 20, 1994 during the debate on Bill C-41, an act to amend the Criminal Code (sentencing) and other acts in consequence thereof.

[*Translation*]

I have carefully reviewed the representations of these hon. members. I also want to thank the Chief Government Whip and the hon. member for Lethbridge for their contributions.

[*English*]

From the comments that were made Tuesday and from the *Hansard* of September 20 there can be little doubt that there exists a profound and fundamental difference of opinion among members.

It is evident from having reviewed *Hansard* that the opinions of the hon. member for Central Nova were stated during the cut and thrust of debate. Further, the hon. member for Burnaby—Kingsway did indeed have the opportunity to challenge, refute and question the hon. member on her speech, as did the hon. member for Hochelaga—Maisonneuve. This is the very reason for debate.

It is not the role of the Chair to be the arbiter of opinion. Rather it is the role of the Chair to ensure that debate on any issue can proceed under the rules which the House has set for itself.

Held against that standard I am satisfied that the words of the hon. member for Central Nova were not directed at any one individual or any member specifically. Rather, they were the hon. member's personal opinions on the matter. .

[*Translation*]

I would refer hon. members to a ruling made by the Deputy Speaker on November 4, 1987, at page 10741 in the *Debates*. At that time, he said, in part that if remarks "were not aimed at a particular member, the remarks are not unparliamentary".

[*English*]

My colleagues, paramount to our political and parliamentary systems is the principle of freedom of speech, a member's right to stand in this House unhindered to speak his or her mind. However when debate in the House centres on sensitive issues, as it often does, I would expect that members would always bear in mind the possible effects of their statements and hence be prudent in their tone and choice of words.

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(1005)

[*Translation*]

PEARSON INTERNATIONAL AIRPORT AGREEMENTS ACT

The House resumed from September 28 consideration of the motion in relation to the amendments made by the Senate to Bill C-22, an act respecting certain agreements concerning the redevelopment and operation of terminals 1 and 2 at Lester B. Pearson International Airport.

Mr. Gaston Leroux (Richmond—Wolfe): Mr. Speaker, I am pleased to speak today with respect to the amendments made to Bill C-22 by the Senate.

Bill C-22, respecting certain agreements concerning the redevelopment and operation of Terminals 1 and 2 at Lester B. Pearson International Airport, proposes, among other things, immunity for the government from any legal action resulting from its disengagement vis-à-vis Pearson Development Corporation, with respect to the project to privatize this airport.

The Bloc Québécois is entirely in favour of this provision of Bill C-22, and furthermore the position of our party on this issue is unequivocal; we are asking for a royal commission of inquiry to take a thorough look at the role played in this matter by the

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Canadian financial establishment and the Conservative and Liberal parties, as well as the lobbyists.

In addition to clauses 7, 8 and 9 of Bill C-22, which free the government of all legal responsibility regarding agreements made by the previous Conservative government with Pearson Development Corporation, subclause 10(1) states that subject to the approval of Cabinet "if the Minister considers it appropriate to do so, the Minister may—enter into" agreements to provide for the payment of damages.

However, subclause 10(2) states, and I quote: "No amount is payable under an agreement entered into under this section in relation to (a) any loss of profit, or (b) any fee paid for the purpose of lobbying a public office holder—".

The Bloc Québécois is, of course, opposed to the payment of any amount whatsoever to the Pearson Development Corporation; we are clear on this. We understand that the Liberal government, by opening the door to compensation in the form of agreements wishes in a roundabout way to reassure the friends of the regime, of whatever stripe.

However, the action for damages that Pearson Development Corporation wants to institute is for \$200 million in unrealized profits. This is unbelievable.

Bill C-22—as we just saw—rejects this option under the pretext that the bill violates a basic legal principle, "as it deprives the parties of their fundamental right to ask the courts to rule on their disputes with the government". This right is enshrined in the constitution of nearly all civilized countries, but the attitude of Pearson Development Corporation clearly goes against any kind of basic social ethics.

Such an attitude shows capitalistic greed worthy of unrestrained economic liberalism without any kind of protection for ordinary citizens. As far as I know, the right of a corporation to sue the government and the company it represents for unrealized profits is not enshrined in the constitutions of almost all civilized countries. This bill does not deny the right to sue the government; it simply applies to a specific case, a single corporation, a single project in depriving Pearson Development Corporation of the right to extort \$200 million from the Canadian people. That is very clear.

So, to use the same words as corporation officials, it is not a government attempt to put itself above the law. The Bloc Québécois' position goes beyond simply defending Bill C-22. Our party is defending the very principle of democracy, that is, people's right to live in decent conditions, in a society that is well managed politically and economically and protected against any form of exploitation by capitalist or state enterprise.

(1010)

In this case, Mr. Speaker, the Bloc Québécois is rising against Pearson Development Corporation's shameless attempts to dip into the public purse by invoking constitutional law.

As for the Senate, its attitude in this matter is most deplorable and confirms the urgent need for Canadian society to get rid of this archaic institution and for Quebec society to withdraw from the federal system. The Upper House once again shows itself as clearly undemocratic by amending a bill designed to protect, albeit very incompletely, the interests of Quebecers and Canadians.

The amendments proposed by senators support the interests of Pearson Development Corporation, as the Senate proposes to delete clauses 7, 8, 9 and 10 giving the government immunity from any legal proceedings under the bill, thus leaving the door open to all financial claims from Pearson Development Corporation.

In endorsing the corporation's position, the Senate places itself squarely on the side of Canada's financial interests and shows its bias in favour of unrestricted capitalist exploitation without any kind of protection for society in general. It promotes the proliferation of lobbyists and infiltration by financial interests, while opening the door to the corruption of politicians in Canada and Quebec. Nothing less. A great majority of Quebecers do not want the Senate and I hope that this House clearly understands this desire.

A major theme of the government's red book, the Liberal Party's veritable manifesto in the last federal election campaign, of which they remind this House, is to question the disproportionate and decisive behind-the-scenes influence of lobbies on government policies. Their goal is to remake this same government's image in order to restore public confidence.

So be it, and democracy will be much better in Canada as a result. Therefore we urge the government to keep its commitment by refusing any compromise with the lobbies, senators and companies and by not bowing to this country's financial establishment.

The Senate is as archaic as it is useless. I think I demonstrated that in this House on June 8, when, on behalf of the Official Opposition party, I opposed the funding for that other House.

I repeat, that other House is nothing but a pretext for the government in power to reward friends of the regime, be they Tories or Grits, who will then do partisan work either for the government or for the interests they represent, and it is important that everyone know this.

The Senate has no democratic legitimacy as an institution. Its members are appointed by the Governor General who, by convention, acts on the initiative and advice of the Prime Minister, who actually makes the appointments. Since the senators are not elected, the Bloc Québécois considers the second chamber to be a political anachronism, a convincing sign that Canada's federal system is outdated.

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On behalf of my colleagues in the Official Opposition, I also denounce the unacceptable waste which the budget of that House represents; the Canadian Senate costs some \$26.9 million, plus statutory expenditures of \$15.7 million, for a total of \$42.6 million. Given the current tough economic times, with a debt over \$500 billion, and unemployment which is especially high in regions like the one represented by the hon. member who is trying to interrupt, Bonaventure—Îles-de-la-Madeleine, this amount could be used for economic recovery and his riding could benefit from it.

Canada's public debt is partly due to outdated political structures, such as obsolete political centralism, a constitutional monarchy that is an unnecessary waste of public funds and an Upper House that is really just a golden retirement for politicians or others who have well served the traditional parties, be they Conservative or Liberal.

(1015)

The Senate of Canada is modeled on the House of Lords in the British Parliament. It is a chamber of highly distinguished persons. In keeping with the British tradition, great importance is placed in the division of legislative powers between two separate chambers each representing a separate social class: the people and the nobility.

Regarding the Pearson International Airport affair and the Senate amendments to Bill C-22, the action of the Upper House is in keeping with this tradition, nobility having been replaced by the financiers of the Canadian establishment, represented by lobbyists and paid by the people.

On the other hand, the structural illogicality of having such a legislative chamber in a parliamentary system based on the British model must be recognized.

Mr. Gagnon: "Allons, enfants de la Patrie"—

Mr. Leroux (Richmond—Wolfe): You can hide many things from everyone, day after day—

The Deputy Speaker: Order. I want to remind the hon. member it is not appropriate to sing in this place.

Mr. Leroux (Richmond—Wolfe): This is a matter of black-mail. The very existence of a second legislative chamber in a British-type parliamentary system is structurally illogical. Clearly dominated by the executive branch, parliamentary systems give the Upper House an absolutely ridiculous, if not to say insignificant, amount of power and yet it costs us a fortune.

To conclude, we consider the proposed amendments to Bill C-22 inadmissible and undemocratic. The Bloc Québécois, as the Official Opposition, is against any legislative activity on the

part of the Senate, an institution which should plainly and simply be abolished, and asks that a royal commission of inquiry be held to get right to the bottom of the Pearson International Airport privatization issue.

The Deputy Speaker: While the hon. member for Richmond—Wolfe was speaking, the hon. member for Simcoe Centre reminded me that he did not get to complete his speech last time. So, with the hon. members' permission, I suggest that we let him speak five minutes more.

[*English*]

I hear a voice telling me that unanimous consent is required and I think that is probably correct.

On the basis that the member had not completed his time, there was an error on the part of the Table or the Chair and he was not given the floor first. I would ask for unanimous consent that the member might be permitted to complete the five minutes that are still remaining to him.

Some hon. members: Agreed.

Mr. Ed Harper (Simcoe Centre): Mr. Speaker, the point I was developing in the first part of my presentation on Bill C-22 was the fact that what we were doing here actually flies in the face of what we should be doing to help restore the trust and confidence that have been lost between the politician and the voter. I had just completed dealing with the fact that the 30 day review of the Pearson contract was done by a well identified Liberal. Without getting into the question of how competent that individual is, the fact that it was done by somebody so well connected with the party just flew in the face of what needed to be an open and honest evaluation of that contract.

The next step in Bill C-22 was that there was a well identified Liberal appointed to review the compensation package. Again this flies in the face of what the public told us during the election campaign, that it wanted something done differently here and it did not want a continuation of the old politics. This again flew in the face of that.

(1020)

If it was going to be done it had to be done by a non-partisan, somebody completely removed from the political arena in order to restore the confidence that in fact what was happening here was in the best interests of the taxpayers.

The bill is unprecedented in that it denies the right of companies involved to the due process of law. Again in the minds of the public this raises questions. Why is that in there? Are we trying to hide something? It comes back to the question of trust in the system.

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We tried during the committee stage to open up and give these people an opportunity to come in and defend their position, the people whose names and reputations had been called into question, but this was denied.

To my thinking there is no other option available now than to go through the courts in order to clear the air so that taxpayers will indeed know the truth about the original deal but, more important, will know the justification for the spending of any tax dollars.

In all fairness those whose names and reputations have been brought into question must be given their day in court. There is a saying that those who steal my money steal nothing, but those who steal my good name steal all.

Do not let this happen. Put yourself in their position and ask if this is fair. As upset as we all were at the apparent deceit and abuse of the process in the original deal, two wrongs will not make it right. The minister said in introducing this bill that he wanted to be fair and reasonable to all concerned. Let us do that. Let us be fair and reasonable to the taxpayers as well as the accused.

It is ironic that all this debate and delay is holding up an infrastructure project that is a major part of Toronto and Ontario if indeed not Canada. Here we have this major piece of infrastructure continuing to deteriorate while this debate goes on.

This project alone was worth almost a billion dollars, representing about one-half of the total federal commitment to infrastructure with the potential for thousands of jobs immediately and yet to this day it is still not happening.

With so much support on the other side, who is speaking out for Toronto and Ontario? Not only are we talking about jobs now, we are talking about jobs that are indirectly tied to Pearson. The first impression created by a fast, efficient, safe airport plays a major role in decisions affecting where to locate and expand new industry.

Pearson operations generate some \$2 billion in personal income, \$4 billion in business revenues and \$700 million dollars in tax revenues and we are allowing this gem to deteriorate daily. It makes no sense.

There is no reason why negotiations should not proceed as quickly as possible. Pearson Development Corporation has said in writing that it will do nothing to block expansion. Local airport authority discussion need not have been delayed.

We cannot delay any further. Far too much is at stake. If this government is serious about job creation now and in the future, there is no better way to demonstrate that commitment than immediate action on Pearson.

This government's lack of confidence in our courts to be fair and reasonable is as frightening as the cynicism I spoke of earlier between the voters and the politicians.

There will never be a better time for this government to show its commitment to more open and honest government as was promised in the red book than to turn this whole situation over to the courts.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: On division.

(Motion agreed to.)

* * *

(1025)

DEPARTMENT OF PUBLIC WORKS AND GOVERNMENT SERVICES ACT

Hon. Allan Rock (for Minister of Public Works and Government Services and Minister for the Atlantic Canada Opportunities Agency) moved that Bill C-52, an act to establish the Department of Public Works and Government Services and to amend and repeal certain acts, be read the second time and referred to a committee.

Mrs. Dianne Brushett (Cumberland—Colchester): Mr. Speaker, I am grateful for the opportunity to address the House on the subject of Bill C-52, the Department of Public Works and Government Services Act.

This bill is one of a growing list of initiatives aimed at renewing, restructuring and revitalizing our approach to government. Other legislation now before this House will reorganize and redirect many functions and organizations such as the Department of Natural Resources, industry, consumer affairs, communications, science, to name a few.

Bill C-52 also addresses the functions of what used to be several departments or agencies. These measures are part of a coherent plan to bring order, efficiency and effectiveness to government. By merging the functions of public works, supply and services, the government telecommunications agency and the translation bureau, Bill C-52 is another step in the direction of more streamlined, more responsive services to government operations at less cost.

We can take great satisfaction in the fact that this rationalization of resources will save the government in the order of \$180 million by 1998.

In this era of fiscal constraint, effectiveness and efficiency are obviously of extreme importance to all Canadians. Canadians have a right to expect leadership and the example of the government to set that leadership and the direction for all economies.

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This means getting our own house in order, getting our expenditures and deficits under control. Nevertheless, we should not think of Bill C-52 as mere housekeeping. To get Canada back on the prosperity path, to create jobs and well-being we need an innovative economic climate. Government must provide the leadership and the focus to create that environment.

In addition to its housekeeping functions Bill C-52 is part of a strategy to do just that. The strategy was first outlined in *Creating Opportunity: The Liberal Plan for Canada*, the so-called red book which continues to inspire the agenda of this government.

That document describes the innovative economy that we all strive to see to completion. It also describes the proper role of government to create the economic condition to permit entrepreneurs to succeed.

Specifically, the red book defines the crucial role of the government in such an innovative system as working with the private sector to identify strategic opportunities for the future, then redirecting its existing resources toward the fulfilment of those opportunities.

The potential impact of the resources we are talking about is nothing short of tremendous. The department created by this bill manages an annual cash flow of \$1.4 trillion. It buys \$10 billion worth of products and services a year. It lets out about 175,000 contracts for approximately 17,000 different categories of goods and services every year.

It is the largest property management agency in Canada, providing work space for 170,000 public servants involving ownership of \$6.5 billion worth of real estate. In the business world that is called clout. It will be one of the roles of the Department of Public Works and Government Services to use that clout effectively. It will be used not only to effect savings for Canadian taxpayers but also to boost Canadian business. An organization that does business on the scale I just described necessarily deals with both big and small buyers and sellers. It deals with provinces, communities and other federal departments. It deals with foreign governments and foreign firms. Its purchasing power permits the public works and government services to strike alliances with Canadian governments and firms to achieve strategic objectives such as penetrating world markets by small Canadian firms that would otherwise never have this accessibility to them individually.

(1030)

Bill C-52 in fact encourages strategic use of the vast purchasing power of the government. It encourages the department to adopt an innovative approach to providing goods and services to its clients. Equally it encourages a similar attitude on the part of its customers.

The wording of the legislation makes the bill clear. Where previous legislation stated that the department shall provide certain services, Bill C-52 says it may. There is no coercion

here. In essence the bill says to both the department and its clients: "If it is efficient and effective let's make a deal".

Such an arrangement makes for sharp pencils on both sides of the bargain. If the Department of Public Works and Government Services wants to keep its customers it will have to be competitive. Government operations, Canadian businesses and Canadian taxpayers, everyone, will benefit.

Bill C-52 places in one organization all the tools necessary for efficient economical services to the federal government. We have one minister, one deputy minister and one departmental team dedicated to the task. At the same time the bill provides a single forum for expression of the interest of clients as well as suppliers, including businesses and other levels of government.

Flexibility rather than coercion is the spirit of the new department's mandate. Services provided to federal organizations would also be made available to provincial, territorial and local governments but only if they wish to use them.

Similarly the new legislation permits the department to provide service to community colleges, school boards and social service agencies. Federal and provincial governments combined spend some \$50 billion annually on goods and services. A mere 1 per cent savings would add up to half a billion dollars a year. In addition to greater and more effective service to other governments and institutions, this flexibility has the potential to provide significant savings to all Canadians.

Yet a remarkable aspect of the legislation is the simplicity. It is based largely on existing legislation. No great new powers have been invented. In sum, it reduces the government machinery, eliminating overlap and duplication. It provides one-stop shopping for suppliers and contractors, making it easier to do business and easier to get information. It permits the Department of Public Works and Government Services to use its purchasing power strategically, not only to reduce costs to taxpayers but to enhance the effectiveness and competitiveness of all Canadian business.

The legislation is good for business in Canada. It is an instrument of responsive efficient government that will assist in creating the economic environment that all Canadian businesses need to get on with the task of creating jobs and economic well-being.

[Translation]

Mr. Jean-Paul Marchand (Québec-Est): Mr. Speaker, Bill C-52, which is at second reading today, is primarily an attempt to group four different services under the same authority.

(1035)

These services either existed as distinct entities before, such as public works and government services which were formerly two separate departments, or were part of another department, as was the case for telecommunications and translation services. In any case, under the new legislation those four services will

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now be part of a single department, the Department of Public Works and Government Services.

The primary objective of this bill is obviously to implement an organizational restructure. It is simply a musical chair exercise to reduce, in the months to come and according to what we were told, the number of civil servants from 18,000 down to 14,000. In other words, the government wants to eliminate some 4,000 jobs in the public service and offer essentially the same services.

From that perspective, the bill is not without merit. If the government can reduce the number of civil servants and still provide the same quality of service, particularly in the current context of excessive government spending, debt and deficit, then it must do it.

The problem is that this legislation does not go far enough. It could go a lot further toward improving the operations of the Department of Public Works and Government Services. It is very unfortunate to stop short of doing that, because the hon. member said the following.

[*English*]

“It is another initiative to revitalize. This is not mere house-keeping. This is job creation. This is an incentive approach. This is government in action, with clout, based on simplicity”. It is a lot of mere words that we hear from the government. Basically it is housekeeping. These are a lot of empty words because there is no revitalization whatsoever.

As a matter of fact the law that is being proposed is discouraging to some extent because it does not address itself to the real problems that concern the Ministry of Public Works and Government Services. I am not surprised because the government really does not have the backbone to act where action is needed.

[*Translation*]

The fact is that except for a musical chair exercise, a grouping together of various services, this housekeeping bill does not include anything very exciting for anyone. Even though we are told that this is the first major change since that legislation was drafted in 1867, the bill still does not introduce anything new.

In fact, civil servants to whom we had an opportunity to talk have insisted that they did everything in their power to ensure that no new provisions were included. The various related acts were grouped together and great care was taken to make sure that nothing was changed. The exercise was conducted as though it was important not to affect existing structures.

This is precisely why Bill C-52 is such a disappointment. There is nothing new in this bill to improve the performance of that department, to reduce waste, or to eliminate abuse. Yet, changes or improvements to the Department of Public Works

and Government Services are long overdue. We all know that this department is often accused of wasting public money.

Mr. Speaker, you and all the hon. members in this House, not to mention the public watching us on television, are aware of specific instances of waste in government, which can hurt because it is taxpayers' money being wasted. This waste and this abuse are often linked to the Department of Public Works and Government Services or directly or indirectly. The reason is obvious. As my hon. colleague said earlier, the department spends a lot of money in Canada, grants something like 175,000 contracts each year and has hundreds of thousands of civil servants and thousands of construction and service contracts to look after. In the past, the department has wasted a lot of money and significantly contributed to increasing the government debt.

(1040)

The public also knows full well that this department is the major channel for government into patronage. Without going into too much detail, how else would the government manage to award construction or service contracts to its friends and supporters who poured funds into its war chest? In fact, we saw again this week to what length government members are ready to go to leave the door wide open for unlimited corporate contributions.

We on this side of the House have tried to limit contributions to campaign funds to a minimum and to enforce throughout Canada an act limiting contributions similar to the legislation in force in the province of Quebec, which is quite reasonable and much more democratic and helps to reduce abuses and patronage.

Again this week the government voted in favour of an act which does not limit donations from large corporations in Canada. Once the party these companies have financially supported is in office, the companies want their share of the contracts, hence the problem. Such undue influence can be seen particularly in the Department of Public Works and Government Services. What is disappointing unfortunately is that Bill C-52 in no way addresses these issues which are vitally important in Canada, since, as everyone knows, our country is faced with some serious debts.

Nor does the bill contain provisions to curb lobbying, another big concern for Canadians. We know how lobbyists have control over the contracting process when big government contracts are involved. But then, for God's sake, with Bill C-52, why does the government not take the opportunity to deal with some major public concerns, like waste, patronage and lobbying? Nothing in this bill addresses these issues. In fact, this legislation does nothing to improve openness in the allocation of contracts for the Department of Public Works and Government Services, for telecommunications or for translation. That is the main problem

with this legislation. It is also the main problem with the current government. It is the main problem facing Canadian politics.

Basically, the government has a serious credibility problem. Of course, it did not start with the current government. The Conservatives before them had the same problem. This is an image problem. Elected representatives and the government are accused of mismanaging public funds. Canadians accuse them of waste and patronage and they are right, since the national debt is reaching the \$600 billion mark and the deficit exceeds \$40 billion.

(1045)

Besides, the government has a serious debt problem, so much so that the International Monetary Fund is about to intervene. From a debt and deficit point of view, Canada is in a critical situation. Bill C-52 gives us a great opportunity to reduce waste in the thousands of contracts that are granted in Canada and, in doing so, to reduce our debt and deficit. But we do not take advantage of it.

As everybody knows, we are faced with a very serious problem, which affects politics in general. Politicians themselves have lost most of their credibility with the public at large, precisely because of this loose management of the public funds, which conjures up stories of patronage, abuse and waste. It is not surprising that Canadians call us hypocrites, crooks and liars and accuse us of not doing our job as their elected representatives.

It is a serious problem because that loss of confidence by the people in their elected representatives challenges the very basis of our democracy. When the uncertainty and the lack of confidence felt by Canadians is such that it weakens our democratic institutions, then it becomes a serious problem.

The government could have seen Bill C-52 as an opportunity to address these concerns, to show Canadians that it is taking action to reduce waste and overspending, but it has not done so.

This bill could have been used to make the government more open, which is essential if we want members of Parliament to regain some credibility. I think that openness was one of the first concerns expressed by the government when it was elected last October. The Liberals promised Canadians that there would be a certain level of ethics within their government, and that is why the Prime Minister appointed a former Liberal minister to see to it that his ministers follow this code of ethics. Openness is mentioned in the red book, although not on the first page. I will read to you an excerpt from page 95 of the red book that most Liberal members are very familiar with. It says: "We will follow the basic principle that government decisions must be made on the merits of a case rather than according to the political influence of those making the case. We will take an

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approach of openness in decision-making. A Liberal government will not allow the public agenda to be dominated by lobbyists as it has been since the Conservatives took office".

The Conservatives are being accused of patronage and lack of openness, but we see no change. The present government is not doing anything to address the problem and does not even seem willing to do something about it. Bill C-52 is a perfect example of this unwillingness on the part of the government. The Liberals could have given some teeth to this bill to put an end to the waste and misuse of taxpayers' money, but it has not done so.

(1050)

It is disappointing because today, as I said earlier, the general public has grave doubts about the effectiveness of its elected representatives and the federal system. In fact, that is one of the reasons why Quebec wants sovereignty, and will become sovereign, because it looks like the federal system is unable to adjust.

Government members show no indication that they want to improve the system. Consider lobbying, for instance, where there has been considerable abuse. This week, the government which, as I just mentioned, said in the red book that it wanted to restrict the influence of lobbyists, again gave in to the lobbyists, who scored at least two points on the restrictions the government wanted to impose on them. The lobbyists managed to avoid having to disclose their fees, and corporations may deduct lobbyists' fees from corporate income tax. This is one more example of a government that lacks the political will to deal with the real problems.

We had a whole series of events just this week which clearly reflected the government's lack of concern for the problems of Canadians. Yesterday we found, for instance, that the Prime Minister had purposely withheld information about federal compensation for the cost of the 1992 referendum in Quebec. The government has shown a preference for secrecy and an utter lack of transparency.

Consider the Pearson Airport controversy. Granted, the government cancelled this contract or attempt at privatization because it had to stop this kind of abuse, but it is trying to ensure that the parties concerned receive quite substantial compensation. The government is compensating lobbyists. It is compensating private interests. Even the Senate, in this particular case, suggested paying up to \$45 million to the people involved in the privatization of Pearson airport, which is abuse of public funds. The Senate itself is another case of this kind of abuse, of wasting taxpayers money: we have 104 senators sitting around doing nothing, who are paid \$70,000 a year, spend \$500,000 each and as a result cost the public Treasury a total of \$50 million. This is a horrific waste of money in a country that is already carrying an extremely heavy debt load. We know the senators are just

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another kind of waste, another form of patronage, because they are all—

The Speaker: The hon. member for Glengarry—Prescott—Russell, on a point of order.

Mr. Boudria: Mr. Speaker, I submit to the Chair that it is contrary to the Standing Orders to speak disrespectfully of the members sitting in the other place or their institution. This is clearly stipulated in the Standing Orders of the House of Commons and I wish to remind my colleague opposite of this rule. I believe he should unequivocally withdraw his statement and limit his remarks to the bill before us instead of maligning the senators.

[*English*]

The Speaker: I am sorry, I just took the Chair and I did not hear everything. I would hope that we would always carry due respect for ourselves and this Chamber as well as members in the other place. I will of course review what was said. If such a thing was done I will get back to the House.

(1055)

[*Translation*]

We only have a couple of minutes left before Question Period. Therefore, I invite the member to resume his comments, keeping in mind what I said earlier regarding our colleagues in the other House.

Mr. Marchand: Mr. Speaker, my remarks were aimed at government expenditures which many believe are out of control. I meant no disrespect to members of the other House.

Another example of government waste or lack of transparency is family trusts. We are having a very difficult time getting information regarding family trusts. The finance minister is keeping it a secret. This is yet another case of a blatant lack of transparency on the part of the government.

As I said earlier, this is a serious problem which affects the government in general and the Department of Public Works and Government Services in particular. It is even more obvious within the Canada Communication Group. This particular group, which is part of PWGSC, was illegally given money by other departments trying to preserve their budget for the following year.

At the end of the fiscal year instead of spending the money they had left they transferred it to Canada Communication Group as payment for services planned for the coming years but not yet rendered. This is totally illegal and we have been told that there are several millions of dollars in this fund. Several departments have been contributing to it. This is what has been going on within this government.

We doubt whether this will be rectified. Faced with such a fraudulent scheme, the President of the Treasury Board has yet to take action that would restore our confidence. As a matter of fact, there is nothing this government is doing to deal with waste, patronage and the lack of transparency that inspires our confidence. Some of the CSIS spirit seems to be floating over this government. It is trying to conceal rather than reveal what is going on within government, and I am convinced that the problem is worse in the Department of Public Works and Government Services. It is mainly in that department that we should have more openness, in order to prevent thousands and thousands of cases of abuse and waste of public funds.

I should say that the problem is compounded by the minister himself, who acts in a way that might not be appropriate. He said he intended to relocate a number of Public Works employees in the maritimes, in his riding.

The Speaker: Order. My dear colleague, you will be able to continue after Question Period. It being eleven o'clock, pursuant to Standing Order 30(5), the House will now proceed to Statements by Members, pursuant to Standing Order 31.

STATEMENTS BY MEMBERS

[*English*]

PUBLIC POLICY FORUM

Mr. Andy Scott (Fredericton—York—Sunbury): Mr. Speaker, on Sunday, September 11 in my riding of Fredericton—York—Sunbury 80 residents met for some four hours to discuss the country's current fiscal situation with the intent of advising the Minister of Finance as part of the prebudget consultation process.

I want to thank my colleague from Algoma who is on the finance committee as well as George McAllister, senior economist with the province, and forum co-chairs Len Hoyt and Gustavo Argaez for their support and participation.

A report of the forum is being prepared and will be forwarded to the finance committee and the Minister of Finance for consideration.

I also want to thank the residents of Fredericton—York—Sunbury for their continued support as this was the fifth public policy forum we have hosted in the riding. Finally, I want to thank the Government of Canada and in this instance particularly the Minister of Finance for the refreshing openness in encouraging such initiatives.

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[Translation]

TRADE

Mme Maud Debien (Laval—Est): Mr. Speaker, concerning the trade mission in Asia the Prime Minister will lead next November, we want to condemn the highhandedness, to say the least, of some Foreign Affairs officers and of the Deputy Prime Minister.

The federal ultimatum to the effect that the Quebec premier and nobody else should be part of that trade mission is an expression of contempt. It is not for the Canadian government to decide who should represent the Quebec government. Ottawa should not impose an agenda on the Quebec premier. Mr. Parizeau, who has responsibilities keeping him in Quebec City, is perfectly entitled to send a delegate of his own choice.

That is another example of the lack of flexibility of Canadian federalism and of the lack of respect of Foreign Affairs officers for the democratically elected representatives of Quebec.

* * *

[English]

CANADIAN UNITY

Mr. Ed Harper (Simcoe Centre): Mr. Speaker, I rise today to recognize the outstanding effort of Mr. Michael Szelag from Hamilton Ontario to promote Canadian unity.

Mike started out in St. John's, Newfoundland on August 9 this year for a 33 day, 7,000 kilometre bicycle ride to Victoria, B.C. During his travels Mike presented for signature a proclamation to Canada to the mayors of each city he passed through. He was enthusiastically received without exception. He commented that his reception in Quebec was outstanding.

The proclamation reads:

Our desire is strong
Our commitment is strong
Our understanding is the result of experience
Our contribution will continue
Our goodwill will lead us
Our faith will guide us
We will remain one people

I am sure members will join with me in a tribute to Mike for his tremendous contribution to Canadian unity.

* * *

CANADIAN FLAG

Mr. Harold Culbert (Carleton—Charlotte): Mr. Speaker, Canada is very diverse from east to west and from north to south and each and every area is significant and important.

Recently while promoting patriotism in my constituency of Carleton—Charlotte by encouraging the use of our national anthem and the display of our Canadian flag, I discovered one of

Canada's best kept secrets. I refer to the pledge of allegiance to the Canadian flag. For all members of this House and indeed for all Canadians, I will recite this pledge today and encourage its use.

To my flag and to the country it represents, I pledge respect and loyalty.
Wave with pride from sea to sea and within your folds, keep us ever united.
Be for all a symbol of love, freedom and justice.
God keep our flag.
God protect our Canada.

* * *

HUMAN RIGHTS

Mr. Bill Graham (Rosedale): Mr. Speaker, Rosedale is a complex urban riding with a diverse social structure. As in most parts of Canada today, the people who live in it know that the health and well-being of their community depend upon an open, tolerant and pluralistic society in which discrimination against fellow citizens is not permitted and everyone is treated with mutual respect.

It is for that reason among others that I support Bill C-41 and welcome the statements of the Minister of Justice and the Deputy Prime Minister that the government will introduce legislation amending Canada's human rights act to prohibit discrimination against persons based upon their sexual orientation.

This is not a question of creating special status for anyone; it is a matter of ensuring that all Canadians are treated equitably under the same circumstances. We must apply this principle of fairness to all members of the Canadian population if we are to guarantee their rights as individuals as well as our own development as a progressive and modern society.

* * *

(1105)

NEIGHBOURING RIGHTS

Mr. Roger Gallaway (Sarnia—Lambton): Mr. Speaker, since 1988 certain communications experts within what is now the Department of Canadian Heritage have talked about the concept of neighbouring rights. That is a form of copyright payment imposed on radio broadcasters to be paid to recording artists and producers.

Other experts admit that 68 per cent of blank cassettes sold are used for reproducing existing recordings which are legally sold in retail outlets. In this age of user pay let those who are bending existing copyright laws, that is the purchasers of blank cassettes, pay an artist's fee. Business, that is the big and small radio stations in this country, once again should not be required to pay. Without radio stations there is no recording industry or artist showplace. Without radio stations our sense of community surely diminishes.

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[Translation]

SOCIÉTÉ POUR VAINCRE LA POLLUTION

Mrs. Monique Guay (Laurentides): Mr. Speaker, earlier this week, the Minister of the Environment made some very uncalled for remarks with regard to an environmentalist group in Quebec, the “Société pour vaincre la pollution”, which she referred to by its acronym, SVP.

SVP has been active in the environmental area for 15 years now. Like many other groups of its kind, it is on somewhat shaky financial ground. For the minister to declare that the restricted financial means of that group is a discrediting factor in the eyes of the public and of the scientific community is totally unspeakable.

Furthermore, the minister’s data were inaccurate because, as one can see in the last issue of the prestigious magazine, *National Geographic*, the SVP group is still very much active. Such unfounded judgments on a Quebec environmentalist organization are unworthy of someone in a ministerial position.

* * *

[English]

THE DEBT

Mr. Dick Harris (Prince George—Bulkley Valley): Mr. Speaker, fall is in the air and the redness of the leaves is eclipsed only by this government’s balance sheet. As of this morning Canada was in debt to the tune of \$532,444,756,445.36. That is \$18,718.40 for every person in Canada, or \$37,879.22 for every taxpayer. By the time it takes me to read this statement the debt will have grown by \$88,410.

This government says it is concerned about the debt, but I remind the House that it was the Liberal Party in the 1970s and 1980s that sold Canada’s future to pay for whatever spending was needed to get it re-elected. The Conservatives finished the job because they did not have the guts to kick the deficit habit.

It is the Liberals who have sold us and our children to our creditors.

* * *

FEDERAL BUSINESS DEVELOPMENT BANK

Mr. Dennis J. Mills (Broadview—Greenwood): Mr. Speaker, 50 years ago today Parliament officially proclaimed the creation of the Industrial Development Bank, the forerunner of today’s Federal Business Development Bank. This was to assist in the smooth transition from a wartime to a peacetime economy

with particular consideration to the financing problems of small business.

Throughout the years the FBDB has addressed the evolving needs of small business by introducing innovative financial and management services. Not only was the bank the first to introduce term loans to the Canadian small business sector but it was among the first to offer small business management assistance through counselling and training courses. In addition, it became the first national source of venture capital.

The bank has proven to be instrumental in building successful businesses while at the same time not being a drain on the government. In fact over the past five years it has received no funds from the government for its lending activities and has loaned out some \$3.4 billion to small and medium size entrepreneurs.

With its unique array of services, the bank continues to be ideally positioned to help businesses grow and create jobs. In fact approximately one in every five businesses in Canada has at some point turned to the FBDB for assistance.

On behalf of the House and the small business sector, I would like to congratulate the FBDB as it celebrates its anniversary. I support the continuing efforts of the FBDB.

* * *

ED CARTER—EDWARDS

Mr. Andy Mitchell (Parry Sound—Muskoka): Mr. Speaker, I rise today to pay tribute to Ed Carter—Edwards, a resident of Bala in my riding of Parry Sound—Muskoka.

Mr. Carter—Edwards, a veteran of World War II, was the driving force behind the recent CBC special called the “Lucky Ones: Allied Airmen and Buchenwald”.

Ed Carter—Edwards was one of the lucky ones because he survived a nightmare during the war. He was one of 168 allied flyers, including 26 Canadians, who were shot down over Nazi occupied Europe and sent to the brutal Buchenwald death camp.

(1110)

Instead of being sent to a prisoner of war camp, Mr. Carter—Edwards and his fellow flyers spent three horrifying months in the concentration camp. They lived in fear and terror, witnessing many inhumane acts. Thanks to Mr. Carter—Edwards this untold story is now on the record to be shared by all Canadians.

Canadians owe the men and women who fought in World War II a large debt for their personal sacrifices and courage. I am proud to have Ed Carter—Edwards as a constituent in my riding.

PUNJAB

Mr. Gurbax Singh Malhi (Bramalea—Gore—Malton): Mr. Speaker, following a recent visit to India I wish to inform fellow Canadians of the troubled situation which still exists in the province of Punjab.

While efforts have been made to ease tensions and the death toll is down considerably, the situation unfortunately is still not normal. Police excesses continue. Equally worrisome is the lack of any commitment toward achieving a lasting peace and restoring law and order.

I hope that Canada will encourage the Indian government to accept independent international human rights groups to visit the Punjab.

I also hope that the Indian government will take concrete steps to engage in dialogue with representatives of various political groups to achieve a peaceful solution.

* * *

WORLD HABITAT DAY

Ms. Jean Augustine (Etobicoke—Lakeshore): Mr. Speaker, I wish to bring to the attention of the House that Monday, October 3 is World Habitat Day. In this International Year of the Family the celebration of World Habitat Day by the United Nations is even more significant.

It is important to recognize that more and more families around the world are living in substandard housing conditions. The need for adequate shelter is not only a basic human right but necessary for the well-being of all world citizens.

As members of this House, we can facilitate the promotion of public awareness about housing by celebrating World Habitat Day in our individual ridings.

* * *

[Translation]

1992 REFERENDUM

Mr. Stéphane Bergeron (Verchères): Mr. Speaker, Bloc Québécois members were relieved to learn last night that the federal government had finally agreed to compensate the Government of Quebec for its 1992 referendum expenses.

We have lost track of the number of questions the Official Opposition asked since January as to whether the present Prime Minister intended to keep the promise made by his predecessor. The sovereignist members have succeeded in shaking this government out of its malevolent torpor concerning Quebec issues.

We might add that there is a phantom looming behind the whole story. While the Bloc members had been pressuring the

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government for a week, the member for Sherbrooke waited until the very last minute to inform the House that, as far as he was aware, the former Prime Minister had made a solemn pledge a long time ago.

I dare ask the phantom of the House: "Where have you been for the past 18 months, since March 1993?"

* * *

[English]

NATIONAL UNITY

Mr. Bob Ringma (Nanaimo—Cowichan): Mr. Speaker, several months ago our party submitted 20 very specific questions to the Prime Minister concerning what action his government planned to take on the issue of Canadian unity. To date the Prime Minister has failed to respond to any of these questions.

Obviously the Prime Minister is subtly continuing his do nothing policy, or more likely just does not have the answers. If the latter is indeed true, may we suggest that the Prime Minister do like other concerned Canadians and tune into his local cable channel on Monday, October 3 for Reform's national unity electronic town hall meeting.

During the show Canadians will have the opportunity to answer three direction questions on the future of Canada. This historic event will give Canadians an opportunity to express their views on this important issue. It will give the Prime Minister an opportunity to see that his do nothing policy is not acceptable to Canadians.

* * *

MERCHANT NAVY

Mr. John Richardson (Perth—Wellington—Waterloo): Mr. Speaker, it is my pleasure today to bring attention to and salute the great veterans of our merchant navy, the merchant seamen.

This great country of ours, Canada, has always recognized the contribution of our citizens in time of war and has given just compensation for services rendered.

During the war, the merchant navy served under some of the most dangerous conditions and hostile weather. However they have not been fully recognized for their role in the war.

(1115)

These veterans have not been provided with the status due to them and promised to them. While our country was generous enough to compensate Japanese Canadians who were interned during the war, we have turned our backs on these brave members of the merchant navy. They have even been denied their former part in placing a wreath in remembrance at the National War Memorial this year.

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I say: Canada, it is time to provide just rewards to these brave Canadians who risked their lives so we could live ours in freedom.

* * *

BILL C-41

Ms. Colleen Beaumier (Brampton): Mr. Speaker, I congratulate the Minister of Justice for including provisions in Bill C-41 which ensure that individuals convicted of an offence motivated by the sexual orientation of the victim automatically receive a sentence of aggravating circumstances in addition to their original sentence.

I go on record as supporting the inclusion of sexual orientation in the sentencing provisions contained in Bill C-41. Crimes motivated by the sexual orientation of the victim must not be tolerated. As Canadians we cannot claim to support the protection and promotion of individual human rights if we do not oppose hate crimes motivated by sexual orientation.

Sexual orientation is as much a matter of individuality as any other freedom we enjoy in Canada. As such it should be protected under Canadian law.

on the table for a long time and involving discussions to which one was not privy, as a Prime Minister one must make sure that all the facts are in the open and quite clear.

I reviewed the matter and on Tuesday consulted the cabinet and was authorized to act with the permission of Treasury Board. When the documentation was received I was not in the House myself, having been held up with the president of Tanzania. I was informed at 3.05 p.m. yesterday that the written communication had come in.

I authorized my minister to take the necessary steps to make headway with this matter, but I acted cautiously because it involved taxpayers' money and was a matter that was not really the responsibility of this government. It had been dragging on for some time and we did not have the proof required to authorize payment. Once proof was received, we authorized it. It is that simple.

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, I bring the Prime Minister back to the central issue. This Prime Minister said in this House that there was no answer from Mr. Mulroney, although yesterday Mr. Mulroney reported all the facts in a letter to the Prime Minister, saying that these facts were conveyed to the current Prime Minister during Tuesday's telephone conversation. There is a flagrant contradiction.

(1120)

The least that can be said is that the Prime Minister's memory of his talk with Mr. Mulroney is as bad as his recollection of his recent telephone call to Mr. Parizeau.

Does the Prime Minister not agree that yesterday's letter from Mr. Mulroney formally contradicts what he said Wednesday in this House, namely that there had been no answer from Mr. Mulroney?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, I said in this House that I had discussed the problem with Mr. Mulroney. I had not received a satisfactory answer from Mr. Mulroney at that time. I told him that I had sent him a letter and he told me that he would answer. We discussed the matter but I was waiting for his written reply. I never said that I had not talked about it with Mr. Mulroney. On the contrary, I informed the House that I had spoken with Mr. Mulroney.

Furthermore, he told me that he would send me an official reply. During our discussion, he told me certain things. Was I satisfied with his answer? Was it enough? I do not think so. But I had enough after I had spoken with and received information from Mr. Harcourt, who was involved in the discussions in Charlottetown, as were Mr. Rae and Mr. Bourassa, and after I had reviewed the whole matter.

The letter itself is not absolutely clear. It was only after reviewing the whole matter that I concluded that there was

ORAL QUESTION PERIOD

[Translation]

1992 REFERENDUM

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, last Tuesday, in an attempt to confirm Robert Bourassa's version of the facts regarding reimbursement to Quebec for the expenses incurred in the referendum on the Charlottetown Accord, the Prime Minister had a telephone conversation with Mr. Mulroney. In the account of this conversation he gave this House on Wednesday, the Prime Minister stated, and I quote: "I called Mr. Mulroney, who did not give me an answer".

How can the Prime Minister reconcile the statement he made before this House on Wednesday with the now established fact that Mr. Mulroney fully briefed him on Tuesday on all that was said between himself and Mr. Bourassa?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, last weekend we contacted several persons to make sure we got all the facts. We had the privilege of speaking with Mr. Harcourt, calls were made to Mr. Bourassa, and I personally spoke with Premier Bob Rae. I also called Mr. Mulroney. Our brief conversation did not satisfy me and we agreed that the best thing would be for him to send me a written statement.

When one has a \$34-million decision to make involving taxpayers' money in a matter one did not handle, which had been

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indeed a commitment and that Mr. Bourassa had received a commitment from the then Prime Minister. I took precautions.

As I said earlier, on Tuesday, I discussed the matter hypothetically in Cabinet, saying in effect, if we receive some information confirming all of this, can I go ahead? The Cabinet did give me the go-ahead; as for the amount of money, it was set, as required by Cabinet, by Treasury Board, which sat yesterday afternoon. It always sits on Thursday afternoon.

I myself was notified of Mr. Mulroney's letter or of Mr. Shortliffe's telegram giving us Mr. Mulroney's version, and we accepted it. It is no more complicated than that.

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, beyond the question which has now been settled, the payment of what is owed to Quebec, there is a serious question concerning the proper behaviour of a Prime Minister in telling this House the truth. Nothing should prevent this House from knowing the facts. This House was told by the Prime Minister that he had no answer from Mr. Mulroney, when we know today that he had a complete answer, the same answer which was the basis of his decision yesterday to pay.

Does the Prime Minister realize that his statement that he had received no answer from Mr. Mulroney was likely to mislead the opposition and prevent it from getting to the bottom of this issue as it should?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, I myself answered all the questions I was asked on this subject in this House. I have just explained clearly that it involved \$34 million of Canadian taxpayers' money, as a result of the question raised by the Leader of the Opposition claiming that the federal government had made a commitment.

I took the necessary action to find out if there was a commitment from the federal government. He would have been the first to criticize me if I had acted on mere hearsay. I did what was necessary to assure myself that we could act as soon as possible with all the information in hand. A prime minister must act in such a prudent fashion. I acted with caution, as a reasonable man would.

Mr. Michel Gauthier (Roberval): Mr. Speaker, yesterday during Question Period, the Deputy Prime Minister and the Minister of Intergovernmental Affairs were obviously not aware that a written answer had been received from Mr. Mulroney. Yet, that answer had already arrived.

Will the Prime Minister confirm that he kept his Deputy Prime Minister and his Minister of Intergovernmental Affairs in the dark, since Mr. Mulroney's letter had already reached his office around 1.30 p.m., before Question Period?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, I could not inform the Deputy Prime Minister, since I was only told about that letter at 3.05 p.m. I decided not to show up for Question Period because my meeting with the Prime Minister of Tanzania took longer than expected. The letter was sent to my

office but I was not there; I was at home. I was informed about it by telephone at 3.05 p.m. Obviously I could not tell the Minister of the Environment at 2 p.m. about something I received at 3.05 p.m. My office received a letter at 1.55 p.m., but I was not there. I am being criticized for not reading a letter which arrived in my office across the street, and not at my office here. I was not in my office. I am therefore being criticized for not having read a letter I had not seen.

(1125)

Mr. Bouchard: Do you not have a fax machine?

Mr. Chrétien (Saint-Maurice): I did not send that letter. It is up to the sender to make sure the letter reaches its recipient. I did not receive that letter. Since when do we blame people for not having a letter they did not receive? I received that letter at 3.05 p.m. and the issue was settled two hours later. This shows how efficient our government is.

This morning I was expecting the Leader of the Opposition and other MPs to congratulate the government for taking swift action and making the right decision. I am surprised at how partisan they can be.

Mr. Michel Gauthier (Roberval): Mr. Speaker, when the Prime Minister is not here, it is customary for the Deputy Prime Minister to answer on his behalf.

Does the Prime Minister recognize that by acting as they did the senior officials in the PMO and the Privy Council kept the Deputy Prime Minister in the dark and prevented her from accurately answering the questions asked by the opposition? Does the Prime Minister of Canada think he acted as a prudent man should?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, I explained that the letter arrived when the House was convening. It takes a few moments to go over a document, and I was not there. The Deputy Prime Minister sat in this House and answered based on what she knew. We received a letter at 1.55 p.m. and we are being blamed for not providing an appropriate answer until 2.55 p.m. when the first question was put to us. If the letter had been sent to us at noon, we would have been able to answer at 2 p.m. but, as it happens, we received the letter at precisely 1.55 p.m. So, it took us exactly 70 minutes. We are fast, but not that fast. If we have not seen something, we cannot have read it.

* * *

[English]

GOVERNMENT EXPENDITURES

Mr. Stephen Harper (Calgary West): Mr. Speaker, last night Canadian taxpayers became aware that they had an additional financial obligation of \$34.5 million, two years after a Conservative government supposedly committed to it and months after a Liberal government had been in the process of denying that commitment existed.

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Governments have a moral obligation to fulfil their commitments, but governments have an obligation to undertake those commitments in a financially and legally responsible manner. The Minister of Intergovernmental Affairs has repeatedly assured the House that no formal or written documentation existed on this agreement at the relevant time period.

What I want to know from the Prime Minister is what are the guidelines in this government and in the previous government for senior officials, for cabinet and for cabinet ministers to undertake these kinds of financial obligations on behalf of Canadian taxpayers and how precisely are those criteria fulfilled in this case?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, this is an obligation that was committed to by the previous government to the premier of Quebec. It was discussed among the premiers in Charlottetown or Halifax at a time when there were laws in Alberta, in B.C. and another in Quebec about provincial referenda. There was a discussion at that time on whether there should be one national referendum or a series of provincial referenda.

The conclusion was that the premier of Alberta decided to join in the federal referendum. The premier of B.C. did the same thing. But Quebec did not. Mr. Harcourt made a public statement that he understood that if he proceeded with his own legislation he expected to receive some compensation. I was not there but I tried to find out from the participants what had happened to get the best proof I could.

(1130)

It is not a question of having a contract or not having a contract. I said in the House that there was no documentation on it. That is why I was prudent. I tried to have good witnesses and that is what I have done. However, it is an obligation that was contracted by a previous government.

In fact the taxpayers have paid for the referendum in all other provinces but not in Quebec. It was making an argument about fairness and so on. When I had all the files in front of me and the discussions that my staff had with the people concerned, I did my best. When I had the complete file in front of me I acted.

That is the difficulty. As I said before there were no documents. That was the problem. But there was a commitment by the Prime Minister of Canada to certain premiers that I am respecting.

It is just like when I get up in the House and I am asked a question and I say I will do something, sometimes I have to act after I said that. But if a Prime Minister cannot deliver on his word, who can?

Mr. Stephen Harper (Calgary West): Mr. Speaker, I have a supplementary question.

I hope the Prime Minister will agree that verbal commitments or verbal agreements made at dinner meetings, cocktail parties or on golf courses are not the proper way to conduct the business of the Government of Canada. This is an extremely dangerous route to go.

When the Prime Minister spoke to former Prime Minister Mulroney did he ask him whether there were any verbal agreements with various other parties, for example, with the Pearson consortium or the EH-101 contract? When he does do that, how much does he feel the taxpayers of Canada will be dinged for on those verbal commitments?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, I explained to the House clearly what happened. I have nothing to add. There was an agreement between the Prime Minister of the day and the premier of Quebec that he would recommend a payment. He never proceeded with it, perhaps due to circumstances. I do not want to get involved with what happened in those days.

I said I was confronted with a problem and I tried to find the proof that was needed to justify the payment. The payment was made. If the hon. member says we should not have paid, that would be another argument. That is not what he is saying.

Rather than to pass judgment on the substance, he is trying to play on the process. I am saying that there was a commitment by the previous government and we respected that commitment.

Mr. Stephen Harper (Calgary West): Mr. Speaker, I am asking precisely about the process. When these various subject matters go to the courts these things will be under examination.

I would like to know if the Prime Minister will table for the benefit of the House the guidelines that he will be using on past and future matters to ascertain whether cabinet and cabinet members have undertaken financial commitments on behalf of the Government of Canada?

For example, would the government be open to undertaking a request from the current Quebec government to pay for the next referendum? How would he handle such a request? What is the basis for a financial obligation on that matter?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, if it is a provincial referendum that is one thing. In this case, however, there was a national referendum where the same question was asked of all Canadians.

What we did was very easy. We divided the per capita costs of having a referendum in the rest of Canada and that is what we paid. If there is a provincial referendum in Alberta or B.C. or Nova Scotia or Quebec, they pay the bill. This is a democracy.

This was a national referendum and there was a commitment I have respected.

I wanted to have good documentation. I am happy to recognize by his silence that he accepts that we made the right decision.

* * *

(1135)

[Translation]

1992 REFERENDUM

Mr. Gilles Duceppe (Laurier—Sainte-Marie): Mr. Speaker, my question is directed to the Prime Minister. Still on the subject of the Charlottetown referendum, the Prime Minister said in the House that he did not want to act unlawfully like Mr. Mulroney.

My question is this: Would the Prime Minister indicate whether he still considers it unlawful for the Prime Minister of Canada to give his word to a colleague, without first obtaining the agreement of his cabinet?

Right Hon. Jean Chrétien (Prime Minister): The Prime Minister can make commitments but has a duty to go to cabinet with his commitment, which I did this week. I talked to cabinet about this and they said: fine. The document then went to Treasury Board, to determine the amount. This is entirely legal. Payment is authorized by the government in accordance with certain government mechanisms. The commitment made previously was not a clear commitment to pay, and, in fact, Mr. Mulroney said so himself in the document you received. There was never any reference to specific procedures. As far as I am concerned, this payment is entirely legal.

Mr. Gilles Duceppe (Laurier—Sainte-Marie): Mr. Speaker, the Prime Minister says he discussed it with cabinet, and earlier, he told us he mentioned it to cabinet Tuesday. He confirmed that this is what happened. Are we to understand the Prime Minister called a cabinet meeting, while the next day, he told us there had been no satisfactory answer from former Prime Minister Mulroney? He said again today that there was sufficient and satisfactory reason to call a cabinet meeting to discuss the matter although the next day he said in the House he did not have an answer. Is that correct?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, everyone in the Press Gallery, everyone in this Parliament except the hon. member, knows that cabinet meets Tuesday mornings at 10 a.m. All the reporters are there for the Tuesday morning scrum. I raised the problem. I did not call a special meeting of cabinet. The problem had been making the headlines for several days. I talked about it. I said: This is what we could do if we receive confirmation from Mr. Mulroney, which, in fact, came two days later. We acted on that confirmation, but we also made sure we had the versions of Premier Harcourt, former Premier Bourassa, and the Premier of Ontario. You cannot be too careful when you are about to spend \$34 million. I did what I

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was supposed to do. I got the support of cabinet and the approval of Treasury Board for making this payment.

* * *

[English]

NATIONAL UNITY

Mr. Bob Ringma (Nanaimo—Cowichan): Mr. Speaker, recent dialogue in the House between the government and the official opposition over the issue of Quebec separation has taken the form of metaphors.

Leaders of the separatist forces have been called maestros leading a symphony. I would like to extend the metaphor to include the Prime Minister and ask him how long he intends to fiddle while the unity issue burns.

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, it is not very complicated. We said the people of Quebec will stay in Canada if they have a good government in Ottawa that is preoccupied with the real issue of Canadians and Quebecers. I am talking about the creation of jobs and security of income for those who need it. That is the program of this party and this government.

Of course the PQ and the Bloc Québécois just talk Constitution and separation even though the people of Quebec would like them to talk about job creation.

Mr. Bob Ringma (Nanaimo—Cowichan): Mr. Speaker, it looks like we not only have fiddling, we have waffling.

Despite the Prime Minister's other dialogue, Canadians are concerned about the government's lack of action and dialogue on this thing.

(1140)

By contrast, Reform will host a national unity town hall meeting on October 3, Monday next. Tune in.

Can the Prime Minister tell us what specific action the government has taken or plans to take to engage in this type of nationwide discussion with the people of Canada on this important subject?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, in our party one thing is very clear and not very complicated. I told the Canadian people during the campaign that if they wanted to have Parliament discussing the Constitution all of the time not to vote for me. Now it is the Reform Party members who want to talk about the Constitution because when they try to talk about something else they are a complete failure.

* * *

[Translation]

1992 REFERENDUM

Mr. Gaston Leroux (Richmond—Wolfe): Mr. Speaker, my question is for the Prime Minister. The more I hear his explanations, the more I see that it is nebulous. Given the troubling facts concerning the Prime Minister's statements in this House and

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his obvious reluctance to compensate Quebec fairly for the 1992 referendum, how can the Prime Minister explain his attitude and that of the Deputy Prime Minister and of the Minister for Intergovernmental Affairs except as a cheap manoeuvre to avoid giving Quebec its due?

Right Hon. Jean Chrétien (Prime Minister): Mr. Speaker, it is clear that the Bloc Québécois is totally—

An hon. member: Bankrupt.

Mr. Chrétien (Saint-Maurice): Someone said “bankrupt”, but I was going to say “totally confused”. They are so disappointed that we paid.

Mr. Gaston Leroux (Richmond—Wolfe): Mr. Speaker, can you believe it? Does the Prime Minister admit that by hiding the contents of his conversation with Mr. Mulroney, he lied to this House?

[*English*]

The Speaker: My colleagues, we know that in the course of debate sometimes some words are used that are not always acceptable.

I would ask the hon. member for Richmond—Wolfe if he would not withdraw the statement that the Prime Minister lied in this House. It takes away from the debate when we engage in this type of language. I would ask the hon. member to please rephrase that question and withdraw the words that the Prime Minister lied to the House.

[*Translation*]

Mr. Leroux (Richmond—Wolfe): Mr. Speaker, in view of all that was said and done in this House, I believe that I would be lying to myself as a member of Parliament and to thousands of Quebecers if I withdrew my words.

[*English*]

The Speaker: We are going to be faced many times in this House in dealing with facts or the interpretation of facts which are contradictory, and we are going to engage in very vigorous debate. All of us were sent to Parliament to represent very strong opinions.

However, in the nature of Parliament itself, we must take the word of hon. members at face value.

(1145)

We all have done this as a tradition. If there is an interpretation of facts that are contrary one to the other it does not serve the purpose of Parliament if we use words that are unparliamentary.

I would appeal once again to the hon. member for Richmond—Wolfe, who holds as is evident very strong opinions, to withdraw the words “que le premier ministre a menti” and use other words that would be acceptable to Parliament.

I am sure it would help a great deal not only in the course of question period but in the course of debate if we did not resort to this type of word. I would appeal to the hon. member for Richmond—Wolfe to reconsider what has been said. If he could do this, we could get on with question period.

Would the hon. member please withdraw the words “que le prime ministre a menti” and replace them perhaps with some other words?

[*Translation*]

Mr. Leroux (Richmond—Wolfe): Mr. Speaker, as a parliamentarian, I am deeply convinced in my conscience that, in view of all the facts observed and reported in this House, the Prime Minister deliberately misled the House. He lied to this House, Mr. Speaker.

[*English*]

The Speaker: Dear colleagues, the conduct of a member may only be discussed in the House of Commons by way of a substantive or distinct motion, that is in a self-contained proposal submitted for the approval of the House and drafted in such a way as to be capable of expressing a decision of the House.

Such a motion may contain the abusive accusation that would otherwise be unparliamentary language, but the member cannot do this by using unparliamentary language in this House. The member does have an avenue if he wishes to pursue this avenue, which is a very serious matter.

In the course of debates that we have had and will be having, we always hope we can put forth our very strong views without using language that is unparliamentary. The choice of our words is our weapon. In this sense this is where we are in the arena. We all understand.

I would strongly ask once again if the hon. member would reconsider and withdraw the words “que le prime ministre a menti”.

(1150)

If the hon. member would do this we could of course proceed as we will with Question Period.

[*Translation*]

Mr. Leroux (Richmond—Wolfe): Mr. Speaker, I just said aloud what millions of Quebecers are quietly thinking.

[*English*]

The Speaker: My dear colleagues, I must express profound regret as your Speaker that I will have to resort to naming one of our colleagues in the House of Commons. It is a very strong sanction that you have put into the hands of your Speaker. In so doing, I would hope that all hon. members would take into grave consideration the great stakes and the great responsibilities which are entrusted to this House.

Oral Questions

I am tempted, as a matter of fact I will once more appeal to the sense of fair play of the hon. member for Richmond—Wolfe to respect the authority of the Chair and respect the authority indeed of Parliament and everything that has come to rest in this position. I would ask the hon. member in the sense of fair play if he would withdraw his accusation “que le premier ministre a menti”.

[*Translation*]

Mr. Leroux (Richmond—Wolfe): Mr. Speaker, I recognize the effort that you are making and the difficult situation you are in. I also recognize that my colleagues in the Bloc see that one of their fellow members must remain firm in his decision because I deeply believe that the facts taken together do indeed show that he lied to the House.

The Speaker: Mr. Leroux, I must name you for disregarding the authority of the Chair.

Pursuant to the authority vested in me under Standing Order 11, I order you to withdraw from the House for the remainder of today's sitting.

[*Editor's Note: And Mr. Leroux having withdrawn:*]

[*English*]

Some hon. members: Shame, shame.

The Speaker: Order. To continue with question period, the hon. member for Simcoe Centre.

* * *

INFRASTRUCTURE

Mr. Ed Harper (Simcoe Centre): Mr. Speaker, our research indicates that as of September 19 the three levels of government have committed almost \$1 billion of borrowed taxpayers' dollars to projects which are outside the red ink book definition of infrastructure. How can the minister justify this breaking of red ink book promises?

(1155)

Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure): Mr. Speaker, the red book promise has been fulfilled and the infrastructure program is a great success.

This program which started only a few months ago has had terrific support from every municipality and every province across this country to the point where 70 per cent of the \$6 billion allocated has now in fact been approved in projects, putting 100,000 Canadians back to work.

We said that we would get our \$2 billion of the \$6 billion from reallocation. We outlined in great detail in the red book exactly how that is being done. I have seen municipalities and provinces right across this country pick up on that spirit, reallocate funds, find ways of providing funds to get Canadians back to work

without further burdening the taxpayers of this country and that is what we have done with this program.

Mr. Ed Harper (Simcoe Centre): Mr. Speaker, what we are doing here at all levels is reallocating borrowed funds.

How in the name of infrastructure can you spend borrowed tax dollars on bocce courts in Toronto, the World Canoe Championship in Dartmouth, Nova Scotia or the removal of overhead electrical wires for a movie in Shelburne, Nova Scotia? The list goes on.

Will the minister take immediate action to ensure that no more borrowed tax dollars fund projects of questionable value to Canada's infrastructures?

Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure): Mr. Speaker, I notice the member did not mention the arena or the library in his own riding which he did not get any—

Some hon. members: Oh, oh.

Mr. Eggleton: Of course what he does know or should know is that this is based on municipal priorities. This has to do with attracting additional investment dollars to the community by the upgrading of infrastructure and it has to do with the quality of life in our community. That is what attracts additional investment dollars. That is what attracts people to live and work in our communities. These projects are based on the priorities of local government and our local communities across this country.

* * *

[*Translation*]

1992 REFERENDUM

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Mr. Speaker, the role of the federal Minister of Intergovernmental Affairs in the referendum issue is at the very least disturbing. Is the minister prepared to state in this House that until yesterday, as he suggested, he did not know anything about the content of the telephone conversation Mr. Mulroney had with the Prime Minister on Tuesday?

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal): Mr. Speaker, my answer is yes.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata): Mr. Speaker, I therefore have to conclude that the federal Minister of Intergovernmental Affairs was absent from the cabinet meeting on Tuesday. In that case, does he not feel that he was much too quick to take position against Quebec when he stated, without having all the facts, that the federal government owed nothing to Quebec?

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal): Mr. Speaker, the Opposition should know that the conversation between

Privilege

the Prime Minister and Mr. Mulroney took place on September 27 at around 1.30 p.m., thus after the Tuesday morning cabinet meeting. The question is therefore pointless.

That being said, what is important is that the matter has been dealt with in a way that is fair to all Canadians, including Quebecers. That was this government's aim. We did exactly what we said we would, that is if there was written evidence of an agreement, we would reimburse Quebec, and that is what we did.

* * *

(1200)

*[English]***WATERWAYS**

Mr. Peter Adams (Peterborough): Mr. Speaker, I have a question for the Minister of Canadian Heritage. The people of eastern Ontario are greatly concerned with the suggestion that the hours of operation for the Trent-Severn and Rideau waterways are going to be reduced. Such a reduction would greatly affect tourism and all associated businesses.

Can the Minister of Canadian Heritage assure us that the hours of operation of the Trent-Severn and Rideau waterways will not be reduced?

Hon. Michel Dupuy (Minister of Canadian Heritage): Mr. Speaker, I am delighted to give our colleague a position report on this important issue.

As he knows, there is an operational review concerning the Trent-Severn waterway and the Rideau Canal. Some recommendations have been made in that operational review concerning hours of operation.

Extensive consultations were carried out during the summer by stakeholders and users. An independent working group has been set up to examine the results of these consultations and I expect a report to be in my hands on October 15.

I can assure my colleague that we will take very much into consideration the representations that have been made by users and stakeholders.

* * *

PRESENCE IN THE GALLERY

The Speaker: I wish to draw to your attention the presence in the gallery of the Right Honourable Douglas Hurd, Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland.

Some hon. members: Hear, hear.

* * *

*[Translation]***PRIVILEGE**

COMMENTS BY PRIME MINISTER

Mr. Michel Gauthier (Roberval): Mr. Speaker, on September 28, in this House, the Prime Minister, answering a question from the Leader of the Official Opposition, said and I quote: "If conversations took place between Mr. Mulroney and Mr. Bourassa, I would be delighted to know what they were about. I called Mr. Mulroney, who did not give me an answer".

This statement by the Prime Minister, which caught our attention, is the subject of our question of privilege since it was categorically contradicted by the member for Sherbrooke who said yesterday: "I made inquiries, and I later found that before Question Period yesterday, the Prime Minister knew that his predecessor had promised the Government of Quebec he would submit to his government a request to compensate Quebec for referendum expenses".

Moreover, a press release from the office of the President of the Privy Council and Minister of Intergovernmental Affairs clarifies the whole issue, contradicting the statement made by the Prime Minister.

By his behaviour the Prime Minister impeded the Leader of the Official Opposition and members of the House in the discharge of their duties since the nature of the answer he gave during Question Period changed our line of questioning. The Leader of the Opposition and members of the House were asking questions pursuant to Standing Order 37 and as such were entitled to a valid answer enabling them to carry on their duties as parliamentarians.

In our view the Prime Minister's behaviour clearly constitutes contempt as defined by May, page 136, nineteenth edition:

Any act or omission which obstructs or impedes either House in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of its duty, or which has a tendency to produce such results may be treated as a contempt even though there is no precedent of the offence.

(1205)

Consequently, Mr. Speaker, given the facts I mentioned, I respectfully ask that you rule that the behaviour of the Prime Minister on September 28 constitutes an obstruction to the discharge of the duties of the House and of the Leader of the Opposition and declare votable a motion to refer the issue to the Standing Committee on Procedure and House Affairs with a view to getting to the bottom of this whole thing, and reviewing the Prime Minister's answers and behaviour by calling

Routine Proceedings

witnesses, especially the former Prime Minister of Canada, the Right Hon. Brian Mulroney.

Mr. Speaker, I am looking forward to your ruling in this matter and I trust that you will come to the right conclusion.

Right Hon. Jean Chrétien (Prime Minister): I have nothing to add, Mr. Speaker. I clearly related everything that happened during Question Period. There can be differences of opinion between one side of the House and the other. It is a matter for debate and not a substantive issue.

I admitted earlier that I talked about this with Mr. Mulroney. I said it clearly, and he confirmed to me that he would send a letter to make things as clear as possible. Read the letter and you will see. He explained to me what had happened and I said that I would wait for his written reply before stating that I was happy with all the answers. I took every precaution to protect the public interest by ensuring that there were other witnesses.

I am being criticized for being overly cautious. It is a matter for debate. Perhaps I should have been careless. Perhaps in the future I should follow the hon. member's advice of not thinking things through before acting, as the Bloc Québécois would like me to do. I did everything not to embarrass anyone and give half-answers because in a conversation like this we talk about many things. As I see it, I said that I had not received Mr. Mulroney's answer because he told me he would send a written reply. I preferred to rely on his written answer rather than on a verbal discussion. That is what I clearly said here in this House. I was waiting for his final answer, which arrived within 48 hours as promised.

[English]

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, a motion has been moved by the hon. member and I believe it is my duty to speak to the motion that the member has indicated he is willing to introduce.

Mr. Speaker, I want to indicate to you—

The Speaker: The Chair has not heard a motion. One moment, please.

If the hon. member wishes to enter into this exchange it should be on the point of privilege because there is no motion before the House.

Mr. Boudria: That is exactly the point. I was indicating the fact there is no point of privilege in my estimation based on citation 31(1) of Beauchesne's which states:

A dispute arising between two Members, as to allegations of facts, does not fulfil the conditions of parliamentary privilege.

Therefore, the member indicates that he wishes to put a motion, if you deem that there is a prima facie case of privilege, Mr. Speaker. I submit that there is not such a prima facie case of privilege because of 31(1) of Beauchesne's 6th edition.

[Translation]

Mr. Gauthier (Roberval): Mr. Speaker, I leave this to you to decide, having pointed out what I see as a breach of my colleague, the opposition leader's privilege. It is from that angle that the Prime Minister's answer should be considered and absolutely not within the context outlined by the government whip.

With all due respect, I would like to rise again on a question of privilege and repeat my argument that the Official Opposition's work has been undermined by an answer which was clearly inaccurate.

(1210)

[English]

The Speaker: The seriousness of this point of privilege cannot be lost on anyone in the House. I want to be absolutely sure in my own mind and I want to take some time. I want to review everything that has been said and I want to reflect on it. I take it all of the submissions have been made.

I would ask the indulgence of the House. I will consider all matters that were brought forward and I will return to the House, if necessary or when necessary, and give my judgment on this request.

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to two petitions.

* * *

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons): Mr. Speaker, I have the honour to present the 35th and 36th reports of the Standing Committee on Procedure and House Affairs. Both are regarding membership of committees.

The 35th report is a comprehensive report dealing with membership in the committees. The 36th report is one that deals with the appointment of associate members to the committees.

If the House gives its consent, I intend to move concurrence in both these reports.

Routine Proceedings

I move that the 35th report of the Standing Committee on Procedure and House Affairs, presented to the House this day, be concurred in.

(Motion agreed to.)

[Translation]

Mr. Milliken: Mr. Speaker, I move, with the unanimous consent of the House, that the 36th Report of the Standing Committee on Procedure and House Affairs tabled today be adopted.

(Motion agreed to.)

[English]

Mr. Milliken moved:

That the following changes be made to the membership of the Standing Committee on Procedure and House Affairs: Mr. Silye for Mrs. Ablonczy; Mrs. Catterall for Mr. Gagliano; Mr. Plamondon for Mr. Gauthier (Roberval); Mrs. Parrish for Mr. Patry; Mr. Harper (Calgary West) for Mr. White (Fraser Valley West), and that the list of associate members be as follows: Mr. Axworthy (Saskatoon—Clark's Crossing); Mr. Bellehumeur; Mr. Gauthier (Roberval); Mr. Harper (Simcoe Centre); Mr. Leroux (Richmond—Wolfe); Mr. Patry; and Mr. White (Fraser Valley West).

This may sound odd but the procedure and House affairs committee cannot, by reporting changes, change its own membership. It is being done by motion since it was established by motion for the duration of the Parliament. I just want to explain that.

(Motion agreed to.)

(1215)

FISHERIES AND OCEANS

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal) moved:

That a subcommittee of the Standing Committee on Fisheries and Oceans be authorized to travel to Manitoba, Saskatchewan, Alberta and the Northwest Territories during the month of October 1994 to undertake a study of the Freshwater Fish Marketing Corporation and that the necessary staff accompany the subcommittee.

The Deputy Speaker: Would all those members who are opposed to the motion please rise.

And more than 25 members having risen:

The Deputy Speaker: Pursuant to Standing Order 56.1(3), the motion is deemed to have been withdrawn.

(Motion deemed withdrawn.)

PETITIONS

MPS PENSIONS

Mrs. Sue Barnes (London West): Mr. Speaker, I have today the honour of presenting a petition from a very hard working constituent of mine who over the summer gathered 6,120 signatures.

The subject of this petition is the matter of MPs pensions. It calls upon Parliament to amend the pension plan as it stands right now. While I am not in full agreement with every phrase of this petition I feel it is the right of my constituent to give me this petition and I will present it. I feel confident that during the term of this Parliament the pension plan will be reviewed and changed.

VETERANS PENSIONS

Mr. Andy Mitchell (Parry Sound—Muskoka): Mr. Speaker, I would like to present a petition from 400 of my constituents dealing with the rights of those individuals in this country who were willing to give it all for Canada, our veterans.

This petition calls for the establishment of a basic service pension for all of our veterans who fought in World War II and in other conflicts and for their surviving spouses.

EUTHANASIA

Ms. Val Meredith (Surrey—White Rock—South Langley): Mr. Speaker, I would like to present six petitions to the House this morning.

In two of the petitions the petitioners pray that Parliament will ensure the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously and that Parliament make no change in the law which would sanction or allow the aiding or abetting of suicide or active or passive euthanasia.

HUMAN RIGHTS

Ms. Val Meredith (Surrey—White Rock—South Langley): Mr. Speaker, in two petitions the petitioners pray and request that Parliament not amend the human rights code, the Canadian Human Rights Act or the charter of rights and freedoms in any way which would tend to indicate societal approval of same sex relationships or of homosexuality, including amending the human rights code to include in the prohibited grounds of discrimination that undefined phrase sexual orientation.

ABORTION

Ms. Val Meredith (Surrey—White Rock—South Langley): Mr. Speaker, in the last two petitions the petitioners pray that Parliament will act immediately to extend protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by born human beings to unborn human beings.

(1220)

EUTHANASIA

Mr. Ed Harper (Simcoe Centre): Mr. Speaker, I wish to present two petitions today. The first one is a petition on behalf of the constituents of Simcoe Centre on the issue of euthanasia.

The petitioners request that current laws regarding active euthanasia be enforced.

HUMAN RIGHTS

Mr. Ed Harper (Simcoe Centre): Mr. Speaker, the second petition is requesting that the Government of Canada not amend the Human Rights Act to include the phrase sexual orientation. The petitioners are concerned about the undefined phrase sexual orientation. There is a legitimate concern that such a broad term could include all kinds of sexual behaviour.

CHILD SEX OFFENDERS

Ms. Colleen Beaumier (Brampton): Mr. Speaker, I am pleased to present a petition submitted by one of my constituents, Miss Carole Horan, which calls for the government to enact legislation which will enforce the long term incarceration of child sex offenders.

In the short span of six months Miss Horan collected 6,176 signatures from concerned individuals across this country. These Canadians are concerned with the safety and well-being of their children. I join them in expressing their desire to ensure that all children in Canada are protected from sex offenders.

EUTHANASIA

Mr. John Finlay (Oxford): Mr. Speaker, I have two petitions to present this morning.

The first petition calls on Parliament to ensure that the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously and that Parliament make no changes in the law which would sanction or allow the aiding or abetting of suicide or active or passive euthanasia. That petition is signed by 215 constituents.

LAP DANCING

Mr. John Finlay (Oxford): Mr. Speaker, the second petition is signed by 649 constituents. It urges the Government of Canada to ban lap dancing as understood and thereby stop offensive and repugnant entertainment, control the spread of sexism and check and/or help prevent the spread of the deadly HIV-AIDS pandemic.

HUMAN RIGHTS

Mr. Myron Thompson (Wild Rose): Mr. Speaker, under Standing Order 36 I am pleased to present a petition from constituents in and around the area of Bowden, Alberta in my riding.

Government Orders

The petitioners pray and request that Parliament not amend the human rights code or change the Canadian Human Rights Act or the charter of rights and freedoms in any way which would tend to indicate societal approval of same sex relationships or of homosexuality, including amending the human rights code to include in prohibited grounds of discrimination the undefined phrase sexual orientation.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons): Mr. Speaker, I would ask that all questions be allowed to stand.

The Deputy Speaker: Shall all questions stand?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[Translation]

DEPARTMENT OF PUBLIC WORKS AND GOVERNMENT SERVICES ACT

The House resumed consideration of the motion that Bill C-52, an act to establish the Department of Public Works and Government Services and to amend and repeal certain acts, be read the second time and referred to a committee.

The Deputy Speaker: The member for Québec-Est now has the floor. I believe he still has about 30 minutes left. I am not sure. If the member would begin, I will find out.

Mr. Jean-Paul Marchand (Québec-Est): Mr. Speaker, we are now debating Bill C-52, the purpose of which is to set up a new department, the Department of Public Works and Government Services.

I will resume the comments I was making before Question Period. To begin with, I would like to say that for several months, especially during the summer, all the Bloc Québécois members have been sending letters to the Minister of Public Works and Government Services asking him to inform them of all the contracts awarded by the federal government in their ridings, which is a perfectly normal request one would think given that we are elected and want to keep an eye on the government to make sure that it runs smoothly. Surprise, surprise. The answers were negative in all cases. Across the board, the Department of Public Works refused to give out any information, saying that it was too costly.

(1225)

We were surprised by that action, but of course on second thought we realize that the department is acting right from the start with a lot of secrecy about government contracts. It is becoming extremely difficult for us to get information on federal contracts in public works.

Government Orders

That is worrisome because, as I mentioned at the beginning, before Question Period, that somewhat reflects the government mind-set, first of all, not to act firmly about waste, not to reduce waste in government expenditures. That also reflects a lack of transparency by the government, despite its intention, its desire, as stated in the red book, to encourage transparency in government.

It is as if they wanted to hide information, as if there were something fishy, things that could not be disclosed, things that the minister and his department are trying to hide. Is it because it is too complicated? Why is it that elected government people cannot obtain information on contracts given by the government in public works and government services? Certainly, it is because of a lack of concern for transparency. And that is the least of our concerns.

I know, for example, that in the case of contracts awarded by the federal government, Quebec has always been short-changed. If you consider Quebec's contribution to the federal level and the share of public works and service contracts that Quebec should receive, the figure should be approximately 25 per cent and at least 23 per cent of all contracts. For a long time now—10, 15, perhaps 20 years—Quebec has been getting much less.

Last year for example, in 1993, the province was awarded 16 per cent of all contracts. It was 15 per cent in 1992 and 13 per cent in 1991. When you think that contracts awarded by the federal government are worth a total of \$30 billion or more, this is a considerable loss for Quebec. It amounts to approximately \$200 million a year. They may be trying to hide the extent of these losses.

In any case, there are hidden facts, there is a lack of openness on the part of the government. We would like to suggest at least some improvements. Unfortunately, Bill C-52 deals only with minor matters and moves things around and does not improve the operation of the Department of Public Works. With this in mind, the Bloc would like to make constructive, positive and concrete suggestions.

For example, the legislation should require that regular notices, say for example monthly notices, be given of all contracts awarded by Public Works and Government Services.

(1230)

Normally, this should be included in Bill C-52. These notices should be public and easily available and provide data by federal riding, region and province. Such a measure would keep the members of this House informed on what is going on in the Department of Public Works so they would be in a position to exercise their discretion and disclose cases of misuse or waste.

We also want to make a second recommendation. The responsibility for public tenders should be decentralized in order that offices of federal members of all parties be more involved in the process, that members be consulted, or at least informed of the awarding process in the case of government contracts regarding their riding. This is not complicated. It is normal for the members to be informed of the federal government contracts in their ridings, so that they can shed some light on some of these contracts, play a positive role and do something about cases of waste or abuse.

We would even have another recommendation which would be to adopt a precise code or agreement on subcontracting in Bill C-52 in order for the government and the public servants to know the government's intentions regarding this practice which has been a policy for some time now. The very complex subcontracting infrastructure costs more than \$5 billion at the federal level.

Over the last three to five years, subcontracting has increased at an alarming rate because the government never established a policy in this regard and has no guidelines indicating whether subcontracting would or would not be profitable for the government. We opened the door to subcontracting with all the problems we are experiencing now and there are no guidelines. We would have liked to see some guidelines in Bill C-52 or a code for the government to deal with subcontracting.

We have another suggestion for the government. It might be time to give the federal civil servants the right to blow the whistle on the waste of money in the public service, because they know what is going on, but they cannot make anything public. Obviously, if public servants had that right, as is apparently the case in some American states right now, they would not only be more accountable for their job, but I am sure there would be less waste in government contracts.

Even if that suggestion goes through, some steps would have to be taken to ensure that public servants with that right would be protected and would not use it against their supervisors. We must provide some measures to make sure that exposure of abuse and waste by public servants works satisfactorily, and would be useful to the government.

(1235)

In conclusion, following what I said this morning about the lack of openness of this government in awarding contracts at the Department of Public Works, and there are many of them, the lack of will of this government to give teeth to Bill C-52, while it is such an important department, because of all the contracts that are awarded every year—150,000, 175,000—because of the amounts involved and mostly because of the doubts that we have about waste within the government, in order to allow that department to become more open and more accountable toward elected representatives we would like to propose an amendment

Government Orders

to Bill C-52. Therefore, I move, seconded by the member for Charlevoix:

That the motion be amended by striking out all the words after the word "That" and substituting the following:

"this House declines to give second reading to Bill C-52, An Act to establish the Department of Public Works and Government Services and to amend and repeal certain acts, because it does not provide for the development of a code of ethics aimed at ensuring the transparency of contracting activities and the acquisition of all goods and services by the Department of Public Works and Government Services".

The Deputy Speaker: Having held consultations, I find the motion in order.

[*English*]

Mr. Ken Epp (Elk Island): Mr. Speaker, I appreciate the privilege of being able to respond to the proposal by the government to put into legislation something which it has already done, that is to amalgamate the Department of Supply and Services, the Department of Public Works, the Government Telecommunications Agency and the Translation Bureau into one new department, the Department of Public Works and Government Services Canada.

Before I comment on the actual legislation before us, I cannot help but note that things are being done in backward order. The thing is already done. The decision has been made and implemented and it will not be reversed. We are now discussing it and soon we will be voting to formalize a decision already made.

I wonder if I am the only one who notices illogical things like this. The same thing was done on the question of the military. With much fanfare the government cancelled the helicopter contracts. With great flair it announced the closure of a number of military bases and moving them around. Then a military review was announced and the work started on thinking about what should be done. After some time the committee will announce its findings and we will probably discuss the report, but the actions have already been taken at huge expense. There will be even greater expense if it becomes apparent that some of these decisions need to be reversed.

(1240)

We have had exactly the same thing in the last few days in the post office. We knew in June that the post office applied for an increase in first class postal rates to 45 cents. Ironically the government proceeded to do the work. The stamps were printed and distributed. Now we see cabinet deciding whether or not to actually do it. Meanwhile the taxpayers have spent the money.

No real business that has any hope of surviving can operate in this way. We need to do our analysis first and include in that analysis the most cost effective way of making changes. Why is it that government can waste billions of dollars simply by

terribly poor planning and by taking hasty actions that are not well thought through? Billions of dollars are forcibly removed from citizens by the bully of taxation.

I need to get on with the main topic of my speech but I cannot forget the Pearson airport deal. Is it not another example? If the former government had not been in such a big hurry to sign contracts without having covered all the facts of the situation first, we would not be in the mess we are in now with that deal. I find it appalling that the government is now ramming through a bill respecting that deal which will hide payments made at the discretion of the minister from parliamentary or public scrutiny.

I need to turn the corner and talk about Bill C-52. After what I have just said members may be surprised to note that in general I am in favour of the legislation. In general I support the move toward downsizing, but the plan needs to be well thought out. A number of issues need to be tackled. They must be done in the right order.

In analysing the situation one should really ask the following questions: First, what public service, what actual work, what functions do we want the department to perform? Second, in order to achieve what we want the department to do, how can we best organize it so that it can perform those functions with the greatest efficiency?

The amalgamation proposed in Bill C-52 is positive in the sense that it will result in the reduction of overlapping duties and functions. It should reduce overall costs, though that remains to be seen. There will be a reduction of overhead costs. Hopefully the new department will be able to deliver the services specified in a timely and efficient manner.

Another efficiency will be achieved by combining the annual report and the estimates. It will make it possible for managers, and indeed members of the House, to make decisions more effectively and more quickly on whether or not an expenditure is being controlled by looking at the consolidated statements.

There are two broad principles governments should use. The principles have been given to us by the people. The Reform Party is articulating the principles on behalf of citizens who have not been heard by governments of the past 20 to 40 years. The first principle is that governments, civil servants, politicians and political parties exist to serve the people. They should demonstrate this service at all times.

I cannot help but interrupt my speech again to draw the attention of the House to a great misunderstanding concerning the Reform Party. Several days ago the hon. member for Saskatoon—Humboldt gave a rather cute member's statement in which she echoed the misinformation broadcast by our sometimes untrustworthy CBC. She implied that members of the Reform Party were somehow herded along by the leadership of the party. The facts are that the leadership of the party and

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Reform MPs are driven by the grassroots. Ordinary citizens are finding that their voices are being heard by us. Party policies in our party are initiated by the members and the party leadership acts as a clearing house to expedite debate and decisions at our assembly.

(1245)

Yes, we believe in service. That is the first principle that should pervade all levels of government. It is government of the people, for the people, by the people. If we could do a 180 degree turn in how governments operate compared to the past and the present, perhaps that would be the single most important move in restoring the faith of the people in the governments they elect.

The second principle is that public money should be regarded by governments as funds in trust and governments should practise fiscal responsibility. In particular, they should exercise the responsibility of balancing expenditures and revenues. There are not many issues that upset my constituents more than the issue of the burgeoning debt.

If we were a board of directors of a public company the shareholders would fire us. We are spending 20 per cent more every year than we take in. We are headed for financial disaster and for bankruptcy. Yes, the shareholders of a company would fire the board of directors if that was how they carried on.

Indeed, this is what the Canadian people have begun to do. They are totally fed up with the flagrant waste of their money by governments of the last 20 or 30 years. Beginning in the west there is a massive sweep of support for Reform because we are promising to balance the budget. We just cannot go on the way we are. In some form or another, if not now then in the very near future we will have to pay the bills that we have run up.

The most unfair transfer of responsibility in this country is the intergenerational transfer of debt. We are spending our children's inheritance. From our graves we will have to apologize to them for giving them the inheritance of such huge financial indebtedness that they will not be able to enjoy anything near the standard of living that we have stolen from them. I am embarrassed to be a member of this generation, leaving my children a legacy of profligate overspending, exercising no discipline in how we handle our affairs.

In speaking to Bill C-52 I believe that we are beginning to move in the right direction on these principles. I want to show my support and commitment to the principles by helping to hold this government accountable for the steps it is taking. I want to assume that the motives of the government are honourable. I want to assume that it really means it when it says it wants to do better.

I suppose it is almost impossible to do worse than the government that was defeated last fall. But there is always the danger that the frail ship can be blown off course. We will be there to help and to remind the government to abide by these principles.

The principle of service to the public should be demonstrated by the way that business processes are developed and implemented. It should be evident in the way that public property is managed, particularly office and warehouse space. It should be evident in the way bidding and procurement procedures are developed and implemented. It should be evident in the way technology will be utilized to increase effectiveness and efficiency. Most of all, it should be evident in the way we and all civil servants meet the people, the way we talk to them and the way we serve them. There should never be an attitude of condescension but always an attitude of helpfulness and service.

I would add that we should also always have an attitude of total honesty and openness, whether it is procurement or whether it is talking about the way government influences public policy. There should be total openness. It is the people's business. The people have the right to know everything.

With respect to the second principle I mentioned, the one of sound fiscal management and wise use of the limited financial resources available, I need to emphasize it is my opinion that we are not doing enough here in this bill.

(1250)

It is insufficient to merely shuffle the deck to bring together two or three departments here and two or three there. It is not sufficient to merely reorganize the management tree. We need to look very seriously at the functions of government. We need to re-examine many things government is doing that is not supported by the people. There need to be some cuts. Some departments need to be eliminated because there is no longer a need or a demand for the functions they provide.

Can this be done? Would it be possible for us to discuss this in a meaningful, non-emotional way so that we could brainstorm our way to some positive solutions?

I can think of a number of examples in which we are not serving the people well with regard to monetary stewardship. I think of the \$60 million taken out of the accountability loop by the antics of the CCG. I think of the ongoing construction of a national GST processing centre in Prince Edward Island at the same time as this government is promising to eliminate the GST.

I am thinking of some extravagant offices and some unacceptable vacancy rates. I am thinking of moneys to crown corporations and special operating agencies and the way some of them are operating without full accountability. I am thinking even of the fact that the collection of hundreds and hundreds of smaller

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savings could save millions of dollars for the Canadian taxpayer.

Departmental contracting value for last year was in the order of \$7.8 billion. The handling of this large amount of tax dollars must be treated with great respect. We need to assure the public that everything is done out in the open with full disclosure of who is getting what and how much they are getting.

I wish to conclude by saying that I am personally committed to doing my share in influencing the way the government does its business. I want the people of Canada to know that in the Reform Party and hopefully among the other members of this House there are individuals who are deeply committed to doing this thing right. We want to treat the people with the respect they deserve. We want to stop overtaxing them. We want to serve them and we want to be good stewards of the money that they entrust to us.

I believe that the Canadian public is becoming more and more disillusioned with the concept that the government has to do everything for everyone. There are more and more people who simply want the government to back off and give them some freedom to make their own choices and manage their own affairs. They want government to do just the minimal things that it is not possible for them to do by themselves.

The days of thinking that nothing will get done unless the government controls and subsidizes or pays for it are over. The days are ending when everyone can use the government as a means of confiscating the dwindling available earnings of the average person to spend at will on whatever project seems to meet their fancy.

Henry Samtrooke said it well when he referred to the rapturous, wild and ineffable pleasure of drinking at somebody else's expense. In giving support in principle to Bill C-52, I hope that we are beginning to move in the right direction. We will be waiting with great interest to observe that this government takes it all the way. We want to see that the deficits are stopped before its too late.

Mr. Ronald J. Duhamel (Parliamentary Secretary to Minister of Public Works and Government Services): Mr. Speaker, I am delighted to be able to follow the two lead critics of the Bloc and the Reform Party with respect to this legislation because it gives me an opportunity to make a few comments, not in an unkind way but to make sure that we understand each other and that we are talking from the same base.

My colleague from the Reform is supporting this bill and I appreciate that. I think it is for many of the right reasons. I want to make sure it is understood that the decision to amalgamate government had been initiated by the previous government with the order in council process. We are undertaking today this legislation to affirm that we do have the powers that we thought we had.

(1255)

It would not be fair to say that we had not done our job. We are in fact doing our job. I am not sure that is what he was suggesting.

I also want to point out that we are open to suggestions. My colleague mentioned that he wanted to make some suggestions. That is not a problem.

A comment was made regarding Canada Post and increased postal rates. My colleague will know that Canada Post had anticipated that. There was a request made of government and that request is being reviewed right now. My minister, the minister responsible for Canada Post, is particularly sensitive to what the impact might be on small and medium size businesses. He will analyse that with his colleagues and look at it very carefully before proceeding.

The third point that was made was with respect to the deficit and the debt. I want to remind my colleague that by the year 1998, if my memory serves me correctly, the anticipated savings with this legislation because of what will be done are in the neighbourhood of \$180 million and by the year 2000 up to \$1 billion. That is a lot of money and it is going in the direction I think he would like, perhaps not as quickly but certainly in the right direction on that particular issue.

[*Translation*]

The Bloc Quebecois member commented about government waste and abuse. He mentioned contracts for Quebec. In a calm and generous manner I simply ask him to prove what he is saying. Where is the proof? It is so easy to make accusations.

The member knows very well that we are now in the process of eliminating overlapping and duplication with this bill. If I remember correctly this is exactly what some of my colleagues from the Bloc are asking. I hope it is not only talk, that they really mean it because this bill is tackling the problem of overlapping and duplication.

I think the member also forgot to mention the large savings this will bring about: \$205 million by 1998, and one billion by the year 2000. I hope he will still be here, as well as myself, to see these savings come about.

A last comment, to be completely sure there is no misunderstanding. Unfortunately, the member gave the impression—he is not a bad man, maybe he was influenced by somebody else—that the government had been far from generous in the allocation of contracts to Quebec. As regards the whole question of access to government, openness and transparency for the government, the hon. member knows well that our open invitations to bid are very transparent and that we also have other systems. For the first time in a long while we have opened up the process. For the first time in a long while any Canadian throughout this vast country can obtain information on what the

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government needs in terms of goods and services. Therefore improvements have been made that I wish to mention.

I understand the opposition because I myself was a member of the opposition for some time. I may have sometimes exaggerated but I think there was gross exaggeration today.

[English]

I want to get into my formal remarks. At the conclusion of his recent address to the Canadian Chamber of Commerce, the Prime Minister stressed the importance of concentrating on providing good government.

[Translation]

This is what the legislation before the House today seeks to achieve. By giving its formal approval to the creation of the Department of Public Works and Government Services, Parliament goes one step further in offering Canadians everywhere good governmental services.

The bill brings together in a single department all the service agencies of the government in order to streamline government, improve the effectiveness and efficiency of services and to better meet the needs of Canadians everywhere in Canada.

(1300)

[English]

The new department means improved service to other government departments and agencies as well as improved service to Canadians. Taxpayers save money. Government departments have one-stop shopping for all their service needs and there is a single window to the government for suppliers and contractors across the country.

The creation of a new department simplifies the business of doing business with the government. It simplifies the process of receiving information from the government. Parliament is asked to give approval to rolling government service agencies into one department and thereby reducing overlap and duplication, which is a tremendous way to save money.

The Department of Public Works and Government Services was formed last year to provide from one source a range of essential services in support of all other government programs. The amalgamation was achieved by orders in council but this bill was required to create the new department in statute. The department brings together four common service organizations. One major component of the new department is the former department of supply and services which was the government's internal service organization. The other major component is the former public works department which administers a wide range

of federal buildings and properties. The new department also incorporates the former government telecommunications agency and the translation bureau.

I know that most Canadians have heard the phrase public works and government services but I think it is fair to say many of them wonder what those phrases mean and exactly what the new department does.

I would like to take a few moments to outline the responsibilities of the new department and to explain how it affects the way government operates and how it affects Canadians.

The Department of Public Works and Government Services is the Government of Canada's chief purchasing agent, publisher, banker, accountant and paymaster. It provides office accommodation, real estate, design and construction, telecommunications and translation services for the Government of Canada and for other agencies as well.

We issue about \$200 million payments a year on behalf of the Canada Pension Plan, old age security, GST, child tax benefit, public service payroll, as well as to our suppliers. We manage the government's annual cash flow of \$1.4 trillion with an average daily balance of \$2.7 billion. Certainly one of the most popular services is issuing tax refund cheques to Canadians.

As the principal purchasing agency for the government the department buys some \$10 billion worth of products and services each year and works on major acquisition projects worth another \$23 billion. We issue on average 150,000 contracts to the private sector annually.

The department handles the purchase of 17,000 categories of goods and services. Our procurement ranges from frigates and satellites to medical supplies and food aid, to weather balloons and information technology. The department buys for more than 150 federal departments and agencies.

Our new government telecommunications and infomatic service is the lead agency in moving the government toward the better service and lower costs which can be achieved through automation and electronic interaction.

Translation is provided in the official languages of Canada and some 150 other languages and dialects. Our experts also provide interpretation services for some 40 languages including sign language. The department fields over 150,000 inquiries every year regarding precise terminology.

[Translation]

You may recall, Mr. Speaker, that I made a statement in the House yesterday. On behalf of all my colleagues I spoke in praise of the services that interpreters, translators and termi-

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nologists provide us. Their services are very important to us and today I wish to stress even more the excellent job they do.

[*English*]

The department is the largest real estate agency in Canada, providing work spaces for some 150,000 government employees across the country. We also run all federal properties under the jurisdiction of any other department. We provide a wide variety of management, maintenance and improvement services for federal properties and facilities. The department holds an estimated \$6.5 billion of real estate on behalf of the people of Canada. The primary holdings are office buildings and common use facilities. We are also the custodians of national landmarks including the Parliament Buildings where we meet today, laboratories, warehouses, residences, bridges, highways, locks, dams and dry docks.

(1305)

Three agencies provide services to public sector organizations on an optional fee for service basis. The Canada Communication Group offers communication services to government departments and agencies. Consulting and Auditing Canada's services include the full range of management consulting disciplines and specialities. The Canadian General Standards Board supports governments and the private sector through the development and distribution of standards for government and consumer products.

As members can see, a tremendous number of services are provided by the integrated department. By integrating all of these activities into one department we are making it easier for Canadians to deal with the government and we are making it cheaper for the government to function.

In fact the common sense rationalization of activities will result in annual savings, as I have indicated before, of some \$180 million by 1998. We are proving the government can reduce costs and improve services to Canadians at the same time. This is surely a goal all members of Parliament and all Canadians see.

The reality is that we are only able to achieve these worthwhile objectives through the extremely dedicated work of the public servants who have been brought together from other departments and agencies into one. Those public servants have shown extraordinary commitment to making this new department a success and I applaud their efforts.

By the time the department is fully integrated, the workforce will be reduced from 18,00 full time employees to 14,000. It takes a great deal of integrity for people to organize themselves out of a job in order to provide better government.

As the minister for public service renewal has stated, we can and will achieve changes with the absolute minimum of dislocation and involuntary lay-offs.

I respect the excellent work of the people in this department and I understand, as my minister does, that they are real human beings with real families, real bills to pay and a real commitment to serving the public with integrity. The minister and I are determined to treat them with the decency and fairness they deserve.

Mr. Speaker, with your permission I wonder if I could make a request. This morning because of medical problem I have, I got to my chair a few seconds late and I missed my place, which is fair.

I wonder if could have the unanimous consent of the House to continue?

[*Translation*]

The Deputy Speaker: Is there unanimous consent to allow the member to extend his statement by a few minutes?

Some hon. members: Agreed.

[*English*]

Mr. Duhamel: Mr. Speaker, I want to add that in creating a modern department to serve Canadians better in the years ahead, we have also used the opportunity to bring forward legislation that is modern and up to date. The bill before the House of Commons reflects existing legislation and operational practices of the government. To put this in context, the DSS act dates back to 1967 and the Department of Public Works Act to 1867. That is even older than I am. This legislation must be modernized and brought into the 1990s.

The problem with making jokes about age is that some people agree it is probably true.

What we have done in preparing this bill is to eliminate unnecessary or antiquated sections of previous legislation which no longer make any sense in 1994. For example, in the Department of Public Works Act there is a long and detailed description of public works. It has been eliminated. We have modernized the legislative responsibilities of the department to reflect technological changes which have occurred in our society.

For example, the DSS act referred to data processing services. We have changed it to information management and information technology systems and services.

(1310)

We have also eliminated old rules which added meaningless red tape to our efforts to provide responsive and affordable service to Canadians. For example, we have deleted the section requiring the tabling of an annual report as we are now producing a detailed report on the department's operations as part of our main estimates.

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I want to assure members of Parliament that the legislation before them is based on powers contained in the existing legislation and that any changes are straightforward, common sense changes to which I am confident every Canadian would agree.

Without getting into cumbersome detail, I would like to point out some highlights of the legislation to members. This bill gives legislative approval to the department to create, oversee or transfer information electronically or by other new technologies. That is the kind of common sense change I was talking about. The point is to reflect today's world. When the government started centralized procurement policies in the 1960s nobody had heard of the information highway or personal computers.

Bill C-52 also creates a real property disposition revolving fund. The new fund will simply permit expenditures made in selling off property to be paid from the proceeds of the sale. Right now Parliament provides a specific amount each year for these expenditures. The problem is that it is extremely difficult to know what sales opportunities may come along in any given year. Any annual appropriation by Parliament in the past was based on a guess. The new revolving fund corrects this situation and makes sure that the department's hands are not tied if the chance arises to dispose of excess property at a fair price.

There are other sections of the bill which I think will not be matters of great debate but which do represent key modifications and improvements to the way the department can operate. The new legislation improves upon the legislation it replaces by providing greater flexibility and the removal of administrative impediments to better service for Canadians.

As we stated in the red book, the government will work closely with provincial governments to reduce duplication and improve service delivery in all areas where governments are involved. Under current law, officials on the supply and services side are only permitted to share our purchasing power with other levels of government after first seeking governor in council approval. The public works side does not have this explicit authority.

The current law does not allow the Department of Public Works and Government Services to use its size, expertise and contacts in assisting Canadian businesses to move them to new world markets. The bill before Parliament will allow the department to change all of those practices and to continue to move forward in ensuring that taxpayers get the best bang for their buck by ensuring that we can provide more help to Canadians. This is totally in line with what we laid out in the red book. We have done what we said we would do.

I do not want to take advantage of my colleague's generosity this afternoon so I want to make a few more comments and bring this to an end. I point out to my colleagues that this change is needed in order to make absolutely certain that we have the legislative authority to operate as a department should.

I want to stress that this legislative change is as a result of an action undertaken by a previous government so we are doing what the previous government might have done. I want to stress that this particular change will remove obstacles to good government.

[*Translation*]

As I said earlier, duplication and overlap will gradually be eliminated, which will allow us to save \$140 million by 1998 and \$1 billion by the year 2000.

I am almost finished. I do not want to prolong this unduly. I hope that I will not only get the support of Reform Party members, who indicated in a clear and honest way that they were ready to look at the bill with an open heart and an open mind, but that the hon. members from the Bloc will agree to reconsider what they said this morning and perhaps propose amendments that could improve the bill instead of simply making unsupported attacks against it. This is not the way one should react.

(1315)

Mrs. Monique Guay (Laurentides): Mr. Speaker, we have just heard an absolutely wonderful speech. You would think this is the best department in Ottawa. The problem is, I had the opportunity to work in this committee of public works and government services and I was also the official critic.

I can tell you that there is no openness in that department. The hon. member for St. Boniface made a big show of it, but the truth is we never got what we wanted. Every day we asked for information, but this department was never forthcoming. This is the patronage department. Let us be clear on that, there is no hiding it, this is a fact.

The hon. member for St. Boniface is nodding in approval, how very interesting. I know you want to answer my question, so I will give you the opportunity to do so.

Mr. Speaker, we introduced a motion to amend this bill. I hope the hon. member for St. Boniface will take it into account and not launch into another one of those dramatic speeches he makes every time he takes the floor in the House. I hope he will also try to improve this department where there is no openness whatsoever, but a great deal of patronage.

Mr. Duhamel: Mr. Speaker, I appreciate the comment a great deal. I realize that the hon. member is the official critic and that she was not always satisfied with the answers she received.

I realize also that she is not entirely right. We received a lot of information. It was sometimes difficult to understand it all, since there was so much of it.

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It is Friday afternoon, so I will be kind. This is nevertheless an unsupported attack. The hon. member was the official critic. She could have provided us with concrete examples showing where she saw a lack of openness. But she did not do it, she just attacked the department without backing up her allegations.

Mrs. Monique Guay (Laurentides): Mr. Speaker, the day Public Works and Government Services Canada becomes really open, really very clear and transparent will be a day of celebration for me.

I am very pleased to take part in this debate on Bill C-52, an act to establish the Department of Public Works and Government Services. As I said earlier, until just recently I had the privilege of being the Official Opposition critic for this department and as such I had the opportunity to discuss matters with its hon. minister.

I would like to share with you today what I know about this department and what changes should be made to make it more transparent, more open and more accessible to all taxpayers who wish either to receive information on its activities or do business with it.

I understand, when one is in opposition one tends to exaggerate—I was there, and maybe I did exaggerate a few times. I will try not to do it now. I will give my total, sincere and deep commitment to do my best to improve the openness of this department. I understand that there is room for improvement, but I intend to do everything I can to increase the degree of openness and try to answer honestly the question of my colleagues, including the hon. member who just spoke.

All of us in this House will agree that, either way, these are legitimate demands on the part of the taxpayers and they should not be ignored in a cavalier fashion. This bill should ensure that the various demands of the taxpayers can be met, but this is not the case. The only thing the enactment does is to merge two former departments—a process which incidentally was initiated by the Conservatives—as well as various government agencies.

(1320)

Section 5 of the bill states that this new department shall operate as a common service agency for the Government of Canada, and its activities as a common service agency shall be directed mainly toward providing the departments, boards and agencies of the Government of Canada with services in support of their programs.

Basically, this department is responsible for the acquisition and provision of goods and services for all departments of the Government of Canada. It negotiates, buys and rents an impressive number of goods and services for other departments. Last year it negotiated 170,000 public contracts. That is rather impressive.

As the member of Parliament for Laurentides and parliamentarian responsible for taxpayers' money as well as a taxpayer myself, I want to know everything there is to know—and I mean everything—about the tens of thousands of government contracts negotiated by this department every year. It is the

taxpayers' money that the government spends; it is therefore accountable to them for its use.

Unfortunately, there is nothing in this bill about how these contracts should be accounted for in all the relevant information made available to the public. The government sticks to its old ways and continues to be secretive. This government refuses to make information readily available. That is very clear, but also quite sad. It shows mainly that the government is scared to death, scared of getting caught spending the taxpayers' money improperly.

By leaving out of this bill a provision to divulge automatically all information in contracts, the government perpetuates the widespread opinion that the department still indulges in patronage, and awards thousands of contracts under the pressure of lobbyists, friends of the government, or people who contribute to the funding of the old parties. Failure to take action to change this general opinion could prove in part that it is well founded.

To leave the minister and bureaucrats free to conceal or to divulge information clearly indicates that the system does not meet the basic expectations of a democratic society. Letting the minister decide whether Canadians should know how their tax dollars are spent seems contrary to the transparent and open government that Liberals have been promising since they crossed the floor.

The Liberal government is no better than its Conservative predecessor, that it once denounced so vehemently. Members opposite are backing down. They have lost the backbone that made them so brave when they formed the official opposition and during the election. The members opposite are going back on the commitments they made in their red bible. Transparency and openness no longer figure in their vocabulary. First it was the red bible, now they dress in red and follow their great leader, the Minister of Public Works, Santa Claus personified, the main purveyor of government contracts who keeps his secrets to himself and silences his little elves gathered round him, across the aisle.

This bill is nothing but a formality, an insipid document which again hands taxpayers over to the minister and those in high places under his control. With this bill, the government is saying to taxpayers: "The minister spends your money but this is none of your business". To use an expression made famous by our illustrious Minister of Transport: "If you taxpayers want to know to whom, and how, contracts are awarded, use the Access to Information Act".

Why make it so difficult to have access to that information? In recent months, I have tried to pressure the minister into setting up a rational system to disclose contracts awarded. I even tabled a motion asking the minister to disclose, on a monthly basis, all government contracts awarded. Such a system could even be established for all departments awarding numerous contracts. The minister replied that this monthly disclosure was unnecessary, since all the information is already available and ordinary citizens can find out anything they want about government contracts. How insulting from the minister! This answer shows that the minister has no respect for us. It is wrong to claim that

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the information is available and accessible. As evidence of that, I have specific requests for information on contracts awarded to entrepreneurs in my riding which have remained unanswered for more than two months now.

(1325)

What is even worse is the fact that recently all Bloc Quebecois members were refused access to a list of government contracts awarded in their respective ridings during the last year. This refusal from the minister and the Liberal government to provide that information to members is, in my opinion, a very serious violation of their right to information.

Indeed, how can an elected member, even if he is a minister, deny other elected members the right to know what is going on in their respective ridings? This behaviour is totally unacceptable and is exactly why people continue to believe that politicians and civil servants award contracts only to friends of the government and to contractors offering the biggest bribes.

The minister must explain why he refused to provide the Bloc members with the information they asked for. For the time being, he argues that it would cost \$160,000 and that he is not equipped to provide the list of contracts required. Come on, with everyone talking about the electronic highway, no one can seriously claim that it is impossible to collect, code and release this information according to some specifications.

With all the computer equipment the government buys, I think it is a bit far-fetched to try to make us believe that all that work is still done by hand in the department.

I also think that this amount of \$160,000 is part and parcel of the administration and operating costs of the department. I do not see how these costs can be considered as additional expenses.

Given the minister's refusal, we believe he is trying to hide something. He knows full well that his department is not known for its integrity and transparency. He also knows that the department does not distribute federal funds fairly among the various regions and provinces. The federal government must play fair and distribute Canada's wealth so as to support development in each and every region of the country.

However, statistics clearly indicate that the federal government supports some regions more than others. For example, the city of Ottawa alone received almost 99 per cent of all contracts awarded by the government in 1993 for the Ottawa region, while its twin city, Hull, across the river, made do with a meagre 1 per cent.

That is a harsh reality for those who believe blindly in this supposedly fair federal system. Federalists and centralists will surely find reasons, legitimate or not, to explain these statistics indicating such an extraordinary concentration of contracts.

In the view of the Bloc Quebecois, this imbalance could be corrected if all contracts were made public. Thus, small and large contractors would know which goods and services the government needs. And knowing this, they might want to do business with the government. Moreover, all this information would force the government to show greater fairness in the contracting process. Furthermore, the government should even support and help potential suppliers in neglected areas, thus creating growth and jobs where they are urgently needed. Is job creation the main goal of the federal government or not?

It is about time that the government show some openness in the allocation of contracts, not only in the department we are talking about today but in all departments. There are means to achieve this and the Bloc is proposing some.

Ministers across the aisle always beg us to suggest new ideas and new ways of doing things. Well, here they are.

The Deputy Speaker: The hon. member will still have nine minutes next time this motion is debated.

It being 1.30 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[English]

CHILD SEX OFFENDERS

Ms. Colleen Beaumier (Brampton) moved:

That, in the opinion of this House, the government should enact legislation which will protect children from pedophiles by allowing members of the National Parole Board to enforce the long term incarceration of offenders whom they feel may reoffend.

She said: Mr. Speaker, I am pleased to rise in the House to speak on Motion No. 305 which calls upon the government to introduce legislation which will allow for the post-sentence detention of child sex offenders who are likely to reoffend upon release from prison.

Motion No. 305 reads as follows:

That, in the opinion of this House, the government should enact legislation which will protect children from pedophiles by allowing members of the National Parole Board to enforce the long term incarceration of offenders whom they feel may reoffend.

I begin by sharing the story behind the motion with my hon. colleagues. In June 1988, 11-year old Christopher Stephenson was abducted from a Brampton shopping mall by 45-year old Joseph Fredericks, a repeat child sex offender who was known by criminal justice officials to be in a dangerous state of mind. Fredericks murdered Christopher.

The details of this need not be recounted here. Rather we must focus on action which we as legislators can take to prevent a similar tragedy from occurring. The loss of Christopher's life was both needless and preventable. This is apparent to anyone who takes a moment to review the recommendations made by the inquest that looked into Christopher's death.

Those recommendations, collectively called the Stephenson report, tell us that corrections officials knew that Mr. Fredericks was dangerous when he was released. They knew that he was certain to reoffend. They just could not do anything about it. The legislative authority required to keep Mr. Fredericks in prison simply did not exist despite the fact that he was a certified psychopath.

It is within the authority of the House to enact such legislation. It is within the authority of the House to empower corrections officials to act to keep people like Mr. Fredericks off the streets as long as they pose a threat to our children. That is what the motion seeks to do.

Motion No. 305 calls on the government to enact legislation which will empower the National Parole Board to keep child sex offenders who are likely to reoffend upon release incarcerated beyond the term of their sentence. This was a key recommendation of the Stephenson inquest and it came at a high price.

When we look at the statistics surrounding child sex offenders it is clear that many Canadians are affected by this horrible crime. Fifty-three per cent of all females and thirty-one per cent of all males are victims of unwanted sexual acts. Eighty per cent of these incidents occurred when they were children or youth. A full sixty-three per cent of victims in all sexual assaults reported to the police are young people under the age of 18. Canadian children are prime targets for sex offenders and it is time that we took action to ensure their safety.

The magnitude of the task is apparent when we look at the profile of child sex offenders. In eight out of ten cases the offenders are either related or known to the victims. They occupy positions of trust in the lives of their victims. It is therefore no surprise that a sexual assault against a child often goes unreported.

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One study estimates that for every incident of reported child sex abuse two and a half go unreported. Abusers will often threaten the children, thus making them too afraid to report the offence. Other times the offender will persuade the child that the sexual acts are part of any loving relationship and are perfectly acceptable.

Because of the power offenders often enjoy over their victims, their abuse often goes unreported. That is why it is crucial that we act in an effective manner toward child sex offenders when a child has the courage to speak out about abuse.

Current legislation does not allow for truly effective action against child sex offenders. Existing provisions of the Corrections and Conditional Release Act allow for the release of offenders upon completion of two-thirds of their sentence.

Amendments proposed by Bill C-45, which was before the House for first reading last week, would allow the National Parole Board to deny the release of offenders if it feels that they will reoffend within the term of their sentence. Bill C-45 is a giant leap forward in the fight against child sex offenders, but more needs to be done.

(1335)

I do not wish to understate the importance of the amendments contained in Bill C-45. By removing the requirement to prove serious harm in order to deny parole to a child sex offender, we are giving the National Parole Board a very important instrument in the battle to protect our children.

The serious harm provision was removed out of a recognition that the effects of abuse on children are often not apparent for some time and that a unique sentencing procedure would have to be enacted to deal with child sex offenders.

It is precisely because Bill C-45 employs a non-traditional sentencing procedure that it is so progressive. Traditional sentencing procedures are simply not effective with respect to child sex offenders who have one of the highest reoffence rates in any criminal group. Studies show that 40 per cent of sex offenders reoffend within five years of being released from incarceration.

I believe it is time we took an even bigger step toward effectively addressing this horrible crime. I believe post-sentence detentions are the means to take this step. By keeping these offenders incarcerated as long as they are likely to reoffend we are acting in a constructive, progressive manner. It allows us to link punishment with rehabilitation.

The change in sentencing philosophy is long overdue. We need to send a message loud and clear that punishment is not just serving time. It is more than that. In order for punishment to have been completed convicted offenders must not be in the

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same state of mind as they were when they entered prison. They cannot simply leave after serving time. If they are likely to reoffend upon release, they must remain in prison and receive further treatment. Through the change in philosophy we are saying that what offenders do in prison is as important as the length of time they stay there.

Because the model of post-sentence detention is constructive and progressive and looks after the well-being of the offender in the interest of protecting society, it poses a particular challenge for the criminal justice system.

There is no cure for whatever causes an individual to sexually assault a child. However treatment is available with limited success. One study conducted in Europe identified the reoffence rate of child sex offenders as being in the range of 25 per cent. The same study found that with treatment the reoffence rate dropped by 10 to 15 per cent. This reoffence rate is still too high, but any improvement is encouraging.

The reality is that sometimes any amount of treatment does not help. According to the Stephenson report the treatment which Joseph Fredericks received was counterproductive. Post-sentence detention would not have helped to improve Mr. Fredericks' condition, but it would have empowered the National Parole Board to save a very precious life by keeping him off the streets.

There is nationwide support for legislation introducing post-sentencing detention procedures for child sex offenders. Earlier today I presented a petition that Mrs. Carole Horan began. The wording of my motion is actually very similar to that of Mrs. Horan's petition. The petition began as a local initiative and soon began circulating across the country. The petition was only in circulation for six months. I was pleased to table it in the House. It contains 6,100 signatures of Canadians from across the country, and no doubt across the political spectrum, who feel it is time that an effective post-sentence detention mechanism was introduced.

Recent initiatives to enact the post-sentence detention of child sex offenders have not adequately addressed the problems which child sex offenders pose to society. I am referring to a draft bill circulated by the previous government and reintroduced in Parliament by the member for Surrey—White Rock—South Langley as Bill C-240.

That legislation would amend the Corrections and Conditional Release Act and remove the provisions that restrict the application of a dangerous offender finding to the sentencing court only. That means offenders would be declared dangerous offenders after having completed their sentence and incarcerated indefinitely, subject to periodic reviews to determine whether they still fit the dangerous offender category.

(1340)

While I sincerely appreciate and share the concerns of the hon. member, I respectfully submit that Bill C-240 is too narrow in its application to child sex offenders to be a truly effective piece of legislation.

Bill C-240 would not have the wide ranging power to enforce post-sentence detention which most of us would like to see. This is due to provisions found in clauses 16 and 26 of the legislation that have the effect of restricting the number of applications for post-sentence detention that would be approved.

Clause 16 empowers Correctional Service Canada to identify offenders who it feels may reoffend and refer them to the National Parole Board. If the board concurs with Correctional Service Canada, clause 26 allows it to refer the case to the appropriate provincial attorney general who may proceed with the case before a court. This procedure would apply to a very small number of individuals because in order for Correctional Service Canada and the National Parole Board to take steps to apply a dangerous offender finding, evidence must be presented that could not reasonably have been presented to the court that sentenced the offender.

This is a problem for detaining child sex offenders who we know will reoffend. Often the only evidence that can be presented, and the only evidence that should have to be presented, is that they are of a state of mind to commit the same crime again. However it is the same state of mind with which they entered prison so it does not qualify as new evidence. We need to be clear in saying that part of the original punishment for child sex offenders is that they cannot be of the same state of mind when they leave prison as when they entered.

Some would argue that this philosophy of sentencing runs counter to the Charter of Rights and Freedoms. Specifically they would argue that section 11(h) of the charter, which prevents an individual from being punished twice for the same crime, prohibits the enactment of any post-sentence detention scheme.

The courts have been clear in declaring that post-sentence detention is not a violation of individual rights under the charter. They have ruled that the dangerous offender designation of the Criminal Code which allows for the indefinite incarceration of an offender is primarily in the public interest and is not a violation of an individual's charter rights.

I refer to the 1987 decision of the Manitoba Court of Queen's Bench in *Regina v. Lithium*. The court ruled that in dangerous offender applications under the Criminal Code the public interest is a primary concern and that the specific object of the provision is to protect society from an offender who had been convicted of a serious personal injury offence and who had shown a propensity for violent crimes.

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In its precedent setting decision the Manitoba Court of Queen's Bench clearly stated that post-sentence detention in the case of dangerous offender provisions is in the public interest because it serves a protective function. The court recognized that the charter exists to protect the freedoms of all Canadians. Post-sentence detention should be viewed as an instrument for promoting the safety of Canadians.

The model of post-sentence detention for which I have argued today goes beyond existing dangerous offender provisions and is not only in the best interest of society but of the offender through the provision of rehabilitative treatment.

Many of these offences occur when people are on parole. We look for someone to blame and we often blame the parole board. I was on the provincial parole board. Many times we had to make a decision on releasing an offender whom we were not too sure about. If we have two-thirds of the sentence, or even if it is a three-year sentence, when we have people in front of the parole board who may reoffend do we let them out or not? Many times they are let out because the parole board feels they are going to be let out anyway and it is better they be let out under supervision. This gives the parole board more authority to hold these people.

(1345)

In closing, I would like to emphasize that the legislation which this motion directs the government to introduce is long overdue. The post-sentence detention of child sex offenders who are likely to reoffend upon release is sound, responsible policy. When dealing with legislation or directives to introduce legislation we must always ask ourselves what kind of statement the proposed legislation makes about society. We must always be sure that this action is focused on the problem it is meant to address, effective in dealing with this problem and in the interests of all Canadians.

I believe that Motion No. 305 fulfils all of these criteria. It says that we as a society care about the safety and well-being of our children and that we want to protect them from sex offenders. It proposes that the government enact legislation which will protect our children by imposing the post-sentence detention of offenders who are likely to reoffend.

It says that this action is in the best interests of all Canadians because it moves to assist not only those individuals who need rehabilitative help but those Canadians who need protection from these offenders.

Given the importance which passage of this motion has for the safety and well-being of all children in Canada, I request leave of the House to give unanimous consent for this motion to be deemed votable.

The Deputy Speaker: Does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

The Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: The motion does not have the unanimous consent of the House.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve): Mr. Speaker, I want to thank the hon. member for Brampton who presented this motion in the House for giving us this opportunity to discuss a very important topic, and as far as I am concerned, I felt that the motion as drafted was entirely acceptable and could have been referred to a committee for consideration.

The hon. member gave us an excellent and carefully crafted speech on the threat that child sex offenders represent to society. There are of course certain aspects I would like to discuss with the hon. member. I said this week, and it is my conviction, that there are various ways of expressing one's sexuality. When I say various ways, I do not include pedophilia, because I believe a sexual relationship should involve consenting partners, those partners being adults. Clearly, when pedophilia is involved, one partner is in a position of power and dominates the other, and there is also the exploitation aspect.

As Quebecers and Canadians we are right to be concerned about pedophiles being at large. We could, of course, talk about why some people in our society are pedophiles. A number of theories, including psychoanalytic assumptions, the frustration concept and the behaviourist approach are used to explain this phenomenon. The fact remains that as legislators we have a responsibility, as the hon. member for Brampton said, to take the corrective action that is necessary. That is why I am glad she has drawn the attention of the House to one of the aspects of this problem.

However, I thought that the hon. member, being on the government side, would have shown more support for the contents of Bill C-45. I may have misread the bill, however, and that is why I would like to discuss it with her, because I understood that Bill C-45—I know we have some people with us this afternoon who are familiar with the mechanics of the bill—I thought that Bill C-45 gave the National Parole Board the option of extending sentences.

(1350)

I thought that Bill C-45, in two specific cases that I will refer to precisely, allowed for a criminal to be found to be dangerous and not eligible for a reduced sentence or parole. As I understood it, criminals convicted of sexual crimes are almost automatically determined to be dangerous and it is extremely difficult for them to obtain a reduced sentence or a conditional discharge.

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The opposition parties support Bill C-45 on the whole, but, as my colleague, the member for Saint-Hubert explained, we do have some reservations about the mechanics of its application. I thought that Bill C-45 authorized the National Parole Board to refuse parole provided two conditions were met.

First, the convict would have committed a criminal act causing serious harm to the victim, and second, that harm would be related to a crime of a sexual nature. Naturally, I am not a lawyer, and with all due respect for lawyers I certainly do not think I am a lesser person for that, but I was under the impression that Bill C-45 was a proper answer to the motion. It would have been interesting to have the member for Brampton explain why Bill C-45 does not deal entirely with her motion.

Some of the people who talked to me about this motion, put by the member for Brampton, were concerned that it might turn a quasi-administrative body into a tribunal. I repeat that we support the basic principle of the motion. It is truly the duty of the Canadian society, and of all other societies, to protect children from possible contacts with pedophiles.

According to our present legal system, a judge may impose life-long sentences to offenders guilty of criminal acts. Judges already have that authority. Naturally, I believe we should exert pressures and stir public opinion on this issue so that the judges themselves impose sanctions like the one suggested by the member for Brampton.

Some people worry about the possibility that this authority could be assumed by a quasi-administrative body which was not a court. We all recognize that we must believe in rehabilitation. Otherwise, it would mean that some individuals are born bad.

I had the opportunity to air my views on the topic when we reviewed the Young Offenders Act. Personally, I do not believe that individuals are born bad, mean, devious, criminal or obsessed. I believe that they become that way due to a combination of factors, especially social, environmental and family factors.

The motion presented by the member for Brampton caused concern because historically, in our justice system, parole has been considered as the best road to rehabilitation. I understand the member for Brampton and I respect her point of view. I do not claim to have the answer. It may be that pedophiles, contrary to other criminals, cannot be rehabilitated, and I would have liked her to expand a bit on this point.

As legislators we must be aware that in our justice system parole has always been considered as the very best road to rehabilitation.

(1355)

This is the reason why the Canadian Police Association, whose objectives are the same as the member for Brampton and

most legislators, namely to make Canadian society more secure, would have felt more comfortable with some kind of life parole. This way, we would recognize that pedophilia is a threat to be taken seriously, that it has nothing to do with homosexuality, that it is not a way to express one's sexuality but an offence, a criminal act which should absolutely not be encouraged.

Of course, as legislators, we can try to understand what turns someone into a pedophile, but our first duty—and again I want to thank the hon. member for Brampton for drawing our attention to this issue—is to protect the public. Would it have not been possible, as suggested by the Canadian Police Association, where pedophiles are concerned, to combine jail sentences with more severe controls and what we called parole for life, which requires offenders to report to their parole officers, live in designated areas and refrain from any contact with children?

Anyway, I support the initiative of the hon. member for Brampton as well as her motion and I thank the Chair for letting me complete my speech.

[English]

Ms. Val Meredith (Surrey—White Rock—South Langley): Mr. Speaker, I am very pleased to speak to and in support of this motion. I believe that my hon. colleague from Brampton is introducing an issue of great concern to all Canadians.

I know that when I raised my children I did not have to worry or I never gave any thought as to whether they were outside in my yard playing by themselves, whether they were at the corner park or whether they were at the hospital grounds playing. I did not feel a need to be watching over them every minute. I find this attitude has certainly changed over the last number of years. Parents are terrified to let their children out of their sight. They walk them to school and they sit and watch them play at a playground.

My hon. colleague from Brampton has indicated that Canadians want something to happen to those people who prey on children. I believe that what she wants is to get them and to keep them off the streets so that our children are free again to wander without parents watching over every move.

The government missed a golden opportunity with Bill C-45. It could have incorporated this in that bill. I feel that it did lose an opportunity there. I would hope when the committee is reviewing it gives consideration to the concern that has been raised in the House this afternoon.

I feel Bill C-45 does eliminate the need to prove that sex offenders who victimize children have to commit serious harm to be considered dangerous offenders. I feel that is a good thing.

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When it comes to the issue of post-sentence detention this government decided to avoid the issue by making it a subject for provincial health authorities to deal with. I know from an incident that happened in our province of B.C. not too long ago that the provincial health authorities do not have the ability to keep dangerous offenders off the street.

We saw a dangerous offender walk away from a provincial hospital because the two guards did not have the authority to stop him. I do not think that is what Canadians are looking for.

I think there is a better way and that is to enable the National Parole Board to apply to the courts for a dangerous offender designation. That is what my private member's bill, C-240, tried to do. I disagree with my hon. colleague. I feel that Bill C-240 does allow some flexibility and would address the problem of pedophiles.

It allows the correction and parole board members to apply to the appropriate provincial attorney general and to initiate a dangerous offender application for those inmates who they believe will reoffend, not necessarily just pedophiles but also adult sexual offenders, but it does include pedophiles who they feel will reoffend.

Like Bill C-45 it also removes the need to prove the likelihood of causing serious harm in the case of pedophiles. This is exactly the type of legislation the member for Brampton is looking for in her motion.

(1400)

Unfortunately, the two members of the Liberal caucus who spoke to Bill C-240 during its first hour of debate did not speak in favour of it. I know the member is sincere in her efforts to motivate the government to take action on this matter. Perhaps she can speak to her colleagues and reconsider her own belief that by passing C-240 it would allow these changes to be made possible. I believe that Bill C-240 would accomplish that which she is seeking.

Over the summer months I had the opportunity to tour a number of penitentiaries in British Columbia. One of them, Mountain Institution in Agassiz, has an inmate population that is largely sex offenders. I had an opportunity to discuss one of the ongoing treatment plans. The five month program is extensive but only works on the outside if the released inmate is under community supervision.

The therapist advised me there was one situation where the parole officer observed that one of the parolees was falling back into his crime cycle. It was only because he was a parolee and under community supervision that they were able to revoke his parole and reincarcerate him. This action probably prevented another sexual assault from occurring.

On the other hand we have a case like Larry Fisher who ironically was released from the same prison earlier this year.

He was convicted of raping seven women. He was deemed to be so dangerous that he spent his entire sentence behind bars. He served 23 years before he walked out free because he had fulfilled his full sentence.

Larry Fisher is currently out there with absolutely no community supervision. One day he is an inmate whom the experts consider too dangerous to be released and the next day he is a completely free man. There is something wrong with a system that prevents society from protecting itself from the worst type of sexual behaviour.

I agree completely with the member for Brampton that the National Parole Board has to have the ability to keep dangerous pedophiles off the streets of Canada. Experts on pedophilia agree that the chances of ever completely curing a pedophile are remote. Convicted pedophiles and other dangerous offenders should be kept incarcerated as long as they pose a threat to reoffend. If this turns out to be an indefinite sentence, so be it. We should feel no obligation to release any dangerous offender who is likely to reoffend.

Even when we reach the point at which the experts believe that the chances to reoffend are low, there must be community supervision. This way if a parole officer believes there is a likelihood of an offender committing another sex crime his parole can be revoked. For those offenders who have shown that they have adapted well and are of little risk, the reporting conditions of their parole could be minimal.

What we need is a bill that would keep pedophiles and other dangerous offenders incarcerated as long as they are likely to reoffend and a bill that would provide for lengthy post-incarceration community supervision to ensure that once these individuals are released their activities on the outside are closely monitored. This combination will provide society with the greatest amount of protection.

I repeat that this legislation can be found in Bill C-240, my private member's bill. I respectfully ask the member for Brampton and all those who support her motion to likewise support my private member's bill which could bring this motion to fruition.

Mr. Janko Peric (Cambridge): Mr. Speaker, I am pleased to rise today to speak to Motion No. 305 proposed by the member for Brampton.

There is no doubt our criminal justice system is flawed when it comes to dealing with high risk offenders, in particular sex offenders who prey on young children.

There have been several tragic cases in the past few years which have exposed terrible problems of how the justice system deals with sexual predators, but perhaps the most tragic is the case of Christopher Stephenson.

(1405)

The criminal justice system failed 11-year old Christopher Stephenson of Brampton in 1988 when it released Joseph

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Fredericks onto the streets. Christopher Stephenson was abducted at knifepoint from the Shoppers World mall in Brampton on June 17, 1988 by Joseph Fredericks, a known pedophile and psychopath.

Fredericks had spent his childhood in foster homes, his teens in an institution for the severely retarded, although he was not actually retarded, 24 years of his adulthood in a hospital for the criminally insane, and his middle age in Ontario prisons. This man who repeatedly raped, tortured and then murdered Christopher Stephenson on June 17, 1988 had been given early release from Warkworth Institution after the National Parole Board and Corrections Canada ignored an Ottawa judge's warning not to release him without psychiatric reassessment and extensive monitoring.

To make matters even worse, it was revealed during the inquest into Christopher's death that the prison psychologist believed there was a high probability that Fredericks would reoffend, but he crossed his fingers when he dropped Fredericks off in Brampton. A criminal justice system that simply crosses its fingers and hopes that a psychopath will not reoffend does not serve the interests of Canadians. In particular it does not serve the interests of young, innocent children like Christopher Stephenson.

We must make the necessary changes to ensure that such tragedies are not repeated.

Several years following Christopher's murder an inquest into his death was held by the ministry of the solicitor general in the province of Ontario. The inquest jury made 71 recommendations, the first of which was that legislation be enacted to "provide for the protection of the community by permitting the continued detention of sexually violent predators beyond the expiry of their sentence and to provide treatment during their confinement".

The jury also recommended that legislation be modelled on the Washington state protection act of 1990, a law that allows the attorney general to launch court proceedings against an individual even if that individual has been released from jail, to commit him to a special facility, possibly for life. While the Washington state act was considered to be somewhat extreme by Canadian standards, members may recall that in the dying days of its administration the Conservative government introduced legislation to deal with high risk offenders.

That particular bill proposed to allow the National Parole Board to detain any inmate believed likely to commit a sexual offence involving a child before the expiry of their original sentence. The bill in question was of course lost when the federal election was called.

The time has come to introduce new legislation to deal with this serious problem. My colleague's motion echoes the recommendation of the inquest jury that legislation is needed.

There have been many proposals for reform which have come not only from the Stephenson inquest, but from a working group on high risk offenders constituted by the previous Solicitor General. The time has come to act on those recommendations.

(1410)

I believe that legislation to keep high risk offenders in prison much longer would go a long way to improving public safety. I am also of the opinion that any legislation brought forward by the government should include a provision which would allow sentencing courts to impose a post-detention term of supervision for high risk offenders.

A supervision provision would allow for the monitoring of an offender's behaviour and actions for an extended period of time following sentence expiry. In addition to placing a high risk offender under supervision for a period of 10 years residency for example, treatment and reporting conditions would also be imposed.

Any breach of those conditions would land the offender back in jail and remove any chance of future early release. That is the only way we will be able to monitor the serious sex offenders who we have no choice but to release after sentence expiry.

Perhaps if such provisions had existed in June 1988 Christopher Stephenson would be alive today. Perhaps if the parole officer responsible for Joseph Fredericks had known where Fredericks was living Christopher could have been found in time. But there were no residency restrictions placed on Fredericks and he had not bothered to report to his parole officer. This cannot be allowed to happen again.

At a recent criminal justice conference in Hamilton, victims rights organizations including CAVEAT, Canadians Against Violence Everywhere Advocating its Termination, stressed the need for high risk offender legislation.

Criminal justice reform advocates and even the new chairman of the National Parole Board have stated that supervision and residency restrictions are necessary if we are to protect innocent children from sexual predators and other high risk offenders.

As terrible as the murder of Christopher Stephenson was, we must learn from it as we must learn from all other cases in which high risk offenders have preyed on innocent victims. We cannot stand by and let such tragedies recur. We must act now by supporting this motion and supporting any forthcoming legislation that will keep sick people like Joseph Fredericks off our streets.

Mr. Jim Abbott (Kootenay East): Mr. Speaker, there are times when being a member of Parliament is very difficult. It is particularly difficult when having to deal with this type of issue especially when one does some research in order to make some

half intelligent comments. I have had a feeling of putting my head into a toilet.

Members of Parliament must make the protection of children a first priority. I mention the frustrations of being a member of Parliament. From time to time I get the impression that we move at glacial speed in this House. No matter how urgent the issue, it is highly unusual for this House to move with dispatch. Even as we sit here speaking again and again about awful issues like this one, we move at glacial speed.

In doing some research I came across an article from the *Globe and Mail* of June 1, 1994. The headline is "Ottawa ponders nationwide registry of child abusers".

The article reads in part: "A national registry of people convicted of sexually abusing children could help prevent schools and child care centres from unwittingly hiring offenders, says a government discussion paper released yesterday. Children could be better protected from sexual abuse by preventing known sex offenders from having positions of trust or responsibility with children, says the 19-page document. But it draws no conclusions about how to set up such a registry or what it might cost taxpayers. However, the report says research suggests society pays roughly \$200,000 each time sex offenders repeat their crime, on investigations, prosecutions, imprisonment and judgment". In other words, clearly on the basis of this report it is basically saying that we are already spending the money so why do we not spend the money more wisely, particularly in the area of prevention?

(1415)

By way of this speech I remind the justice minister that it says here "the justice minister, Allan Rock, has promised the registry will be operating by fall once the government has reviewed comments from the public".

I can appreciate that this is a sensitive issue, particularly as it relates to charter issues. I can appreciate that this has to go forward responsibly and well by the justice minister. At the conclusion of the article it says: "A similar provincial registry in British Columbia was shut down in 1984 after a court challenge. A Manitoba registry survived a challenge last year when three teachers suspected of child abuse lost a legal effort to keep their names off the list".

I raise that because it was clearly evident on the basis of the motion put forward by the member when she asked that this House give unanimous consent that this go forward that unanimous consent was denied. We have to ask the question then in the light of that what is it that we can do?

I have three suggestions. The first suggestion I have already made, that the justice minister as quickly as possible fulfil what I took to be a commitment that there will be a registry so that repeat offenders will not have access to the young children of Canada or at least as easy access as they presently have.

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Also, from *The Toronto Star* of March 23 of this year: "Pedophile gets three years for assault on boy 12 years of age". It reads in part: "It was a matter of trust, a trust bought by camping trips and outings to amusement parks like Canada's Wonderland. But as Kevin Starnaman himself admitted yesterday after pleading guilty to sexually assaulting a 12-year old boy and filming the deviant acts", and this is the quote of a convicted pedophile, "society must be protected from persons like myself".

I say again that a convicted pedophile says to us in this Parliament as legislators: "society must be protected from persons like myself".

One of the difficulties, again as a legislator coming to this august assembly, is that very frequently there are measures taken, whether we are talking about justice issues or whatever the legislation before us that are half measures, quarter measures, mince steps, sometimes in the judgment of individual members steps in the wrong direction. Clearly there must be unanimous consent on the part of all members of this House that our first priority must be the protection of Canada's children.

What is another thing we can do? In light of the fact that we are having difficulty in terms of coming forward and there are charter concerns and so on and so forth, and we have already uncovered one which is a registry, let us take a look at what might happen if we were to take tougher corrective action and actually bring a grid to sentencing.

I will give just a few examples. A 41-year old male was charged with several counts of sexual assault and gross indecency on five children between the ages of five and nine. Pictures of the sexual act were taken and retained. These pictures were seized along with sex aids and other pornographic movies. Do you know what he got? He was convicted and sentenced to an amazing 23 months.

Some hon. members: Shame.

Mr. Abbott: A 43-year old male was charged with gross indecency on several young females aged from 4 to 13 years. He took pictures of the girls during the acts. These pictures were seized, plus other pornographic tapes. That is several young females.

(1420)

He is presently before the courts.

A male was charged with gross indecency involving two 13-year old boys. A search warrant located photographs of young males in a very compromising position that I do not choose to read to this House. He was sentenced to all of two years.

A 51-year old male sexually assaulted two boys aged seven and eight years, taking various photographs of them. The accused distributed these photographs to pedophile magazines in the United States. A search warrant located the photos of

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numerous young males. Guess what he got? Nine months. That is a tough one.

A 30-year old father attempted to get his nine-year old daughter to touch his penis and he in turn attempted to have intercourse with her. Investigation revealed he had taken photographs of other young girls in his basement. A quantity of pornographic material was seized. He received a real toughy, a suspended sentence and probation.

A 16-year old male sexually assaulted an 11-year old female neighbour. He took photographs of her in various sexual poses including sexual intercourse. When arrested he had several *Penthouse* magazines—I did not say hard core, blue pornography, I said *Penthouse* magazines—in his possession. He got two years probation.

It seems to me that we have something on our hands right at this moment in terms of the penal system where we could start to get serious, where we could take people who are giving lifetime sentences to these children. These pedophiles are fouling up the lives of their victims for their lifetimes.

Surely our court can do better than giving the pedophile all of two years, or suspended, or probation or whatever the case may be. It is already in our hands. We can go ahead and do something. That is a second issue.

The first issue is the registry. The second issue is the sentencing grid. As the revenue critic, I support the efforts of Canada Customs in its interdiction of pornographic material. In the research I did there is a very clear connection between pornography and particularly the way pornography is used.

I mentioned *Penthouse* magazine that you will find in your friendly neighbourhood Mac's Milk or 7-Eleven store. There is a very clear connection between these things. I suggest to civil libertarians who are always talking about freedom of speech and expression that there must be a first priority and that is the protection of children in this society.

I thank you, Mr. Speaker for the opportunity to intervene on this. I feel very strongly about this. We can look at pornography, keep it under control, look at the registry and finally the sentencing grid to show that we can be serious with the tool that we have in hand right now.

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, I have listened very carefully to the speeches that have been made here today concerning this very important question. I think that they have been very good. I commend the member for Brampton for bringing this subject matter forward today.

The intention behind the motion of the hon. member is very helpful. In proposing action by the government to exert greater control over sex offenders, particularly pedophiles, she is reflecting a concern shared by most Canadians.

A few days before introducing this motion the hon. member held a press conference in Brampton jointly with one of her constituents and announced that a public petition in support of her motion was being circulated. I also commend the member for Brampton for attempting to go beyond generalities by imposing a mechanism that might increase our power to incarcerate dangerous pedophiles.

In this case she proposes giving the National Parole Board the authority to enforce the long term incarceration of offenders whom it feels may reoffend. In my view that is where the practical problem lies. I do not believe that the National Parole Board is the proper body to determine what should be done with an offender after he or she completes their sentence. Nor do I believe that it is a simple matter, legally, to prolong the detention of an individual when he or she has served the entire sentence imposed by the court. The problem is with our Constitution.

(1425)

Many say that the charter is a problem in a lot of areas. Maybe in some things it is very binding. However in this case there is a very good reason for this charter protection, and necessary if we are to maintain a proper judicial system in this country.

When someone goes to court they are innocent until proven guilty. They are heard. Both sides of the case are presented. Then the person is determined innocent or guilty and, if guilty, a sentence is imposed. Once that sentence is imposed that is the punishment for that individual for that crime. That sentence has been imposed by a court that has heard all aspects of the case.

If we are to say before the person is released at the end of that sentence imposed by the court that this sentence should be extended then we are extending the sentence arbitrarily without due process of law in violation of overturning what the courts have set down.

That is very important. That is not to minimize what is attempted in this motion. There are better ways of doing it.

The parole board is not to be the vehicle for determining law and order in Canada. It has a specific function. That function is well defined. The parole board knows it and is perfectly competent to do it.

We can do two very important things. This is what is being examined by the Department of Justice at the present time. The first is instead of extending the sentence and imposing a further legal period of incarceration that we should instead have the person toward the end of their sentence examined by medical experts, particularly psychiatrists, to determine whether this person is medically fit to go out into society.

Private Members' Business

If this person is not fit to go out into society, then refer this person at the end of his or her sentence to a provincial medical facility, thereby giving the person much better treatment than they would receive in incarceration. This is then a medical problem.

Second, there are in the Criminal Code right now provisions for dealing with dangerous offenders. Sometimes however we do not know and do not designate people as dangerous offenders until they have committed a horrendous crime after a series of lesser horrendous crimes. They are not targeted early enough.

What can be done? We are attempting in the Department of Justice, with the minister, with the people in the department and with the co-operation of the ministers of justice and attorneys general provincially, to designate these people earlier, to flag them so to speak.

When they are released and show the potential for causing further crimes in this ever escalating spiral that some of these

dangerous offenders follow, and when they reoffend, we will take them to court and when they are found guilty to then make a motion through the crown prosecutor to have them designated as dangerous offenders under part IV of the Criminal Code. They can then be kept for an extended and indefinite period of time.

The law is there. There are ways of doing it. This has to be done. I cannot disagree that in a lot of ways the time that has been taken seems long and extensive to a lot of people.

[*Translation*]

The Deputy Speaker: Order. The period provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 96(1), this item is dropped from the Order Paper.

It being 2.30 p.m., this House stands adjourned until Monday next at 11 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 2.30 p.m.)

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