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(HANSARD)

Tuesday, December 13, 1994

Speaker: The Honourable Gilbert Parent

HOUSE OF COMMONS

Tuesday, December 13, 1994

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

[*Translation*]

COMMITTEES OF THE HOUSE

CANADIAN HERITAGE

Mr. John Godfrey (Don Valley West, Lib.): Madam Speaker, I have the honour to present the second report of the Standing Committee on Canadian Heritage on Bill C-53.

[*English*]

AGRICULTURE AND AGRI-FOOD

Mr. Bob Speller (Haldimand—Norfolk, Lib.): Madam Speaker, I have the honour to present the fifth report of the Standing Committee on Agriculture and Agri-Food.

This interim report on agri-food priorities is intended to provide assistance to the Minister of Finance as well as the Minister of Agriculture and Agri-Food prior to the 1995 budget. It is based on input and views from many representatives of the agri-food sector who took the time to come to Ottawa to appear before the committee between August and December of this year.

The witnesses represented all sectors. We heard from academics, agri-food organization executives and specialists at both producer and processor levels. Each came with an individual point of view but from among them emerged some common threads.

CRIMINAL CODE

Mr. Jay Hill (Prince George—Peace River, Ref.) moved for leave to introduce Bill C-297, an act to amend the Criminal Code (summary conviction penalties).

He said: Madam Speaker, it is my pleasure to rise in the House today to introduce a bill to amend the Criminal Code with respect to summary convictions.

Earlier this year the Minister of Justice introduced sentencing reforms but he did not go far enough. Many charges that should not be are all too frequently plea bargained down to summary convictions.

This bill provides for the maximum imprisonment on summary conviction to be increased from six months to two years. For minor offences a judge could still hand down a short sentence but for more serious crimes he or she could give up to two years.

Criminals need to be sent a message that the judge has the discretion to send them up the river for a two year stay at the Crowbar Hotel.

(Motions deemed adopted, bill read the first time and printed.)

* * *

COMMITTEES OF THE HOUSE

FINANCE

Mr. Ray Speaker (Lethbridge, Ref.): Madam Speaker, I move that the 10th report of the Standing Committee on Finance, presented on Thursday, December 8, be concurred in.

I appreciate the fact that I have the opportunity this morning to discuss the 10th report of the Standing Committee on Finance and bring it before the House of Commons for discussion.

The motion states that we should concur in the report. I want to put on the record this morning the fact that the Reform Party agrees with some parts of the report but we do not agree with all of it. I want to point out those areas where we do not agree and, as well, those areas where we do agree.

It is very important that it go on the record at this point in our discussion whether or not the government concurs in the report. It is a majority report, and represents the Liberal members on the finance committee. We would like to know if their position is accepted or rejected by the government. If it is then the people of Canada, between now and February when the 1995-96 budget is presented, will have the opportunity of reacting and giving the government advice before it formalizes the next budget. I would

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say it is the most important budget for the government and for Canadians at the present time.

I have this to say about the process in terms of the report. The object of the 10th annual report is to allow Canadians to have some input into the budget prior to its being accepted by Canadians. That was a good idea. But there were some shortcomings that should be explained and should be referenced so that in the next fiscal year when we go through this process we will improve the process and more Canadians can be involved.

(1010)

I have observed that three types of presentations were made to the committee. First, presentations were made by those people who are very fiscally conservative and believe that the government's 3 per cent target is not adequate. They believe we should go further and balance the budget within the term of this Parliament. I certainly support those presentations.

Second, there was a group of people who believe that we should not move on the expenditure reduction side but move on the tax side, that if we tax the rich, we can balance our budget. They believe that if we allow economic growth, eventually we will grow out of our fiscal problems. Past governments have tried this. Tories over the past 10 years have attempted to do this. We have only compounded the problem and made things more difficult.

The third group of people who made presentations were the vested interest groups. They came for one purpose and one purpose only. They made presentations that said: Don't take my public funding away from me. I am a special interest group and you must protect my funding and I would like a little more. How they could ever make those presentations in light of today's fiscal realities, I cannot understand at all. Listening to those groups was very disappointing.

Those were the three types of presentations we heard. Where are the shortcomings? First of all, we did not hear from a broad cross-section of Canadians. What we must do is change and update the process to a more contemporary, grassroots, I would say Reform process, whereby Canadians have access to tell their government what to do and what their priorities should be. That was a major shortcoming of the presentations that were made to us. The government did not allow for that.

The other shortcoming was timing. In November we decided we would start hearings. The various groups were given maybe a week, at the outside 10 days' notice that they could make presentations. People came to the committee saying they had done their best in the few days. They did not know we were having the hearings and would have liked to have known sooner.

There is no reason why we cannot let the Canadian people know in July, August or September that hearings are going to take place. Then they can prepare to make well thought out presentations. Even in light of the short period of time they were given some of the presentations were very well thought out.

If those two things were corrected it would improve the process. Canadians could direct their government and tell it what their priorities are. We would have had greater input in terms of priorities for expenditure reduction. That is the first point I want to make. The process is a good start by the government but it has some weaknesses and can be improved.

My second point is with regard to the recommendation of this report to increase taxes. As Reformers we were most disappointed. I know many Canadians are starting to echo the sentiment that they do not want an increase in taxes. "Please do not increase my taxes. I cannot afford to deal with the deficit by paying more taxes. I have paid enough and I am at the point where I am going to react negatively to this whole ongoing process". I do not blame them in the least.

As members of Parliament scatter out across the nation following adjournment this week, we will hear from our constituents that they have major concerns about new taxes being imposed on them at this time.

(1015)

Businesses are starting to have a growth pattern. Individuals are feeling more confident in their jobs. That is a good circumstance. If in that environment we as a government impose more taxes and start to squeeze them harder so that they do not have more flexible income for personal purposes or for expanding their businesses, we are doing those people and those businesses a major disfavor. We cannot do that.

What about the taxes that are proposed in the 10th report by the majority of the committee, the Liberal members? First, they have said to Canadians and they said to us in committee that some type of a tax must be introduced. If expenditures are reduced and people are laid off there is a period of time in the first year when the expenditure reductions do not take place. There is a delay for one or two years before there is a significant expenditure reduction. Government members have said that some kind of interim tax must be introduced to compensate for that period of time.

Everyone knows that whenever a government introduces a tax it never gets to the point where it is terminated. It is there forever after. Since the 10th report was tabled I have heard people say over and over again that it is just like the income tax brought in for the war and we still have that income tax. It has

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expanded and intervenes in people's lives more and more every day. That is what has happened.

However the government has said it is going to put that tax in. It is going to argue that it needs it on an interim basis to get itself through the period before it really reduces the government expenditures. I do not think that argument is good enough.

Alberta reduced expenditures by some 20 per cent across the board in government both in social program areas and non-social program areas. That was not the problem there; the event projected by this government which is being used as an excuse did not happen in Alberta. I do not believe it would happen if we had effective expenditure reduction at the federal level. I do not think it would happen the very same way.

What are those taxes that were introduced by the government? First of all it said it wanted to collect about \$1 billion by putting a tax of one and a half cents on each litre of gas. The government said: "We can do that for all Canadians and it will not hurt them". One of my colleagues said it was a kind of carbon tax. We cannot really say it is that because it does not focus completely on Alberta. It affects all people right across Canada.

Last week I was listening to an Ottawa radio program. They were discussing the cost of fuel in Ottawa versus Toronto. The people in Ottawa were saying: "Why do we have to pay so much more? We are paying too much for our fuel". A number of people phoned in to say they needed to drive their cars to work. Some people think if there is a tax put on fuel that the extra tax will be coming from people who are holidaying or driving without a specific purpose. One person said: "Just about all I use my car for is to drive from home to work. It is part of my costs in my job".

If this extra cost is added, all it does is take away the money Canadians need for their personal use, their food, clothing, shelter and health care and maybe something extra when they want to buy Christmas gifts and so on. That is one part of it. That is the individual.

(1020)

What about the business community? What about the trucking community out there? People are on the road every day moving their merchandise across this nation east and west, north and south, trading with the United States and taking advantage of the free trade agreement we have set up. All of those people are impacted. It takes money away from the business community that is needed maybe to hire more people or to invest and create more jobs. This tax is a depressing thing. It is not positive toward building our economy, it depresses it.

I am sure if a poll were taken people when talking to us would say very clearly that expenditures must be cut that we must reduce expenditures. The 3 per cent target set up by the government is not good enough. The \$25 billion we will be left with in

1996-97 is still going to add \$100 billion to our deficit. It is going to increase the debt to over \$600 billion. It is going to increase the interest payments of government from some \$40 billion up to possibly \$50 billion.

People would say very clearly: "The cost of government must be cut back, but do not increase my taxes. I am struggling to pay the current rate. Do not take more away from me if you expect me to be the engine of the economy". I have heard politicians say for years that it is the small businesses and individuals that will make the economy move. Small businesses are the engine of our economy, not the big corporate ones. Here we are hitting them right on the chin with an extra gas tax. We are going to take \$1 billion out of the economy with regard to this gas tax. That is unfair when we are trying to build the economy. We are not trying to depress the economy, but we are doing it by this tax.

I want to ask a question of my colleagues on the finance committee. There were nine Liberal members, three Bloc members and three Reform members on the committee. I will ask the question as well to this assembly: Who asked for the tax? I never heard anybody make the presentation that gasoline should be taxed, that a one and a half cent tax should be put on every litre of gasoline.

It was slipped into the committee report that there would not be a tax on diesel fuel. The government said that maybe the farmers in Ontario, Alberta or B.C. should not be taxed on their diesel fuel which was a rather compassionate consideration. Maybe some of the truckers who use diesel fuel will consider it to be a bit compassionate.

Every Canadian is being hit with this tax. I believe the Liberal members on the committee were encouraged by the finance department to float that as a balloon to see what would happen, see the reaction. If over the Christmas season while Canadians are trying to enjoy the holiday with their families, they are not yelling at Ottawa and creating a ruckus in the media, then it will be implemented.

It is a terrible time to fly a balloon because we are all trying to relax and back off from some of our responsibilities. Who wants to sit down and write a letter to their member of Parliament about a gas tax? However they might be mad enough to do just that and I hope they do.

My colleagues say they are already receiving letters of concern on this issue. The government should listen before it decides to implement a 1.5 cent a litre gas tax across the board that will affect every Canadian whether they are working or whether they are the poor. Whether they are mothers with dependent children who need to drive to day care, whether they are small business persons, whether they are trying to expand their businesses or trying to invest, every one of them is going to be hit by this 1.5 cent per litre gas tax.

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(1025)

We in this House had better stop that today. I would appreciate it if government members would get up today and say: "We made a mistake. We are sorry. We think we should withdraw that. We were flying a balloon". That would be a tremendous Christmas present for Canadians. That would be true Liberal compassion right on top.

That is only one tax the government intends to impose on Canadians. The next one is a corporate tax. To satisfy the left wing socialist element of the Liberal Party it was to introduce some kind of corporate tax. It is trying to wriggle it around so that it is put on the capital. Rather than being up front and saying it is the kind of tax the government is going to impose on Canada's corporate sector, it is a way to weasel some money out of those in the corporate sector. They will not know what hit them until the tax bill is laid on the table before the executive director of this country.

I know the corporate sector does not have much of a defence. There is no political group out there to represent it. Granted the committee heard from what I call the left wing presentations that we should tax the rich, we should tax the corporations, that the corporations are paying fewer taxes now than they did back in 1986. There were graphs and presentations to show that the corporate sector was slipping out from under the rug again.

I am not here to defend the corporate sector. However we have to realize the situation of the corporate sector in Canada after 1984. The real recession and downturn in the economy hit Alberta in 1982, but in 1984 real estate values for example dropped 25 to 30 per cent in a period of about 18 months. It was devastating for those people.

That is one reason, and there are others, the corporate sector is paying less. It is not because it is dodging or hiding from the tax. We should realize that. A number of groups went after the banks which is another case in itself. I want to make two more points in the two minutes I have remaining.

A tax on lotteries is the third tax being proposed by the Liberal majority on the finance committee. Who wants to defend lotteries? They are a tough thing to defend. Politically we could say that sure some lucky guy wins and he should pay the tax.

The lotteries are already taxed four times. This would be the fifth tax on lotteries. There is not much to squeeze out of the lotteries. We could take it if we want but there is not much there. Some exchanges with the provinces would have to be made. They do have some say about the taxing of lotteries and they are going to be very upset when they find the federal government trying to propose this kind of a tax.

I want to make one more point. The other tax that was going to be introduced was called the deficit reduction surtax. It is

something like the gasoline tax, only worse. It puts a tax on every Canadian, no matter who they are. Whether it is an individual or a business, any kind of economic activity or earned income will be taxed by this surtax. Every Canadian will have a government tax imposed on them for government mismanagement. It is the wrong option. Like any other increase in tax, it is wrong. We should reduce the government expenditures more. That is the approach. We are totally against increases in taxes.

The Acting Speaker (Mrs. Maheu): We have a period of questions and comments.

Mr. Milliken: Madam Speaker, on a point of order I move that the debate be now adjourned in light of the fact that there was no notice of this.

The Acting Speaker (Mrs. Maheu): We will complete the period of questions and comments.

(1030)

Mr. Jim Abbott (Kootenay East, Ref.): Madam Speaker, speaking of the deficit reduction surtax, it is referred to specifically in the standing committee report as being a single tax. Unfortunately, one of the members from the standing committee from the Liberal side, the member for Vaudreuil, has been, I am sure without any malicious intent, misinforming the public by saying that a single tax means 1 per cent.

In other words, Canadians right now think the deficit reduction surtax being called a single tax is only 1 per cent. A single tax simply means that whether it is a single mother of three children earning \$1,500 a month, or somebody earning \$100,000, or a large corporation, a single tax will be applied to their tax rate. It can be whatever per cent.

Canadians have to clearly understand that what the finance committee did was turn over to the finance minister a blank cheque that all Canadians will have to fill in and sign. Will this deficit reduction surtax be 1 per cent, 2 per cent, 10 per cent? How much is the surtax going to be? I suggest to Canadians they should be aware of the fact that there were balloons being flown at nearly every committee meeting asking what is the vision that we have of our responsibility to Canadian people.

I wonder if the member might wish to comment on the reduction or the proposed elimination of the PUITTA, which is the public utilities tax that is going to be on private utilities in Alberta, Nova Scotia, Newfoundland and Labrador where in the presentation that was made to us on the finance committee it was clearly stated by the people making the presentation on behalf of those private utilities that the people of Alberta, Nova Scotia, and Newfoundland and Labrador may be looking at as much as a 10 per cent hike in their hydro rate.

I wonder if the member would care to make a comment about that.

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Mr. Speaker (Lethbridge): Madam Speaker, I would like to comment on both issues raised by the hon. member. First, with regard to the deficit reduction surtax, it says in the report that a single rate levy would be made on all businesses and personal income. That means all Canadians regardless of income or circumstances would have a single levy. It does not mean 1 per cent. It could mean 5 per cent, 4 per cent or 3 per cent.

The chairman of our committee, the hon. member for Willowdale, indicated that a 1 per cent surtax collected across Canada would bring in about 700 million in tax dollars. I would think the minimum the government would charge as a surtax would be 2 per cent to bring in about \$1.4 billion, because that is the amount of tax money it has looked at in this report.

Regarding the second question of the Public Utilities Income Tax Transfer Act, I think it would be very unfortunate if the government tried to take \$249 million from the private utility companies of this country. The problem is that it focuses that source of income on two or three provinces and mainly Alberta. Alberta has some major private resource electrical companies. That is \$249 million that would be sucked out of the industry. In addition, it would raise the cost of utilities in those respective provinces. That would be like a targeted tax. I do not think that is fair as a tax principle as well.

In Alberta the farmers who now use electricity to pump for their irrigation systems would be significantly affected by the implementation of this tax, or changing the current circumstances with regard to the public utilities income tax transfer at the present time.

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker, I have a question for the hon. member. He has been spouting these scare tactics among Canadians about taxes—

Mr. Abbott: Scare tactics.

(1035)

Mr. Milliken: Yes, scare tactics. He is spouting scare tactics, trying to convince Canadians that somehow the government has an evil plan to tax them.

Mr. Mills (Red Deer): Speaking the truth.

Mr. Milliken: I want to have the hon. member speak the truth all right. I want him to tell Canadians what his party's plans are for cutting social programs to balance the budget. They have told us they are going to balance the budget, I think in a year or two, and are going to take \$40 billion out of government expenditure.

We have had some details on the \$10 billion in cuts which they have been specific on, but then there is an unspecified amount of cuts to Canada's social programs. I wonder if he would come

clean with Canadians and tell them the facts. Which social programs are going to be cut and how much? I would like to hear the answer from the hon. member.

Mr. Speaker (Lethbridge): Madam Speaker, one of the things the Reform Party has done is lay out the details of our expenditure reductions. We placed before Canadians a week ago Thursday last \$10 billion of expenditure reductions. First, we went into the details and presented that to the committee.

Second, we made this available to the media and anybody else who wanted the details. We went into the specifics, beyond the presentation of the finance committee, and made those available to show that there was credibility to any of the numbers we presented. If one reads any of the media reports in the *Financial Post*, *Globe and Mail* and a long list of others, there is tremendous support for the presentation we made.

We recognize that after economic growth of some \$16 billion we still have to eliminate on average about \$14 billion over a three year period. We see \$24 billion of expenditure reduction over a three year period. On average that is about \$8 billion per year.

That is approximately 6 per cent to 8 per cent per year which was not in the business community when there was a downturn after 1982 and a downturn after 1984. Some of those business people cut their business costs by anywhere from 15 per cent to 25 per cent. The expenditure reductions we are talking about here are minor and can be accomplished.

Where are they? In the social program areas, we will be outlining by the first week of February for Canadians specific expenditure reductions. The focus of our expenditure reductions will take the dollars that are left. There will be some \$50 billion to \$55 billion in what we call the social program area. I could define that but it would take a few moments so I will not do it. However, in that \$50 billion to \$55 billion we will be reducing the expenditure of that area. We have already reduced it from \$67 billion because there was \$67 billion in that social program area that I am talking about.

However, we will give specifics to the Canadian people as to where we will do it. Nothing will be hidden. The \$50 billion to \$55 billion that is left will be used for positive programs to help those people who are in true need in Canada. We will show compassion because we care about our responsibility to those people in need across this nation.

Mr. Bob Mills (Red Deer, Ref.): Madam Speaker, when I was back in the constituency this weekend people were absolutely infuriated by just the mention of this increase in tax. We are already overtaxed. People are already taking their capital out of this country and people are on the brink of a tax revolt. I wonder if the government knows exactly what kind of balloons it is floating.

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I would like to ask the member if he has that same feeling from the Canadian people because I do not believe the government is listening to the Canadian people.

Mr. Speaker (Lethbridge): Madam Speaker, I know I have limited time but I would encourage Canadians to speak out and speak against tax increases of any kind. We cannot afford them. We are at the maximum level. If it leads to revolt and if that is what the government wants, that is the way it will be.

I am very disappointed that the government has not stood up at this point in time and continued this debate and put its position on the table as to why it supports tax increases. If it does not, why does it not speak against the report and not concur in it?

(1040)

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker, in light of the complete absence of notice that this was going to proceed this morning, the members we would like to be here in order to continue this debate are unfortunately not here. I know it is improper to refer to the absence of members, but it is vague notion today because I am not referring to any specific members.

Had we been given some notice we might have been pleased to continue this discussion. In the absence of notice we will have to postpone it. I therefore move:

That the debate be now adjourned.

The Acting Speaker (Mrs. Maheu): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mrs. Maheu): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mrs. Maheu): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mrs. Maheu): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mrs. Maheu): Call in the members.

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 138)

YEAS

Members

Adams
Anawak
Arseneault
Assadourian
Bakopanos
Bellemare

Allmand
Anderson
Assad
Axworthy (Winnipeg South Centre)
Barnes
Bertrand

Blondin-Andrew
Bonin
Brushett
Caccia
Campbell
Chamberlain
Chrétien (Saint-Maurice)
Copps
Crawford
DeVillers
Dingwall
Duhamel
Easter
English
Finestone
Flis
Fry
Gagliano
Galloway
Godfrey
Graham
Grose
Harvard
Hopkins
Ianno
Irwin
Keys
Kirby
Kraft Sloan
Lavigne (Verdun—Saint-Paul)
Lincoln
MacAulay
Malhi
Manley
Marleau
Massé
McLellan (Edmonton Northwest)
Mifflin
Mills (Broadview—Greenwood)
Murray
O'Brien
Ouellet
Parrish
Payne
Peters
Phinney
Pillitteri
Reed
Richardson
Ringuette-Maltais
Serré
Sheridan
Speller
Steckle
Stewart (Northumberland)
Telegdi
Tobin
Ur
Vanclief
Wappel
Whelan

Bodnar
Boudria
Bélair
Calder
Catterall
Chan
Collins
Cowling
Culbert
Dhaliwal
Discepolo
Dupuy
Eggleton
Fewchuk
Finlay
Fontana
Gaffney
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gerrard
Goodale
Gray (Windsor West)
Harb
Hickey
Hubbard
Iftody
Jackson
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
MacLaren (Etobicoke North)
Maloney
Marchi
Martin (LaSalle—Émard)
McGuire
McWhinney
Milliken
Mitchell
Nault
O'Reilly
Pagtakhan
Petry
Peric
Peterson
Pickard (Essex—Kent)
Proud
Regan
Rideout
Rock
Shepherd
Simmons
St. Denis
Stewart (Brant)
Szabo
Terrana
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Walker
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NAYS

Members

Abbott
Althouse
Axworthy (Saskatoon—Clark's Crossing)
Bergeron
Bernier (Mégantic—Compton—Stanstead)
Brien
Bélisle
Caron
Chrétien (Frontenac)
Dalphond-Guiral

Ablonczy
Asselin
Bellehumeur
Bernier (Gaspé)
Bridgman
Brown (Calgary Southeast)
Canuel
Chatters
Cummins
Debien

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de Jong
Deshaies
Dumas
Epp
Forseth
Gagnon (Québec)
Gilmour
Gouk
Grubel
Guimond
Harper (Calgary West)
Harris
Hayes
Hill (Macleod)
Hoepfner
Jennings
Langlois
Lavigne (Beauharnois—Salaberry)
Leblanc (Longueuil)
Leroux (Richmond—Wolfe)
Loubier
Marchand
Mayfield
Mercier
Mills (Red Deer)
Nunez
Penson
Plamondon
Ramsay
Rocheleau
Scott (Skeena)
Speaker
Stinson
Taylor
Tremblay (Rimouski—Témiscouata)—89

de Savoye
Duceppe
Duncan
Fillion
Frazer
Gauthier (Roberval)
Godin
Grey (Beaver River)
Guay
Hanger
Harper (Simcoe Centre)
Hart
Hermanson
Hill (Prince George—Peace River)
Jacob
Landry
Laurin
Lebel
Lefebvre
Leroux (Shefford)
Manning
Martin (Esquimalt—Juan de Fuca)
McLaughlin
Meredith
Morrison
Paré
Picard (Drummond)
Pomerleau
Ringma
Sauvageau
Silye
St-Laurent
Strahl
Thompson

PAIRED—MEMBERS

Members

Bachand	Bevilacqua
Bouchard	Cauchon
Collette	Crête
Dubé	Lafonde
LeBlanc (Cape/Cap Breton Highlands—Canso)	Minna
Ménard	Robichaud

The Acting Speaker (Mrs. Maheu): I declare the motion adopted.

* * *

(1125)

PETITIONS

CRIMINAL CODE

Mr. Sarkis Assadourian (Don Valley North, Lib.): Madam Speaker, this petition was signed by 300 Canadian citizens.

The undersigned residents of the province of Saskatchewan draw the attention of the House to section 745 of the Criminal Code of Canada wherein convicted murders sentenced to life imprisonment without chance of parole for 25 years are able to apply for a review after 15 years.

Whereas the murder of a Canadian citizen is a most reprehensible crime, the petitioners request that Parliament repeal section 745 of the Criminal Code of Canada.

HUMAN RIGHTS

Mr. Bob Mills (Red Deer, Ref.): Madam Speaker, it is my pleasure today to rise in the House to present a petition signed by a number of my constituents from the riding of Red Deer.

The citizens request that Parliament not amend the human rights code, the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way that 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 the undefined phrase sexual orientation.

Mr. Ed Harper (Simcoe Centre, Ref.): Madam Speaker, I have a petition to present on behalf of the constituents of Simcoe Centre.

The petitioners request that the Government of Canada not amend the Human Rights Act to include the phrase sexual orientation. The petitioners fear that such an inclusion could lead to homosexuals receiving the same benefits and societal privileges as married people. I concur with the petitioners' request.

ASSISTED SUICIDE

Mr. Leonard Hopkins (Renfrew—Nipissing—Pembroke, Lib.): Madam Speaker, I have a number of petitions to present.

The petitioners want Parliament to ensure the present provisions of the Criminal Code of Canada prohibiting assisted suicide are enforced vigorously and to make no changes in the law that would sanction or allow the aiding or abetting of suicide or active or passive euthanasia.

CRIMINAL CODE

Mr. John Nunziata (York South—Weston, Lib.): Madam Speaker, tens of thousands of Canadians have signed petitions requesting parliamentarians to repeal section 745 of the Criminal Code.

Section 745 allows those convicted of first or second degree murder to have their parole ineligibility reduced to 15 years. There will be a vote later this day at 5.30 p.m. on a private member's bill which would do just that, that is repeal section 745 of the Criminal Code.

I have the privilege to present to Parliament some of those petitions today containing the names of several hundred petitioners requesting that Parliament repeal section 745. I urge members to be out this afternoon to vote in favour of the private member's bill.

Routine Proceedings

HUMAN RIGHTS

Ms. Marlene Catterall (Ottawa West, Lib.): Madam Speaker, I have a petition to present to the House from Canadians objecting to absolute discrimination against lesbian, gay and bisexual Canadians who are an everyday reality in all regions of Canada. They say that is unacceptable for a country known for its commitment to human rights equality and dignity for all citizens.

It calls upon Parliament to act quickly to amend the Canadian Human Rights Act to prohibit discrimination on the basis of sexual orientation.

(1130)

CRIMINAL CODE

Mr. Rex Crawford (Kent, Lib.): Madam Speaker, I am honoured once again to rise in the House under Standing Order 36 on behalf of the hon. member for York South—Weston and his constituents.

The undersigned residents of Canada draw the attention of the House to the fact that individuals convicted of first degree murder are sentenced to life in prison without eligibility for parole for 25 years. Those convicted of second degree murder can be sentenced to life imprisonment without eligibility for parole for 15 years or more.

Section 745 of the Canadian Criminal Code allows murderers to apply for a reduction in the number of years of imprisonment notwithstanding having been tried, convicted and sentenced in a court of law. Individuals convicted of second degree murder and sentenced to life in prison can become eligible for parole after serving 15 years by virtue of section 745 of the Canadian Criminal Code.

Therefore the petitioners request that Parliament pass legislation to remove section 745 from the Canadian Criminal Code. I agree with the petitioners.

RIGHTS OF GRANDPARENTS

Mrs. Beryl Gaffney (Nepean, Lib.): Madam Speaker, I have petitions signed by 800 people from across the country.

These people believe that grandparents, as a consequence of the death, separation or divorce of their children, are often denied access to their grandchildren by their guardians. Several provincial jurisdictions including the Quebec civil code contain a provision to ensure the right of access of grandparents to their grandchildren.

The petitioners request that Parliament amend the Divorce Act to state that in no case may a father or mother, without serious cause, place obstacles between the child and the grandparents and failing agreement between the parties the modalities of the relations are settled by the court.

HUMAN RIGHTS

Mrs. Beryl Gaffney (Nepean, Lib.): Madam Speaker, I have a second petition with 45 signatures.

The petitioners are calling upon Parliament not to amend the human rights code, the Canadian Human Rights Act or the Charter of Rights and Freedoms in any way that 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 the undefined phrase sexual orientation.

CRIMINAL CODE

Mr. Bernie Collins (Souris—Moose Mountain, Lib.): Madam Speaker, I have two petitions to present under Standing Order 36 that deal with section 745 of the Criminal Code. One is from members of the RCMP and many police officers in Saskatchewan and asks that section 745 be repealed.

I have another petition from numerous individuals in Alberta asking that section 745 be repealed. I am privileged to support these petitions.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Acting Speaker (Mrs. Maheu): Shall the questions stand?

Some hon. members: Agreed.

Mr. Harper (Simcoe Centre): Madam Speaker, I rise on a point of order. My Question No. 21 has been on the Order Paper since March 8, 1994 or 280 days. It is a straightforward question.

I wonder if I could get an indication of when I might expect a reply.

Mr. Milliken: Madam Speaker, let me assure the hon. member that it will be soon. I would hope we might have an answer before the adjournment of the House this week but I do not know.

I must say it is one question I have inquired about on numerous occasions. I understand there has been some difficulty with the answer. As soon as it can be provided I will be glad to table it in the House for the hon. member.

Mr. Stinson: Madam Speaker, I rise on a point of order. My Question No. 40 has been on the Order Paper since April 22, 1994 or 231 days. I am also wondering when I can expect an answer. It seems to be taking a terribly long time.

Government Orders

(1135)

Mr. Milliken: Madam Speaker, I am very sympathetic to the situation the hon. member has described. I too am disappointed at the delay in getting some of the responses. In the last few days I have been pressing to get answers to these questions so they could be tabled in the House this week.

I assure the hon. member that his questions have been the subject of intense questioning by me as to when we might get answers in the House. I will continue to press for a quick reply.

I appreciate the member is representing many Canadians who are very interested in these answers. I do not deny that. I fully support his right to ask the questions. It is quite proper that he put them on the Order Paper.

As a member who used to be able to enjoy that privilege, I assure the hon. member that had I been in his position I would be saying the same as he is. I sympathize fully.

Mr. Chatters: Madam Speaker, I rise on a point of order. I ask the same question. Having had Questions Nos. 43, 44 and 46 on the Order Paper for 225 days, I would like to know when I might expect replies to the questions.

Mr. Milliken: Soon, Madam Speaker.

GOVERNMENT ORDERS

[English]

EMPLOYMENT EQUITY ACT

On the Order: Government Orders:

December 12, 1994—The Minister of Human Resources Development—Second reading and reference to the Standing Committee on Human Rights and the Status of Disabled Persons of Bill C-64, an act respecting employment equity.

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.) Madam Speaker, I move:

That Bill C-64, an act respecting employment equity, be referred forthwith to the Standing Committee on Human Rights and the Status of Disabled Persons.

He said: Madam Speaker, first let me address what I think is an important parliamentary landmark. In this case we are taking a bill after first reading and directing it specifically to a committee so that it can assist in the drafting of the legislation. It is an indication of the kind of parliamentary reform to which our government became committed after the last election. It would give an opportunity for members of Parliament to consult widely with all groups affected by the proposed bill and to ensure it reflects the broad base of concern.

I thank the House leaders for the opportunity to try a bit of a pilot project in bringing the parliamentary system more into the process of legislative development and blueprinting.

The bill warrants that kind of attention. It is in many ways a very significant piece of legislation because it affects 60 per cent of Canadians. It is something that goes to the heart of the whole question of equality in our society, ensuring we try to eliminate as many barriers as possible to prevent people from going to work.

Over 10 years ago when I was in the previous Liberal government as the minister of employment I had occasion to establish a royal commission under Judge Rosalie Abella who looked at the whole question of employment equity and made a number of recommendations. Unfortunately by the time her report was finished the voters had decided to put Liberals in the position of a sabbatical for a period of years and the government that followed only went forward in a partial way to meet the recommendations of the Abella commission.

I am very pleased today, having been part of the initial start on a new regime for employment equity, to be able now to fulfil the recommendations that were originally presented by Judge Abella on how we could work toward the elimination of systemic discrimination in the workplace. By systemic we mean practices, attitudes and developments that have occurred over many years. It does not mean that somebody is being outright bigoted, but it does mean that over time we have allowed the workplace, as we have in many other parts of society, to provide a series of barriers to various kinds of people.

In this case we have four designated groups: disabled Canadians, women, visible minorities and aboriginal people, all of whom feel they have not been able to secure fair, open and equitable access to the workplace.

In the previous legislation the opportunity to enforce and provide a strong sense of direction was not there. It was simply a reporting information based system.

(1140)

We are undertaking in the legislation a series of very important further steps to complete and to bring up to date the kind of requirements we need to make employment equity really work.

[Translation]

I think this bill is fair, reasonable and very progressive. For the first time, the federal Public Service will be subject to the Employment Equity Act. Also for the first time, the Human Rights Commission will have the authority to ensure that employers meet their obligations. For instance, the commission may conduct audits of all public sector and private sector employers covered by this legislation.

Government Orders

[English]

Basically we are responding to the need to make sure there is proper and fair balance among all employers under the federal jurisdiction. For the first time the Public Service of Canada, involving over 250,000 employees, will be brought under the jurisdiction of this act.

It will require obligations to be met by the armed forces, the RCMP and other areas subject to the final discussions of the President of the Treasury Board to work out matters dealing with operational efficiency and effectiveness.

We have also been giving to the Human Rights Commission, an independent agency responsible to Parliament, the right to begin to enforce these actions by giving it a power to undertake workplace audits. Rather than simply being based on some kind of abstract notion, the Human Rights Commission will now have the responsibility of examining in a wide variety of workplaces exactly in what way they are meeting their requirements under the act to ensure that barriers are brought down, hiring practices are fair, training is offered and facilities are reconstructed to meet the specific requirements to ensure equitable, fair and just treatment in the workplace.

It is our primary hope that kind of audit will be done in a fully co-operative way. Up to this point in time we can say that most private employers have co-operated, because they recognize that employment equity is not purely a matter of human rights, as important as it is. It is also good business. It is good to make the best use of human talent and human resources of whatever kind and in whatever place.

There was an interesting article a month or so ago in the American business magazine, *Business Week*. The title was something we do not normally see on the cover of *Business Week*. It was entitled "Inequality". The point made in the feature article of the magazine was that one of the major deterrents to economic growth in the United States was the increasing inequality in society.

We are moving into an age where the workplace requires more and more investment in human capital, resources, talent and ability. If we have people on the sidelines, if we marginalize people, if we do not draw upon the best talents, we do not have the full resources brought to bear to make a productive society. There is no question there are barriers in the workplace that inhibit and prevent that from happening.

A good example in Canada is how some of our major banks which come under federal jurisdiction have begun in the last couple of years very major programs of minority hiring. I quote a vice-president of one of the major banks who recently noted the benefits of employment equity practices by saying: "It brings into our business an infusion of new ideas, a broader perspective, better decision making and a greater sensitivity to all approaches".

They are finding that employment equity has substantially added to the productivity and the performance not only of designated workers but all workers. By improving the operation of human resource planning, management and development inside the workplace, designed primarily to ensure fairness and openness, it provides avenues and open doorways for all workers to achieve.

That has met the test of efficiency. We know the ideologues will not believe it but people in business understand it. The people who understand how things work will believe it, but those across the way who scrape their knuckles when they walk will not understand it. Those who are in business understand how it works. That is why it receives that kind of support.

(1145)

We have consulted very widely on this bill. We have talked to business, federal employers, aboriginal groups, labour groups and disabled Canadians; four million Canadians who have one form of disability or another and have been one of the strongest and most effective lobbies to bring about these kinds of changes in employment equity. They recognize that they have enormous talents to give.

As I have said in another context when we talked about social reform, one of the objectives is to bring down barriers so that people for example who are presently disabled now under many social programs in the provinces have to declare themselves unemployable to get a benefit. At the same time there are also barriers in the workplace.

As the federal government we are working to eliminate those barriers in our own workforce and in all those companies and organizations which come under federal jurisdiction.

What we are proposing today is a major step forward that will really have major benefits. It would clearly signal to over 60 per cent of Canadians that we are prepared to move actively on their behalf to secure fair, equal treatment in the workplace.

That is a message that is long overdue and one that will clearly represent a commitment to fairness in society and a more just treatment of all those Canadians who have felt that for reasons which had nothing to do with their talent or ability, but to open up for the first time the real merit principle. There is no merit principle if there are false barriers, false discriminations and false disincentives in the workplace. The real place we find merit is when one is judged on one's merit not by who one is or what one is, but what one can do.

Finally, I also believe that this will substantially aid and enhance the basic economic position of this country. It will mean we will be able to utilize and draw upon the full range of incredible talent this country has in all its people and not say to some they are second class citizens. Everyone is a first class citizen and is a first class worker under this legislation.

Government Orders

[*Translation*]

Mr. Pierre de Savoye (Portneuf, BQ): Madam Speaker, today we have an opportunity to speak to Bill C-64 respecting employment equity. Madam Speaker, I shall, if I may, quote the purpose of this legislation as it appears in the text of the bill.

The purpose of this Act is to achieve equality in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability.

The bill consists of four parts. First, it sets out the obligations of an employer and outlines reporting requirements. Part II sets out mechanisms for enforcing employer obligations. Part III deals with the assessment of monetary penalties, and Part IV establishes regulation-making authority and provides for other general matters.

The House will recall that the federal government's first affirmative action programs were set up in 1970, following the report of the Royal Commission on the Status of Women in Canada. However, the report of the Commission on Equality in Employment—the Abella Commission's report tabled in 1984—was to form the basis for current policies on employment equity.

Adopted in 1986, the Employment Equity Act currently applies to federally regulated employers and Crown corporations that employ 100 or more employees. These are mainly employers that conduct their operations in the banking, transportation and communications sectors which, as you know, are under federal jurisdiction.

Bill C-64 will completely change the 1986 legislation, by making it apply to the federal public service, which was not covered before. Considerations to be included in employment equity plans are now better defined. The President of the Treasury Board is to table an annual report. Finally, the Canadian Human Rights Commission will be responsible for the enforcement of the obligations imposed on employers by certain sections.

Of course, this is nothing new.

(1150)

You will recall that, in a report tabled on May 14 1992, a special committee recommended that the threshold under which the legislation does not apply be lowered from 100 to 75 employees.

The same report recommended as even more important yet that a national employment equity strategy be developed, a strategy that would include a public education program. And this program, in the opinion of the committee and his chairman, was the most important part of all.

This report was accompanied by a minority report from the Liberal Party, presented by the hon. members for York South—Weston and Halifax. This minority report states that: "Maintaining the current threshold of 100 employees, or even reducing the threshold to 75 as recommended by the Special committee, results in legislation that, in effect, imposes a barrier to designated groups members who prefer to be employed in small business settings". As you can see, the minority report even goes further than the special committee report.

Let me quote again from this minority report, where the hon. member for York South—Weston and the hon. member for Halifax tell us the following: "It is our belief that the Federal Contractors Program presents the government with an ideal opportunity to demonstrate its commitment to the principle of employment equity. The message should be clear and unequivocal—if you want to do business with the federal government, you must implement employment equity in the work place".

These two examples go to show that in those days—this was 1992—employment equity was taken seriously. In fact, this special committee report and minority report have laid the groundwork, I imagine, for the bill before us today.

In this context, the Bloc Quebecois believes it is essential to ensure equitable job access to the groups affected by the legislation. We therefore endorse the principle of employment equity. The Bloc certainly supports the inclusion of the public service of Canada within the scope of the act. This was long overdue.

However, the Bloc Quebecois questions the helpfulness of a new governmental measure. As I said earlier, the special committee recommended that adequate resources be provided to the Human Rights Commission, so that it could carry out effectively its new functions. Unfortunately, the Minister of Human Resources Development has stated in a press conference that the commission would have to do more with less. This leaves us somewhat sceptical or at least concerned.

Another difficulty we would like to point out is that employment equity policies should have been adopted a long time ago. They were not. However, the federal government is now in a situation where it must reduce its workforce, which makes it much more difficult to reach equity goals and will limit the impact of this bill to a certain extent.

A bill is a statement of good intentions. However, given the current downsizing of the federal public service, it would be not only desirable but essential for the minister to propose a plan to implement this bill within the public service.

We also remember—as I read a few moments ago in its report—that the special committee had recommended a reduction to 75 employees, while the minority report suggested an even greater reduction. The bill, however, does not provide for such a reduction, even though we think it should.

Government Orders

(1155)

In conclusion, although the Bloc Québécois supports the principle of employment equity, we will introduce major amendments in committee in order to help improve the effectiveness of this bill.

[English]

Mr. Chuck Strahl (Fraser Valley East, Ref.): Madam Speaker, today we gather to mourn the death of an old friend. We lament the demise of a principle that has guarded the integrity and quality of our public service for almost a century.

The rule of merit has produced a level of quality and impartiality in government that has served Canadians for generations. The merit principle directs that jobs and promotions go to the best qualified, most competent people.

The Liberals began to inch the principle of merit into an early grave a decade ago and Bill C-64 will bang the last few nails into its coffin.

No other principle can withstand the scrutiny of elementary justice. Who should the taxpayer hire? Who deserves a promotion? It is the best and the brightest of course. All Canadians from all groups accept this.

If the minister has his way, jobs and promotions will not necessarily go to the best and brightest, the ones who demonstrate these high qualifications. From the moment this bill is passed the public service will pass over many of the best qualified in favour of those with personal characteristics wholly unrelated to the job.

The government will subordinate the principle of merit to the politics of race and of gender. This is in a time of public service downsizing. The field of opportunity will narrow even further for those who stand outside the four designated groups.

Morale is already low. Morale will take a further blow in the next budget but it will sink through the floor with the passage of this act because thousands of civil servants will be denied a fulfilling career even if they deserve it more than their neighbour.

How do we know the members of a designated group? They are self-identified. This bill encourages a mentality of victimization. It encourages Canadians to view themselves as oppressed people who can gain something by viewing themselves as such.

At present two-thirds of Canada's workforce belong to a designated group. The annual report on the Employment Equity Act says that in 1991 almost 2.3 million Canadians reported having a disability, which would be okay, but it is an increase of 30 per cent from 1986.

This government will only be satisfied when all Canadians count themselves in as victims but not all Canadians buy into this mentality. I want to applaud the seven hundred and sixty some thousand Canadians who refuse to even name their ethnic origin in Canada's last census.

Even though "Canadian" was not given as an ethnic option in this census these seven hundred and some thousand refused to be part of a designated group and pencilled in the word Canadian. I digress.

Let us look at the purpose of the bill for a moment. Its purpose is to mandate a representative workforce. Exactly what is a representative workforce? The government ignores Canada's history and its social norms. It arbitrarily demands that the public service reflect—the word reflect means like a mirror—precisely by occupational group the designated groups as they occur in the larger Canadian workforce.

This is representation according to the bill. Is the workforce so unrepresentative that people are suffering injustice? Are Canadian employers so unfair that they would shut whole groups of people out of the labour market? Is there really a need for employment equity in Canada?

There is not when one looks at the numbers. Let me give members an example of the 570,000 people now regulated under the current Employment Equity Act. Women make up 45.6 per cent but the larger workforce is 45.9 per cent female. There is a .24 per cent difference there—what an injustice. Bring out the legislative hammer. The Liberals are on their high horses, hell bent on stamping out this perceived social evil. It is ridiculous. How does this mentality come about? The Liberal government is driven by special interest groups rather than public interest.

Allow me to quote from the Macdonald commission of 1985 which describes the formulation of section 15(2) of the equality rights section of the Constitution. This section empowers the government to deny equality to all Canadians and give preference to women, visible minorities, aboriginals and the disabled.

The commission said that the government incorporated verbatim the feminist proposal for rewriting the new equality rights section. Liberals have always been driven by political expediency rather than what is fair and equitable. This is another example.

(1200)

Let us look at more numbers. What about the salaries of visible minorities? Visible minority males make 93 per cent of the salaries of all men in the workforce; visible minority women make 96 per cent of what the average woman makes. Ring the alarm bells. Roll out the legislative guns. We will blast this problem with a massive, coercive, manipulative bureaucracy. That is the Liberal way.

Government Orders

The government is suffering a nauseating attack of self-righteousness. It constantly points the finger of blame at ordinary Canadians, accusing them of unfairness and irresponsibility. What about the three million gun owners for example? No matter that they are responsible and law-abiding, they deserve tough legislation. The government assumes them to be irresponsible, suspicious, maybe even dangerous.

If the workplace is not precisely representative down to the last decimal point, the government aims its legislative guns. According to the Liberal government Canadian employers cannot be trusted to be fair to their workers. The government must regulate them more with some heavy-handed laws.

In fact Canadian employers are fair and the numbers show it. When situations of equal choice are compared, when we compare apples to apples, there is no discrimination. According to Statistics Canada, for example in 1992, single women made 99 per cent of the salaries of single men. Other salary differences can be explained by lifestyle choices and choices that prefer family over career. This is not a matter of injustice. It is a matter of personal priority and social norms.

What is the Reform answer? The market, not the government, should regulate the makeup of the workplace. Having a representative work force simply makes good business sense. Companies which do not hire the most productive people, companies that do not hire people that reflect their own markets, will be driven out of the market, and so be it. The market will impose its own discipline on the workplace in the private sector.

What is the role of government in the public sector? The government's role is to ensure equality of opportunity for all Canadians, to dismantle systemic barriers, help with education and make sure that employment information is available, reasonably accommodate for disabilities and make employment testing fair for everybody.

Equality of opportunity ensures that everybody has an equal chance. It creates a level playing field, not a field that is tilted in favour of special interest groups. No legislation is required, no bureaucracy, minimal expense, and no coercive quotas.

I want to address quotas in the context of Bill C-64. Quotas are requirements for hiring certain numbers of designated people within certain time frames. The legislation specifically disavows quotas by name in section 31, but on the other hand it imposes all the elements of quotas in other sections.

The bill sets up quotas in disguise. Let me describe them to you. First, the employer must audit the entire workforce, then establish a timetable for correcting any unrepresentativeness with so-called numerical goals for hiring, both short term and long term, then submit a report by June 1 of every year to the

government. The employer is forced by law to consult with the union when it makes its plan.

The plan must include steps that will make reasonable progress toward these goals, and the word reasonable is of course defined by the government body in charge. What is the defining enforcement body? None other than the Canadian Human Rights Commission, that group of new moral crusaders, the witch hunters of political correctness. The act creates a new big brother, compliance auditors, to go over the employers' plans and reports.

If the compliance auditors at the commission do not like the plan, the steps, the goals, the auditor can do a compliance audit. He can walk into the business at any time and demand any confidential documents. The bill even specifies that he can use the employer's photocopier to copy them. Then the auditor gives a summary order to the employer to change his plans.

If numerical goals are not quotas I will eat my hat. If the employer does not like it he can go to a new creation of the act, another one, an even bigger brother, an employment equity review tribunal which can be made up of just one person, a tribunal of one person, but possess all the powers of any other quasi-judicial body in Canada. Its orders have the power of the Federal Court and if the employer does not like what the tribunal says he must appeal to the Appeals Court of Canada. This is nonsense.

(1205)

The fines attached to this bill are absolutely punitive; \$10,000 for the first offence and \$50,000 for each one thereafter. All of the elements of quotas are there: the plans, the reporting and specific timetables, the investigations and the sanctions. Last night the human rights commissioner said jokingly: "We hope to be able to get compliance without using handcuffs and billy clubs". That is a nice, perverse joke but Canadians will not find it very funny.

My last point is this. What is the cost of this boondoggle? In the United States where quotas were created in 1970 the cost of affirmative action was estimated at 4 per cent of the GDP, \$112 billion U.S. a year. In Canada there are no clear estimates but the Ontario Chamber of Commerce estimates that a company with 500 employees will spend \$100,000 just to comply with the paperwork.

This bill is utterly offensive.

Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Madam Speaker, I am pleased to be associated with my colleagues, the Minister of Human Resources Development and the Secretary of State for Training and Youth, in bringing to the House a proposal for the new employment equity act.

Government Orders

We are certain the parliamentary committee that will review this bill will be very attentive to the views of interested people and to various groups on this matter. We are looking forward to the discussions in committee and to the debate in the House.

The Prime Minister had it right when he addressed the French Senate a short time ago. He said that because of the sacrifices and efforts of the women and men who have come from the four corners of the world, we have succeeded in building in Canada a society that is pluralistic and equitable and that is founded on open-mindedness, tolerance, generosity and sharing.

[*Translation*]

As citizens of this country, we can be proud of the progress our society has made. I do not believe that Canadians have finished evolving. Although we have made remarkable progress towards equity, I do not think that everyone has an equal opportunity to contribute fully.

[*English*]

We all know there is room for more open-mindedness, more tolerance, more generosity and more sharing. That is what employment equity is all about. It is a policy of inclusion, not exclusion; of openness, not discrimination; of sharing, not restricting. That is what my hon. friend does not seem to get through his head.

It was in the 1970s that greater attention began to be paid to questions of equity and equality. One consequence was the adoption of the Canadian Charter of Rights and Freedoms. Even before that, Parliament enacted the Canadian Human Rights Act and the first steps were taken toward a policy of affirmative action that became in due course employment equity.

What employment equity seeks to do is to break down barriers to equality in the workplace, that is to ensure that no person is denied employment opportunities for reasons unrelated to ability. At the same time it puts in place measures to assist in creating a level playing field for aboriginal peoples, for persons with disabilities, for persons in a visible minority and for women.

On a wall in Ottawa that is otherwise undistinguished someone has scrawled: "Equal treatment does not equal equality". Employment equity recognizes that truth. Differences must be recognized and accepted if there is to be greater equality. The fact of recognizing these differences and doing something to diminish them does not constitute discrimination, as some may claim. On the contrary, it contributes to the equality of opportunity of all citizens and does not diminish any.

Some examples concerning the four designated groups may explain how employment equity is pursued in the public service and indeed often in the private sector as well. Although women are entering the public service in greater numbers than in the past, they are clustered in large measure in what are called pink ghettos. They are heavily represented in fields such as teaching,

nursing and clerical work. Women working full time earn less than three-quarters of what men make. In the public service women constitute about 85 per cent of the administrative support category, the clerical workers, but only about 18 per cent of the executive group.

(1210)

It was recognized some years ago that if women were to become managers in the public service, they would need assistance in overcoming the barriers they faced. Among the measures put in place was a bureau within the Public Service Commission to help women prepare themselves for tasks that had for a long time been almost the exclusive preserve of men.

Alternative work arrangements were introduced as well. These arrangements vary from tele-work to job sharing. Managers are encouraged to permit all employees to take advantage of these if possible, if it makes sense. Nevertheless, women need these alternative arrangements more because they still carry the major burden of family responsibilities.

Recently the pension provisions were amended so that part time employees could contribute. Again both men and women are eligible, but we know that 26 per cent of women work part time as compared to 10 per cent of men.

These are the fruits of a consciousness that includes employment equity. The progress that has been made, however, still leaves women far from equal. Corporate culture has to change too. There has to be a willingness to encourage the contributions of women and of all employees. That is also a matter of employment equity.

The accommodations made for persons with disabilities would be applauded by all members of the House. The Government of Canada has a policy to make its facilities accessible to all Canadians with disabilities, whether they are members of the public or employees.

A policy encourages departments to provide their employees who have disabilities with the technical aids they need to accomplish their jobs. That policy is backed up with a fund that has been placed at the disposal of the Public Service Commission. As an example, if a person who is visually impaired needs a computer with a voice synthesizer, then one will be provided.

[*Translation*]

In some departments, people with learning disabilities were hired to do work that others might not have found stimulating. The results were outstanding. That is employment equity at work.

[*English*]

In another government department students with disabilities were hired under a special program for two summers in a row. The students acquired workplace knowledge and skills that they might not otherwise have been able to gain. Perhaps even more important, the project has worked to break down the psycholo-

gical barriers that persons with disabilities face. It also served to prove that persons with disabilities can be as productive as other employees. They too have abilities.

This was no doubt what the Governor General had in mind when he said earlier this month on the International Day of Disabled Persons that individuals with a disability are often marginalized by discrimination and that their opportunities are diminished by ignorance. Employment equity exists to open the doors to persons with disabilities so that they too can participate fully in the workplace.

A recent Statistics Canada study showed that among well-educated persons with disabilities, aboriginal peoples and persons of visible minority, the earning gap was closing. Although 1990 university graduates with disabilities earn some 7 per cent less than other graduates, the more important gap is in employment rates. Among university graduates with disabilities the employment rate is 6 percentage points lower than for other graduates. The gap is 12 per cent for community college graduates. Even those with relatively minor limitations have more difficulty in finding jobs than other graduates.

The story is about the same for aboriginal people. Aboriginal graduates from community colleges in 1990 have an unemployment rate that is almost 10 per cent higher than other community college graduates. The playing field simply is not level. There are a number of tools available to level the playing field. One used by the Public Service Commission is to enrich the pool of candidates. You will not have any aboriginal employees if you do not have any aboriginal candidates. You will not have the candidates if you do all the hiring through word of mouth. Even then you may not have a good selection of aboriginal candidates to consider. They may not come forward perhaps because they believe that they would not be selected. Therefore, you need a program of outreach not to guarantee a job but to provide assurances that they can compete with the principle of merit. The principle of merit is paramount in our system in the Public Service of Canada.

(1215)

Once an aboriginal employee has been hired the manager may find that a certain amount of cultural adaptation is required both in his part and on the part of the employee.

Persons in visible minorities are also under-represented in the public service in comparison with the members in the workforce. Like women and persons with disabilities, persons in a visible minority are of all backgrounds. Some are recent immigrants and some have been here for decades or hundreds of years such as the black people from Nova Scotia.

Government Orders

One of the problems faced by the public service is that although persons in a visible minority are fairly well represented in the scientific and professional category they are not moving up in proportional numbers into the ranks of senior management. A part of the solution was found within the framework of employment equity programs in the form of a special course that we developed through the Canadian centre for management development to help certain people to develop their management skills.

Finally, whether these candidates succeed will depend on their qualifications and ability. The merit principle must govern and the person considered to be the most competent—

[*Translation*]

Mrs. Christiane Gagnon (Québec, BQ): Madam Speaker, I am pleased to respond today to the tabling of Bill C-64, an Act respecting employment equity. This bill is important for federally regulated work places. It revokes the current Employment Equity Act adopted eight years ago.

Despite the very laudable intentions behind this first Act, it was harshly criticized by informed observers. The present government is now trying to correct some deficiencies. We certainly intend to help it improve its performance.

During the election campaign, the Liberal Party made three promises on employment equity. First, it promised to extend the scope of the law to federal boards and agencies. It also promised to empower the Canadian Human Rights Commission to conduct legal inquiries on issues related to employment equity. Finally, it promised to require firms that are awarded federal government contracts to comply with employment equity provisions.

So what were we presented with yesterday in this House, Madam Speaker? We were presented with a bill that in effect extends the law to the federal public service, its boards and agencies. It seems that this was the government's first objective. Bravo! The Bloc Québécois applauds any initiative to ensure equal access to employment for all, including native people, the disabled, women and members of visible minorities.

The Bloc Québécois also supports the principle of legislation forcing employers to comply with the principle of equal opportunity. Since in our opinion the government must set an example for the private sector, any new legislation had to extend the application of employment equity measures to its own departments. I might add, Madam Speaker, that it was high time.

Bill C-64 also empowers the Canadian Human Rights Commission to determine whether the provisions of the legislation are being complied with and to investigate the enforcement of the law. It also establishes an employment equity tribunal when circumstances warrant it. That is all very good, Madam Speaker.

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It appears, however, that the government's third promise, concerning the application of the law to all government contractors, will not be kept. I will return to this point a little later in my speech. As you might expect, we appreciate the government's effort, but everything is not perfect either.

A committee will review the bill, but I would like to raise a few points that struck me. First of all, as I just said, I am disappointed with the lack of provisions concerning government contractors. The bill in no way extends the law to this category of employers, and this is regrettable.

(1220)

Indeed, at the very beginning of the act, a "private sector employer" is defined as "any person who employs one hundred or more employees". You can understand my disappointment, as well as that of many observers. Why does that act not apply to other private sector employers who win contracts for which they are paid with public money? Should we not ensure that taxpayers' money be used in places where employment equity is valued and respected? I believe so, but this government seems to think otherwise. We will get back to this issue in committee.

I also wonder about the delays in tabling these legislative amendments. Why did the government wait for more than one year after the swearing-in of the new team to amend the act? It is certainly not because of the deficit, since this bill, unlike others, has virtually no financial impact on public money. This legislation is primarily one of a moral nature; it could have been introduced early, to emphasize the importance of the social justice which we seek to establish.

This delay is also unfortunate because, in the current context, the new legislation will definitely not help achieve employment equity. Just think of the hiring freeze, of the fact that employees cannot move on to the next salary step, and the massive reductions in the federal public service. This is unfortunate and we deplore this situation. In spite of its laudable objectives, the new legislative policy will not give results before many years, thus once again hurting the same categories of people.

Previous employment equity policies have had a very limited impact. For example, over a period of six years, the number of promotions for full-time employees in all private sectors of activity improved a mere three per cent in the case of women, 0.49 per cent for aboriginal people, 1.11 per cent for handicapped people, and 3.82 per cent for members of visible minorities. These are, in my opinion, very poor results, considering that the act has already been in effect for eight years.

The figures are not much better when it comes to recruiting. Indeed, the situation improved by 2.4 per cent for women, 1.30 per cent for aboriginal people, 0.98 per cent for handicapped people, and 2.91 per cent for members of visible minorities.

As for the public service, in 1986, Treasury Board adopted a policy reflecting the spirit of this legislation, but as far as representation in management positions is concerned, aboriginal people still represent only 1.1 per cent of the total number of public servants; persons with disabilities, 2.1 per cent; members of visible minorities, 2.1 per cent; and women, 15.8 per cent. The situation is clearly not any better in the federal Public Service than it is in the private sector, hence our conclusion that the measures that have been in place so far have not improved the participation of members of designated groups.

According to the statistics, very few members of these groups are in senior management positions and women still work mostly in office jobs, sales and services. So the situation is far from ideal, as the minister pointed out earlier.

I think we will have to examine the available information very carefully to determine why previous policies did not work.

In concluding, the Bloc Québécois welcomes a bill that broadens the application of employment equity measures to include the entire public service. However, we believe the bill could be significantly improved so as to obtain better results and meet the objectives of this legislation. We will gladly make suggestions to the government during consideration of the bill in committee.

[English]

Hon. Ethel Blondin-Andrew (Secretary of State (Training and Youth), Lib.): Madam Speaker, I welcome the opportunity to talk to the House today about the need for and the many benefits of the proposed amendments to the Employment Equity Act. Once read, once well understood, if people are familiar with the history of how this has all come about, there is no need for the fearmongering and the falsification of information going on here today.

It should be stated clearly that what the employment equity legislation does is reinforce the merit principle. It states that very clearly. That may be a bit problematic to some because I guess some would feel a bit more comfortable knowing that there are flaws and gaps. Really what we have done is given prominence to the merit principle. Not only that, we also looked for a balanced approach of trying to integrate the four target groups in a very enforceable way into the whole labour market and also to express equity as it should be.

(1225)

I do not think there is any fear with all these people fearmongering about their jobs, including the hon. members across the way scaring people by saying that what is going to happen if we do hire disabled people, women, aboriginals and visible minorities is that these people will not be hired meritoriously.

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This is erroneous and this is clearly discriminatory. It is an assumption, a false assumption. Because those four target groups are going to be aided by this legislation, it is perfectly acceptable that this happens considering the gross under-representation of those groups. It is a wrong that has not been corrected.

There have been many barriers. There have been many obstacles and this is a step forward. It is needless for people to put fear in the hearts of those people who have jobs out there, particularly those people who are highly placed.

Members need not worry because these four target groups are so under-represented as of yet. It will take such a long time. It will still be such a big struggle. This will make it easy but it is not going to be just the legislation that is going to make it happen.

Unfortunately some of the greatest obstacles we will have are attitudes of people. We can put legislation there to help but unfortunately we cannot change the minds of all those people who are otherwise inclined.

The equity is not simply the subject of ideological debate for me and many other members of this House. For those of us who are women, members of visible minorities, persons with disabilities or aboriginal people, employment equity is fundamentally about democracy. It is the freedom to exercise our rights to participate fully in the political process, to make contributions to the economic and cultural fabric of our nation.

Employment equity means ensuring that all Canadians have a fair chance in the workplace. It ensures that no person is denied employment opportunities for reasons unrelated to ability. It involves identifying and eliminating barriers, taking special measures and making reasonable accommodations.

As was stated by the hon. member, there are no quotas. For instance, if 25 per cent of the population is aboriginal in a said province and there is a thousand-person company and there is not one aboriginal person, is it not reasonable to assume that company or other companies like it would want to achieve that kind of representation of that population? That is not unreasonable. That is not discriminatory. That is perfectly logical, perfectly acceptable and it is the way things should evolve if we are to show the dignity and the respect of one another as human beings.

It also talks about equality, the opportunity of equality. That seems to fail some people. In short, employment equity means ensuring that employment opportunities are open to those who have historically been arbitrarily excluded. We need not go into the figures. We all know what they are. It is a fact that is well known to many of us, including hon. members opposite.

This bill is a fulfilment of this government's vision of our country, one in which each of us has equal access to employment opportunities and a chance to fully share in Canada's prosperity. Why should some people be on the periphery of prosperity? Why should they not be sharing in the wealth of this country in terms of jobs, promotions and training? Why not adopt this legislation fully? All members of the House should see the historical isolation and marginalization of target groups in our population and that those who need a helping hand and logical reasoning, those who need that acceptance, should be accepted.

(1230)

By strengthening the employment equity act we are reconfirming the core values Canadians hold dear: fairness, decency, and equality for every citizen in this nation. Canada is known around the world for that. We are citizens of the world. We are recognized for that. Why would we not enhance that within our own country?

Equality does not come easily in Canada. It is a source of national shame that as recently as the 1950s the first peoples of this country were subject to laws which prevented them from leaving reserves without a bureaucrat's permission. It is a known fact that our people were going to war and fighting for this country as First Nations people and they did not have the right to vote. Women were not even considered persons in the eyes of the law until October 1929 when women won the famous Persons case and gained the right to become members of the Senate.

According to the 1993 annual report on employment equity we still have not come close to attaining our goals. According to the most recent census aboriginal peoples continue to be under-represented in the workforce at just 1.04 per cent compared to 3 per cent in the Canadian workforce.

Aboriginal people continue to occupy the lowest paying jobs. The wage gap between aboriginal men and women working full time and other Canadians has actually increased since 1987. Mind you it should be noted by all members of this House that aboriginal people on average still make an annual income of \$10,000.

Aboriginal participation in the workforce has risen by less than .5 per cent since employment equity came into effect. This is even though the number of employable aboriginal people rose by almost 50 per cent during the years 1986 to 1991.

The plight of persons with disabilities is not much better. The representation of this group in the workforce has changed very slowly. They are equally under-represented in the labour market especially given that the number of Canadians with disabilities increased from 5.4 to 6.5 per cent of the population over the same five year period.

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It is simply unacceptable that today in Canada a woman still earns only 70 per cent of her male counterpart's wages, or that a person of colour is denied a promotion on the basis of his or her skin colour.

The litmus test of Canadians' commitment to true equality is access to employment. Jobs are the key to social and economic integration into the community. They are a source of fulfilment and independence for all Canadians. As the Prime Minister would say, a job gives you self-respect and dignity. Jobs are part of this government's agenda.

Employment equity ensures that those jobs will be available to everyone without any barriers. By the turn of the century two-thirds of the entrants to the workforce will be women, aboriginal peoples, members of visible minorities and persons with disabilities. This country needs the wealth of their talents.

With this bill we want to achieve a better balance that works to the advantage of all Canadians. This legislation does not set out to redress the difficulties being faced by disadvantaged groups by creating new problems for other Canadians. The amendments are designed to clarify and strengthen existing laws, not to increase the regulatory or financial burdens to employers.

Madam Speaker, I know I am out of time so I will skip a great deal of what I had to say which I think was also important. I will conclude by saying that by assuring equal access to employment and fair treatment of all, we can and will build a better nation for our children, for our families and for all Canadians.

Remember that 60 per cent of the Canadian population is constituted by these four target groups but they are not adequately represented. It should be noted that we are talking about fair representation, not under-representation. We are talking about equality of opportunity.

(1235)

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Madam Speaker, I am pleased to rise to address Bill C-64, an act respecting employment equity.

Reform opposes this type of legislation and I certainly oppose it. Affirmative action by any other name is still affirmative action. It leads to the creation of special designation groups and causes reverse discrimination as the process of merit hiring is forced to take a back seat to artificially created criteria.

The annual report of employment equity for 1994 clearly shows there is no need for this legislation. Visible minorities represent 8 per cent of the workforce governed by the current act compared to 9 per cent of the entire Canadian workforce. The report also states that women represent 45 per cent of the workforce covered by the existing act compared to 45 per cent of the entire Canadian labour force. These two facts alone show that a hiring process unencumbered by government regulations is able to adequately address this issue.

In our lifetime let us admit it, we have seen terrible inequities. Going back to the thirties and forties, there have been gross inequities in our social system but they are being corrected over the years. Human dignity and human will are creating the redress.

I find it amazing that this government feels a need to interfere with the free job market which is working well when it fails to use the same urgency to address real issues like the debt and the deficit. Why do I say the government is acting with urgency? This bill was tabled in the House yesterday, shortly after 1500 hours. The ink on that official document could hardly have been dry at the time. I did not get to read the bill until this morning. Yet here we are less than 24 hours after its introduction being asked to debate the bill's merit. That is acting with a sense of urgency but I think it might be more accurately described as an abuse of the democratic process.

I saw the converse in this House this morning when my colleague, the member for Lethbridge, was speaking on Motion No. 13 and wanted to continue debate on it. Those on the government benches said: "Oh no, we cannot do that. We did not have enough notice". They had 48 hours' notice to continue debate but that was not sufficient for them.

Why the urgency on this bill? I do not know. Are the Liberals afraid to have the complete details of the bill brought to the attention of the Canadian public, or are they simply afraid to tell Canadians about the bureaucratic maze which has to be created by this bill?

One thing I do know is that the business people in my constituency are fed up to the teeth with government bureaucracy, with more and more taxes and more and more regulations to adhere to and forms to fill out. Canadian employers are already deluged with government imposed paperwork.

That burden is increased even more through clauses 9 to 18 of this bill which call for the collection, analysis and review of their workforce leading to the preparation of an employment equity plan, complete with long term and short term numerical goals. There is also the requirement that an annual report on employment equity be filed with the minister. Let us look at the bill.

Clause 9 states that for the purposes of implementing employment equity every employer shall collect information and conduct an analysis of the employer's workforce in accordance with the regulations in order to determine the degree of under-representation, et cetera. It goes on about conducting a review of the employer's employment systems, policies and practices in accordance with the regulations. It is only those employees who identify themselves or agree to be identified by employers as aboriginal peoples, et cetera.

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(1240)

Clause 10 indicates that employers shall prepare an employment equity plan that does this, that and the other thing.

Let us look a bit more at this bill which will totally discourage private enterprise. It will specify the measure to be taken by the employer. It will establish a timetable for the implementation. Where under-representation has been identified it will establish short term goals. It goes on and on and on.

Clause 11: Every employer shall ensure that its employment equity plan would, if implemented, constitute reasonable progress.

Clause 12: Every employer shall make reasonable efforts to monitor implementation.

Clause 13 indicates that every employer shall update numerical goals at least once during the period.

Clause 14: Every employer shall consult with his employees by inviting representatives to provide their views.

It goes on and on and on. Thirty pages of bureaucracy imposed on employers around this country. Have I said that they are already deluged? Well they certainly are. All these measures will only serve to undermine the productivity of Canadian business as executives are forced to spend even more of their already limited time on needless government paperwork.

Clause 21 of the bill creates employment equity compliance review officers, or to use a less politically correct term, an affirmative action army. This army has the authority to enter any business which it feels is contravening the act and demand documents and the co-operation of the employer and staff. On reading part II of this bill I thought George Orwell would be very proud as big brother takes yet another step into our lives.

Clause 25 creates the headquarters or the command post for the affirmative action army with the establishment of an employment equity review tribunal. More bureaucracy and more tax dollars dropped into the bottomless pit that is the national debt. This government continues to talk fiscal restraint yet its actions do not match its words.

I would go further into the analysis of this bill but the government's haste to ram it through prohibits any more thorough examination.

In my own riding, residents of the city of Nanaimo are well aware of the adverse effects of this type of legislation. Several years ago the city implemented pay equity which resulted in an immediate and significant tax increase. It also has a lasting effect on the taxpayer in that the result is that the annual salary for an entry level employee will soon reach \$30,000.

Another example of this type of policy was brought to my attention recently by a constituent. This young man is an exceptional student in a technical program at Malaspina College. His high marks caused the institute to nominate him for a federal scholarship. While his marks qualified him for the award, his gender did not.

The scholarships are handed out on the basis of gender. Since Malaspina did not have a female student with appropriate grades the qualified student was refused and both scholarships were given to another institution. This is the type of reverse discrimination this sort of legislation will create.

I will wind up if my time is up. Hiring policies should not be based upon race, culture or gender. They should be colour blind and gender neutral. If ever a bill epitomizes the difference in philosophy between the Liberals and I might even say the NDP and the Reform Party, this is it.

Canadians are hard pressed for programs they want and they cannot afford to pay for programs we do not need. In the interests of the already overburdened taxpayers, I urge the government to abandon this nonsensical legislation.

(1245)

Ms. Marlene Catterall (Ottawa West, Lib.): Madam Speaker, it is evident that the member who has just spoken is rather ill informed because he has just quoted provisions that have been in legislation for over seven years, suggesting to the public that they are new provisions, some new burden.

I think he has also failed to point out to Canadians that the minister has taken the unusual step of giving an extra stage of debate on this bill, not curtailing debate, by having this discussion in the House before referring it to a committee where it will be subject to full, open discussion and consultation and will come back to the House for at least two more stages of debate. I do not know how much more open a process can be.

One of my proudest accomplishments during the last Parliament as a member was to be able to move in committee and have accepted in this Parliament amendments to the Financial Administration Act and the Public Service Employment Act that required the Public Service of Canada to live by the same rules with respect to employment equity that the act imposes on private sector employers.

It was done in this simple way, by embarrassing the government, by saying for over five years now you have had regulations imposed on the private sector that you refuse to live by. If we want to set an example as government, we have to be prepared to say that there is one set of rules for everybody. If it is good enough for the private sector it is good enough for the public sector.

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The member should applaud what this bill does. It precisely says that there is no longer one legislation for the private sector and another for the public sector. We are all going to live by the same rules with respect to employment equity.

The legislation on employment equity has been in place since 1987.

[*Translation*]

Despite considerable progress, most aboriginal people, women, members of visible minorities and persons with disabilities who do have work continue to have low paying jobs. More specifically, employers and employees know they are not enjoying the many benefits of employment equity. In fact, diversity is a way to enhance the work environment and thus increase productivity.

By expanding the application of this legislation to the federal public service, we will provide many opportunities for persons with disabilities, members of visible minorities, aboriginal people and women.

[*English*]

Notwithstanding the howls from the Reform members who wished to hang on to the privileges that people just like them have enjoyed for a long time, this legislation is not about introducing bias. This legislation is about removing bias in hiring and retention of employees and in promotion. This is not about abandoning the merit principle. It is about reaffirming and fulfilling the merit principle.

For 75 years we have had in the Government of Canada the principle that you get hired on the basis of your ability and no other. Despite that we have a senior management category with less than 18 per cent women. There are the lower echelons of the lowest paid workers, 80 per cent women. Even within those lowest paid categories, guess who rises to the top in those lowest paid categories? It is not the 80 per cent of employees in those categories who are women, but mostly men.

There are numerous examples. We only have to look at the statistics of the number of referrals for employment in the public service last year; for example, 8.2 per cent referrals for positions. These were people who had already been screened as qualified. There were 8.1 per cent of a visible minority, but only 2.5 per cent of hirings were of a visible minority. There is a bias operating there and we have to take a great deal more time than we have today to look at why that is.

(1250)

Let me touch some highlights. There are perceptions and attitudes: "I have always seen a certain kind of person succeed and fit well into management and therefore that is the kind of person I want to hire". These are not deliberately, consciously

biased attitudes but they are attitudes that clearly influence who gets hired, who gets the opportunities to train, to get promoted, to get career development opportunities.

It affects the other side in terms of who applies. We apply for jobs where we see ourselves fitting in and succeeding. Unfortunately most women, most aboriginal people, most people with disabilities, most people from visible minority groups have not seen themselves being hired and progressing to the upper echelons in the public service.

The working environment creates an atmosphere in which one either flourishes or does not. Our working environment has not been conducive to people of different backgrounds being hired, being promoted, fitting in well and moving up the ranks.

We know that in a time of downsizing it is going to be extremely difficult to achieve some of our targets in the public service, to really move to a public service that is more representative of the taxpayers of Canada and of the people we serve. We all know that understanding our clients is an important part of being able to serve them well.

We have to make this effort notwithstanding hiring freezes, downsizing and so on. Twenty-five hundred people were hired in the public service last year. There were tens of thousands of promotions, movements, development appointments, and that is where we can certainly make some progress.

I mentioned this bill will be going to committee. We are not here to debate even approval in principle of the bill. The minister has chosen to forego that, to get that whole issue in front of a committee for examination of the bill, so it can save the time and money of duplicating effort to consider a bill and also to conduct a review of the existing act.

I want to make some suggestions to the committee as it receives this bill and considers it. I really have a hard time justifying to myself why the armed forces, the RCMP and CSIS are exempted from this legislation unless they are included later by order in council. I am sure there are private sector employers who have equally valid reasons to feel they should be exempted, but we have chosen not to do that. I urge the committee to look at that.

I urge the committee to look at defining compliance and to ensure that compliance is not simply depositing a report. I urge the committee to look at contracting, because we are now developing a shadow public service through contracting that has no obligation to pay attention to the merit principle or to employment equity or to a number of other government policies. Let me cite one case. I am aware of a man and a woman employed through a government agency to do exactly the same kind of work with exactly the same kind of qualifications. Earning a \$100 difference, guess who was earning the lesser amount?

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The purpose here is improving, giving everybody the opportunity to participate fully in the economic recovery this country is heading into. I want to point out that we are talking here not about privileges for minorities. We are talking about equal treatment. Unless the Reform Party cares to make the argument that inherently women, people of colour, people with disabilities, aboriginal peoples are less capable, then it can only accept the reason they have not progressed in the public service or in the private sector is some inherent preference for a different kind of candidate.

We are talking about the majority of Canadian workers and giving that majority who fit in one of these categories equal opportunity to succeed and to prosper in the Canada of the future.

(1255)

[Translation]

Mr. Gilbert Fillion (Chicoutimi, BQ): Madam Speaker, it is with pleasure that I rise today to speak on Bill C-64. The purpose of this bill is to achieve equality in the workplace and to correct conditions of disadvantage experienced by certain groups, including women, aboriginal peoples, persons with disabilities and members of visible minorities.

This new act will replace the existing act, which was passed in 1986. It will apply to federally regulated employers and Crown corporations that employ one hundred or more employees.

The bill will extend the scope of the legislation to include the public service of Canada. It is a good idea to extend the scope of such a major piece of legislation. Perhaps it should be extended to all employers in the private sector, all employers in the public service of Canada and all portions of the public sector that employ not 100, but 75 employees, including the Canadian Armed Forces, the Royal Canadian Mounted Police, Parliament and every federally regulated agency, commission and board.

The legislation requires the employer to implement employment equity by either eliminating barriers against persons in designated groups or by making such reasonable accommodations as will ensure that these persons achieve a degree of representation that reflects their representation in the Canadian workforce.

However, the obligation to implement employment equity does not require an employer to take measures that would cause him or her undue hardship.

This means that the employer is free to comply or not. With the help of legal counsel, the employer can easily demonstrate that hiring a person with a disability, for example, will cause

undue hardship. The onus will rest with the employee. Who will dare challenge an employer who does not comply with the act?

We cannot say that much progress have been made in terms of employment equity since 1970, after the Commission of Inquiry on the Status of Women in Canada tabled its report. In fact, hardly any progress has been made.

Later attempts, in 1984 and 1986, were scarcely more successful. In 1993, aboriginal people accounted for some 2 per cent of the federal public service workforce; persons with disabilities, 3 per cent; members of visible minorities, 3 per cent, and women, 46 per cent, but were confined in lower-paid and precarious jobs.

Women account for only 17 per cent of the executive group, while the disabled, Natives and visible minorities have not yet reached the executive level. Representation is almost nil. The majority of them hold office, sales or service jobs.

It is too little too late, as the new legislation does not set any specific objectives for the department. Everything is left to the minister's discretion. This is a government panicked by unemployment, an increasingly challenged social program reform, phoney pre-budget consultations, casual budget preparation, cuts in essential services instead of fat-trimming, a caucus divided on several issues, including the Young Offenders Act, the firearms registration legislation, the amendment to the Canadian Charter prohibiting any form of discrimination based on sexual orientation, whether or not Quebec members should get involved in Quebec's referendum debate, the next Cabinet shuffle where many are called but few are chosen, and an anti-scab bill which is not forthcoming. I could go on and on about the differences of opinion within the Liberal caucus only a year after they came to office.

(1300)

So the government tried to regain its prestige by introducing a bill. This employment equity bill, however, still creates dissension, the minister aiming for the status quo while other members join the Bloc Quebecois in asking the government to broaden the scope of the Employment Equity Act.

The guiding principle of the bill should be that anyone working for, subsidized by or doing business with the federal government or one of its boards, agencies or commissions is subject to the bill. We must go further. Employment equity policies should have been adopted a long time ago.

The minister thinks he can meet his objectives while the federal government is cutting its workforce. He will have trouble carrying out his plans in this era of cutbacks and hiring freezes. The minister's pensive expression in this morning's newspapers explains everything. In addition to the reform being

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challenged, he is now faced with a bill showing his intention to maintain the status quo.

A sovereign Quebec will defend vigorously equal opportunities for women, disabled, natives, visible minorities and men.

These groups are still far from occupying their rightful places and enjoying the same conditions in most areas of public life. A higher proportion of these groups live in poverty. Their income remains lower than that of men, in general.

A sovereign Quebec will resolutely fight poverty by going to the root of the problem. Yes, it is possible to break the vicious circle of poverty and dependency, provided we increase employability without making distinctions between categories of people.

Why do we have to implement an act to restore a natural right? These people are victims of the current political system, with its inconsistent tax measures affecting the groups targeted by this bill, and duplication, because two levels of government operate in fields such as manpower training and family support.

Through sovereignty, Quebec will be able to patriate and restructure programs, so as to develop an efficient and consistent policy for these groups, namely women, aboriginal and disabled people, as well as visible minorities.

It goes without saying that the scope of the act must be extended. The federal government must really take concrete action regarding this depressing climate of discrimination experienced by women and the other groups targeted in the legislation. This part of our labour force has the right to take its place. We must strive to achieve equality and social justice. This is why the Bloc will introduce amendments to this bill, when it is examined in committee.

[English]

Hon. Roger Simmons (Burin—St. George's, Lib.): Madam Speaker, I too want an opportunity to elaborate on some features of the legislation before us. I say to the minister that I am proud the government has tabled such progressive amendments that I believe will strengthen the Employment Equity Act.

(1305)

The changes proposed will assure fair and equal treatment for millions of disadvantaged Canadians. These amendments offer the hope of better times for women, for persons with disabilities, for aboriginal peoples and for members of visible minorities.

Since the adoption of the Employment Equity Act there has been significant progress in making the workplace more inclusive of all Canadians. It has been proven that employment equity can promote fairness and equal opportunity in the world of work. The present legislation was a good beginning but has not kept pace with the times, and hence the need for the amendments now before us.

More and more Canadians are members of designated groups, yet the sad fact is that despite the increase in their numbers their opportunities have actually decreased. For example, the latest annual report on employment equity indicates that in 1993 the number of employees covered under the Employment Equity Act actually dropped by 4.27 per cent or by 26,000 jobs across the country.

According to the statistics for 1994, 74 of the 348 companies covered under the Employment Equity Act 74 or 20 per cent had no aboriginal employees at all. There were 65 of those companies with no provision for persons with disabilities on the payroll and 28 of those companies had no visible minority members working for them. There were still four employers with no women on their staffs. This is in a country where 52 per cent of the people are women.

Can we fathom any company of any significant size not even bothering to address that question? Were I malicious—and you would know, Madam Speaker, that I could never be malicious—I would wonder aloud whether such an exclusion of women by those four companies was not deliberate. How could they manage in a situation where half the available workforce is women to hire everyone but women unless they worked at it? Hence the need for the kinds of amendments we are talking about today.

Obviously much more remains to be done if we are to live up to the values of fairness, decency and equality which form the foundation of our society, our system of values in the country.

We need to bring the act into the nineties to reflect our current reality and to prepare us for the century ahead. That is precisely the kind of country we as a party promised Canadians when we wrote "Creating Opportunity".

The amendments before us are the fulfilment of our red book commitments. We said that we would bring the federal public service as well as federal agencies and commissions under the Employment Equity Act. We are doing that with this legislation. We said that we would empower the Canadian Human Rights Commission to initiate investigations and conduct workplace audits to ensure enforcement of the legislation. We are doing that. We said that we would ensure federal contractors would be subject to mandatory compliance with the principles of the act.

(1310)

Mr. Williams: Quota.

Mr. Simmons: The member for St. Albert is having difficulty because he sees quotas. I say to him that he is in the House of Commons because of a quota system. We did not just go out to all Canadians, elect a bunch of people and send them to Ottawa. The act which gives him the right to be here is a quota system as such. His constituents in St. Albert get one member of Par-

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liament, not one and half, two or three. I say to him that is called quota.

He is right. He must have been up bright and early this morning. He recognizes this business here as a quota system and he is absolutely dead right. I assume from his intervention that he is so anxious to support the legislation he cannot wait for me to finish.

Mr. Boudria: He must be. I can tell.

Mr. Simmons: He must be. With the bill we will deliver on the promises in the red book. Does that come as any surprise?

Mr. Williams: Not a bit.

Mr. Simmons: Once again the authors of the red book are delivering on the promises in the red book.

We used to sing in the church I am proud to be a member of: "Every promise in the book is mine". We are talking about another book here. I do not want to be sacrilegious, but I am sure members get the point. We identify with those promises because they are promises we fabricated in opposition having listened to the people and without any 1-900 lines. We did not have them pay to get through to us. We listened and they told us they had some concerns about employment equity, our subject today.

We heard them and we incorporated those concerns in commitments. We ran on that basis. We were elected to a majority government on that basis. We are back here this afternoon as we have been several other mornings and afternoons to say to the people of Canada: "Here is another example of how we want to honour the commitments we made to you back in October a year or so ago".

While today we deliver on some promises, we believe we must go even further. The Canadian Human Rights Tribunal, constituted as the employment equity review tribunal, will hear appeals from employers to resolve disputes and to assure compliance with the law.

Let me remind the House that the changes to the act are in direct response to issues raised by both the designated groups and by businesses. Disadvantaged Canadians complained to us there was not enough compliance with the legislation. Accordingly we have given new authority to the Canadian Human Rights Commission to conduct audits of employers to verify and gain compliance with the act.

Mr. Williams: Quotas.

Mr. Simmons: For my friend from St. Albert, let me decode that. We have given new authority to the Human Rights Commission to enforce those terrible quotas, the very system that sent him to the Chamber. We are going to enforce it on behalf of some other people, many of whom are his constituents.

I venture to say there are some women in his riding who could benefit from the legislation, women who have been excluded effectively from employment because of some unwitting employer. Maybe he has some aboriginal people in his riding. I do not know it well but there are probably a few of them who could benefit.

I see the Chair is getting impatient because I am running the clock again. I had all these other wonderful things I wanted to say for the edification of members of the House. More to the point, I say to all who are watching and listening that the legislation is a good piece of legislation. It will take us that extra step toward assuring employment equity for the designated groups, for the women I have mentioned and for other groups that were mentioned during the debate. That is why I appeal to my colleagues of whatever party to find it in their hearts and minds to give support to this good piece of legislation.

(1315)

Mrs. Diane Ablonczy (Calgary North, Ref.): Madam Speaker, since this is a very new piece of legislation, for the benefit of those Canadians who watch the proceedings of the House of Commons and I know there are a number, I would like to go over one more time what the legislation is about.

This is Bill C-64. It is an act respecting employment equity. The summary says that the purpose of this bill is to achieve equality in the workplace and to correct conditions of disadvantage experienced by certain groups. The bill applies to the Public Service of Canada, to federally regulated employers, and to such portions of the public sector that employs 100 or more employees.

The bill talks about employer obligations in clauses 5 to 15; records and reports, a rather ominous sound for a lot of employers, in clauses 16 to 20; compliance audit in clauses 21 to 31; assessment of monetary penalties in clauses 31 to 37; and regulations in clauses 38 to 41. It then talks about changes to other acts that will be necessitated by this legislation should it be passed.

This is fairly significant legislation with real impact on a number of employers in our country.

It important to point out that the word equity which is the feature of this legislation simply means fairness. Government members have been playing the violin a great deal this morning about how wonderfully fair this is and how we should all be committed to fairness. I am sure that every single Canadian would applaud fairness in our country. In fact something that Canadians are noted for is a real commitment to fairness.

On behalf of the people of Canada whom we represent and whose affairs we are supposed to be managing we need to analyse whether this legislation delivers on the promise of fairness.

Government Orders

One of the real problems with this legislation is that what it does is unfairly and to a large degree increase the interference of government in the lives of citizens, particularly in the lives of citizens trying to keep businesses going, and trying to deliver jobs for Canadians.

First of all this legislation interferes with employment choices. It suggests that for every sector of employment there has to be proportional representation in four designated groups. It says to employers that they have to hire certain people from certain groups if they are to comply with these government legislated proposals. That is a clear interference in fairness for employers to be able to hire who they think will do the best job for them.

Second, it interferes in the principle of equality before the law. What it essentially says is that you do not have as equal a chance at a job as you would if you belonged to one of four designated groups.

I had a personal experience in my riding with a young man who was trying to be admitted into the RCMP. His applications were denied until in discussions with his family he discovered that he had some aboriginal background. Because of this suddenly he became more qualified to enter the RCMP. In fact today he is a member of the RCMP. It is very interesting how merit, qualifications and choices depend on certain genetic traits rather than merit. That certainly is not consistent with the principle of equality before the law.

(1320)

Third, the legislation interferes with the administration of business in the country. This legislation and all employers that will be affected by it, which is a vastly expanded group, should look at this very carefully. I am sure they will be. They will now have to produce employment plans to satisfy certain criteria.

There will have to be regular reports to bureaucrats who will be very anxiously combing them to make sure they are correct and fulfil all the obligations. There will be compliance audits on a regular basis of these businesses to make sure employers are doing the correct thing.

There may be some appeals from bureaucratic decisions that come out of these reports and audits. There will be an ever-expanding group of regulations that will have to be complied with. It is no wonder that businesses are fatigued and why job creation is lagging behind the demand for it. With all this paperwork, regulations, proposals and requirements, how can a business get on with business? Some days you wonder.

Also this legislation sets out a great deal more bureaucracy. This is a time when governments do a great deal of their work with borrowed money, by mortgaging our future and here we have yet another bureaucracy set up in the furtherance of fairness.

Nowhere in the legislation are the cost benefits set out. Nowhere in the legislation are Canadians told how this is all going to be paid for. It is their money that is being spent. They have a right to ask, is the money I am being asked to cough up for this proposal justified by the public good that is going to be done. That is an issue that needs to be debated.

Clearly it is going to be an interference in productivity of business. This is another regulatory and governmental burden being added to all the other reports that have to be made by businesses to government. It is another government regulation, another interference into the lives and work of business people.

If we want to provide Canadians with jobs, jobs, jobs how are we going to do it when we have all of these social engineering mechanisms built into our economic sector? Does this make sense and does it really benefit Canadians?

The last thing I would like to talk about is the social consequences of this type of legislation. Unfortunately it says to Canadians what is important in the economic sector is not your qualifications, it is not your merit, it is not your competence, it is not your ability, it is not your drive, it is whether you are a victim. It is what group you belong to. It is whether you can show somehow that you are disadvantaged. Is this what we want people to be thinking about?

I understand that Tommy Douglas was not very tall. I have always felt really good about him because of that for some obvious reasons to people in the House. Sometimes Mr. Douglas was teased about the fact that he was not very tall. He had a good answer to this. He used to say: "Where I come from, we measure people from here up", indicating that it is what is in your mind, what is in your head, your intelligence, ability and competence that is important. It is not your height.

I would suggest to members that what is important to us is what we have in our hearts and our ability and not what colour our skin is, what our gender is or what disability we might have—

The Acting Speaker (Mrs. Maheu): I am sorry to interrupt the hon. member.

(1325)

Mr. Rey D. Pagtakhan (Winnipeg North, Lib.): Madam Speaker, I am delighted to speak to this bill before the House, an act respecting the Employment Equity Act.

I support the bill because the principles for which it stands are very sound. Moreover we anticipate that the provisions and the regulations that will emanate following the study of this bill will be sound in practice as well.

In essence, the Employment Equity Act is challenging us to put into practice the principles that describe the core values of Canada. The values about which we are speaking relate to the merit principle, to excellence, to human dignity, to respect, to the very core values that Canadians hold dear, to fairness and equality.

Government Orders

I heard earlier there was concern that we would only address the victims as though the victims have no talents, as though the victims have no competence, as though the victims have no excellence. The very essence of the Employment Equity Act is to hold very high the principle of excellence and merit above all else, irrespective of colour, irrespective of gender, irrespective of disability and irrespective of origin as a people.

Mr. Hill (Prince George—Peace River): Not in this bill.

Mr. Pagtakhan: Yes it is. It is about equity. It is about the equitable representation of those with talents in the workforce because for a generation Canada has failed. Therefore, the Liberal government of the past and the Liberal government of today are again trying to reinforce the fundamental principles that govern this bill.

In the process of addressing the legislation, I would like to reiterate that the bill can be looked on as a legislative centrepiece of our core Canadian social values, social equity among all of us.

I have mentioned the operative principles of the bill. What does it achieve, we may ask. I submit that we will achieve effective utilization of one's talents and one's skills. It will ensure businesses will provide better client service and therefore better and good business for the employers. By achieving this we will create harmony among all of us. There will be no feeling of being a second class citizen because of one's disability, colour, gender or aboriginal origin.

Who will question, and why should we question, if we can enhance the maximum productivity of all peoples with talents, that we should not utilize them and get them into the workforce, by applying the principle of fairness.

I submit that by adopting the principles of this bill we will be able to benefit not only the designated groups as defined in the bill, not only the visible minorities, not only the people with disabilities, not only women, not only aboriginal people. We will benefit everyone. Therefore, this is a bill for all Canadians to consider.

That is why the bill has seen to it that in addition to the private sector, the public sector will now be covered so that the government is setting a model. To ensure that we give teeth to what we believe, to ensure that we give enforcement to what we would like to happen, the Canadian Human Rights Commission will be mandated to have this authority.

However, the work of the Human Rights Commission will not be in an adversarial fashion. It will be done within the spirit of co-operation and collaboration.

(1330)

Therefore when we see our armed forces, the RCMP, our security intelligence service agency being covered under the act, to me this is a social blessing and the time has come. It will ensure that we achieve the purpose for which this act was first enacted, to ensure employers achieve a workforce that is equitable and representative of the four designated groups.

As chair of the Standing Committee on Human Rights and the Status of Disabled Persons to which this act will be referred by the House, I am delighted to serve on that committee. Our committee will ensure that there will be open and inclusive discussion and participation of all, that any matter referred to in the bill will be addressed, utilizing a wide consultation.

We would like to hear from all groups concerned. We would like to hear from the minister, from the department officials, from departments of government that are involved in the delivery of this program. We will invite the opposition to articulate its views to us on this issue, so that together we can shape a truly equitable Employment Equity Act.

In closing, I am delighted to support this bill because it reinforces a core Canadian value, the principle of social justice for all.

Mr. John Williams (St. Albert, Ref.): Madam Speaker, I rise today to speak on Bill C-64. It seems to me after having gone through the bill the thought police are out in force again. Here we have big government which is going to impose its will on employers, telling them not what they shall make but who they shall hire and in what numbers and so on, rather than allowing the free marketplace to decide who shall qualify for the job.

Looking at the bill concerning the purpose of the act, this is the double speak that the whole act tries to get around. It starts off by saying:

The purpose of this act is to achieve equality in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability—

Unrelated to ability, nobody shall be denied. Then it goes on after a while to say:

—employment equity means more than treating persons in the same way but also requires special measures and the accommodation of differences.

It starts off with the great idea that merit is number one. This country did not get to where it is today, apart from being up to its eyes in debt, through mediocrity, quotas and minimum standards. It got here by trying harder, working harder, reaching for better things, hoping for the best for our children, rather than settling down for quotas and less than the best that we can offer.

When I intervened, one of previous Liberal speakers admitted that while this act says nothing about quotas, it is quotas they are talking about. He actually admitted right out front and was quite candid when he said quotas are what this bill is all about. Merit is being compromised.

Government Orders

When I go through the bill I again find this double speak where it tries to be all things to all people. Let us remember that it is talking about various groups, women, natives, visible minorities and the handicapped. Add all of these together. We have women making up 50 per cent of our population. Then add on the male handicapped, male visible minorities and male aboriginals. We are talking about a significant majority, not a minority, covered by this bill. A small minority are going to be asked to step aside even though they are the best qualified; step aside although they are motivated; step aside even if they have family responsibilities so that somebody else who is less qualified, less able, less motivated can take over and move ahead.

(1335)

Going right back to the beginning where the bill says that no person shall be denied employment opportunities for the reasons unrelated to ability, that is exactly what we have.

We can take a look at the rather ridiculous items in the bill. Clause 5 states every employer shall implement employment equity by identifying and eliminating employment barriers against persons in designated groups that result in employer's employment systems, policies and practices that are not authorized by law to ensure that we have this spectrum.

I think about sports. I think about the Olympics, this huge competition recognized around the world where we go out and find the best that we can find. There are no quotas there. It does not say that there has to be so many of one group or another group. We take pride in finding the best that we can find and we match these against others around the world. If we find that somebody else beats our Canadian competitors we say let us try harder so that next time we may win.

Surely that is the essence of any type of employment, any type of endeavour in this life where we say let me be the best that I can be.

If this bill had said let us take a look at the education that keeps back some people, be they an identifiable minority or not, surely we have an obligation to help these people to achieve the education and the motivational standards to allow them to compete rather than clamping down on those who do have the education, who do have the motivation, who do have the will and are prepared to work harder. Why are we putting a lid on them to elevate the others artificially? Why do we not give those who feel that they are disadvantaged a helping hand through education and developing that commitment and motivation so that when they enter the workforce they can compete on an equal basis?

Surely that is what it is about. We do not discriminate in sports. We go out and find the best we can find. It would be ludicrous if we thought that Canada was to apply some kind of

quota system so that we would always lose. Do not worry, the the thought police will be happy because we ensured that all groups were represented at the competition.

This is big government wielding a big stick on employers. It is as if government thought that employers were incapable of doing it themselves. I think about a newsletter that I subscribe to out of the United States, not in Canada. We do not find these things in Canada. There are employment equity programs in the United States that have been forced on federally funded organizations, as this bill is trying to do here.

There is a small college in Michigan that said it will not comply. It may be thought these people are a bunch of bigots because they do not want to comply, they do not want to fill out the forms, they do not want to ask people which category they fit into, are they on the bottom rung so they have to help them, are they on the middle rung so they give them a little less helping up, are they on the top rung so they keep them down. They said they do not want to participate in that type of stuff. The government said if they are in receipt of federal funds they must, but they said no.

(1340)

They were cut off federal funds. Some may think that serves them right. That college was the first to issue a degree to a woman in the United States in 1860 and the first college to issue a degree to a coloured person in the 1870s. One hundred years later when the government gets around to saying they have to in order to get employment equity or hiring equity or education equity going and have to fill out the forms, they say they have been doing that for a hundred years.

They do it on merit. They do not care if you are a woman or a man or if you are coloured or not coloured, but if you have the motivation and the desire to succeed, regardless of who you are or what you are they want to help you. They were doing that a hundred years ago voluntarily, long before the Department of Health, Education and Welfare in the United States used the big stick of government to force it down people's throats.

It can be done to education. We do not stand here as the Reform Party saying we want to keep people down. We do not want to keep anybody down but we do not want to classify people and ask which group they fit into. If you are here in this country as a Canadian then that is all that is required and we say let us help these people forward through education and let us not impose penalties on the minority to help the majority.

[Translation]

Mrs. Eleni Bakopanos (Saint-Denis, Lib.): Madam Speaker, I welcome this opportunity to speak in the House today and to show my colleagues and all Canadians that we can trust the government to keep its promises.

Government Orders

The red book mentions a future when all citizens, irrespective of race, gender or physical or intellectual capacity, will enjoy an equal standard of living and quality of life.

The bill before the House today will help ensure this will happen. In fact, we will reinforce the Employment Equity Act so that it also covers the public service and federal commissions and agencies. The Canadian Human Rights Commission will be given the power to conduct audits and enforce this legislation. Employers who do business with the federal government will be required to comply with the principle of the Act. By reinforcing the Employment Equity Act, the government is acting to promote its concept of Canada according to which all citizens must have an equal opportunity to share in Canada's prosperity.

The existing Employment Equity Act has been instrumental in making Canadians aware of the need to identify and eliminate barriers to the employment of designated groups.

[*English*]

For all the many milestones that have been achieved since its inception, however, there are still millions of Canadians who have yet to enjoy its benefits. Women, visible minorities, aboriginal people and persons with disabilities continue to face enormous barriers to employment which prevent them from achieving their full potential.

As my colleagues pointed out earlier, a substantial number of companies covered by the act fail to satisfy the legislation's mandate, 171 of 348 firms. Almost half of the companies reporting last year did not have women, persons with disabilities, aboriginal peoples or visible minorities represented in their workforce.

Too much of Canadian history has been blemished through such inequality among Canadians. It is time to write a new chapter in the evolution of employment equity.

In rewriting the law we are renewing our faith in the fundamental values that shape Canadian society, fairness, decency and justice for all. By renewing the legislation we will clarify employer obligations and strengthen employee opportunities. We are determined to strike a better balance that works to the advantage of all Canadians.

[*Translation*]

For the first time in Canada, public and private sector employers will be on an equal footing. The Public Service will be subject to the same rules as the private sector. All employers will be required to reflect the diversity of Canada's population in their labour force. We will extend the scope of the legislation to include the Canadian Armed Forces, the Royal Canadian Mounted Police and the Canadian Security Intelligence Service.

(1345)

The legislation will also apply to employers who do business with the federal government, which means that from now on they will have to comply with the principle of the Employment Equity Act. This legislation will also give new responsibilities to the Canadian Human Rights Commission. The commission will have the authority to conduct audits in the workplace in order to force employers to comply with the Act.

The commission will also be empowered to take corrective action as needed. In cases of non compliance, the commission may refer the case to an employment equity review tribunal, whose decisions could be mandatory.

To balance the commission's regulatory authority, employers who wish to challenge its decisions will have a chance to plead their case before the tribunal.

[*English*]

The legislation clearly stipulates that tribunal rulings will not cause undue hardship for employers or require them to hire or promote unqualified individuals.

The amendments are also purposely designated not to increase the paper burden to employers. They are meant to act as an impetus, not an impediment to economic growth and job creation.

Enlightened Canadian employers are rapidly discovering for themselves that employment equity is a bonus in the workplace. Diversity is proving to be a competitive advantage in an increasingly complex global economy. Given demographic trends, employers have every reason to want to capitalize on the wealth of untapped talent in the designated groups.

By the year 2000, when Canada will experience a skill shortage caused by an aging population, two-thirds of newcomers to the workforce will be women, visible minorities, aboriginal people and persons with disabilities. Canadian employers cannot afford to overlook this vast labour pool any longer.

[*Translation*]

All Canadians will benefit as a result of this legislation, because its purpose is to ensure that all Canadians will have equal access to employment opportunities and advancement.

The bill before the House today states that workers are to be hired and promoted on the basis of ability. It provides that ability and merit must be taken into account to ensure employment equity, which can only improve the quality of our labour force.

In fact, employment equity is closely linked to social security reform. Social and economic progress cannot be dissociated from job creation and the integration of disadvantaged persons in the community.

Government Orders

The changes proposed in this bill are necessary, reasonable and fair.

We are convinced that an improved Employment Equity Act will give employers an opportunity to create more efficient and more effective workplaces.

In fact, these improvements will promote tolerance and respect for diversity and encourage a better appreciation of the rich diversity of our communities.

[English]

I commend the minister for his decision to send this piece of legislation to committee. I wish to cite some of my own experiences with the public service in Quebec where some legislation has been adopted.

L'Office des ressources humaines was faced with a target of 12 per cent hiring for members of the cultural communities visible minorities. The public service was unable to attain this level. We might ask why it was unable to attain this level, even though it was a promise made by the former Liberal government of that province.

The reason, after years of studies and years of reports, was that there was systemic discrimination. In other words, visible minorities, members of cultural communities, women and the handicapped were barred by a system that did not have the types of measures in it that would allow access to promotions or even to jobs within that system.

(1350)

Many members opposite said that the merit principle has been forgotten and used words like reverse discrimination. My experience has led me to believe the proposals we are presenting will require that we succeed in removing the deep rooted systemic biases that exist in any system, especially in the public service.

We also need to assure that the Human Rights Commission will have the resources and the authority to ensure compliance with the legislation presented to the House.

Finally, with respect to downsizing, cuts will be made in many areas. I hope the groups we are discussing today will not be unduly hardship by the downsizing that is taking place at the moment, because a lot of them were newly arrived to the present system and are on contracts.

Our public service must reflect the reality of Canada. It must be representative of all the components of our society. We are not talking about merit here. Are hon. members on the other side of the House saying there are no qualified individuals in any of these four groups? Are there no women, no visible minorities, no handicapped people, no native people who are qualified for these positions? I doubt that reflects the reality. In fact there are

many of them. However there is enough systemic discrimination in the system, enough biases in the system not to allow these qualified individuals to have access to our public service.

I would like the hon. members to take these facts into consideration.

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.): Madam Speaker, I am pleased to rise today as a Reform member on the standing committee on human rights to address the government's proposed legislation to extend employment equity.

Bill C-64, an act respecting employment equity as tabled by the human resources minister yesterday, reflects the government's disregard for proper process in its presentation and the government's ongoing folly of spending non-existent public money to undermine the job creation abilities of Canadians and to create further division and social pressure among competing groups of otherwise talented and proud Canadians. I am delighted to take the opportunity to expand on these tenets.

Today much discussion has been shared in the House on the pros and cons of such a program. The rhetoric and mixed messages become confusing. In response I take a moment to consider how employment equity measures up to three basic and clear philosophies I believe the vast majority of Canadians would welcome and support.

According at least to the red book, Liberals too would agree, first, that deficit reduction is a major priority. They have agreed that billions of dollars in government spending must be cut to accomplish it. Second, Canada must have a credible place in the global economy. To quote from the red book:

The federal government can and should support and facilitate the national effort to prepare Canadians to compete in the world.

Third is the equality of opportunity, and again I quote:

Governments should support a framework of fundamental fairness and decency within which Canadians are able to pursue their individual goals.

Let us hold up the existing proposals of the bill against such a benchmark. It is not in viewing things in isolation but against a true measure that we can separate pretence from fact.

Even the present Liberal government is finally recognizing the debt and deficit are a major threat to Canada's present situation and future potential. Current government policy has finally recognized the connection between fiscal recklessness and unemployment, between high indebtedness and the loss of economic and fiscal sovereignty.

In a recent release from the Department of Finance entitled "Creating a Healthy Fiscal Climate", the government now seems to realize that the deficit problem cannot be addressed without a clear prioritization of federal spending. Budgetary actions "should weigh toward reductions in expenditures". Choices must be made between high and low priority items.

Although as Reformers we believe their 3 per cent target to be totally inadequate, it has become apparent in public debate that even for that goal billions must be cut, which will demand cuts to some untouchable programs.

The first question I ask is: Should the added expense of broadening employment equity be a top priority in the mind of a budget balancing government? We must keep in mind that employment equity already exists as a policy across all public service within the Public Service Act.

Bill C-64 will mandate that approach in law though the Treasury Board now refuses to try to estimate the cost of the existing policy.

(1355)

Does this imply that such a policy has been immune from the departmental review process demanded by the government in recent months? Does this imply that the policy of employment equity is so philosophically important it takes priority over federal downsizing or even some social programs? Is this so necessary as to be deemed untouchable in government operations even before it comes before Canadians for discussion? If so, who did the government listen to in order to come to that conclusion.

A Gallup poll conducted last December showed that the majority of Canadians accept the concept of equality in the workplace. However 81 per cent of Canadians oppose numerical hiring goals and 90 per cent oppose exclusionary job competition. The government is also ignoring the fact that 74 per cent of those surveyed are definitely opposed to government equity programs.

In response to the government's mantra of jobs, jobs, jobs, how will this priority program affect Canada's long term viability in the important world markets? The purpose of the act is the explicit encouragement of employers to discriminate in favour of targeted groups over all other employees, largely white able-bodied males.

No matter how we look at it, the establishment of numerical goals as outlined in the legislation means quotas. The rejection of merit as the only distinguishing characteristic dictates that the best candidate, as opposed simply to the qualifying candidate, will not necessarily be the one chosen for any particular position.

By treating some more equal than others the government's mandated policy dictates that we end up with a workforce less expert than otherwise may be possible. Canada increasingly exists within the demands of an ever expanding and increasingly competitive world market. Every means possible from sound fiscal management to excellence in every sector of the economy will be necessary for us to hold our own in the challenge of that competitive environment.

S. O. 31

Finally I want to spend some time on the notion of equality. Section 15 of the Charter of Rights and Freedoms claims Canadians are equal before and under the law. True justice lies in a process, not in the outcome.

Any competition between two individuals, whether it be a race or a job competition, can only be deemed fair in the equal treatment during the process. The outcome is never predictable. The test of the race should never be in comparing the anticipated with the actual results.

The true test of equality of opportunity is the very randomness of the outcome. Fairness dictates only that the best man or woman wins. This legislation is not just. It establishes numerical goals that must be met, which affects the outcome in favour of those covered under the goals.

As a member of a designated group I take offence at the implications of the government's numerical goals or quotas. There is a suggestion by their very existence that somehow the system lacks confidence in the ability of women in general to really compete on a level playing field.

The same Gallup poll I referred to found that 75 per cent of women agreed with the statement that governments should not actively hire more women or minority groups. As a group, women are not at a disadvantage. The 1994 annual report indicates women are actually doing better outside the act than they are under the employment equity program.

The Speaker: The hon. member will have the floor after question period. However, as it is two 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]

CANADIAN EXECUTIVE SERVICE OVERSEAS

Mr. Pat O'Brien (London—Middlesex, Lib.): Mr. Speaker, CESO is a non-profit volunteer organization that shares Canadian knowledge with business communities and organizations in developing nations and emerging market economies in central and eastern Europe.

Volunteers, experienced in their profession or industry, serve as trainers and advisers to help developing communities achieve economic self-sufficiency.

I take this opportunity to recognize the outstanding efforts of Mr. John Fingland, a constituent from my riding of London—Middlesex. Mr. Fingland has provided his knowledge and expertise in the area of forest management to the people of Thailand.

S. O. 31

I commend the time and energy he and other CESO volunteers give. These efforts will go a long way toward promoting human and global development.

* * *

[*Translation*]

IMMIGRATION

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, contrary to statements made by the Minister of Citizenship and Immigration, the Schelew affair is not closed.

(1400)

Many questions remain unanswered and the whole thing is starting to look more and more like a government cover-up operation. After the vice-chair of the Immigration and Refugee Board resigned, not proceeding with the inquiry has saved the minister from having to answer legitimate questions about the serious allegations made against Mr. Schelew.

The minister can no longer dissociate himself from the questionable, to say the least, methods used by his government to make the problem disappear, especially since it is not known who authorized the Treasury Board to give him \$100,000 in severance pay.

The minister no longer has a choice. It is his duty to shed light on this issue. His credibility, as well as that of his government and of the board, are at stake.

* * *

[*English*]

GUN CONTROL

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Mr. Speaker, yesterday a good friend of mine was laid to rest in Mission—Coquitlam. Roger was a victim of armed robbery and the gun used was not a handgun but a sawed-off shotgun.

This crime happened because two young men have no respect for the law, no respect for the rights of others and probably have never been held accountable for their actions.

What we need in this country is crime control, not gun control. We have the laws in place. What we have to do is enforce them. We must establish the rights of victims over the rights of criminals, tougher sentencing and the tightening up of the Young Offenders Act.

If we put emphasis back on the role of the family in teaching the basic values which build character and make responsible citizens of our young people, then we will be going in the right direction. Responsibility begins at home. In this way we can attack the very serious crime problem in Canada by teaching respect for others and respect for our laws at a very early age.

THE ENVIRONMENT

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, congratulations are in order for the Ontario Fibricare Association and the Korean Dry Cleaners Association that have taken their cleaning one step further.

Recently they signed a memorandum of understanding with the Ontario and federal Ministers of the Environment to establish a Green Clean project, a voluntary pollution prevention initiative which promotes water based technologies and processes as an alternative to the use of chemicals in the dry cleaning industry.

The Toronto Green Clean depot is the first of seven such cleaners to be outfitted by Environment Canada for January 1995. The depot's objectives are to educate consumers on green cleaning and to promote wet technology to industry members.

Governments, corporations, environmental groups, industry associations and individual Canadians must work together to improve the environment for all of us. This initiative will work to eliminate the paradox that getting our cleaning done means polluting our environment.

It is another step toward achieving our goal of a green clean Canada.

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BANKING

Mr. Walt Lastewka (St. Catharines, Lib.): Mr. Speaker, It has always been my concern that the five major banks make such high profits during both downturns and upturns in the Canadian economy.

The high amounts of profit the banks have declared this past month are particularly incredible. Even more disturbing is the fact that while some banks are making over \$1 billion profit, they are at the very same time putting builders and developers out of business with a callous take it or leave it attitude.

I call on the Prime Minister to fulfil the recommendation of the Standing Committee on Industry to implement an independent ombudsman to oversee banking practices in this country. The sooner small and medium size businesses get a fair shake, the sooner they will be able to prosper again.

* * *

CESO INTERNATIONAL SERVICES

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, I offer congratulations to volunteers with CESO International Services who give of their time both here at home and abroad.

In particular, I would like to mention two Nepean people. Mr. Jerry Szymanowski travelled to the Slovak Republic to advise manufacturers of insulation material on exports to Canadian

markets. He also laid the groundwork for a joint venture partnership with a Canadian firm.

Second, Aleksandrs Sprudz. Alex came to Canada from Latvia in 1951. He spent 18 years with Indian and northern affairs helping establish agriculture co-operatives in Indian and Inuit communities.

He recently returned to his homeland to share his knowledge and experience in his field with researchers and professors from Latvian universities. He was instrumental in working with members of the Latvian congress of agronomists to put forward a resolution to the Latvian government for approval of lands to be set aside for the sole purpose of agricultural co-operatives.

Aleksandrs Sprudz passed away on December 6, 1994. I wish to extend my heartfelt sympathy to his wife and daughter.

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[Translation]

CANADA COUNCIL

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, we learned today that Quebec artists, too, refuse to support the phony consultation process initiated by the Canada Council.

Several organizations, including the Quebec artists' union, the Quebec theatre council and the Quebec writers' union, have expressed their deep concern and denounced what they see as a lack of respect for artists.

(1405)

This government, which has decided to slash arts financing, has the nerve to undertake consultations to ask artists where it should cut. Given the improvised and slapdash approach of the Canada Council and the obvious complicity of the Canadian heritage minister, we wonder about this government's respect for culture and the arts community.

* * *

[English]

WORLD JUNIOR HOCKEY CHAMPIONSHIPS

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, it is my pleasure to inform the House that between December 26 and January 4 the world junior hockey championships will be taking place in my riding of Red Deer.

Everyone in Canada appreciates junior hockey. The people of my riding are incredibly proud to host the best juniors in the world. Red Deer has a great hockey tradition with its Western Hockey League team. Current NHL stars such as Glen Wesley and Mark Tinordi were born in Red Deer.

We look forward to watching all the future stars when they come to play for the world championship. Competitions like this will inspire the next generations to carry on Canada's proud

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hockey heritage. Come on out, watch the games and enjoy the competition. Together we will all promote Canada's great winter sport.

* * *

TRANSPORT

Mr. Vic Althouse (Mackenzie, NDP): Mr. Speaker, with the publication of the Transportation Safety Board report, the Canadian public has again been made aware of the problems of the deregulation theory that Transport Canada has been pursuing for over a decade.

In spite of evidence to the contrary, transport ministers from Axworthy to Mazankowski and on to the current minister have insisted that "safety will not be compromised". NDP members have always argued that without regulation and adequate inspection staff, safety would inevitably take second place, particularly when carriers are strapped for cash. In such cases maintenance is reduced, accidents increase and consumers are at risk.

Since the department's strategy is in question I suggest that the minister take charge and ask someone like Judge Moshansky, who reported on the Dryden crash, to do a follow-up investigation to see if Transport Canada's inspections are now improved enough to correct the shortcomings previously identified.

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[Translation]

TAXATION

Mr. Mark Assad (Gatineau—La Lièvre, Lib.): Mr. Speaker, I wish to point out to my colleagues that the Quebec independence movement is not a threat to national unity. Quebecers will settle the problem concerning the Quebec independence movement. What really threatens the well-being and unity of our country is a fiscal and monetary system in need of thorough reform.

The tax system is unfair and inequitable to the majority of Canadians. The helplessness felt by Canadians has become a source of frustration and undermines the credibility of elected officials and democratic institutions. This threatens to break up our country unless we tackle this major problem right away.

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DRAFT BILL ON QUEBEC SOVEREIGNTY

Mrs. Eleni Bakopanos (Saint-Denis, Lib.): Mr. Speaker, the following statement appeared in the August 3 edition of the *Toronto Star*: "I agree with Mr. Chrétien that a pequisite government would not be empowered to launch the negotiation process towards independence and that, contrary to the warnings given by provincial Liberals, the eventual election of the PQ does not

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mean that Quebec will become independent. For once, I agree with those who support federalism”.

That statement made by the Bloc Quebecois leader could not be more explicit. The fact that the PQ was elected does not give it any right to unilaterally declare Quebec's sovereignty in its draft bill before consulting the population through a referendum.

The Premier of Quebec must set aside his biased consultation process and quickly hold a real referendum, in which Quebecers will decide if they want to separate from Canada.

The Speaker: I regret to interrupt the hon. member, but her time is up. The hon. member for Trinity—Spadina.

* * *

[English]

ECODEK

Mr. Tony Ianno (Trinity—Spadina, Lib.): Mr. Speaker, yesterday saw the opening of EcoDek, a brand new environmental tourist attraction at Toronto's CN Tower.

(1410)

EcoDek is a state of the art, cost effective exhibit that promotes the principles of environmental learning and citizenship. Through this high tech, innovative, interactive and entertaining exhibit, EcoDek has the potential to reach 1.5 million visitors who annually go to the CN Tower.

EcoDek's ability to raise public awareness of and encourage involvement in environmental issues goes beyond the actual attraction. It includes an educational package that has been developed to help teachers maximize the educational value of field trips to EcoDek before, during and after classes.

To this end I am happy to report that over 600 schools from many parts of Ontario and the Great Lakes states have already booked visits to Toronto beginning in January.

I would like to take this opportunity to congratulate the Minister of the Environment, the CN Tower and its many partners for advancing environmental awareness in a manner that is commensurate with the city of Toronto as a world class destination for foreign travellers.

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[Translation]

COLLÈGE MILITAIRE ROYAL DE SAINT-JEAN

Mr. Laurent Lavigne (Beauharnois—Salaberry, BQ): Mr. Speaker, yesterday, the Minister of Intergovernmental Affairs once again showed that he was acting in bad faith regarding the Collège militaire royal de Saint-Jean. Instead of looking after the interests of the residents of Saint-Jean, the minister prefers

to generate controversy regarding the academic future of that institution.

Instead of constructively discussing the proposal made by mayor Smereka, which is supported by a large majority, the minister keeps looking for excuses to sabotage the negotiation process. Is that his idea of flexible federalism? The minister should change his antagonistic attitude and look after the well-being of the public instead of his own partisan interests, so that, in the end, the only real winners are the residents of Saint-Jean.

There is no need to prolong the uncertainty and controversy. Let us settle this issue once and for all; after all, we are very close to a happy ending.

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[English]

REGIONAL DEVELOPMENT

Mr. Cliff Breitzkreuz (Yellowhead, Ref.): Mr. Speaker, the Liberals have done it again. Last week the minister responsible for ACOA was such a hero for announcing that his pork barrel agency will no longer hand out free money.

Canadians can rest easy knowing that ACOA intends on following in western economic diversification's footsteps. Never mind the fact that WED wrote off nearly \$12 million of taxpayers' money last year.

Then there is FORD-Q, Federal Office of Regional Development-Quebec, the outfit the finance minister runs. He talks a good game and wants to cut the deficit but at the same time he does out money hand over fist through his own pork barrel program.

Roughly three-quarters of FORD-Q's assistance is repayable. Taxpayers should not worry that FORD-Q gives out free money for amounts under \$25,000 and they should not worry that last year FORD-Q wrote off \$13.7 million of their money.

Yes, the minister of public works should be proud that he is now in very elite company.

* * *

GUN CONTROL

Mrs. Sue Barnes (London West, Lib.): Mr. Speaker, in February 1995 comprehensive firearms control legislation will be introduced through amendments to the Criminal Code, Customs Act, Customs Tariff, Export and Import Permits Act, National Defence Act, the Young Offenders Act and other related statutes and regulations.

The design of the program addresses different needs of the country affecting safer homes and streets. Programs will be put in place to control the import, export and domestic transit of guns.

Oral Questions

Sentencing provisions of the Criminal Code include tough new minimum sentences. A national firearms registration is a central foundation of the coming legislation.

Many of my constituents applauded this legislation. I urge all Canadians to obtain the information material through their own MP to examine the scope of the coming legislation to better understand the problems that we are trying to address and the potential solutions.

I look forward to working on this legislation in the justice committee when it reaches it.

* * *

CENTENNIAL FLAME RESEARCH AWARD

Mr. Rey D. Pagtakhan (Winnipeg North, Lib.): Mr. Speaker, as chair of the Standing Committee on Human Rights and the Status of Disabled Persons, I announce with pride that the recipient of the 1994 Centennial Flame Research Award is Linda Nancoo of Toronto.

Administered by our committee, the award honours the courage and determination of Canadians with disabilities. It recognizes their many contributions to society.

Ms. Nancoo, a person with a vision disability, has proven that a physical disability need not be a barrier to success as a writer. Her project will address the relationship between culture and disability, utilizing real life stories of Canadians with disabilities from the ethnocultural community.

This project is designed to generate increased awareness and sensitivity on this issue on the part of all Canadians.

(1415)

On behalf of the committee I congratulate Ms. Nancoo on her achievements. By honouring her, the committee and therefore the House of Commons itself is honouring all Canadians with disabilities. I ask all colleagues to join me in this sentiment.

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TATSHENSHINI-ALSEK WILDERNESS AREA

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, the minister of cultural heritage has nominated the Tatshenshini-Elsek wilderness area in northern British Columbia as a world heritage site at the United Nations, with absolutely no public discussion, input or support.

The Tatshenshini contains rich mineral deposits worth more than \$10 billion. This represents an enormous opportunity for job creation, real job creation, not taxpayer funded handouts, and huge revenues for governments.

A recent Decima research poll shows that 85 per cent of British Columbians believe it is important to check for mineral deposits when considering setting aside land for parks. Sixty-

seven per cent believe that mining and other land uses should co-exist.

Clearly the public wants to maintain a viable mining industry in Canada. A world heritage site designation undermines and threatens the future of the Tatshenshini for resource use, which is clearly against the wishes of a vast majority of British Columbians.

I call on the minister to withdraw this undemocratic and unsupported nomination forthwith.

ORAL QUESTION PERIOD

[Translation]

COLLÈGE MILITAIRE ROYAL DE SAINT-JEAN

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, last Friday, the Minister of Intergovernmental Affairs said that he intended to send some of his officials to Saint-Jean to negotiate an agreement on the basis of the proposal put forth by the mayor of Saint-Jean.

Yesterday, using as a pretext what Quebec's intergovernmental affairs minister had said, the minister reversed himself and refused to delegate his officials to resume negotiations today, as planned.

In view of the urgency of the decisions the staff and their families will have to make and since everyone has agreed to resume discussions on the basis of the mayor's proposal, how does the minister explain his latest about-face, his refusal to send officials to Saint-Jean to resume negotiations today, as he had promised?

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.): Mr. Speaker, if anyone has not flip-flopped on this issue, it is I. For the past four months, I have been telling the opposition day after day that this matter must be settled on the basis of the agreement signed with the Government of Quebec on July 19.

Ms. Beaudoin, in her press conference yesterday morning, denied the basis of our agreement. She denied that the July 19 agreement would be the basis of our negotiations, so she is the one who has set aside what would have made it possible for us to reach a positive conclusion for the college in Saint-Jean.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Minister of Intergovernmental Affairs is dancing the cha-cha-cha on the Saint-Jean college issue—and he knows it. He is taking one step forward, and two steps back. That is what he is doing.

I would like him to tell us exactly in what way what the Quebec minister said changed the proposal from the mayor of Saint-Jean, which is based on the July 19 agreement that seems

Oral Questions

to be so dear to the minister. How did that change the mayor's proposal which Ms. Beaudoin and the people of Saint-Jean are prepared to discuss? The minister is the only one who will not get involved in the negotiations.

Hon. Marcel Massé (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister responsible for Public Service Renewal, Lib.): Mr. Speaker, it is always better to dance the cha-cha-cha than St. Vitus' dance, like the opposition.

The proposal from the mayor of Saint-Jean, Mr. Smereka, only implements the sixth point of the July 19 agreement. Therefore, by stating, as she did literally yesterday morning, that she does not believe in the July 19 agreement, Ms. Beaudoin has set aside the whole basis for negotiations.

At midday today, I wrote to Ms. Beaudoin, indicating that if she advised that she was prepared to accept the terms of the July 19 agreement, I would gladly resume negotiations, because what we care about is keeping the college in Saint-Jean going and the welfare of the people of Saint-Jean.

(1420)

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, despite the importance of this issue for the community of Saint-Jean, the teaching staff and their families, the minister stubbornly persists in refusing to discuss it.

The Quebec minister clearly indicated to the minister that she was ready to discuss the proposal put forth by the mayor of Saint-Jean and the minister himself said that this proposal was consistent with the July 19 agreement. What more does it take, Mr. Speaker? If the Quebec minister abides by the agreement, or rather the proposal, from the mayor of Saint-Jean, and the federal minister thinks that it is consistent with his proposal of July 19, what more does he need?

I put my question to the Prime Minister so that someone in that government will see the light.

The Speaker: I would ask the hon. member to put his question.

Mr. Gauthier: Yes, Mr. Speaker. I always have trouble avoiding relevant comments.

Given the importance of this issue for the community in Saint-Jean and the teaching staff, does the Prime Minister intend to intervene to bring his minister to his senses since his attitude is completely incompatible with what he himself called flexible federalism?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, flexible federalism means that when there is an agreement, the other government respects it. That is the basis of the good relations which should exist in Canada.

On July 19, we signed an agreement in good faith with the Government of Quebec and it was hailed as a very good agreement. The people of Saint-Jean were happy. But since a

new government was elected in Quebec, there is no more agreement. If the Government of Quebec wants to abide by the agreement we signed with the previous government, there will be no problem. If it wants to reopen the issue, well, what can I say? The people of Saint-Jean will suffer the consequences.

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CANADIAN SECURITY INTELLIGENCE SERVICE

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, my question is directed to the Solicitor General. This morning, we heard that the government had decided to remove and not release several parts of the report of the Security Intelligence Review Committee on the disturbing Bristow case, in which CSIS not only infiltrated but actually contributed to the activities of the racist Heritage Front organization.

How can the Solicitor General, who claimed that he wanted to release all the facts on the Bristow case, justify this attempt to conceal several parts of this report? What is he trying to hide from Quebecers and Canadians?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, we must not make any final decisions. I said that I wanted to release as much as I could of the SIRC report, in accordance with the appropriate legislation. We still have the entire report under review. I hope I will be able to announce a decision very shortly.

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, if the government still claims it wants to release the facts about the disturbing allegations in the Bristow case, how can the Solicitor General explain the fact that he has yet to submit the full report to the parliamentary sub-committee on national security for consideration?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, according to the legislation governing CSIS, the report is submitted to the Solicitor General. It is therefore the Solicitor General's responsibility to decide on the best way to release the report. My responsibilities include making sure that when I release the report, I am guided by the appropriate provisions of the Privacy Act and the CSIS Act. I trust the hon. member would want me to take seriously the legislation adopted by Parliament in this respect.

* * *

(1425)

[English]

IMMIGRATION AND REFUGEE BOARD

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, over the past month the allegations of intimidation and artificially inflating refugee acceptance rates have been levelled at Michael Schelew and the Immigration and Refugee Board.

Oral Questions

On November 21, Mr. Schelew was quoted as saying that he would not negotiate a severance package because he wanted exoneration. A judicial inquiry was ordered. It was called off because Mr. Schelew resigned with a \$100,000 parting gift from the federal government.

Who negotiated and authorized this severance package? Will the minister make public the details of the negotiations which led to this 180 degree turn by Mr. Schelew?

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the ultimate decision to stop the inquiry was made by Judge Hugessen who said in his ruling that there would have been no reason or right to proceed. The deputy chair offered his resignation. Accordingly the government entertained a settlement. The settlement was conducted by government officials. The settlement in the end was in keeping and in line with standard government procedures. We believe it to be a fair settlement.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, my question was: Who negotiated the settlement with Mr. Schelew?

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the answer was included in my first response: Government officials.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, can the minister tell us which government officials negotiated the settlement with Mr. Schelew and what his own role was in those negotiations?

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I repeat that the negotiations were nothing untoward, nothing special. They were in keeping with normal standard procedures between government and public servants and those appointed through governor in council and no, I was not involved.

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[Translation]

AIR SAFETY

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, my question is for the Minister of Transport.

In a release published yesterday, the Transportation Safety Board of Canada reported serious deficiencies in the way Transport Canada handled the inspection of safety measures taken by air carriers. The board mentioned in particular major deficiencies with respect to the nature and frequency of the inspections, as well as insufficiently thorough audits and follow-ups.

Considering that safety must be his top priority, how can the minister explain that such deficiencies are allowed to continue in terms of air safety, in spite of the many recommendations put

forward by Canadian control organizations? And what positive steps does he intend to take to remedy the situation within his department?

Hon. Douglas Young (Minister of Transport, Lib.): Mr. Speaker, the question raised by my hon. colleague is a very serious one. We have read carefully the report of the Transportation Safety Board and taken note of its two major recommendations. First, air carriers must be subjected to much more minute inspections. Second, when faults of any kind are found in the system, there has to be a follow-up to ensure that these faults or deficiencies have been corrected.

The board's report takes into account all incidents since 1984, the latest one dating back to December 1993. We take very seriously every one of the recommendations made by the board and intend to act on them.

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, would you kindly remind the minister that he has been in office for over 14 months now. How does he expect to be taken seriously, knowing that similar recommendations were made in the past by the Transportation Safety Board and ignored by Transport Canada?

[English]

Hon. Douglas Young (Minister of Transport, Lib.): Mr. Speaker, this is not a matter that we are going to pursue in this House on the basis of when the incidents occurred. Anything that has to do with the safety and security of travelling Canadians we are going to take very seriously.

The report brought in by the board yesterday identified two major problems. The first was the depth of the audit that is conducted. We have undertaken to make sure that situation is corrected. The second was the follow-up. The first incident occurred in 1984. The last one referred to by the board occurred in December 1993.

(1430)

My hon. friend knows that we are doing as much as we can to maintain a climate of confidence in the transportation system in Canada. We understand the import of what was recommended by the safety board. We intend to follow through on it. I can assure my hon. friend that a hell of a lot more will be done in the next few months than in the last 10 years.

The Speaker: Although the word hell is not necessarily unparliamentary, perhaps we could use it a little more judiciously in the future.

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IMMIGRATION AND REFUGEE BOARD

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, Michael Schelew might be gone from the IRB, but his presence and the presence of other like minded IRB members continues to be felt.

Oral Questions

Within the next couple of days in Edmonton a refugee claim being made by an American woman claiming spousal abuse will be heard by a full member panel of the IRB. Hundreds of other refugee claims will be made this year by people who come from democratic nations. Surely the minister can see how ludicrous this is.

Will the minister agree to a full review of the way the IRB determines refugee status and who is eligible to make a claim in the first place?

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, as I have mentioned in this House and outside this House many times, the government is conducting a full review of its agencies, boards and commissions. Within this review is also the IRB. We have every intention of undertaking any reform or measures that would strengthen the institution.

As well, the chairperson will be moving very quickly on the commission that she had asked for some months back about the Hathaway report, about how individual members react to different situations.

I also mentioned to him during the course of question period yesterday that I will be meeting with the chair later this week so that I can also ascertain how she feels about a number of things over the last number of months which has not been easy.

If the member has ways of trying to improve the institution then count me in. If he simply wants to undercut the institution he can count me out.

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, that is precisely the same arm's length excuse that we have heard from this minister all along but it does not wash.

This minister has the power under the Immigration Act to prevent before they begin refugee claims by people from countries like the United States, but he has chosen not to do so.

Will this minister admit that his unwillingness to stop refugee claims from the United States and Israel makes a mockery out of the IRB, his office and the country as a whole?

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the member criticizes me for being at arm's length. Three weeks ago they were giving lectures about how ministers have to respect independent, quasi-judicial boards. Which one is it?

The member asks whether I would deny or allow a refugee claim. That shows a profound ignorance of how refugee determination works in this country. It is not the minister or members of Parliament who adjudicate. That is why it is semi-judicial and independent, so that those adjudications may be done properly by members of the Immigration and Refugee Board.

[Translation]

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REPRODUCTIVE TECHNOLOGIES

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, my question is for the Minister of Health.

The Baird report made public over a year ago recommended banning the commercialization of human embryos. One year later, the minister tells us that women will have to wait another year for the government to legislate against the commercialization of human embryos.

Does the minister still intend to wait another year before stating her position on the new reproductive technologies, when commercialization of human eggs is occurring at the IVF Canada Clinic in Toronto as we speak?

Hon. Diane Marleau (Minister of Health, Lib.): Mr. Speaker, I thank the hon. member for her question. As she knows very well, these are very complex issues. I am currently working on a short term solution that should help until we can table a bill.

(1435)

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, does the Minister of Health realize that her inability to present the Minister of Justice with the report he needs to prepare the necessary legislation is causing unacceptable delays favouring the growth of unregulated trade in human eggs and embryos?

[English]

Hon. Diane Marleau (Minister of Health, Lib.): Mr. Speaker, many times in this House I have spoken of the complexity of this issue and of the many jurisdictions.

I have one comment to make. I would certainly hope that the members of the Bloc Quebecois, when we do bring something forward, will speak with their provincial counterparts, the Parti Quebecois, to help us ensure that these types of practices are regulated efficiently and quickly.

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IMMIGRATION AND REFUGEE BOARD

Mr. Jim Silye (Calgary Centre, Ref.): Mr. Speaker, this whole Schelew affair is just the tip of the iceberg. Mr. Schelew may be gone but the fundamental problems with the IRB remain.

The board is far too vulnerable to special interests in the immigration industry. It remains unaccountable to the Canadian public and its credibility has been shaken. Friends and foes of Mr. Schelew have all been calling for a public inquiry to clear the air surrounding the IRB.

When will the minister put public interest ahead of political damage control and call an immediate, thorough and public inquiry into the workings of the IRB?

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, public interest always comes first. No one is suggesting for one moment that any vested interests have any control of the Immigration and Refugee Board. If the member has information like his leader was doing a few weeks ago, he should come clean and give us specific information.

I mentioned very seriously that the review of all government agencies is something that the IRB is involved in. Proposals have been made and will be released in the new year.

Second, the Hathaway report which I hope the hon. member had an occasion to read points out a possible number of avenues that the current chair independent of government is looking at.

Third, I will be meeting with the chair to discuss the issues as well as any other possible measures that would strengthen the board. If the Reform Party which has been in office for a year—

The Speaker: As a general rule, if you have three points that is quite a bit.

Mr. Jim Silye (Calgary Centre, Ref.): Mr. Speaker, not only has the Immigration and Refugee Board been tainted by the Schelew affair but the entire process for admitting immigrants and refugees into Canada has been brought into question.

The problem is much bigger than Mr. Schelew, the IRB or this particular minister. What is needed is a thorough investigation into the whole immigration and refugee determination process along with a look at alternative methods and procedures.

Will the Prime Minister get to the bottom of this mess and order a white paper on the immigration and refugee determination system in Canada either through this minister or through a new minister with the skills and commitment to reform the system?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I know very well that the policy of accepting some refugees in Canada does not please the Reform Party. Canada has always been more able than any other country to help people in very difficult positions around the world.

I do not want to do that, in conformity with the laws that this Parliament has passed. If there is some need for change in the legislation, the House of Commons will have an occasion to study it and make recommendations.

This government in a year and one month has shown that we have the proper balance. There are some incidents. It is not easy to come to a conclusion in cases like that.

Oral Questions

We have appointed members with their own convictions and they try to do their best. In this case apparently there might have been some error made and the person decided to resign. He has the right to resign and somebody else will be appointed. We want to maintain a policy that permits the people of the world, when they are in very difficult situations, to know there are some people who are concerned about human beings, the Canadian government.

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(1440)

[Translation]

ROGERS CABLE

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, my question is for the Minister of Canadian Heritage.

Rogers, the cable television company, decided to change access to its French-language channels TV5 and Météo Média, and to cancel Musique Plus, as of Thursday of this week. These changes will significantly reduce access to French channels for francophones. This situation is undoubtedly the result of a bad decision made by the CRTC regarding RDI, a decision that the heritage minister refused to review, in spite of a request to that effect by the opposition.

Since it is also the responsibility of the minister to support francophone and Acadian communities, will he take action so that Rogers maintains those three French-language channels as part of its basic service?

Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.): Mr. Speaker, I am very pleased to serve Canadian and francophone communities. I have no intention of interfering with the decisions of the CRTC, except to the extent of the legislative powers delegated to me. The hon. member's remark is interesting. In fact, we are examining this issue.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, I am pleased to see that the minister has decided to take our request into consideration, but can he tell us now when he intends to provide an answer to francophone communities, since this service will be cut on Thursday?

Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.): Mr. Speaker, I already had the opportunity to express my views on extending the RDI service to francophone communities. Radio-Canada has a responsibility which I have recognized, and it is precisely from that angle that I look at the issue.

Oral Questions

[English]

(1445)

NUCLEAR WEAPONS

Mr. Ted McWhinney (Vancouver Quadra, Lib.): Mr. Speaker, my question is for the Minister of Foreign Affairs.

The United Nations World Health Organization has asked the World Court for an advisory opinion whether the use of nuclear weapons is against international law. Will the government consider informing the court of those areas in which Canada considers the use of nuclear weapons to be against international law?

Hon. André Ouellet (Minister of Foreign Affairs, Lib.): Mr. Speaker, Canada supports the objective of the elimination of nuclear weapons. However, we believe a treaty that would be binding on all the parties would be more conducive to efficiency than a mere reference to the international court of justice.

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TAXATION

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, today in this House the Liberal government summoned members from all over Ottawa so they could smother debate about the fact that their government is considering tax increases. How can the finance minister claim his government is willing to listen to Canadians when he permits his government to smother debate about the issue in this House?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Mr. Speaker, I am not quite sure what the member means by smothering debate.

The finance committee has gone across the country and has heard from Canadians. There has been extensive discussion within the committee in which the member participated. In this House there have been countless questions. There have been discussions back and forth.

I am not quite sure what further debate the Reform Party would like to see. We have listened to the members ad nauseam putting up strawmen like carbon taxes and everything else.

One day the leader of the Reform Party talked about what it cost per minute to listen to this House. We have blown a billion dollars listening to the Reform Party.

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, I rather get the impression that the finance minister along with the rest of his party did not have a clue what they were voting on this morning. What has happened to the Liberals and the finance minister since they sat on this side of the House?

Perhaps I could help the finance minister remember that on April 27, 1993 he said: "In the real world outside Parliament Hill political revolution is under way". He said: "Canadians are demanding an end to the volleys of taxation that issue from the nation's capital every spring". What does he think of his own words today?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Mr. Speaker, the member is absolutely right. When I was in opposition I referred to the political revolution that was taking place outside the House. It took place and that is why we are in government.

* * *

[Translation]

CANADA LABOUR CODE

Mr. Bernard St-Laurent (Manicouagan, BQ): Mr. Speaker, my question is for the Minister of Human Resources Development. Yesterday, I clearly demonstrated to the minister that the Canada Employment Centre in Verdun was instrumental in the hiring of scabs to replace workers now on strike at Ogilvie.

Now that the minister knows what is going on, does he intend to take steps to stop this practice in Verdun and at all Canada Employment centres?

[English]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, I took a look at the information provided by the hon. member and had it examined.

I would like to report to him and to other members of the House. He knows full well that under the rules of the International Labour Organization, to which Canada is a signatory, in the delivery of employment development services a government cannot take sides in any industrial dispute.

Therefore they posted the notice of the job with the fact that there was a strike or an industrial dispute taking place, which was totally and completely within the criteria established by the International Labour Organization.

[Translation]

Mr. Bernard St-Laurent (Manicouagan, BQ): Mr. Speaker, does the minister agree that this situation makes a case for the quick adoption of amendments to the Canada Labour Code that would prohibit the use of scabs during a labour dispute, and that this should be done without waiting for the review announced by the minister?

[English]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, I have said in the House before that we are very interested in looking at modernizing the Canada Labour Code.

We are taking into account a number of representations. I have met, as have other members of the caucus and the member for Outremont, directly with the working group from the ADM Ogilvie. We will certainly take the representations into account. We are looking at the entire issue. When the cabinet has decided then legislation will be presented to the House.

* * *

GOVERNMENT BUSINESS

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, today the Minister of Justice told the press that because “we have had just a very busy time” he is not going to bring forward changes to the Canadian Human Rights Act. Earlier he delayed introduction of gun legislation and he failed totally to introduce legislation to end the drug defence in justice.

My question is for the government House leader. In light of the fact the government is so short of legislation to bring before the House that the House is often suspended or is adjourned early, why is the government not introducing its legislation on schedule as promised?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): Mr. Speaker, we have a program of legislation with which we are proceeding. I expect the legislation the hon. member mentioned will be tabled shortly after we come back in February.

Even if the legislation had been tabled this week there would not have been time to do anything more than open debate. That is a fact in reality the hon. member should recognize as House leader for his party.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, this is an ongoing problem. We have had this problem for months, ever since the Liberals took over.

Today the President of the Treasury Board announced further delays in reform of the MPs’ outrageous pension plan. Is this delay symptomatic of a government that cannot find consensus in its caucus, will not allow free votes, and therefore avoids trouble by denying Canadians prompt introduction of promised legislation?

(1450)

Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, the department is going to be going for another three or four years. Nobody is retiring or leaving. I do not think any of

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the members opposite are planning on doing that. There is plenty of time to deal with the issues.

We are continuing to review the matter and to look at the various options. We have a number of things the government is putting forward to meet all its obligations. We will meet our obligations under the red book commitments with respect to MPs’ pensions, to end double dipping, and to deal with the question of a minimum age.

* * *

INDIAN AFFAIRS

Mr. Harold Culbert (Carleton—Charlotte, Lib.): Mr. Speaker, my question is for the Minister of Indian Affairs and Northern Development.

After several weeks of investigating native government on the Maliseet reserve near Woodstock in my riding, the *Telegraph Journal* has made some very serious allegations regarding the expenditure of federal funds.

Could the minister provide the House with information concerning the allegations over mismanagement of funds in the first nation and any information relative to an RCMP investigation?

Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, band members at Woodstock First Nations have made allegations against their chief, Mr. Len Tomah, who has been chief for about 10 years. The RCMP is investigating. The file is not closed to date. Obviously it has not obtained sufficient evidence to lay any charges.

I hesitate to discuss an ongoing case in the House because we have a system of justice, fairness and due process based on facts, not on allegations. Within that regard I want to assure the member of two things. First, there will be full and complete co-operation by ministry officials with the RCMP and, second, there will be no interference with the RCMP investigation.

* * *

[Translation]

DUAL CITIZENSHIP

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, my question is for the Minister of Citizenship and Immigration.

Last June, the Liberal majority on the Standing Committee on Citizenship and Immigration, supported by the Reform Party, adopted a report on the Citizenship Act, which included a recommendation to eliminate a long standing right in Canada to hold dual citizenship. The Bloc Quebecois objected strenuously to this recommendation.

Can the minister confirm that his government intends to accept these recommendations to abolish the right to hold dual citizenship in Canada, a right that is recognized by more and

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more countries, including Italy, Australia, Switzerland, Great Britain, France and the United States?

[English]

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, as the Prime Minister confirmed a few days ago, the Canadian government and the Parliament of Canada will ultimately decide citizenship matters.

It is true the Standing Committee on Citizenship and Immigration was asked to do a study and report on how we could upgrade our Citizenship Act, which has been untouched virtually for some 20 years. There were many recommendations within that report and dual citizenship was one of them. The report and those recommendations are currently before cabinet. One would expect that those amendments would come to the House next year.

[Translation]

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, The minister did not answer my question. Would the minister agree that this recommendation is a blatant attempt at blackmail, to scare Quebecers on the eve of the referendum on sovereignty?

[English]

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I hate to disappoint the member but it is absolutely false and irresponsible to say that about members of Parliament from all parties who worked hard on the Citizenship Act.

They heard issues being raised by the public. They travelled. They had representations made to them. On balance the report made a very worthy set of recommendations.

The dual citizenship which the member outlines was only one of many recommendations. It would be absolutely unfair if we were simply to lift one recommendation from a generally good report. Instead we should deal with it on balance in a comprehensive and fair way.

* * *

NATIONAL DEFENCE

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, some senior officers at national defence headquarters are drawing separation expenses, that is they are being paid an allowance because they have chosen to retain their home elsewhere during their tour of duty here in Ottawa.

No one would object to reimbursing out of pocket expenses during a temporary dislocation from home and family. But when such reimbursement becomes a permanent part of an individual's pay package something is wrong with the system.

(1455)

Will the Minister of National Defence advise the House how long that is, for what period of time separation allowance is normally paid?

Mr. Fred Mifflin (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I thank the hon. member for his question. I am sure it is posed within the context of his concern for Canadian forces personnel.

In response to his question I have three points to make. The first one is that the program he talks about is called imposed restriction. It is related to the mobility that Canadian forces members have compared to any other part of Canadian society.

The second point I would make is that there are 900 members of the Canadian forces involved or less than one per cent and 65 per cent of them are non-commissioned members.

The third point is if he has any indication the regulations are not being followed properly and there are some unauthorized things happening, I think he owes it to the Canadian public to be more specific to me and to the minister.

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, I have a supplementary question.

We are talking about \$12 million a year here. One individual received separation allowance for a full year, almost \$20,000. Another received over \$86,000 for a period of more than four years. All this is in addition to their normal pay and allowances.

Why would the Department of National Defence allow these two individuals to remain separated from their families for so long, knowing it was costing the taxpayer well over \$100,000 in separation expenses?

Mr. Fred Mifflin (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, the hon. member knows the management of personnel in the Canadian forces is a complex task with many different dimensions.

He also knows that the military career requires a much greater degree of mobility than any other segment of Canadian society. This imposes stress on individuals and their families and a much greater burden on the organization itself, considering their families. I am quoting from a report which the hon. member signed.

* * *

EDUCATION

Mr. Chris Axworthy (Saskatoon—Clark's Crossing, NDP): Mr. Speaker, my question is for the Minister of Human Resources Development.

The minister will know that for good reason criticisms have come forward over his proposal to cut \$2.5 billion from post-secondary education. The criticism is based upon the need

to ensure that Canadians are better educated, not worse educated. Provincial education ministers have expressed concern, at the least, and some have indicated that the proposals are disastrous.

I wonder when the minister will stop hysterically attacking provincial cabinet ministers who disagree with him and start listening to those ministers who want to save post-secondary education in Canada. When will he stop this disastrous attack on post-secondary education and Canadians in general?

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, it is incumbent upon everybody involved in looking at the whole need to restructure our social framework, including the way to provide for higher education, to deal with the facts. The facts are that over the next several years the revenue going to the provinces substantially increases, not decreases, as a result of the growth in revenue coming from the tax points.

When certain provincial ministers refused to acknowledge both that fact and their responsibility to ensure that those increased revenues were in fact turned over and transferred for investment in higher education, it does deserve some rebuttal to show that responsibility must reside where it is clearly placed on provincial ministers to make sure they spend the money the federal government transfers to them for the betterment of higher education.

Mr. Chris Axworthy (Saskatoon—Clark's Crossing, NDP): Mr. Speaker, I wonder what world the minister lives in. He used to be a university professor. He should understand what post-secondary education is all about.

How can doubled tuition fees and skyrocketing student loans possibly help Canada, Canada's students or the future of the country?

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.): Mr. Speaker, it is precisely because I spent some time in the university system that I know there is much room for serious reform, serious restructuring and serious modernization of the system so that we can reach out to far more students.

The proposal under the green paper is to provide increased accessibility for another quarter million Canadians. That requires reform on the financial side and begins to require serious reform and consideration by those in the academic community to look at how they are spending money and how they are investing money to get full value for it.

* * *

(1500)

CABLE TELEVISION

Mrs. Bonnie Hickey (St. John's East, Lib.): Mr. Speaker, my question is for the Minister of Canadian Heritage.

Privilege

Cable companies are now providing unordered cable service and automatically billing consumers for a service they did not request or may not even want. This puts the onus on the consumer to write to the cable companies to inform them that they do not want this service.

Can the minister please tell us what it is he is planning to do to end this unfair marketing?

Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.): Mr. Speaker, I am sure many consumers welcome the hon. member's question.

The marketing technique known as negative optioning is one that comes under the jurisdiction of provincial consumer legislation. However, the CRTC is responsible for ensuring that cable operators provide all information available to consumers so that they know the choices which are available.

* * *

[Translation]

PRESENCE IN GALLERY

The Speaker: Dear colleagues, I wish to draw your attention to the presence in our gallery of Mr. Joseph Figolé Jean-Louis, member of the Haitian Parliament and chairman of the Public Works and Communications Commission.

Some hon. members: Hear, hear.

* * *

[English]

PRIVILEGE

ORDER PAPER QUESTIONS

Mr. John Cummins (Delta, Ref.): Mr. Speaker, I rise on a question of privilege today in relation to a discrepancy between a response given to the House and myself regarding Order Paper Question No. 82 standing in my name and the answer I received to an access to information request. I have advised the Minister of Fisheries and Oceans of my intention to rise today on this issue.

Mr. Speaker, with your permission, I would first like to state the case to demonstrate the discrepancy and then present supporting precedents. My question was: What effect did the late signing of the aboriginal fisheries agreement in British Columbia have on the Department of Fisheries and Oceans—

Privilege

The Speaker: Order. I am sure all hon. members will want to listen to this point of privilege. The hon. member for Delta.

Mr. Cummins: In his response on November 10, the minister stated that while negotiations on agreements with aboriginal groups for the management of aboriginal salmon fishing were in many cases protracted, leading to delays in signing of agreements, these had little impact on agreements and fisheries regulations. I emphasize the words "little impact".

Access documents which I received December 7, 1994 contradicted the minister. I will bring several of these contradictions to the attention of this House.

In a memo dated August 17, 1994 approved by D.D. Aurel, Chief of Conservation and Protection, Fraser River Division it is stated: "The late signing of the aboriginal agreements has also resulted in difficulties in respect to proper management of the fishery and, in many cases, bands have not been able to abide by the terms of the agreement".

The second point states: "The lateness in the signing of the 1994 aboriginal fishing agreement has resulted in the breakdown of effective management of the native fishery on the Fraser River. Again, many aspects of the agreement failed to materialize or were simply neglected. DFO officers were unable to perform their duties".

The third point in the memo states: "The late signing of the aboriginal fishing agreements has contributed to management's reduced capacity to adequately monitor the fishery, provide accurate catch information and provide enforcement of the regulations governing the fishery on the Fraser River between Steveston and Lillooet during the period of June 25 to July 31, 1994".

In a memo dated September 19, 1994 to Paul Sutherland, Acting Regional Director, Pacific Region from the Director of Conservation and Protection, Pacific Region it is stated: "The major aboriginal agreements were not signed until well into the month of July 1994. As such there would have been no designated aboriginal guardians patrolling their early fisheries until such times as the agreements were signed. This created a gap not only in the enforcement program but also in the monitoring of the early portion of the fishery".

(1505)

The second point of the same memo: "In addition, there were a number of start-up problems with the guardian program once the agreements were signed, including the lack of an enforcement co-ordinator until mid August. There was therefore a lack of direction for those aboriginal guardian staff who were hired by the bands until the enforcement co-ordinator position was filled".

On August 22 the Fraser River fishery catch estimation was addressed to the Chief of Conservation and Protection, Pacific Region from the Field Supervisor, General Investigation Services, Fraser River Division and stated: "Agreements in the Sto:Lo and Musqueam-Tsawwassen areas were not signed and hence no mandatory landing program was in place until well into the early Stuart sockeye migration in the lower river with a potential unreported catch in this fishery".

These documents indicate that the late signing of the AFS agreements had a massive impact on the enforcement of the agreements and fisheries regulations. The documents contradict the minister. The minister knew this. In early November of this year he met with fisheries officers of Vancouver and discussed the shortcomings of the enforcement regime in place last summer.

The rights of the members of this House include the right to accurate information. Beauchesne's sixth edition states in citation 24:

Parliamentary privilege is the sum of peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by Members of each House individually, without which they could not discharge their functions.

Surely we must expect the responses to Order Paper questions to be accurate and well-reasoned. I placed that question on the Order Paper recognizing it was one that required detailed study by the government because I wanted a detailed answer. After all is that not the purpose of such questions?

In speaking to a similar discrepancy to an Order Paper answer and access to information documents, the member for Kingston and the Islands in 1990 stated: "The information provided to the House must be accurate and must not mislead the House".

I offer for the Speaker's consideration the 1978 decision where the member for Northumberland—Durham raised a question of privilege in the House of Commons. The then Solicitor General had written and provided information which later proved to be erroneous.

On December 6, 1978 the Speaker indicated as reported at page 1857 of *Hansard*: "I therefore find a prime facie case of contempt against the House of Commons". If it was contempt against the House of Commons to provide a member of Parliament with erroneous information, then surely to provide the House itself with erroneous information through a written reply to a question on the Order Paper would also be a prime facie case of privilege.

It is incumbent upon the government to provide through the Order Paper not only the questioner, in this case myself, but the House accurate information in order for us as parliamentarians to discharge our functions appropriately.

Privilege

I have been able to get accurate information under access to information. Both the access request and the Order Paper question were submitted in late September. How is it that the minister could get away with inaccurate information responding to an Order Paper question in the House?

The response given in this House would have been illegal under the Access to Information Act. If members want accurate information, is it necessary to go to access to information rather than to this House? Surely members of this House should expect a standard of accuracy that is as high as that received under access to information.

Mr. Speaker, should you rule that I have a prime facie case of privilege, I am prepared to move the appropriate motion and send the issue to a parliamentary committee.

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the hon. member has raised a point that in substance at least in its pith is correct. He says that Parliament is entitled to accurate information. I quite agree with him.

In providing answers to questions the government makes every effort to ensure the information provided in the answer is accurate. If the hon. member in his question has raised points that merit looking at, I am sure the minister of fisheries will take the matter under complete advisement.

(1510)

If there is a supplementary answer or a correction to be tabled in the House, the government will have no problem whatever in doing that. Your Honour, I know the government is entitled to table supplementary answers to questions that have already been answered where it turns out that additional information comes to light or there has been some error or some misinformation.

I know that the minister of fisheries in answering these questions, as all ministers, has striven to make sure that the answers are full and complete and correct. As someone who has some role in tabling the answers in this House I work with the ministers and their staff and with the persons who provide these responses by the government to ensure that the answers are full, complete and correct.

I know there has been no attempt here to mislead. I am sure the minister of fisheries heard the hon. member's submissions and will note them and will review them. If there are corrections to be made, a supplementary answer will be forthcoming.

Hon. Brian Tobin (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I would like to make a brief intervention. I submit that while the hon. member has demonstrated an interest in the issue of the management of the Fraser River salmon it is clear he has not demonstrated a breach of his privileges.

The member in his summation said that the information given on September 23, 1994 is not absolutely complete and the minister knows it is not complete because in early November, six weeks later, he met with enforcement officers in Vancouver who gave him additional information.

If you check the "blues", Mr. Speaker, because I listened very carefully, you will find that is exactly what the member said, that the minister should have known better on September 23 and had a more complete answer because on November 2 the minister met with enforcement officers and was given additional information.

I want to confirm that as the member knows, I did meet with enforcement officers on November 2 at DFO headquarters in Vancouver. I was given additional information. As a consequence of that additional information I set up a panel which in the last week has held public hearings in British Columbia listening to every single stakeholder group talking about the management of salmon on the Fraser River. The member knows that as well, even though he has called into question the integrity of this panel which is chaired by none other than the former Speaker of the House of Commons, the Hon. John Fraser.

Let me say this to the member and let me say to you, Mr. Speaker, that at the time the question was asked the answer which was given makes reference to the fact that delays in signing agreements have had little impact, it says, on the enforcement of aboriginal fisheries. That is the information the minister had. I learned subsequently in discussions with enforcement officers over a full month later of additional concerns.

We have acted to have a total public review to deal with those concerns. I have a review going on internally in the department to deal with concerns about enforcement. Nobody is attempting to mislead anybody. The member is a month behind the process. We were already working on the problem before he even brought it to the House.

The Speaker: I do not in any way minimize the seriousness of this question of privilege raised by the hon. member for Delta. He surely has a grievance which perhaps can be corrected without proceeding to a complete point of privilege. I would hope that the hon. member for Delta and perhaps the member for Kingston and the Islands and the hon. Minister of Fisheries and Oceans might come together to resolve this particular grievance.

I want the House to understand that I do take this very seriously when a member feels that he or she is in any way impeded from performing his or her duties as members of Parliament.

Routine Proceedings

I would give this assurance that I will return to the member for Delta if indeed he does not get a response to his grievance in discussions with the hon. member for Kingston and the Islands and the hon. Minister of Fisheries and Oceans. I will leave it at that for the time being.

(1515)

Mr. Cummins: Mr. Speaker—

The Speaker: Order. Is this on the same question of privilege?

Mr. Cummins: Yes, Mr. Speaker. I want to correct the record on a point made by the minister.

The Speaker: I wonder if the hon. member might consider my suggestion. We could let this sit at this point with the full assurance of the Chair that I will return to the member if his grievance is not responded to in a satisfactory manner. Can we leave it there?

Mr. Cummins: Thank you very much, Mr. Speaker.

Mr. Milliken: Mr. Speaker, a point of order. I think you might find there is unanimous consent in the House to revert to statements by ministers so that the Minister of Transport can make a brief statement.

The Speaker: Is there unanimous consent to revert to statements by ministers?

Some hon. members: Agreed.

ROUTINE PROCEEDINGS

[*Translation*]

CP RAIL

Hon. Douglas Young (Minister of Transport, Lib.): Mr. Speaker, the House will know that on September 21, CP Rail System tabled an unsolicited bid of \$1.4 billion for the CN North America eastern rail assets.

I am announcing today that the Government has rejected CP's offer and is not prepared to entertain any further the sale of CN Rail assets.

[*English*]

In reaching our conclusions, we reviewed the business and policy cases beyond the financial implications of the deal. Canadian Pacific's bid would have had a substantial impact on employment, the rail network and the cost of rail service for eastern shippers. The government was also concerned about the impact that the transaction would have had on CN's remaining western operations.

We must address the fundamental problems facing the rail industry to ensure that the sector is viable, competitive and continues to meet the needs of Canadian shippers. A series of meetings have been held with shippers and other stakeholders in all regions of the country. This phase of the consultation process will wrap up with a national shippers' meeting in Ottawa tomorrow.

I have also asked a committee of members of Parliament headed by the member for Kenora—Rainy River to discuss with Canadians the feasibility of commercializing Canadian National. I look forward to the recommendations that the member and his colleagues will bring forward, particularly with regard to the possibility of employee participation in any commercialization of Canadian National.

[*Translation*]

We will announce a comprehensive and workable rail policy framework in 1995. We must put the Canadian rail sector on a stable footing and try to maintain a healthy level of competition within the rail industry and against other modes.

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, even if we did not have the opportunity of looking at the details of the CP offer, for lack of relevant documentation and because the government did not deign to consult us, the opposition is nonetheless relieved to learn today that it has decided to reject the offer.

Indeed, we are of the opinion that CP's bid was too low, as pointed out in a study by Morgan Stanley, and involved too many drawbacks for the people of Canada and Quebec.

We were not unconcerned by the creation of a monopoly east of Winnipeg and there was no indication of how local railways would be treated under this new monopoly. We do agree with the government: this offer of CP Rail had to be rejected on financial and public interest grounds.

However, the question of Canadian National and the Canadian rail system still remains unresolved. It is particularly disappointing to see how undemocratically the Liberal government is treating the opposition around this issue. No opposition member, neither from the Bloc Québécois nor the Reform Party, was asked to sit on this committee.

(1520)

This is above all a partisan parliamentary group studying the privatization of CN. The eight Liberal members and the federal senator on the committee have worked their way toward recommendations which have no doubt already been drafted, long before the so-called hearings are over.

On February 18, as the Official Opposition's transport critic, I asked the Standing Committee on Transport to give priority to the matter of rail service. I asked again when the House reconvened on September 19, and the minister's response was the creation on September 29 of this partisan Liberal working committee.

Last week in committee, although it had been agreed to put aside consideration of the national airport policy to concentrate on ports, we again asked the committee to give priority to rail issues and travel to the regions to hear what the people have to say.

The government is set to introduce a global rail policy in 1995 without even consulting the elected members of the opposition. I hope that the government will reconsider its approach in this matter, and not in cavalier fashion either, because it is totally unacceptable. We hope that the minister will be much more open and democratic with the democratically elected members of the opposition.

[*English*]

Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.): Mr. Speaker, I can go along with the minister's decision not to accept CP's offer but not the part that states the government is not prepared to entertain any further offers for the sale of CN Rail.

The formation of CN Rail began in 1917 when numerous small rail companies found themselves in severe financial trouble. The root cause of the rail industry problem even then was an excess of trackage. Once formed, CN commenced an aggressive program of expansion, despite evidence that there was already excessive trackage in Canada. In order to compete CP Rail was forced to expand as well. The results were inevitable.

In 1937 CN's debts were a major problem so the government of the day cancelled them. It was a Liberal government. No one addressed excess trackage which resulted in CN again finding itself in severe financial trouble in 1952. Once again the government of the day entered the picture and bailed them out. Once again the government of the day was Liberal. Still no one addressed the problem of excess trackage.

During the next two decades CN, despite losses of approximately \$25 million a year, continued capital spending of up to \$200 million a year. The results were once again inevitable. Enter the government in 1978 with yet another bail-out and, yes, once again it was a Liberal government.

It appears the latest Liberal government is now prepared to be the fourth to bail a government company out of trouble so that it can compete with a public company using the taxpayers' money as a subsidy. That is not acceptable.

A task force to study this, made up of only Liberal members who have an obvious political agenda to maintain this unviable rail company, is not acceptable.

Yesterday I made a statement in the House indicating my expectation of the government's position based on my observations of the task force in action. The task force had a predeter-

Government Orders

mined policy and only went forth to manipulate people into accepting it.

The only solution to Canada's rail problem is the privatization of CN. Whether it is sold as a whole entity or sold in part is not the issue. After almost 80 years of problems it is time for the government to butt out. Government interference causes rather than resolves problems. Reduce government's role to a regulatory position and allow the marketplace to resolve the problem. They will do a far better job than politicians and bureaucrats ever could.

(1525)

The Acting Speaker (Mr. Kilger): I wish to inform the House that pursuant to Standing Order 33 because of the ministerial statement, Government Orders will be extended by eight minutes.

GOVERNMENT ORDERS

[*English*]

EMPLOYMENT EQUITY ACT

The House resumed consideration of the motion.

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.): Mr. Speaker, I look forward to resuming debate on Bill C-64.

To sum up what I have already said, as a Reformer I stand by and support the concept of equality for all Canadians, whether that equality be in law or in opportunity in the marketplace. As a Reformer I am strongly opposed to the injustice of establishing employment goals for designated groups. I have listened to young people who also resent the inference of inequality of such employment equity legislation as we see today.

Visible minorities do not want this type of help as it creates resentment not only within their own communities but also in their efforts to be accepted as equals within the larger community.

A young second generation Chinese Canadian journalism student recently shared her frustration in my constituency office. Despite her excellent qualifications, the recognition that she had received was lessened by the question of whether her success was in fact a token of her perceived difference rather than reward for her unequivocal excellence. Tokenism has no part in Canada if we truly believe in equality.

It is the government's job to provide the means for equality of opportunity. It is not the government's job to push unjust and unfair equality of results in the marketplace. Employment equity is unnecessary and it is unwise as it institutionalizes the very notion of discrimination that it purports to reject.

Government Orders

Years ago as society's architects only mused about the notion of legislating hiring practices, Martin Luther dreamt of a society that was blind to race and gender. "Judge us not by the colour of our skin but by the content of our character" he implored. How sad that Canadians are being driven to adopt policies that deny the very principles we hold dear. These are principles that are upheld by Canadians of all abilities and backgrounds. These are principles that will lead us to the prosperity we deserve as a great country, principles which we have presented in this brief discussion.

The legislation of Bill C-64 works against the principles I have described, principles of equality, of fiscal accountability and of the excellence of all Canadians in our society.

Mr. Herb Grubel (Capilano—Howe Sound, Ref.): Mr. Speaker, my brief remarks are designed to repeat some of the basic arguments against pay and employment equity which underlie Reform's opposition to Bill C-64.

Reform believes that government should assure equality of opportunity in economic life, but it has no business using the labour market to assure equality of outcome. Doing so interferes with basic freedoms, makes false assumptions about the causes of inequality, creates large inefficiencies and is basically unjust.

Consider the problem with freedom. Canada has developed into a prosperous society by upholding basic personal freedoms. One of these consists of the ability of individuals to sell their labour services to the highest bidder and for employers to choose freely those whom they wish to hire as long as they do not interfere with the fundamental freedoms of others.

These freedoms are an end in themselves, but they also are the engines which drive economic activity in a market economy that has produced the riches our society enjoys today.

Throughout the world and history people have died for these freedoms. We all remember the American civil war. Slavery represents the extreme limitation on people's freedom to sell their labour services to the highest bidder. Employment and pay equity legislation imposes on free Canadians just a bit of such slavery. Our society is on a slippery slope.

(1530)

Consider the idea that existing inequalities between groups is due to discrimination. Reform believes that this proposition is based on false assumptions and empirical evidence. Studies by Tom Sowell at Stanford University have shown that Americans of Japanese origin as a group have much above average U.S. income.

My former colleague, Don DeVoretz at Simon Fraser University, has shown that immigrants on average have higher incomes than people born in Canada. The recorded extraordinary success of these two groups is indicative of the impossible task of

establishing that group disadvantages are caused by discrimination based on race, gender or national or ethnic origin.

Economists led by Nobel laureate Gary Becker have long argued that free markets offer the best protection against discrimination. Consider a firm that gets paid \$1 for the assembly of a computer component. The wage rate is \$10 per hour and the average male is able to complete 10 units per hour. Consider that women have greater dexterity and are able to assemble 12 units per hour. Any firm which refuses to hire women for this task is at an obvious competitive disadvantage with a firm that does. It will ultimately go out of business.

Students of labour markets have been able to show that discrimination in the labour market has historically persisted only in instances where government regulation or government enforced monopolies like labour unions have prevented the adjustment from taking place.

Bill C-64 and similar legislation involves serious costs. Bureaucrats, lawyers and the police needed to enforce such legislation are not available to produce goods and services that determine our living standard. The private sector incurs large administrative costs. In addition there are the costs of lost efficiency. Goods and services will no longer be produced using the lowest cost.

In the United States affirmative action has been estimated to result in lost output equal to 4 per cent of national income. Since Canada may be assumed never to want to lag behind the U.S. in such social legislation for long, we may soon expect at least such cost.

The ultimate cost of governmental attempting to create perfect equality of incomes has become obvious through recent developments in socialist and communist governments around the world. Employment and pay equity in these systems had been perfected. Now communism and socialism around the world have failed or are in retreat.

What does the Liberal Government of Canada do? It pushes state efforts to achieve equality of income by applying it to the civil service. In addition, the recent Liberal recommendations to the finance minister in the report of the Standing Committee on Finance bragged about the fact that if adopted they will further equalize income. Have the Liberals learned nothing from history?

Let me now discuss briefly the sense in which the proposed legislation is basically unjust. Using the course of power of the state to help one group of disadvantaged individuals automatically discriminates against others and deprives them of their rights and freedoms without due process.

These groups are paying a discriminatory tax and are implicitly declared guilty of discrimination. Reform sees no justice in forcing young people belonging to one group to pay today for discrimination that may or may not have taken place in the past.

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By the same token, where is the justice in giving members of minority groups alive today benefits in return for injustices real or imagined suffered by past members of this group?

Let me close by reminding members of the slippery slope on which we find ourselves. In one of his novels, Kurt Vonnegut describes a world in which state created equality of outcome was perfected.

(1535)

It had moved from assuring pay equity to equity in looks and sports. In Vonnegut's brave new world, good looking people had to wear glasses and other devices to assure equality of looks with those disadvantaged by nature.

Gifted athletes were made to wear heavy weights to assure that they were able to jump no higher and run no faster than the rest. In the end, the hero of the story discards the starting post equalization devices and enjoyed his life to the fullest for a short time until he entered jail for the rest of his life.

Whenever it is impossible to make a strong intellectual case against the government policy like pay employment equity the question arises why governments persist with such policy. Public choice theory of government provides the answer.

Such legislation serves the interests of politicians and parties. Identifiable groups are given benefits and they are expected to reward the donors at the ballot box and with financial support. The cost of the legislation in terms of lost freedoms, discrimination against the innocent and reduced output are difficult to measure.

As a result the victims of the policy have little or no incentives and knowledge to punish the politicians who have imposed those costs on them. Such special interest group legislation slowly and exorbitantly lowers the income of Canadians and most tragically deprives them of their freedom.

Bill C-64 and similar legislated pay and employment equity reduce the welfare of Canadians. That is why Reform opposes it.

The Acting Speaker (Mr. Kilger): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Kilger): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Kilger): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Kilger): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Kilger): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Kilger): Call in the members.

During the ringing of the bells:

The Acting Speaker (Mr. Kilger): Pursuant to Standing Order 45, I have been requested by the chief government whip to defer the division until a later time.

Accordingly, pursuant to Standing Order 45, the division on the question now before the House stands deferred until later this day at 5.30 p.m. at which time the bells to call in the members will be sounded for not more than 15 minutes.

* * *

[*Translation*]

CRIMINAL LAW AMENDMENT ACT, 1994

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.) moved that the amendments made by the Senate to Bill C-42, an act to amend the Criminal Code and other acts (miscellaneous matters) be concurred in.

He said: Mr. Speaker, I would like say a few words about Bill C-42.

[*English*]

The other place has now amended the bill in two respects but has otherwise passed it. I should add it has also made minor changes to certain parts of the French language version.

(1540)

The two important changes which arise from the work of the other place should be mentioned briefly. Clauses 61 and 62 have been deleted. Clause 61 would have replaced section 604 of the Criminal Code. It would have prohibited the defence from publicizing information received from the prosecution in the fulfilment of the crown's disclosure obligations.

The limited purpose of the amendment was to ensure that this information would only be used to prepare the answer and defence in the courtroom.

The committee of the Senate felt that a number of related issues should be dealt with at the same time. I am able to tell the House that is going to be possible because the government is now looking at the prospect of codifying disclosure requirements arising from the Supreme Court of Canada judgment in Finchcomb as part of our work toward the reform of the preliminary inquiry and criminal procedure generally.

We agree with having clause 61 removed from the bill. Now it can be dealt with in the context of the broader treatment of

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disclosure and we accept that change for the very good reasons given by our colleagues in the other place.

The second clause deleted is clause 62. That would have amended section 648 of the Criminal Code to restrict publicity about certain jury trial proceedings that occur before the jury is empanelled.

It was the intention of the government in putting this clause in the bill to fill a gap which has existed for some time and to provide for orders banning publication in those cases in which pretrial motions concerning the admissibility of certain evidence were heard in courtrooms before the jury was actually sworn in.

The publication of such pretrial motions, particularly as they relate to evidence that might eventually be heard, might contaminate members of a prospective jury panel, might give them impressions or information about the evidence which would make it more difficult or impossible for them to serve impartially.

It was pointed out by the committee of the Senate which considered this clause that the language which the government used to achieve that purpose might be overbroad. It might be mandatory where permissive language might be preferable. In any event the provision, however worded, should permit the publication of matters other than those which might sway a jury if they were made public before the panel was sworn in.

We are happy to have that clause removed as well. We will consider it and try to meet the legitimate concerns that have been expressed. We will try to improve it and bring it forward at another time.

The government is indebted to the other place for its characteristically careful work, particularly the detailed analysis done in a very constructive way by the committee of the Senate. We are grateful if its work will result in an improved bill, a better law for Canadians.

[*Translation*]

Mrs. Madeleine Dalphond-Guiral (Laval-Centre, BQ): Mr. Speaker, I will be the only member to speak on behalf of the Official Opposition on Senate amendments to Bill C-42, an act to amend the Criminal Code and other acts. As far as we are concerned, we, the voice of democracy, have already made ourselves heard when the bill was read the third time and passed in this House, on October 4, 1994.

If I rise today, it is to denounce the amendment process used by the other chamber of this Parliament. The Standing Committee on Legal and Constitutional Affairs of that institution tabled its recommendations on December 12. The committee suggested that some amendments be made. The spokesperson of this committee of the other place complained about the Criminal Code review process as well as that used for Bill C-42.

(1545)

In his view, it would be highly desirable in the future that such bills be submitted to the other place first. He says that the other place has proven itself in that area.

The Bloc Québécois has always been openly opposed to the existence of an institution like the other chamber of this Parliament. Let me tell you why.

The primary function of the other chamber of this Parliament should be akin to a consideration and review process to put the brakes on the House of Commons. The role of this institution is supposed to be to counterbalance the parliamentary executive. The Fathers of Confederation gave the other place the means to act as a federal chamber looking after the rights of the provinces, the rights of the regions, and to guarantee their participation in the federal legislative process.

We are forced to recognize that such is not the case however. The inherent goals of this institution of the Parliament of Canada have been replaced with less noble and less democratic goals, such as thanking friends of the regime and representing a handful of groups with interests often less than compatible with those of a true democracy. The elitism prevailing in this obsolete institution is not reconcilable with democratic activity. We, the Official Opposition, think that it is up to the elected representatives of the people of Quebec and Canada in this House to pass or reject the legislation introduced by the government.

Therefore, we are not interested in giving consideration to the amendments suggested by the members of the other place. The amendments proposed by the house of partisan appointments in regard to this bill clearly demonstrate the uselessness and the waste of time, energy and money generated by the activities of the members of the other place.

Notwithstanding the respect we may have for some members of the other place, the fact remains that their work can often amount to mere stylistic or cosmetic changes. We see the legislative role of the other chamber as unacceptable overlap, especially in these times when we have to put public finances in order.

Is it justifiable to spend \$26,952,000 a year so that the other place can tell us that a bill we have just passed, on which all democratically elected members of this House voted, needs cosmetic or stylistic changes?

Allow me to quote a short passage from a speech delivered on June 8 by my colleague from Richmond—Wolfe: “The Bloc has always spoken out against the existence of a Senate, and I would like to demonstrate that this institution is, in our opinion, as archaic as it is useless. This institution is nothing more than an excuse for the government to reward its friends, be they Liberal or Tory, who will then work—in true partisan fashion—for the government or for the interests they represent”.

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No, we do not need the other chamber. Given the current lack of constitutional progress, I understand how some members of the other place, with pensions and perhaps a passion for passive political life, would want to justify their salaries. But all this only adds to a system which is already too heavy and costly.

Furthermore, this does not enhance in any way the process to consult on and pass a bill already approved by all members of this House.

Let us have a quick look at the proposed changes. There are six amendments, including two technical changes and two somewhat questionable stylistic changes. The last two amendments suggest that the members of the other place did not understand the purpose of Bill C-42, since their amendments deal with protecting the right to a fair and equitable trial and with the obsolescence of a current provision in the Criminal Code.

(1550)

As you can understand, we refuse to give any consideration to the amendments proposed by the other place, since it does not represent anyone, has no mandate from the population and is to all intents and purposes a mere patronage nest or, if you prefer, a haven of recognition, pure and simple.

We will therefore vote against the amendments proposed by the other place, since they are, in our opinion, cosmetic in nature and questionable and come from an institution without legitimacy in the eyes of the Bloc Québécois, the official opposition. I am sure that the vast majority of Quebecers will support our position on this.

[*English*]

Mr. Paul E. Forseth (New Westminster—Burnaby, Ref.): Mr. Speaker, it is a privilege to speak again on Bill C-42, although I did not expect to be doing so when I last spoke on this legislation on October 4. At that time the Reform Party agreed with the majority of the bill the way it stood and therefore proceeded to committee of the whole and quick passage through the House of Commons. We had one clear objection at that time but it now appears the House of sober second thought has had some other ideas about the bill.

The amendments deal with the French version of the text and are apparently only housekeeping items that I am sure better clarify the meaning of the text. The amendments of concern are those to clauses 61 and 62. Clippings of newspapers were filled with editorials and columns urging the Senate to reject these two clauses of the bill. Apparently the Senate listened well and proceeded to send the bill back to the House with those two deletions. Here we see the power of the media at work.

I am not going to criticize the Senate for sending the bill back with amendments. That is what it is supposed to do. However, I

am sure the Senate could have made other more important amendments that would have strengthened the legislation.

Clause 28(3) of the bill states: "Everyone who commits mischief in relation to property that is a testamentary instrument or the value of which exceeds five thousand dollars". The bill would replace the word "one" with the word "five". Why did the Senate not bring forward an amendment to this part of the bill? The reason is clear. The bleeding hearts think this would be too cruel, too onerous. They did not think twice on this one.

In 1954 the dollar indicator for theft over, theft under was \$50. The next time this clause was changed was in 1975 when it became \$200. The law as we know it today was amended in 1985 to \$1,000. The punishment for theft over is an indictable offence and liable for imprisonment up to 10 years. For anything under \$1,000 the punishment is usually a summary conviction with minor consequences available.

The government must realize that when it brings forth amendments it will set a precedent on amendments in the future. This government does not think logically. Neither does it consider the past nor the future.

Property crimes in Canada historically account for approximately two-thirds of all Criminal Code offences. In fact in 1990 thefts over and under \$1,000 comprised over two-thirds of all property crimes reported to police.

The area of concern is theft over. From 1986, one year following the dollar cut off being raised to \$1,000 until 1992, theft over had increased by 9 per cent. I am sure the government at the time felt that raising the rate from \$200 to \$1,000 would help curb the property crime rates.

Now today with Bill C-42 the government hopes that by raising the limit from \$1,000 to \$5,000 this increase will help curb property crime rates in 1995 and beyond. The government should take a careful look back at history and see how things failed before charging ahead with an idea that it only hopes will work for the best. In my opinion the government should keep the dollar amount at \$1,000. Getting softer with criminals is not going to reduce the crime rate. It will perhaps only increase it.

Bill C-42 was first read on June 15, 1994. The member for London West spoke on October 4, with a speech that perhaps could have been prepared by one of the minister's staff. In that speech she said: "It is important that the rights of accused persons to a fair trial before an impartial jury not be compromised by premature publicity of information which may or may not be relevant in admissible evidence".

The hon. member went on to say: "The rights of witnesses and victims also require protection from the needless public disclosure of personal information. A prohibition would be created to ensure that sensitive material disclosed to the accused for the purposes of making a full answer in defence is not made public for that purpose. This will serve to maintain the balance of interests between the right of the accused to a full answer in a

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defence and the confidence the public needs to encourage co-operation in criminal investigations and prosecutions”.

(1555)

The member in her speech stressed that this provision would protect the rights of the witnesses and the victims from needless public disclosure of personal information.

If the member for London West agrees with the justice minister that these two amendments are necessary, that would mean she believes that without this provision in Bill C-42 the rights of witnesses and victims will not be protected because this is exactly what she implied in her speech. Will she come forward and back up the words she spoke in this House on October 4? Not in a million years.

The minister clearly liked the bill or he would not have endorsed it. Now he is endorsing a major change to the bill. Was he influenced by the Supreme Court, his colleagues in the Senate, or was it the backbenchers of the Liberal caucus? Will these groups be factors in other bills, say perhaps in Bill C-41 which is also raising its fair share of controversy?

We are in support of the amendments that have come back from the Senate. However, we are simply frustrated that there were not more changes to other important parts of the bill, namely the theft over clause. Reformers want a more open system of the courts and of government. Do the Liberals?

The public and the media have been screaming to open the courts for all to see and know. Perhaps it is for inquiring minds and perhaps it is for future safety. Reformers look at it for safety and the principle of general deterrence. That is why we recommended for the disclosure of names of young offenders, simply for the good of public safety.

Canadians apparently have been calling for a lift on publication bans and the Liberals listened for now. Good for them for listening. Canadians have definitely called in a louder voice for the names of young offenders to be released, but the Liberals' ears all of a sudden go deaf. Something is definitely wrong.

The minister can stand before this House today and say he is in support of the amendments which come from the Senate but look for future alterations to this same section of the Criminal Code. The minister has said he will try again with these limits. The Liberal member for London West clearly spelled it out in her speech: “Historically this bill and ones like it were introduced on a regular basis. However the last such bill was introduced in 1985. The Minister of Justice intends to return to the previous pattern. He anticipates bringing forward a second bill of this nature once Parliament has dealt with this one”. Need I say more?

The chamber of sober second thought did not have enough second thought about what the public wants in view of the demarcation of theft over and theft under. Alternately, deleting clauses 61 and 62 leans toward more openness and disclosure in the courtroom. The top court of the land has said that freedom of the press and the public's right to know what goes on in court should be accorded equal weight with the constitutional right to a fair trial. The public must be vigilant for systems and bureaucracies have a tendency over time to become insular and self-serving, thereby more closed to its operations to not submit to public scrutiny.

We have heard from the other place. They apparently are awake over there. If however the system or this government has failed in respect to the measure of theft over and theft under in the definition, then I call on the government not to proclaim this specific section until broader public support can be demonstrated for it. It is my reading of the public mood that the theft over line is going in the wrong direction.

We are in support of the amendments that are before this House today dealing with Bill C-42. I think I have clearly gone on record to state the dissatisfaction we have with the performance of the Senate and the lack of amendments it produced.

Bill C-42 is a housekeeping bill. The minister is accepting a change from the other place. May he also heed what I am saying today for the Canadian public is also listening.

Mr. Rock: I am grateful for this opportunity, Mr. Speaker. I just want to comment on one aspect of the hon. member's statement concerning these amendments to the bill.

As I understood the hon. member he referred to the change in the value of property involved in crime in an effort to influence the incidence of crime reporting or the crime rates. Perhaps I did not understand the hon. member's point. I apologize if I have it imprecisely but let me just tell the House lest there be any doubt what our rationale was as a government for proposing that change.

(1600)

The dollar amount of property involved in such crime is the demarcation point for determining where the trial of such charges occurs. At and below that amount the trial of such charges occurs in the provincial court and within the jurisdiction of a provincial court judge. By increasing the amount we have increased the number of cases that will be tried in that court, without the necessity for the more elaborate procedures of preliminary inquiry and the prospect of a trial by judge and jury.

The change is intended to reflect agreement on the part of participants in the criminal justice system—the provinces that administer the system, the prosecutors, the defence lawyers and government federally that writes the criminal law—that we should encourage the disposition of as many of these cases as

possible in the least expensive and most summary locale, which is the provincial court.

It has nothing to do with crime rates, nothing to do with percentages, but everything to do with the more efficient administration of justice and always in keeping with the right to a fair trial and disposition. I am grateful for the opportunity to clarify the matter.

Mr. Forseth: Mr. Speaker, the change for theft under or over also is a significant change to the available consequences. On the principle of stare decisis the justice minister knows that there is a going tariff for theft under. This is certainly going to change. For the public to get hold of the idea that the common tariff or consequence for theft under is now going to include property up to \$5,000 is quite a considerable shock. When I mentioned this recently to some policemen on the street as I was riding with them on their shift they could not believe what Parliament was doing.

I ask the minister to perhaps consult further with the people at the line level and delay the proclamation of this amount.

The Acting Speaker (Mr. Kilger): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Kilger): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Kilger): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Kilger): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Kilger): In my opinion the yeas have it.

An hon. member: On division.

(Motion agreed to.)

* * *

DEPARTMENT OF PUBLIC WORKS AND GOVERNMENT SERVICES ACT

The House proceeded to the consideration of Bill C-52, an act to establish the Department of Public Works and Government Services and to amend and repeal certain acts, as reported by the Standing Committee on Government Operations (with amendments) from the committee.

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SPEAKER'S RULING

The Acting Speaker (Mr. Kilger): There is a ruling by the Speaker on Bill C-52, an act to establish the Department of Public Works and Government Services and to amend and repeal certain acts.

[Translation]

There are 11 motions in amendment on the Order Paper for the report stage of Bill C-52, an Act to establish the Department of Public Works and Government Services and to amend and repeal certain Acts.

Motion No. 1 will be debated and voted on separately.

Motions Nos. 2 and 3 will be grouped for debate but voted on as follows: an affirmative vote on Motion No. 2 obviates the necessity of the question being put on Motion No. 3. However, a negative vote on Motion No. 2 necessitates the question being put on Motion No. 3.

[English]

Motions Nos. 4, 5, 6 and 7 will be grouped for debate but voted on as follows. An affirmative vote on Motion No. 4 obviates the necessity of the question being put on Motions Nos. 5, 6 and 7. On the other hand, a negative vote on Motion No. 4 necessitates the question being put on Motion No. 5.

(1605)

An affirmative vote on Motion No. 5 obviates the necessity of the question being put on Motions Nos. 6 and 7. On the other hand, a negative vote on Motion No. 5 necessitates the question being put on Motion No. 6.

An affirmative vote on Motion No. 6 obviates the necessity of the question being put on Motion No. 7. On the other hand, a negative vote on Motion No. 6 necessitates the question being put on Motion No. 7.

[Translation]

Motions Nos. 8 and 9 will be grouped for debate but voted on separately.

[English]

Motions Nos. 10 and 11 will be grouped for debate. A vote on Motion No. 10 applies to Motion No. 11.

[Translation]

I will now call Motion No. 1.

[English]

MOTIONS IN AMENDMENT

Mr. Ken Epp (Elk Island, Ref.) moved:

Motion No. 1

That Bill C-52, in Clause 7, be amended by adding after line 20, on page 3, the following:

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“(a) refrain, where possible, from engaging in activities for or on behalf of any government, body or person in Canada or elsewhere that are in direct competition with private corporations, firms or organizations;

(b) ensure, where possible, that public disclosure of decisions and other information is complete and easily accessible;

(c) ensure that the Queen’s Printer for Canada is operated efficiently and competently, maintaining as a priority the effective use of tax dollars;

(d) ensure that the reduction of all costs remains a high priority in the operations of the Department;”.

He said: Mr. Speaker, I begin my little speech about the motion to amend by saying that it has been a very frustrating experience to go through Bill C-52.

We are told it is a routine bill, one that has as its purpose to simply bring together a few departments into one. Actually it is an action that was done by the previous government and is now being rubber stamped by this one.

While we were told in committee to hurry, hurry, hurry and were not even allowed to listen to witnesses in some cases because we were in such a hurry, the message was obviously hurry up and wait. That was over a month ago. The bill has been on the Order Paper four times and now finally we are here.

I want to speak to the motion in amendment. First, this motion to amend standing alone is not very meaningful. We have to start by listening to the first part of clause 7 which states:

In exercising the powers or performing the duties or functions assigned to the Minister under this or any other Act of Parliament, the Minister shall

We are now suggesting that some four clauses be inserted on things the minister shall do. I must speak briefly about the process. In my little more than one year as a member of Parliament I have discovered that as government backbenchers or opposition members the only way we have any hope of changing anything is to persuade the minister to give the instruction that it should be changed.

However it is very difficult to persuade the minister if the minister will not hear. The only way to get the minister to hear is perhaps if we could ask Liberal members who are listening to hear the quality of the argument, to assess it and then to decide that perhaps these are well founded amendments that should be supported. If those members will then twist the arm of the minister so that he will give instructions on how the party will vote, the amendment will pass. If he does not do that then I speak here in vain.

(1610)

Here are the arguments. The first paragraph states: “refrain, where possible, from engaging in activities in direct competition with private corporations”. I want members of the House to know that my party and I have received a number of representa-

tions from individuals, groups and small businesses with grave concerns about the government entering into competition.

There is one kind of competition we welcome in terms of government. If an arm of the government has to compete with private enterprise where private enterprise has shown that it can do things more efficiently, we think the taxpayer gets the best break if the private organization will do the work at a lower cost to taxpayers. Very often when government gets into a position of competing with private enterprise it has a totally unfair monopolistic advantage.

The reason we are supporting this group of four amendments is that we want to ensure that business thrives and indeed survives. At least 80 per cent of the economic activity of the country is derived from small business. To ask these businesses to pay taxes that are used to provide financial backing to the government firm or the government agency to compete and undercut prices is a violation of a fundamental principle of justice and the principle of what is right.

Some may wonder about the wording because we have said: “refrain, where possible”. It is because I am a bit of a realist and somewhat pragmatic. I realize the probability of the motion being passed would essentially disappear totally if we made the motion hard and effective the way it ought to be.

We want at least to insert into the bill the requirement that the minister “refrain, where possible”. I do not know how he could determine this. There would be times when he would say it is not possible. I suppose that would be subject to debate and perhaps even a court investigation to see whether he was living up to the terms of this clause in the bill. The important point is that the minister would be given the directive to stay out of competing with private enterprise.

The second paragraph indicates that the minister is to “ensure, where possible, that public disclosure of decisions and other information is complete and easily accessible”. One problem with the way government does business is in the area of questioning backroom deals. If we accept the integrity of the Liberal government, it has said in its campaign literature and has kept on saying that it wants honesty, openness and integrity. It would provide the minister with the ability to provide openness according to the standards of the governing party, according to its words. We are saying “ensure, where possible” so that it does not come in so hard that they say they are going to throw out the amendment of this renegade third party guy.

(1615)

We want them to consider it seriously. That is why it has this little softening phrase.

The third motion is that the minister shall ensure that the Queen’s Printer for Canada is operated efficiently and com-

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petently, maintaining as a priority the effective use of tax dollars. This is the missing ingredient in Bill C-52.

The overriding concern of Canadians from sea to sea is that we are not being responsible with their tax dollars. We need to build into legislation the necessity of being frugal, of saving money, of cutting expenses, of balancing the budget, getting rid of the deficit.

Canadians are demanding this. One way of achieving it is to require the ministers to actually maintain as a priority the efficient use of taxpayers' dollars in performing these services.

In the last several days we have received the report of the committee that was studying the Canada Communication Group. I am intrigued in reading that report to find that this independent review committee has suggested very strongly that Canada Communication Group, which as most people know does all the printing for the government, among other things, should be privatized. It should be sold to private interests so that when government has a contract to let, everybody out there is on an equal playing field. It is critical that we listen to that report. This motion aids that.

The fourth subgroup in Motion No. 1 is that the minister shall ensure that the reduction of all costs remains a high priority in the operations of the department.

In other words, this amendment would require that the minister pay some attention to the reduction of costs. We in the public works and government operations committee could then ask him to be accountable when he comes before the committee.

We could say to the minister: Mr. Minister, how did you express cost cutting efficiency as a high priority? From minister to minister we can insist that there be measures taken to be totally efficient.

In conclusion, the four points in the motion, if given careful thought, are very reasonable. I urge all members to support these amendments, not because I have asked them to, although obviously I agree or I would not have proposed the motion. I do not urge them to support them because the Reform Party supports them. If they did so, partisanship would enter and they would automatically oppose the motion. I urge those members to consider supporting this motion strictly and totally because it best represents the needs and the aspirations of Canadians who are footing the bill.

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, I would like for a few moments to add a few thoughts to the debate.

Much of what I would add has been said in the previous readings of the bill. However I would like to illustrate something that has been brought to my attention by a number of very

interested parties and that is the desire of the federal government to begin to compete with private enterprise at the very time it is ostensibly getting out of business or privatizing.

The illustrations that I would use today will probably deal most directly with the post office but I would also like to bring in the example of Canada Mortgage and Housing and its appraisal process. I would also like to speak briefly about the impact of the bill and the ability that it gives the minister to compete in the private sector with the engineering fraternity.

(1620)

Ostensibly the bill is a routine housekeeping bill that has the effect of consolidating the department. When we are considering the intrusion of the federal government into private enterprise or into areas that could be better served by private enterprise, we have to keep in mind that the government brings an enormous weight and an enormous amount of sway to the table whenever it decides it is going to get into a business.

Before I entered the political realm I was in the photo finishing business. I can remember being absolutely appalled when some years ago the post office was trying desperately to recoup some of its losses. The thought perhaps never occurred to the post office that one of the ways it could increase the use of its product was to provide a faster, better and more efficient service. It decided it was going to expand its product line. I believe it was Consumers Distributing products that were going to become available in post offices.

There I was, a small businessman, paying taxes to support the post office and finding myself in a position where I would be competing with the post office. Fortunately this did not come to pass.

Recently it was brought to my attention, and I am sure to the attention of other hon. members present, that the post office once again, as it was privatizing and becoming a crown corporation, was trying to increase its revenue rather than trying to decrease its expenses. It had announced a 2 cent price increase in the cost of a stamp. The post office had made, I think, a \$26 million profit that year.

The post office was increasing the price of a stamp because it had to have more money. However, there were many sceptics who thought that perhaps the reason it was going to increase the first class postage rate was because it wanted to cross-subsidize and get into other businesses.

The post office started with a tremendous advantage as a crown corporation. It had a distribution network coast to coast. Imagine the situation, if you will, of someone being in the instant printing business, as has happened right here in Ottawa. They wake up one day, open their mail delivered to them through the post office, because of course the post office has a monopoly on the delivery of first class mail, and it is a survey from Canada

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Post saying that it wants to be in a position to better serve its customers.

What is it going to do, folks? It is going to offer services such as typesetting, small run instant printing, the kinds of things that as one comes to the post office it would be kind of convenient to have right there. The trouble is the world does not need another instant printer. Instant printers are all over the place and they have, by and large, got themselves into business at their own expense.

Now they find themselves in a situation where they are competing directly with a crown corporation that has a monopoly on first class postage and can raise prices so it can compete with the private sector.

Another instance that has come to my attention concerning the post office has to do with it purchasing a courier company, I believe it was Purolator, and then going into competition with other people in the courier business. If the post office feels that it has the right, the purview and the privilege of going into competition with existing businesses, then should not existing businesses and other courier companies have the same right to go into competition with Canada Post? If Canada Post can compete with small business why then can business not compete with Canada Post?

It would be absolutely reasonable and fair that if Canada Post intends to continue down this path, it should find itself competing for the first class postage delivery.

(1625)

If the post office finds itself in competition when delivering first class mail, what will happen? I bet the mail will be delivered faster. I bet it will be delivered on Saturday and I wager it will be delivered for less. Usually when there is competition the consumer benefits.

Now we have the reverse situation where a crown corporation with a monopoly on the delivery of first class mail is able to use the profit generated by the monopoly situation to cross-subsidize its ambit into other areas of business.

I submit to hon. members this is not right. It is not fair and it is counterproductive to the notion of free enterprise and privatization which is absolutely essential as our country moves down the path toward becoming self-sufficient and not becoming a sink-hole for taxpayers' money.

The third example I would like to raise is the question—this is part of the broader, more general intrusion of government into business—of Canada Mortgage and Housing Corporation and the practice of agents who work for Canada Mortgage and Housing to do appraisals on real estate in competition with the

many competent people in private business who are licensed to provide that service.

Does this not have the potential for conflict of interest? An employee of Canada Mortgage and Housing is going out and doing an appraisal on a property that would be financed by Canada Mortgage and Housing. Is that not the same kind of one hand feeding the other dealsmanship that got us into a problem in some of the other financial institutions? Would it not be better if Canada Mortgage and Housing were required to have third party appraisals?

I suggest this kind of creeping intrusion of crown corporations into the sphere of private enterprise is not only counterproductive, but it is unhealthy for our economy because it does not bring in the discipline of the marketplace.

The last and final example I would like to bring to the attention of the House is that Bill C-52, at least according to the Canadian Association of Professional Engineers, would give the public service the mandate, the free rein, to set up in competition with professional engineers. As a matter of fact "the bill's loose wording gives complete power to bureaucrats. The sections read that the minister may incur expenditures or perform or have performed services or work in relation to any federal real property, or any other non-crown property with the consent of its owners".

As the government devolves from the sphere of private enterprise as we are wont and forced to do, in my opinion it would be a very good precedent for this Parliament to set to say that if private enterprise has the ability and the desire to compete in any sphere, then the government through a crown corporation or directly will not compete as a matter of principle.

I would ask that hon. members present give thought to these concerns and whenever the opportunity arises, to give private enterprise the advantage over public enterprise.

[*Translation*]

Mr. Jean-Paul Marchand (Québec-Est, BQ): Mr. Speaker, I am pleased to speak on Bill C-52 and to support the Reform Party's motion because it is an improvement on the bill tabled by the government.

Unfortunately, Bill C-52 lacks vision and backbone. This bill in no way improves the government's regulations. It is so bad that some clauses and provisions in this bill are regressive. It is going backwards—the Liberals and this government are going backwards.

(1630)

This bill makes changes which are bad for private enterprise or do not improve openness or access to information. You know as well as I do that if there is a department where patronage, favoritism and unfairness are rampant, that is wasteful and contributes to the government's deficit, it is Public Works.

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I admit, anyone who reviews Bill C-52 will know the impact it can have on the operation of the Department of Public Works and Government Services. Anyone can see how important it is to improve the operation of this department. It would have been easy for the minister to suggest changes to the acts governing these departments, Public Works and Government Services, for instance, to introduce as a code of ethics to regulate contracting out, which is increasing and almost out of control in the federal government.

The minister could also have given officials the power to disclose information, he could have empowered officials in his department and given them the chance to blow the whistle on mismanagement and government waste. Or the minister could have suggested amendments that would have given the public and members of this House better and easier access to information so that this department and this government avoid waste, thus reducing the deficit.

But no. This is a very lacklustre bill that contains nothing new and was introduced by a minister who seems near-sighted, and that is very worrisome. I wonder if this reflects the spirit of the government. The minister introduced a bill that does not improve in any way an old act containing provisions which hinder its efficiency. It is worrisome to have someone at the helm who is near-sighted.

As the Reform Party member mentioned earlier, the debate in committee on Bill C-52 was illogical, if not insane. We made very good suggestions to improve this legislation, but the Liberal members refused to listen, or else they were unable to grasp the underlying logic. Perhaps they have less brains than their own minister, who is already pretty blind. We got the distinct impression that they were only interested in having this legislation passed as quickly as possible, without any amendment.

They refused to let the committee hear witnesses on amendments to some clauses of the bill which have a very serious impact on the operations of the department, and which involve the right of the government to interfere in the private sector, particularly in the consulting-engineer sector.

(1635)

This legislation is very poor; it contains nothing new and it reflects a total lack of imagination. This is why we will support the Reform Party motion, not because it is the best possible one. Paragraph (c) reads: "ensure that the Queen's Printer for Canada is operated efficiently and competently—", while paragraph (d) says: "ensure that the reduction of all costs remains a high priority—". These are pious wishes which carry no legal weight. Nevertheless, we are prepared to support this motion, although it has no real impact on the Department of Public Works.

However, paragraphs (a) and (b) are a definite improvement over the existing bill. In the case of (b), the Department of Public Works is encouraged to open the door to information, to reveal more information to the private sector or the general public on the way contracts are awarded, and to improve access to information, which is now extremely difficult to obtain. As I said before, it is an improvement. The department and the Liberal government must provide access to information, especially on the process of awarding contracts.

I think the Reform Party's motion is an improvement, but it is flawed because of the words: "where possible". There is no legal obligation on the government to disclose information if the motion is worded this way. My point is that the words "where possible" open the door to all kinds of abuse and arguments preventing access to information, preventing the government from disclosing information on contracts or even members of Parliament from having access to such information when contracts are awarded in their own riding. This is not satisfactory.

We run into the same problem in paragraph (a) of the motion, which deals with a matter that is even more serious, coming from the Department of Public Works. A Reform Party member already mentioned the problem about opening the door to competition between the federal government and the private sector. Paragraph (a) of motion No. 1 tries to prevent the government from competing with the private sector. But again, "where possible". These words open the door to all kinds of abuse. The fact is that basically, the Department of Public Works should not have the right to compete with the private sector.

We are talking about a substantial part of this bill. This is a new power the Minister of Public Works has acquired. It is very skilfully done, by the way, because clause 5 is already an introduction to this new power and clause 10 as well, and of course clause 16, which we will have a chance to discuss later on.

For the first time in the history of the Government of Canada, we have a proposal that the federal government should compete directly with private businesses, especially engineering firms which, incidentally, are well established in Quebec. Several members in this House, including Liberal members, I am sure, have received representations from SNC Lavalin, HBA, Teconsult, and more than 100 companies altogether that are concerned about the unfair competition in which the federal government is about to engage through Bill C-52. So although this Reform Party motion does not go far enough, we on the Bloc side still think it is a definite improvement over the bill as it stands.

(1640)

In concluding, the Bloc will try to amend this good motion from the Reform Party. I therefore move, seconded by the hon. member for Charlevoix:

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That Motion No. 1, in paragraphs (a) and (b), be amended by deleting the words “, where possible,”

The Acting Speaker (Mr. Kilger): The amendment is in order.

Mr. Ronald J. Duhamel (Parliamentary Secretary to President of the Treasury Board, Lib.): Mr. Speaker, I wish to make a few comments on what has been said, and then I will highlight the key points with respect to this motion.

[*English*]

The first colleague who addressed this bill called it a routine bill, which it is. It is an important bill but a routine bill.

Members have complicated it. Either they have not understood it and therefore by virtue of that it has been complicated for them or they have understood it and by virtue of that they have tried to take advantage of it for political reasons.

We talk about not having been able to get witnesses. Of course we had witnesses but there comes a time when we have to stop meeting. Are we going to wait for the whole of Canada to come forward? We know that many of the witnesses had absolutely nothing to do, the witnesses they wanted, with clarifying the elements.

[*Translation*]

And the only reason was petty politics, an attempt to embarrass the government, pure and simple.

[*English*]

My colleague refers to backroom deals. What backroom deals? If he knows of a backroom deal put it on the table. He should not suggest that members of government have been dishonest. Either put up or be quiet. It is inappropriate behaviour for any member to be suggesting that someone else has been dishonest. Either he has proof or he does not. Do not slur the reputation of colleagues. That is not the way a parliamentarian is supposed to act.

He refers to the question of desire to compete. I have any number of quotes I can bring forward by reputable Canadian organizations, some of them from the province of Quebec, that indicate quite clearly that they do not see this as the government's intent to try to compete.

We are trying to get the best deal when we are dealing with other governments for Canadians. That is what we are trying to do. We are trying to respond to the private sector if it asks us to respond to assist it. I would be delighted to share some of those in the process of this particular debate.

The second speaker referred to Canada Post and CMHC, I guess the point being that government is becoming increasingly involved with the private sector. I hope it was not suggested that

Canada Post and CMHC are somehow involved with this legislation. I want to make it perfectly clear they are not. I would dispute the claims being made with respect to government competing with the private sector in those instances as well.

I want to point out very quickly that one of the weaknesses of the particular motion, and it has been addressed in part, is where possible what would happen if this were to go through?

(1645)

The opposition would always say it was possible and we did not do it. All of us thought we would be debating in the House of Commons the interpretation of where possible is. On that very basis it has to be set aside.

[*Translation*]

As I said earlier, I do not wish to accuse all the members of the Bloc of engaging in petty politics. But the one who just spoke made accusations of patronage, without any proof, of favouritism, without proof, and waste, also without proof. It is very easy to make such accusations in the House of Commons and not back them up. This is unfortunate, most unfortunate.

He said that the minister lacks vision. This is insulting! Because he does not understand the bill, he blames the minister. Because the bill has limited scope, he accuses the minister of lacking vision. This is too bad. He says that the Liberal members are deaf and blind. How insulting to those people who are so afflicted! That is what he said, Mr. Speaker. Now, I suppose he will deny it. In the House of Commons, he can say anything he wants, without proof. He likes to hear himself speak. How very unfortunate!

To top off everything he has done and said, he criticized the motion and then went on to say that he will support it. What a contradiction!

[*English*]

I simply wanted to mention that I have been very patient in this first round. Not all of the comments have been terribly relevant but in the second round I shall try to make awfully certain that I bring to members' collective attention any comments that are off topic.

I have a few more comments to make and I shall be brief. I know that my colleagues are anxious to get on to other palpitating clauses and motions as I am. With regard to the motion that was made, the amendments proposed by my colleague from Elk Island are already addressed in clause 7(1)(a) as amended by the committee.

I want to read that clause and make awfully sure that I do not mislead anyone. Clause 7 has already been amended at committee and the words “and for enhancing the integrity and efficiency and the contrasting process” were added to the clause.

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With respect to competition, one of the issues, we have already addressed this at great length in committee and we will be talking about it some more. This is the debate. This is it. We are in disagreement.

[*Translation*]

We are not in agreement. That is fine, no problem. Do you want me to produce my 1,000 witnesses? You will produce a thousand more, and then we will decide who makes the most sense. Well, I think that sometimes you have to pause and start afresh.

[*English*]

On public disclosure, members know as well as I that the minister has offered to the members of this House the open bidding system, the government business opportunities publication. He has provided guidelines for advertising and public research by the government.

This minister and this government have been open and transparent. Those members have not been able to get the figures when they wanted them in terms of what they wanted even though those have not been available, and so they choose to attack the government and pretend that it was less than up front.

With regard to the Queen's Printer we want what the member wants but we want it for all of the government's operations, that is, being efficient and cost effective. The Queen's Printer has had a long and proud history providing government and advancing the printing industry. When there was a problem in that sector, the minister moved forward boldly and corrected the situation.

With respect to efficiency and savings they suggest 4,000 people, a billion dollars saved by the year 2005. I guess when you say that you really do not care very much about the 4,000 families that are going to be affected or you do not understand how much a billion dollars is—

The Acting Speaker (Mr. Kilger): I hesitate to interrupt any member at any time but occasionally the Chair tries to remind all of us to come through the Chair and not be direct to one another across the floor of the House. I ask the member to keep that in mind.

(1650)

Mr. Duhamel: Mr. Speaker, I appreciate the reminder. My enthusiasm is a result of being upset at my colleague being so unfair and having exaggerated so much. In the spirit of Christmas I thought there would have been some gentleness.

[*Translation*]

I thought there would have been a little kindness, a little open-mindedness, but obviously they are not yet aware of the approaching festive season.

[*English*]

I think I have made the major points. The way it is worded, as I have indicated, the debate would be whenever it is possible. We simply cannot do this. We believe it has already been covered. We believe this government has been open and transparent and we believe we are going forward in the right direction.

I will limit my remarks at this time. I assure my colleagues that I am ready for a lot more.

The Acting Speaker (Mr. Kilger): Before proceeding on the debate of Motion No. 1, it is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The hon. member for Saint John—Rail Line Abandonment; the hon. member for Quebec—Social Program Reform; the hon. member for Manicouagan—Canada Labour Code; the hon. member for Vegreville—the Canadian Wheat Board; the hon. member for Regina—Lumsden—Banks.

Resuming debate on Motion No. 1, keep in mind that members who have already spoken must wait until we proceed to the next motion. Members have 10-minute interventions without questions or comments.

Mr. Epp: Mr. Speaker, on a point of order. I am sure you will correct me if I am wrong, but do I not have an opportunity now to speak since there has been an amendment to my motion?

The Acting Speaker (Mr. Kilger): I thank the member for Elk Island. He has learned very quickly. He is ahead of me. I do not mind telling the member that yes there has been an amendment and he can speak again.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I have some statements which are relevant to the amendment. I do not know if you noticed, but I think I was very close to being on topic speaking about the four points of my amendment one by one. I was very careful to do that.

I would like to say a few things partially in rebuttal to the hon. member from the Liberal Party who just spoke. He indicated how patient he has been. I suppose if we were to blow up our chests a little those of us on the other side would say that we too have tried to exercise patience in trying to work together and I shall continue to do that. It is not my objective here to merely fight for the sake of fighting. I want to do what is right and what is best for the Canadian people.

The member said that there was a time to a stop in these discussions. I think the record ought to show that we probably discussed Bill C-52 in committee for 10 hours maximum. That is my estimate. We heard one witness. That is my recollection of it. I stand to be corrected if that is wrong.

Second, the member made some statement about backroom deals. I did not accuse anybody about backroom deals. I said the perception out there among the people is that governments engage in backroom deals. Because the Liberal government has said it wants more openness and honesty and integrity, and Reformers are also saying this, surely we can agree that we will

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do away with any reality of that which may have occurred in the past. Let me be really charitable in the spirit of Christmas and say it happened before the Liberals were elected, some of them, at least to the government side.

We need to do away with not only the reality of it but the perception of it. The only way to guarantee that the perception is removed is by actually putting into legislation that there is this openness.

With respect to the amendment to my motion that says “where possible”, I do not know how to say this in such a way that it does not come out wrong. I am going to try very hard to do that. The only reason that we inserted these two words in sections (a) and (b) was the government side. Observing the way discussions went in our committee and recognizing that if we were to come with an amendment which would be very hard and which would say the minister must engage or make sure, refrain from engaging in activities and so on, we were quite certain that the Liberal side would have just said nix to it. We softened it deliberately for them, to give them an opportunity to vote for this so that the minister has greater flexibility. That is why the words are there, to say “where possible”.

(1655)

I know the hon. member from the Bloc is most sincere and actually made an amendment to my motion to remove those words which would have been my first choice. I know they do not have a chance of getting it passed. Instead of not going anywhere, I would like to at least move the government a little in the right direction, and that is why we said “where possible”. That is my comment with respect to the amendment that has been made.

In the spirit of Christmas, if I may quote the hon. member for St. Boniface, in the spirit of gentleness let us get together on this and let us vote in favour of the motion but let us leave those words in so that the Liberals can feel comfortable voting for it.

The Acting Speaker (Mr. Kilger): Resuming debate on the amendment to Motion No. 1.

[Translation]

Mr. Gérard Asselin (Charlevoix, BQ): Mr. Speaker, I support the amendment to the amendment to Motion No. 1 moved by the hon. member for Québec-Est, to delete the words “where possible” and here is why.

First, Bill C-52 provides the government with the opportunity to amalgamate Public Works Canada, Supply and Services Canada and the Translation Service. It appears to us that, in the context of a bill, “where possible” is little more than idle talk, as the hon. member for Québec-Est indicated. Such words also leave room for interpretation and favouritism.

At the same time, we could expect—I hope it will not be the case under this government as it was under the previous one—that this will encourage the granting of contracts to friends of the regime and leave the door wide open for lobbyists. It is only natural for lobbyists who attend luncheons at \$1,000 a plate organized by the federal government to be tempted to come and knock on the doors of Liberal members to get contracts. It has been done before the Liberals came to power and I would hope that, in a spirit of openness and transparency, the member will not object to seeing things change.

Quoting the red book, the Liberal government talked about transparency during the campaign. There have been several books and papers since, of course. We have gone from red book to green paper, from green to purple, from purple to orange, from orange to grey and we certainly hope that all these will not result in a black paper.

So, in a spirit of transparency and goodwill in administering public assets, you, the Liberal government, hold a majority of seats. If ridicule kills, that is why the Conservative government no longer exists. And if you continue to be wasteful with respect to contracting-out and privatization, your days are numbered, gentlemen.

The Acting Speaker (Mr. Kilger): Order! As I said a moment ago, you are encouraged not to address one another directly across the floor, but rather through the Chair. It may be more useful someday.

Mr. Asselin: Mr. Speaker, you scared me. I was sure you were about to say that one day I, the member for Charlevoix, might occupy the Speaker’s chair.

(1700)

In close co-operation, the member for Québec-Est, the member for Laurentides, when she was parliamentary critic for public works and governmental affairs, and myself have shown that the Bloc Québécois was very serious when we were hearing testimony. We took the time to listen to the witnesses and asked appropriate questions.

In closing, I hope to be able to speak, if time permits, on clause 16 of this bill, which allows the government to compete with private engineering firms.

[English]

The Acting Speaker (Mr. Kilger): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Kilger): The question is on the amendment of the hon. member for Québec-Est. Is it the pleasure of the House to adopt the amendment?

Some hon. members: Agreed.

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Some hon. members: No.

The Acting Speaker (Mr. Kilger): All those in favour of the amendment will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Kilger): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Kilger): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Kilger): Pursuant to Standing Order 76, a recorded division on the amendment stands deferred.

[Translation]

Motions Nos. 2 and 3 will be grouped for debate but voted on as follows: an affirmative vote on Motion No. 2 obviates the necessity of the question being put on Motion No. 3. On the other hand, a negative vote on Motion No. 2 necessitates the question being put on Motion No. 3.

[English]

Mrs. Brenda Chamberlain (Guelph—Wellington, Lib.) moved:

Motion No. 2

That Bill C-52, in Clause 16, be amended by replacing lines 39 to 45, on page 5, and line 1, on page 6, with the following:

“16. The Minister may do any thing for or on behalf of

(a) any department, board or agency of the Government of Canada or Crown corporation, or

(b) with the approval of the Governor in Council, any government, body or person in Canada or elsewhere that requests the Minister to do that thing, where the Minister is authorized to do that thing under this”.

[Translation]

Mr. Jean-Paul Marchand (Québec—Est, BQ) moved:

Motion No. 3

That Bill C-52 be amended by deleting Clause 16.

[English]

Mrs. Chamberlain: Mr. Speaker, I am glad to have the opportunity to put forward an amendment to clause 16. With this amendment, the requirement for governor in council approval under clause 16(b) is being proposed. This will allay some of the concerns that the members in our particular task group on government operations had. I hope they are going to support this amendment.

Concerns have been expressed by some members of the private sector also. For example, the Association of Consulting Engineers of Canada, which represents 14 per cent of the consulting engineering community, has expressed reservations

about 16(b) opening the door for public works and government services to compete with the private sector.

I want to be very clear on this point. The bill does not permit the department to compete with the private sector. It cannot even respond to requests for proposals. That is very clear in this.

(1705)

The authorities contained in clause 16 are not new. They are contained in section 13 of the current Department of Supply and Services Act. This section enables the department to; first, work with the other levels of government to reduce overlap and duplication; second, to partner with the private sector when requested. The introduction of a requirement for an order in council, as I propose, guarantees a higher level of authority and accountability. It will ensure that the department only partners or engages in reduction of duplication with provinces with the direction from the cabinet. We cannot get a greater safeguard than that. This is pure accountability.

Currently PWGSC has over 120 active bilateral initiatives for areas of discussion with provinces and territories in services ranging from translation, bulk purchasing and co-operative procurement practices, real property management and shared accommodation. These are aimed at reducing overlap and duplication. Hence, savings for taxpayers. This is something that we promised to do. It is something we all promised to do. Every single party in the Chamber promised savings for taxpayers.

If other levels of government approach PWGSC with a view to co-operating in the provision of cost-effective services related to any of its 21 service lines, the department should be and must be in a position to consider such requests in the interest of the taxpayer. This is consistent with the government's election commitment to work closely with provincial governments to reduce duplication and improve service delivery in all areas where governments are involved.

Mr. Speaker, if you think you have heard that quote before, well you have. You will find it in the red book at page 23. We cannot forget that there is only one taxpayer in Canada. We have a responsibility to work co-operatively to ensure the most efficient and cost effective delivery of services possible for Canadian tax dollars.

This is what clause 16 guarantees to all of us as Canadian taxpayers. Clause 16 of Bill C-52 assists in fostering the spirit of co-operation and partnership between the government and the private sector. This is especially important for the small and medium sized businesses that are currently requesting partnerships with the government.

As we stated in the red book, the crucial role of the government is to work with the private sector to identify strategic opportunities for the future and then to redirect its existing

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resources toward the fulfilment of these opportunities; again, a quote from the red book, page 44.

We are moving on our campaign goals and our promises. The government is committed to working with the private sector to identify strategic opportunities and to redirect our existing resources toward the fulfilment of all these opportunities when requested.

The opportunities clause 16 offers for partnerships with the PWGSC, businesses, particularly small and medium sized businesses, can lever the federal government, use its experience and expertise to create and expand new markets, particularly foreign markets and to create jobs. Private sector jobs, is this not what we are all about? Is this not why we are here today?

This Liberal government recognizes that when Canadian businesses prosper abroad Canadians prosper at home. The government has heard the concerns of the private sector, including the Association of Consulting Engineers of Canada. It rightly feels that it should not have to compete with government. At the same time it supports public-private partnership as long as it is industry led.

I quote the association's president who appeared before us in committee. He said he is "not against private-public partnerships where the private sector is in the lead role and not the other way around".

PWGSC has received many letters indicating support for industry led government partnership initiatives including letters from members of the Association of Consulting Engineers of Canada. I have many quotes from letters that we have received in support of Bill C-52.

(1710)

The government recognizes that no legitimate purpose would be served by allowing the department to compete with the private sector. I would not support that. In fact, when there has been actual or perceived competition with the private sector, the Minister of Public Works and Government Services has moved swiftly to rectify the situation.

For example, he took action to address the concerns of the printing industry with the Canada Communication Group. With clause 16, Bill C-52 moves the government down a path of reducing the tax burden for Canadians while assisting business in partnership, on request. The proposed amendment put forward ensures greater accountability in this process. For these reasons I encourage all members of the House to support this amendment.

To do less is not doing what our taxpayers want us to do. They want us to reduce duplication. They want us to see where we can help firms in public practices when requested. When we can with tax dollars help them, they want us to do that. To do any less is irresponsible. I call on all members to support this amendment.

[*Translation*]

Mr. Jean-Paul Marchand (Québec-Est, BQ): Mr. Speaker, once again, government members confuse and mislead the public with their arguments that do not hold water. For instance, they say that the president of the association of consulting engineers of Canada agrees with this motion. I can tell you that I was on the phone with him this morning, as I have been repeatedly these past few weeks, and he keeps telling me that he is against this motion and this clause in Bill C-52.

I want to tell the government that the association has demonstrated its opposition by issuing countless press releases stating that the government is not listening, that "The government is not listening, it is encroaching on our markets". The association, which is concentrated in Quebec, represents 800 consulting engineering firms whose 35,000 members question this bill.

The government member would have us believe that the government is creating jobs. This is pure nonsense. What this clause does is threaten high-quality jobs that have evolved over several years, perhaps mostly in Quebec, jobs that are not created overnight. What is at stake here is top expertise that our consulting engineering firms have demonstrated around the world. It is mainly this sector which is being targeted.

The government cannot mislead the population by saying, as my colleague did earlier, that it does not intend to compete with the private sector.

The minister himself said in a letter that "in response to your question, the primary purpose of Bill C-52 is"—imagine that—"to authorize Public Works and Government Services Canada to provide common services to the departments, boards and agencies of the Canadian government". Clause 16 increases this power by allowing the minister to provide common services, similar to those offered by federal Crown corporations, to other governments and to the private sector in Canada and abroad.

A few paragraphs further, the minister goes on to say: "Clause 16 is not intended to make the Department of Public Works and Government Services into a fierce competitor of the private sector". Certainly not a fierce competitor, but a competitor nonetheless under the monstrous guise of trying to compete and reduce this government's deficit through economies of scale.

(1715)

Let me give you an example. What is proposed is that the government would provide all the supplies, as well as all other goods and services, not only to itself but maybe also to the provinces, the territories and the municipalities across the country. This is a concentration of purchases. If we had a warped mind like some government members, we might think that there are economies of scale or savings to be made. But we know very well that this is not the case. This would only create a monster like the former U.S.S.R. That country enjoyed a government

Government Orders

monopoly and had economies of scale in every sector. But look at what happened to the U.S.S.R.: it no longer exists.

The basic problem is that the government does not understand that the public and private sectors each have a specific role to play. When you mix the two together, particularly if the federal government starts to compete with the private sector, the whole system becomes skewed, because the federal government can hide all sorts of costs. It can change numbers to make it look as though a particular item or service costs less or money is saved here or there. In this way, the government can compete with certain companies and put them out of business, while favouring friends of the party. This is wonderful—

Mr. Asselin: This is what you call progressive federalism.

Mr. Marchand: Precisely. In Quebec, we want to avoid this at all costs, because clause 16 shows a blatant lack of understanding on the part of this government. It seems that the government does not even understand the strongest tendencies in the economy and in modern politics. The government should not go for concentration and centralization. Centralizing all federal, provincial, municipal and other purchases and sales in the country will not result in savings.

Such a move goes against the most elementary and basic rules of economy. This government proposes a bill, clause 16 in particular, which goes against basic economic rules. This is why the government and the people of Quebec are anxious to leave a regime which is headed the wrong way, as confirmed unequivocally by clause 16.

Despite all the representations made by the private sector and all the issues raised with members and the Minister of Public Works, there seems to have been no realization that perhaps this clause should have been deleted or even the previous legislation reinstated.

The consulting engineering sector suggested it preferred the previous act, because Bill C-52 which we are considering today gives the minister additional powers, powers that did not exist before. It is the only really new element in this bill. The rest is not new, just a bunch of provisions that have been revamped. However, this new element is almost an insult to the intelligence of people who understand the workings of our economy. It is a threat to an industrial sector that is thriving and highly specialized, and it opens the door to unfair competition and, once again, to even more patronage.

(1720)

Clause 16 certainly does not encourage people who are the slightest bit familiar with the operation of the Department of Public Works to support this provision. In fact, Mr. Speaker, suggestions by the government that perhaps these overtures to the private sector should be made in consultation with the business community would actually make no difference at all.

This clause gives the government complete latitude to operate on the turf of the private sector, where it has no business to be, because, I repeat, this opens the door to patronage and is a threat to industries that, over the years, have developed an expertise that is appreciated and an expertise they want to maintain. The government has no business in this sector. And that is why we in the Bloc are opposed to this clause and to the government's amendment.

[*English*]

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I am a little frustrated in getting up here. This amendment comes from the Liberal side. I know the way things work around here with the majority over there and the less than majority over here that it will pass and what we say probably will not.

I will not miss this opportunity to go on record as powerfully and as strongly as I can to say that this is not the answer to the problems we have in this country, specifically on this one issue.

When I first saw this amendment I thought of a television show I watched for about 10 minutes one day. This lady was put into a box; the box was closed; the magician sawed her right in half. It was incredible. Her body was cut in two. Then he opened the box and she was fine again, there was no severance. That is what this particular amendment does. It gives the illusion of accomplishing something but really nothing is accomplished at all.

It is important for us in considering what we are talking about to really know what this motion says. Originally it said the minister may do anything for or on behalf of any department, board, or agency of the Government of Canada or a crown corporation or any government body or person in Canada or elsewhere.

It was mentioned earlier here that this was already in the previous act, the one this bill replaces. Not quite right. The two words "or elsewhere" were added. In other words the ability of the government to perform these functions now goes even outside of our country according to what it first proposed.

We now have this amendment. It still has exactly the same words except the one little word "a" has been taken out. Other than that the words are all there. The only difference is that for the minister to do anything for or on behalf of any government body or person in Canada or elsewhere, he or she must now obtain the approval of cabinet. In other words there is no restriction at all on whether or not government can still do anything for anybody.

The other day I was giving a little speech to a few people. I said the rough paraphrase of clause 16 of Bill C-52 was simply that the minister may do anything for anyone and the taxpayers pick up the bill. It was then said to me that that was not quite fair and that I was overstating it. Yet, it is very difficult to read anything else into this when it says that the minister may do anything for or on behalf of, and then everything listed includes anybody because finally it gets down to that every entity is

Private Members' Business

either a government, a government agency, a body, or a person. There is no exclusion.

(1725)

I would also like to make reference to a quotation. It is from a letter written by no other than the minister himself. These are his words: "I have already decided that Public Works and Government Services Canada will not be competing with the private sector by offering services outside the federal government". That quotation is from a letter signed by the Minister of Public Works and Government Services.

I am at a loss to understand if that is his intention why he would hesitate for a second to state that in the legislation. The legislation says one thing and the minister says exactly the opposite. He is trying to assure us and the critics of this bill that we ought not to worry because it is not his intention to do this. Yet the bill clearly says that the government may do it. I do not see where the logic lies there; it misses me completely and I think it would miss anybody who stopped to think about it.

We have had a number of very strong presentations on the intrusion of government into private enterprise. I have a whole stack of them here. I know I cannot refer to them so I will not, Mr. Speaker, but they are here. Most of them are from small business firms and notably among them are consulting engineers. I will not quote it but I remember one of them said that this legislation cuts right to the very core of small engineering firms whose lifeblood is bidding on and providing services for provinces and municipalities.

This legislation now says that the taxpayer is going to be subsidizing the competition because government agencies are also going to be bidding. That introduces such a large unfairness into the free enterprise process.

I would also like to read a statement from a very well-known organization which does things along the lines of analysing our economic problems and difficulties and solutions to those problems. This is that organization's assessment of this bill, not mine: "It is clear that if the implication of the bill is that the federal government intends in any way to engage in the undertaking of work for private purposes in competition with contractors in the private sector, this would be entirely wrong and the bill ought to specifically preclude the federal government from doing this".

There are other references. As I said I have many of them here from individuals, groups and businesses. They all give the message that the government should not be in the business of competing with private enterprise, period. Why it is in this legislation at all is a total mystery to me.

Now there is an amendment that clause 16 ought to be amended by dividing the two parts. One part says to let the minister go ahead, but in the other part he has to get a nod from the other cabinet ministers, behind closed doors, no openness, no accountability and no restriction on what he can do for anyone anywhere on planet earth.

I object. On behalf of all of those people who wrote to me and my colleagues, I object. I object on behalf of all of those small businesses, those engineering firms, the printers, the small newspapers who wrote. They said they do not like having government taxation subsidy driving them out of business. For all of them I say as strongly as I can, please, members of this House, reconsider this. Do not pass this legislation and then regret it later because I know you will.

The Acting Speaker (Mr. Kilger): There is one minute, if the parliamentary secretary wishes, or I could see the clock as 5.30 p.m.

Mr. Duhamel: Mr. Speaker, I am not losing my place in the order of speaking.

The Acting Speaker (Mr. Kilger): The member will have an opportunity to speak when the matter comes back to the House.

PRIVATE MEMBERS' BUSINESS

[English]

CRIMINAL CODE

The House resumed from December 8 consideration of the motion that Bill C-226, an act to amend the Criminal Code, be read the second time and referred to a committee.

The Acting Speaker (Mr. Kilger): Pursuant to order made Thursday, December 8, 1994, the House will now proceed to the taking of the deferred division on the motion of Mr. Nunziata at second reading stage of Bill C-226, an act to amend the Criminal Code.

Call in the members.

(1750)

And the bells having rung:

Mr. Boudria: Mr. Speaker, I rise on a point of order. I think you would find unanimous consent that the House proceed first with the vote on Bill C-51, then proceed with the other votes on government business, and Bill C-226 and Motion No. 257 would be the last items to be voted on this afternoon.

The Acting Speaker (Mr. Kilger): The House has heard the suggestion of the chief government whip that I call the vote on

Bill C-51 and at the very end we come back to Bill C-226 and Motion No. 257. I would start with Bill C-51, the Canada Grain Act. Is there agreement?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

CANADA GRAIN ACT

The House resumed from December 9 consideration of the motion that Bill C-51, an act to amend the Canada Grain Act and respecting certain regulations made pursuant to that act, be read the third time and passed.

The Acting Speaker (Mr. Kilger): Pursuant to the order made on December 9, 1994, the House will now proceed to the taking of the deferred division on the motion for third reading of Bill C-51.

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 139*)

YEAS

Members

Adams	Allmand
Anawak	Anderson
Arseneault	Assad
Asselin	Axworthy (Winnipeg South Centre)
Baker	Bakopanos
Barnes	Beaumier
Bellehumeur	Bellemare
Berger	Bergeron
Bernier (Beauce)	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Bertrand
Bethel	Bhaduria
Blondin—Andrew	Bodnar
Bonin	Boudria
Brien	Brown (Oakville—Milton)
Brushett	Bryden
Bélair	Bélisle
Caccia	Calder
Campbell	Cannis
Canuel	Caron
Catterall	Chamberlain
Chan	Chrétien (Frontenac)
Chrétien (Saint-Maurice)	Collins
Comuzzi	Copps
Cowling	Crawford
Culbert	Dalphond—Guiral
Daviault	Debien
de Savoye	Deshaies
DeVillers	Dhaliwal
Discepola	Dromisky
Duceppe	Duhamel
Dumas	Dupuy
Easter	Eggleton
English	Fewchuk
Fillion	Finestone
Finlay	Flis
Fontana	Fry
Gaffney	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gagnon (Québec)	Galloway
Gauthier (Roberval)	Gerrard
Godfrey	Godin
Graham	Gray (Windsor West)
Grose	Guarnieri
Guay	Guimond
Harb	Harvard
Hickey	Hopkins
Hubbard	Ianno

Iftody
Jackson
Keys
Knutson
Landry
Lastewka
Lavigne (Beauharnois—Salaberry)
Lebel
Lee
Leroux (Shefford)
Loney
MacAulay
MacLaren (Etobicoke North)
Maloney
Marchand
Marleau
Massé
McKinnon
McTeague
Mercier
Milliken
Mitchell
Nault
Nunziata
O'Reilly
Pagtakhan
Paré
Payne
Peters
Phinney
Pickard (Essex—Kent)
Plamondon
Reed
Richardson
Rocheleau
Sauvageau
Shepherd
Simmons
St-Laurent
Steckle
Stewart (Northumberland)
Telegdi
Thalheimer
Torsney
Ur
Vanclief
Verran
Walker
Wayne
Whelan
Young

Government Orders

Irwin
Jacob
Kirkby
Kraft Sloan
Langlois
Laurin
Lavigne (Verdun—Saint-Paul)
Leblanc (Longueuil)
Leroux (Richmond—Wolfe)
Lincoln
Loubier
MacDonald
Malhi
Manley
Marchi
Martin (LaSalle—Émard)
McGuire
McLellan (Edmonton Northwest)
McWhinney
Mifflin
Mills (Broadview—Greenwood)
Murray
Nunez
O'Brien
Ouellet
Parrish
Patry
Peric
Peterson
Picard (Drummond)
Pillitteri
Pomerleau
Regan
Rideout
Rock
Serré
Sheridan
Speller
St. Denis
Stewart (Brant)
Szabo
Terrana
Tobin
Tremblay (Rimouski—Témiscouata)
Valeri
Venne
Volpe
Wappel
Wells
Wood
Zed—194

NAYS

Members

Abbott	Ablonczy
Althouse	Axworthy (Saskatoon—Clark's Crossing)
Benoit	Blaikie
Breitkreuz (Yellowhead)	Bridgman
Brown (Calgary Southeast)	Chatters
Cummins	de Jong
Duncan	Epp
Forseth	Frazier
Gilmour	Gouk
Grey (Beaver River)	Grubel
Hanger	Harper (Calgary West)
Harper (Simcoe Centre)	Harris
Hart	Hays
Hermanson	Hill (Macleod)
Hill (Prince George—Peace River)	Hoepfner
Jennings	Manning
Mayfield	McClelland (Edmonton Southwest)
McLaughlin	Meredith
Mills (Red Deer)	Morrison
Penson	Ramsay
Ringma	Schmidt
Scott (Skeena)	Silye
Solberg	Solomon
Speaker	Stinson

Government Orders

Strahl
Thompson
Williams—53

Taylor
White (Fraser Valley West)

(Division No. 140)

PAIRED—MEMBERS

Members

Bachand	Bevilacqua
Bouchard	Cauchon
Collenette	Crête
Dubé	Lalonde
LeBlanc (Cape/Cap Breton Highlands—Canso)	Minna
Ménard	Robichaud

(1800)

The Acting Speaker (Mr. Kilger): I declare the motion carried.

(Bill read the third time and passed.)

* * *

CANADIAN ENVIRONMENTAL ASSESSMENT ACT

The House resumed from December 12 consideration of the motion that Bill C-56, an act to amend the Canadian Environmental Assessment Act, be read the third time and passed.

The Acting Speaker (Mr. Kilger): Pursuant to Standing Order 45, the House will now proceed to the taking of the deferred recorded division on the motion for third reading of Bill C-56.

[English]

Mr. Boudria: Mr. Speaker, on a point of order. I think you would find unanimous consent that the members who have voted on the previous vote be recorded as having voted on the vote now before the House in the following manner, Liberal MPs voting yes, along with the member for Beauce.

[Translation]

Mr. Duceppe: Mr. Speaker, the Bloc Québécois members are opposed to this motion.

[English]

Mr. Silye: The Reform Party members today vote nay, except for those who wish to vote otherwise.

Mr. Solomon: Mr. Speaker, the New Democratic Party members in the House today vote yes on this motion.

Mrs. Wayne: Mr. Speaker, as party whip for the PC Party, the members of the PC Party tonight will vote in favour.

Mr. Bhaduria: Mr. Speaker, I will be voting with the government.

[Translation]

(The House divided on the motion, which was agreed to on the following division:)

YEAS

Members

Adams	Allmand
Althouse	Anawak
Anderson	Arseneault
Assad	Axworthy (Saskatoon—Clark's Crossing)
Axworthy (Winnipeg South Centre)	Baker
Bakopanos	Barnes
Beaumier	Bellemare
Berger	Bernier (Beauce)
Bertrand	Bethel
Bhaduria	Blaikie
Blondin—Andrew	Bodnar
Bonin	Boudria
Brown (Oakville—Milton)	Brushett
Bryden	Bélair
Caccia	Calder
Campbell	Cannis
Catterall	Chamberlain
Chan	Chrétien (Saint—Maurice)
Collins	Comuzzi
Copps	Cowling
Crawford	Culbert
de Jong	DeVillers
Dhaliwal	Discepola
Dromisky	Duhamel
Dupuy	Easter
Eggleton	English
Fewchuk	Finestone
Finlay	Flis
Fontana	Fry
Gaffney	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Galloway	Gerrard
Godfrey	Graham
Gray (Windsor West)	Grose
Guarnieri	Harb
Harvard	Hickey
Hopkins	Hubbard
Ianno	Iftody
Irwin	Jackson
Keys	Kirkby
Knutson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint—Paul)
Lee	Lincoln
Loney	MacAulay
MacDonald	MacLaren (Etobicoke North)
Malhi	Maloney
Manley	Marchi
Marleau	Martin (LaSalle—Émard)
Massé	McGuire
McKinnon	McLaughlin
McLellan (Edmonton Northwest)	McTeague
McWhinney	Mifflin
Milliken	Mills (Broadview—Greenwood)
Mitchell	Murray
Nault	Nunziata
O'Brien	O'Reilly
Ouellet	Pagtakhan
Parrish	Patry
Payne	Peric
Peters	Peterson
Phinney	Pickard (Essex—Kent)
Pillitteri	Reed
Regan	Richardson
Rideout	Rock
Serré	Shepherd
Sheridan	Simmons
Solomon	Speller
St. Denis	Steckle
Stewart (Brant)	Stewart (Northumberland)
Szabo	Taylor
Telegdi	Terrana
Thalheimer	Tobin
Torsney	Ur
Valeri	Vanclief
Verran	Volpe
Walker	Wappel
Wayne	Wells
Whelan	Wood
Young	Zed—156

Government Orders

NAYS

Members

Abbott	Ablonczy
Asselin	Bellehumeur
Benoit	Bergeron
Bernier (Gaspé)	Bernier (Mégantic—Compton—Stanstead)
Breitkreuz (Yellowhead)	Bridgman
Brien	Brown (Calgary Southeast)
Bélisle	Canuel
Caron	Chatters
Chrétien (Frontenac)	Cummins
Dalphonde-Guiral	Daviault
Debien	de Savoye
Deshaies	Duceppe
Dumas	Duncan
Epp	Fillion
Forseth	Frazier
Gagnon (Québec)	Gauthier (Roberval)
Gilmour	Godin
Gouk	Grey (Beaver River)
Grubel	Guay
Guimond	Hanger
Harper (Calgary West)	Harper (Simcoe Centre)
Harris	Hart
Hayes	Hermanson
Hill (MacLeod)	Hill (Prince George—Peace River)
Hoepfner	Jacob
Jennings	Landry
Langlois	Laurin
Lavigne (Beauharnois—Salaberry)	Lebel
Leblanc (Longueuil)	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
Manning	Marchand
Mayfield	McClelland (Edmonton Southwest)
Mercier	Meredith
Mills (Red Deer)	Morrison
Nunez	Paré
Penon	Picard (Drummond)
Plamondon	Pomerleau
Ramsay	Ringma
Rocheleau	Sauvageau
Schmidt	Scott (Skeena)
Silye	Solberg
Speaker	St-Laurent
Stinson	Strahl
Thompson	Tremblay (Rimouski—Témiscouata)
Venne	White (Fraser Valley West)
Williams—91	

PAIRED—MEMBERS

Members

Bachand	Bevilacqua
Bouchard	Cauchon
Collette	Crête
Dubé	Lalonde
LeBlanc (Cape/Cap Breton Highlands—Canso)	Minna
Ménard	Robichaud

The Acting Speaker (Mr. Kilger): I declare the motion carried.

(Bill read the third time and passed.)

* * *

IMMIGRATION ACT

The House resumed from December 12 consideration of Bill C-44, an act to amend the Immigration Act and the Citizenship Act and to make a consequential amendment to the Customs

Act, as reported (with amendments) from the Standing Committee.

The Acting Speaker (Mr. Kilger): Pursuant to Standing Order 45, the House will now proceed to the deferred recorded division on the motion at report stage of Bill C-44.

The first question is on Motion No. 1.

Mr. Boudria: Mr. Speaker, I think you will find unanimous consent to apply the results of the last vote to this one, as follows: the Liberal members vote no.

(1805)

Mr. Duceppe: Mr. Speaker, the members of the Bloc Québécois support this motion.

Mr. Silye: Mr. Speaker, the Reform Party members vote nay, except for those who wish to vote otherwise.

Mr. Solomon: Mr. Speaker, the New Democratic Party members who are here vote in favour of the motion.

Mrs. Wayne: Mr. Speaker, I wish to point out to you that the name of the riding is Saint John and not St. John's as you said a little earlier. The members of the Conservative Party will vote against the motion.

Mr. Bernier (Beauce): I vote yes, Mr. Speaker.

Mr. Bhaduria: Mr. Speaker, I will be voting with the government.

(The House divided on the motion, which was negated on the following division:)

(Division No. 141)

YEAS

Members

Althouse	Asselin
Axworthy (Saskatoon—Clark's Crossing)	Bellehumeur
Bergeron	Bernier (Beauce)
Bernier (Gaspé)	Bernier (Mégantic—Compton—Stanstead)
Blaikie	Brien
Bélisle	Canuel
Caron	Chrétien (Frontenac)
Dalphonde-Guiral	Daviault
Debien	de Jong
de Savoye	Deshaies
Duceppe	Dumas
Fillion	Gagnon (Québec)
Gauthier (Roberval)	Godin
Guay	Guimond
Jacob	Landry
Langlois	Laurin
Lavigne (Beauharnois—Salaberry)	Lebel
Leblanc (Longueuil)	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
Marchand	McLaughlin
Mercier	Nunez
Paré	Picard (Drummond)
Plamondon	Pomerleau
Rocheleau	Sauvageau
Solomon	St-Laurent
Taylor	Tremblay (Rimouski—Témiscouata)
Venne—53	

Government Orders

NAYS

Members

Abbott
 Adams
 Anawak
 Arseneault
 Axworthy (Winnipeg South Centre)
 Bakopanos
 Beaumier
 Benoit
 Bertrand
 Bhaduria
 Bodnar
 Boudria
 Bridgman
 Brown (Oakville—Milton)
 Bryden
 Caccia
 Campbell
 Catterall
 Chan
 Chrétien (Saint-Maurice)
 Comuzzi
 Cowling
 Culbert
 DeVillers
 Discepolo
 Duhamel
 Dupuy
 Eggleton
 Epp
 Finestone
 Flis
 Forseth
 Fry
 Gagnon (Bonaventure—Îles-de-la-Madeleine)
 Gerrard
 Godfrey
 Graham
 Grey (Beaver River)
 Grubel
 Hanger
 Harper (Calgary West)
 Harris
 Harvard
 Hermanson
 Hill (Macleod)
 Hoepfner
 Hubbard
 Ifody
 Jackson
 Keyes
 Knutson
 Lastewka
 Lee
 Loney
 MacDonald
 Malhi
 Manley
 Marchi
 Martin (LaSalle—Émard)
 Mayfield
 McGuire
 McLellan (Edmonton Northwest)
 McWhinney
 Mifflin
 Mills (Broadview—Greenwood)
 Mitchell
 Murray
 Nunziata
 O'Reilly
 Pagtakhan
 Patry
 Penson
 Peters
 Phinney
 Pillitteri
 Reed
 Richardson
 Ringma
 Schmidt
 Serré

Ablonczy
 Allmand
 Anderson
 Assad
 Baker
 Barnes
 Bellemare
 Berger
 Bethel
 Blondin—Andrew
 Bonin
 Breitzkreuz (Yellowhead)
 Brown (Calgary Southeast)
 Brushett
 Bélair
 Calder
 Cannis
 Chamberlain
 Chatters
 Collins
 Copps
 Crawford
 Cummins
 Dhaliwal
 Dromisky
 Duncan
 Easter
 English
 Fewchuk
 Finlay
 Fontana
 Frazer
 Gaffney
 Gallaway
 Gilmour
 Gouk
 Gray (Windsor West)
 Grose
 Guarnieri
 Harb
 Harper (Simcoe Centre)
 Hart
 Hayes
 Hickey
 Hill (Prince George—Peace River)
 Hopkins
 Ianno
 Irwin
 Jennings
 Kirkby
 Kraft Sloan
 Lavigne (Verdun—Saint-Paul)
 Lincoln
 MacAulay
 MacLaren (Etobicoke North)
 Maloney
 Manning
 Marleau
 Massé
 McClelland (Edmonton Southwest)
 McKinnon
 McTeague
 Meredith
 Milliken
 Mills (Red Deer)
 Morrison
 Nault
 O'Brien
 Ouellet
 Parrish
 Payne
 Peric
 Peterson
 Pickard (Essex—Kent)
 Ramsay
 Regan
 Rideout
 Rock
 Scott (Skeena)
 Shepherd

Sheridan
 Simmons
 Speaker
 St. Denis
 Stewart (Brant)
 Stinson
 Szabo
 Terrana
 Thompson
 Torsney
 Valeri
 Verran
 Walker
 Wayne
 Whelan
 Williams
 Young

Silye
 Solberg
 Speller
 Steckle
 Stewart (Northumberland)
 Strahl
 Telegdi
 Thalheimer
 Tobin
 Ur
 Vanclief
 Volpe
 Wappel
 Wells
 White (Fraser Valley West)
 Wood
 Zed—194

PAIRED—MEMBERS

Members

Bachand
 Bouchard
 Collenette
 Dubé
 LeBlanc (Cape/Cap Breton Highlands—Canso)
 Ménard

Bevilacqua
 Cauchon
 Crête
 Lalonde
 Minna
 Robichaud

The Acting Speaker (Mr. Kilger): I declare Motions No. 1 lost. Consequently, Motions Nos. 3, 4, 5, 6, 8, 9, 10, 11, 12, 18, 19 and 23 are also lost.

The next question is on Motion No. 13, standing in the name of the hon. member for Bourassa.

Mr. Boudria: Mr. Speaker, I think you will find unanimous consent to apply the results of the vote on the previous motion to this motion.

The Acting Speaker (Mr. Kilger): Is there unanimous consent?

Some hon. members: Agreed.

(The House divided on the motion, which was negated on the following division:)

[*Editor's Note: See list under Division No. 141.*]

The Acting Speaker (Mr. Kilger): I declare the motion lost.

Mr. Boudria: Mr. Speaker, I think you will find unanimous consent to apply the results of the vote in the same way to Motions Nos. 14, 15, 16 and 17.

The Acting Speaker (Mr. Kilger): Is there unanimous consent?

Some hon. members: Agreed.

Mr. Allmand: Mr. Speaker, I do not want to vote against Motion No. 14.

The Acting Speaker: The next question is on Motion No. 14.

(The House divided on the motion, which was negated on the following division:)

*Government Orders**(Division No. 142)*

YEAS

Members

Althouse	Asselin
Axworthy (Saskatoon—Clark's Crossing)	Bellehumeur
Bergeron	Bernier (Beauce)
Bernier (Gaspé)	Bernier (Mégantic—Compton—Stanstead)
Blaikie	Brien
Bélisle	Canuel
Caron	Chrétien (Frontenac)
Dalphond—Guiral	Daviault
Debien	de Jong
de Savoye	Deshaies
Duceppe	Dumas
Fillion	Gagnon (Québec)
Gauthier (Roberval)	Godin
Guay	Guimond
Jacob	Landry
Langlois	Laurin
Lavigne (Beauharnois—Salaberry)	Lebel
Leblanc (Longueuil)	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
Marchand	McLaughlin
Mercier	Nunez
Paré	Picard (Drummond)
Plamondon	Pomerleau
Rocheleau	Sauvageau
Solomon	St-Laurent
Taylor	Tremblay (Rimouski—Témiscouata)
Venne—53	

NAYS

Members

Abbott	Ablonczy
Adams	Anawak
Anderson	Arseneault
Assad	Axworthy (Winnipeg South Centre)
Baker	Bakopanos
Barnes	Beaumier
Bellemare	Benoit
Berger	Bertrand
Bethel	Bhaduria
Blondin—Andrew	Bodnar
Bonin	Boudria
Breitkreuz (Yellowhead)	Bridgman
Brown (Calgary Southeast)	Brown (Oakville—Milton)
Brushett	Bryden
Bélair	Caccia
Calder	Campbell
Cannis	Catterall
Chamberlain	Chan
Chatters	Chrétien (Saint-Maurice)
Collins	Comuzzi
Copps	Cowling
Crawford	Culbert
Cummins	DeVillers
Dhaliwal	Discepola
Dromisky	Duhamel
Duncan	Dupuy
Easter	Eggleton
English	Epp
Fewchuk	Finestone
Finlay	Flis
Fontana	Forseth
Frazer	Fry
Gaffney	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Galloway	Gerrard
Gilmour	Godfrey
Gouk	Graham
Gray (Windsor West)	Grey (Beaver River)
Grose	Grubel
Guarnieri	Hanger
Harb	Harper (Calgary West)
Harper (Simcoe Centre)	Harris

Hart	Harvard
Hayes	Hermanson
Hickey	Hill (Macleod)
Hill (Prince George—Peace River)	Hoepfner
Hopkins	Hubbard
Ianno	Iftody
Irwin	Jackson
Jennings	Keyes
Kirkby	Knutson
Kraft Sloan	Lastewka
Lavigne (Verdun—Saint-Paul)	Lee
Lincoln	Loney
MacAulay	MacDonald
MacLaren (Etobicoke North)	Malhi
Maloney	Manley
Manning	Marchi
Marleau	Martin (LaSalle—Énard)
Massé	Mayfield
McClelland (Edmonton Southwest)	McGuire
McKinnon	McLellan (Edmonton Northwest)
McTeague	McWhinney
Meredith	Mifflin
Milliken	Mills (Broadview—Greenwood)
Mills (Red Deer)	Mitchell
Morrison	Murray
Nault	Nunziata
O'Brien	O'Reilly
Ouellet	Pagtkhan
Parrish	Patry
Payne	Penson
Peric	Peters
Peterson	Phinney
Pickard (Essex—Kent)	Pillitteri
Ramsay	Reed
Regan	Richardson
Rideout	Ringma
Rock	Schmidt
Scott (Skeena)	Serré
Shepherd	Sheridan
Silye	Simmons
Solberg	Speaker
Speller	St. Denis
Steckle	Stewart (Brant)
Stewart (Northumberland)	Stinson
Strahl	Szabo
Telegdi	Terrana
Thalheimer	Thompson
Tobin	Torsney
Ur	Valeri
Vanclief	Verran
Volpe	Walker
Wappel	Wayne
Wells	Whelan
White (Fraser Valley West)	Williams
Wood	Young
Zed—193	

PAIRED—MEMBERS

Members

Bachand	Bevilacqua
Bouchard	Cauchon
Collenette	Crête
Dubé	Lalonde
LeBlanc (Cape/Cap Breton Highlands—Canso)	Minna
Ménard	Robichaud

The Acting Speaker (Mr. Kilger): I declare the motion lost.

The next question is on Motion No. 15.

(The House divided on the motion, which was negated on the following division:)

[*Editor's Note: See list under Division No. 141.*]

The Acting Speaker (Mr. Kilger): The next question is on Motion No. 16.

(The House divided on the motion, which was negated on the following division:)

[*Editor's Note: See list under Division No. 141.*]

Government Orders

The Acting Speaker (Mr. Kilger): The next question is on Motion No. 17.

(The House divided on the motion, which was negated on the following division:)

[*Editor's Note: See list under Division No. 141.*]

The Acting Speaker (Mr. Kilger): The next question is on Motion No. 20.

(1810)

Mr. Boudria: Mr. Speaker, I think you would find there is unanimous consent to having all members who voted on the previous motion recorded as having voted on the motion now before the House as follows: Liberals against the motion.

Mr. Duceppe: Mr. Speaker, members of the Bloc Quebecois support this motion.

Mr. Silye: Mr. Speaker, members of the Reform Party vote against it, unless some members choose to vote differently.

Mr. Solomon: Mr. Speaker, members of the New Democratic Party now in the House vote nay.

Mr. Bernier (Beauce): Mr. Speaker, I vote against it.

Mrs. Wayne: The hon. member for Saint John votes against the motion, Mr. Speaker.

Mr. Bhaduria: I vote nay, Mr. Speaker.

(The House divided on the motion, which was negated on the following division:)

(*Division No. 143*)

YEAS

Members

Asselin	Bellehumeur
Bergeron	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Brien
Bélisle	Canuel
Caron	Chrétien (Frontenac)
Dalphond—Guiral	Daviault
Debien	de Savoye
Deshaiés	Duceppe
Dumas	Fillion
Gagnon (Québec)	Gauthier (Roberval)
Godin	Guay
Guimond	Jacob
Landry	Langlois
Laurin	Lavigne (Beauharnois—Salaberry)
Lebel	Leblanc (Longueuil)
Leroux (Richmond—Wolfe)	Leroux (Shefford)
Loubier	Marchand
Mercier	Nunez
Paré	Picard (Drummond)
Plamondon	Pomerleau
Rocheleau	Sauvageau
St-Laurent	Tremblay (Rimouski—Témiscouata)
Venne—45	

NAYS

Members

Abbott	Ablonczy
Adams	Allmand
Althouse	Anawak
Anderson	Arseneault
Assad	Axworthy (Saskatoon—Clark's Crossing)
Axworthy (Winnipeg South Centre)	Baker
Bakopanos	Barnes
Beaumier	Bellemare
Benoit	Berger
Bernier (Beauce)	Bertrand
Bethel	Bhaduria
Blaikie	Blondin—Andrew
Bodnar	Bonin
Boudria	Breitkreuz (Yellowhead)
Bridgman	Brown (Calgary Southeast)
Brown (Oakville—Milton)	Brushett
Bryden	Bélar
Caccia	Calder
Campbell	Cannis
Catterall	Chamberlain
Chan	Chatters
Chrétien (Saint-Maurice)	Collins
Comuzzi	Copps
Cowling	Crawford
Culbert	Cummins
de Jong	DeVillers
Dhaliwal	Discepola
Dromisky	Duhamel
Duncan	Dupuy
Easter	Eggleton
English	Epp
Fewchuk	Finestone
Finlay	Fliis
Fontana	Forseth
Frazer	Fry
Gaffney	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Galloway	Gerrard
Gilmour	Godfrey
Gouk	Graham
Gray (Windsor West)	Grey (Beaver River)
Grose	Grubel
Guarnieri	Hanger
Harb	Harper (Calgary West)
Harper (Simcoe Centre)	Harris
Hart	Harvard
Hayes	Hermanson
Hickey	Hill (Macleod)
Hill (Prince George—Peace River)	Hoepfner
Hopkins	Hubbard
Ianno	Iftody
Irwin	Jackson
Jennings	Keyes
Kirkby	Knutson
Kraft Sloan	Lastewka
Lavigne (Verdun—Saint-Paul)	Lee
Lincoln	Loney
MacAulay	MacDonald
MacLaren (Etobicoke North)	Malhi
Maloney	Manley
Manning	Marchi
Marleau	Martin (LaSalle—Émard)
Massé	Mayfield
McClelland (Edmonton Southwest)	McGuire
McKinnon	McLaughlin
McLellan (Edmonton Northwest)	McTeague
McWhinney	Meredith
Mifflin	Milliken
Mills (Broadview—Greenwood)	Mills (Red Deer)
Mitchell	Morrison
Murray	Nault
Nunziata	O'Brien
O'Reilly	Ouellet
Pagtakhan	Parrish
Patry	Payne
Penson	Peric
Peters	Peterson
Phinney	Pickard (Essex—Kent)
Pillitteri	Ramsay
Reed	Regan

Richardson
Ringma
Schmidt
Serré
Sheridan
Simmons
Solomon
Speller
Steckle
Stewart (Northumberland)
Strahl
Taylor
Terrana
Thompson
Torsney
Valeri
Verran
Walker
Wayne
Whelan
Williams
Young

Rideout
Rock
Scott (Skeena)
Shepherd
Silye
Solberg
Speaker
St. Denis
Stewart (Brant)
Stinson
Szabo
Telegdi
Thalheimer
Tobin
Ur
Vanclief
Volpe
Wappel
Wells
White (Fraser Valley West)
Wood
Zed—202

PAIRED—MEMBERS

Members

Bachand	Bevilacqua
Bouchard	Cauchon
Collenette	Crête
Dubé	Lalonde
LeBlanc (Cape/Cap Breton Highlands—Canso)	Minna
Ménard	Robichaud

The Acting Speaker (Mr. Kilger): I declare the motion lost.

The next question is on Motion No. 21, standing in the name of the member for Bourassa.

Mr. Boudria: Mr. Speaker, I think you will find unanimous consent to apply the vote taken on Motion No. 1 at report stage of Bill C-44 to the motion which is now being voted on, and also to Motion No. 22.

The Acting Speaker (Mr. Kilger): Is there unanimous consent?

Some hon. members: Agreed.

(The House divided on the motion, which was negated on the following division:)

[*Editor's Note: See list under Division No. 141.*]

The Acting Speaker (Mr. Kilger): I declare Motion No. 21 lost.

The next question is on Motion No. 22.

[*Editor's Note: See list under Division No. 141.*]

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.) moved that Bill C-44, as amended, be concurred in.

The Acting Speaker (Mr. Kilger): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

Government Orders

Mr. Boudria: Mr. Speaker, I think you would find unanimous consent to have the members who voted on the previous motion recorded as having voted on the motion now before the House as follows: Liberal MPs voting yes.

Mr. Duceppe: Mr. Speaker, members of the Bloc Québécois vote against the motion.

Mr. Silye: Mr. Speaker, members of the Reform Party vote against the motion, unless some members want to vote differently.

Mr. Solomon: Members of the NDP present in the House vote against the motion, Mr. Speaker.

Mr. Bernier (Beauce): Mr. Speaker, I vote for the motion.

Mrs. Wayne: Mr. Speaker, I vote for the motion.

Mr. Bhaduria: Mr. Speaker, I vote for the motion.

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 144*)

YEAS

Members

Adams	Allmand
Anawak	Anderson
Arseneault	Assad
Axworthy (Winnipeg South Centre)	Baker
Bakopanos	Barnes
Beaumier	Bellemare
Berger	Bernier (Beauce)
Bertrand	Bethel
Bhaduria	Blondin—Andrew
Bodnar	Bonin
Boudria	Brown (Oakville—Milton)
Brushett	Bryden
Bélair	Caccia
Calder	Campbell
Cannis	Catterall
Chamberlain	Chan
Chrétien (Saint-Maurice)	Collins
Comuzzi	Copps
Cowling	Crawford
Culbert	DeVillers
Dhaliwal	Discepola
Dromisky	Duhamel
Dupuy	Easter
Eggleton	English
Fewchuk	Finestone
Finlay	Flis
Fontana	Fry
Gaffney	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Galloway	Gerrard
Godfrey	Graham
Gray (Windsor West)	Grose
Guarnieri	Harb
Harvard	Hickey
Hopkins	Hubbard
Ianno	Iftody
Irwin	Jackson
Keyes	Kirkby
Knutson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint-Paul)
Lee	Lincoln
Loney	MacAulay
MacDonald	MacLaren (Etobicoke North)
Malhi	Maloney
Manley	Marchi
Marleau	Martin (LaSalle—Émard)
Massé	McGuire
McKinnon	McLellan (Edmonton Northwest)

Government Orders

McTeague	McWhinney
Mifflin	Milliken
Mills (Broadview—Greenwood)	Mitchell
Murray	Nault
Nunziata	O'Brien
O'Reilly	Ouellet
Pagtakhan	Parrish
Patry	Payne
Peric	Peters
Peterson	Phinney
Pickard (Essex—Kent)	Pillitteri
Reed	Regan
Richardson	Rideout
Rock	Serré
Shepherd	Sheridan
Simmons	Speller
St. Denis	Steckle
Stewart (Brant)	Stewart (Northumberland)
Szabo	Telegdi
Terrana	Thalheimer
Tobin	Torsney
Ur	Valeri
Vanclief	Verran
Volpe	Walker
Wappel	Wayne
Wells	Whelan
Wood	Young
Zed—149	

NAYS

Members

Abbott	Ablonczy
Althouse	Asselin
Axworthy (Saskatoon—Clark's Crossing)	Bellehumeur
Benoit	Bergeron
Bernier (Gaspé)	Bernier (Mégantic—Compton—Stanstead)
Blaikie	Breitkreuz (Yellowhead)
Bridgman	Brien
Brown (Calgary Southeast)	Bélisle
Canuel	Caron
Chatters	Chrétien (Frontenac)
Cummins	Dalphond—Guiral
Daviault	Debien
de Jong	de Savoye
Deshaies	Duceppe
Dumas	Duncan
Epp	Fillion
Forseth	Frazier
Gagnon (Québec)	Gauthier (Roberval)
Gilmour	Godin
Gouk	Grey (Beaver River)
Grubel	Guay
Guimond	Hanger
Harper (Calgary West)	Harper (Simcoe Centre)
Harris	Hart
Hayes	Hermanson
Hill (Macleod)	Hill (Prince George—Peace River)
Hoepfner	Jacob
Jennings	Landry
Langlois	Laurin
Lavigne (Beauharnois—Salaberry)	Lebel
Leblanc (Longueuil)	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
Manning	Marchand
Mayfield	McClelland (Edmonton Southwest)
McLaughlin	Mercier
Meredith	Mills (Red Deer)
Morrison	Nunez
Paré	Penson
Picard (Drummond)	Plamondon
Pomerleau	Ramsay
Ringma	Rocheleau
Sauvageau	Schmidt
Scott (Skeena)	Silye
Solberg	Solomon
Speaker	St-Laurent
Stinson	Strahl
Taylor	Thompson
Tremblay (Rimouski—Témiscouata)	Venne
White (Fraser Valley West)	Williams—98

PAIRED—MEMBERS

Members

Bachand	Bevilacqua
Bouchard	Cauchon
Collenette	Crête
Dubé	Lalonde
LeBlanc (Cape/Cap Breton Highlands—Canso)	Minna
Ménard	Robichaud

The Acting Speaker (Mr. Kilger): I declare the motion carried.

(Motion agreed to.)

* * *

EMPLOYMENT EQUITY ACT

The House resumed consideration of the motion.

The Acting Speaker (Mr. Kilger): Pursuant to Standing Order 45, the House will now proceed to the taking of the deferred division on the motion for second reading of Bill C-64, an act respecting employment equity.

(1815)

Mr. Boudria: Mr. Speaker, I think you will find unanimous consent to having members who voted on the previous motion recorded as having voted on the motion now before the House as follows: Liberals will be voting yea, except the hon. member for Saint-Maurice and the hon. member for Papineau—Saint-Michel, who, unfortunately, had to leave.

Mr. Duceppe: Mr. Speaker, the Bloc Québécois will be voting nay on this motion.

Mr. Silye: Mr. Speaker, the Reform Party will vote nay, unless some wish to vote otherwise.

Mr. Solomon: Mr. Speaker, the NDP members who are in the House will vote yea.

Mr. Bernier (Beauce): I vote yea, Mr. Speaker.

Mrs. Wayne: This Progressive Conservative member votes yea, Mr. Speaker.

Mr. Bhaduria: I vote yea, Mr. Speaker.

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 145)

YEAS

Members

Adams	Allmand
Althouse	Anawak
Anderson	Arseneault
Assad	Asselin
Axworthy (Saskatoon—Clark's Crossing)	Axworthy (Winnipeg South Centre)
Baker	Bakopanos
Barnes	Beaumier
Bellehumeur	Bellemare
Berger	Bergeron
Bernier (Beauce)	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Bertrand
Bethel	Bhaduria
Blaikie	Blondin—Andrew
Bodnar	Bonin
Boudria	Brien

Private Members' Business

Brown (Oakville—Milton)
 Bryden
 Bélsile
 Calder
 Cannis
 Caron
 Chamberlain
 Chrétien (Frontenac)
 Comuzzi
 Cowling
 Culbert
 Daviault
 de Jong
 Deshaies
 Dhaliwal
 Dromisky
 Duhamel
 Dupuy
 Eggleton
 Fewchuk
 Finestone
 Flis
 Fry
 Gagnon (Bonaventure—Îles-de-la-Madeleine)
 Gallaway
 Gerrard
 Godin
 Gray (Windsor West)
 Guarnieri
 Guimond
 Harvard
 Hopkins
 Ianno
 Irwin
 Jacob
 Kirkby
 Kraft Sloan
 Langlois
 Laurin
 Lavigne (Verdun—Saint-Paul)
 Leblanc (Longueuil)
 Leroux (Richmond—Wolfe)
 Lincoln
 Loubier
 MacDonald
 Malhi
 Manley
 Marchi
 Martin (LaSalle—Émard)
 McGuire
 McLaughlin
 McTeague
 Mercier
 Milliken
 Mitchell
 Nault
 Nunziata
 O'Reilly
 Parrish
 Patry
 Peric
 Peterson
 Picard (Drummond)
 Pillitteri
 Pomerleau
 Regan
 Rideout
 Rock
 Serré
 Sheridan
 Solomon
 St-Laurent
 Steckle
 Stewart (Northumberland)
 Taylor
 Terrana
 Tobin

Brushett
 Bélair
 Caccia
 Campbell
 Canuel
 Catterall
 Chan
 Collins
 Copps
 Crawford
 Dalphond-Guiral
 Debieu
 de Savoye
 DeVillers
 Discepola
 Duceppe
 Dumas
 Easter
 English
 Fillion
 Finlay
 Fontana
 Gaffney
 Gagnon (Québec)
 Gauthier (Roberval)
 Godfrey
 Graham
 Grose
 Guay
 Harb
 Hickey
 Hubbard
 Ifody
 Jackson
 Keyes
 Knutson
 Landry
 Lastewka
 Lavigne (Beauharnois—Salaberry)
 Lebel
 Lee
 Leroux (Shefford)
 Loney
 MacAulay
 MacLaren (Etobicoke North)
 Maloney
 Marchand
 Marleau
 Massé
 McKinnon
 McLellan (Edmonton Northwest)
 McWhinney
 Mifflin
 Mills (Broadview—Greenwood)
 Murray
 Nunez
 O'Brien
 Pagtakhan
 Paré
 Payne
 Peters
 Phinney
 Pickard (Essex—Kent)
 Plamondon
 Reed
 Richardson
 Rocheleau
 Sauvageau
 Shepherd
 Simmons
 Speller
 St. Denis
 Stewart (Brant)
 Szabo
 Telegdi
 Thalheimer
 Torsney

Tremblay (Rimouski—Témiscouata)
 Valeri
 Venne
 Volpe
 Wappel
 Wells
 Wood
 Zed—199

Ur
 Vanclief
 Verran
 Walker
 Wayne
 Whelan
 Young

NAYS

Members

Abbott
 Benoit
 Bridgman
 Chatters
 Duncan
 Forseth
 Gilmour
 Grey (Beaver River)
 Hanger
 Harper (Simcoe Centre)
 Hart
 Hermanson
 Hill (Prince George—Peace River)
 Jennings
 Mayfield
 Meredith
 Morrison
 Ramsay
 Schmidt
 Silye
 Speaker
 Strahl
 White (Fraser Valley West)

Ablonczy
 Breitzkreuz (Yellowhead)
 Brown (Calgary Southeast)
 Cummins
 Epp
 Frazer
 Gouk
 Grubel
 Harper (Calgary West)
 Harris
 Hayes
 Hill (Macleod)
 Hoepfner
 Manning
 McClelland (Edmonton Southwest)
 Mills (Red Deer)
 Penson
 Ringma
 Scott (Skeena)
 Solberg
 Stinson
 Thompson
 Williams—46

PAIRED—MEMBERS

Members

Bachand
 Bouchard
 Collenette
 Dubé
 LeBlanc (Cape/Cap Breton Highlands—Canso)
 Ménard

Bevilacqua
 Cauchon
 Crête
 Lalonde
 Minna
 Robichaud

The Acting Speaker (Mr. Kilger): I declare the motion carried.

(Motion agreed to.)

PRIVATE MEMBERS' BUSINESS

[Translation]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-226, an act to amend the Criminal Code, be read the second time and referred to a committee.

The Acting Speaker (Mr. Kilger): The House will now proceed to the taking of the recorded division on the motion that Bill C-226 be read a second time.

As is the custom, the vote will be taken row by row, beginning with the mover, and moving on to those in favour of the motion who are on the same side of the House as the mover.

Private Members' Business

Those in favour of the motion and seated on the other side of the House will be called on next. Those who oppose the motion will then be asked to vote in the same order.

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 146)

YEAS

Members

Abbott	Ablonczy
Adams	Aithouse
Anawak	Arseneault
Asselin	Axworthy (Saskatoon—Clark's Crossing)
Baker	Bakopanos
Beaumier	Benoit
Bernier (Beauce)	Bertrand
Bethel	Bhaduria
Blaikie	Bodnar
Bonin	Boudria
Breitkreuz (Yellowhead)	Bridgman
Brown (Calgary Southeast)	Bryden
Bélair	Calder
Cannis	Chamberlain
Chatters	Collins
Comuzzi	Cowling
Crawford	Culbert
Cummins	de Jong
Duncan	Easter
English	Epp
Finlay	Fontana
Forsyth	Frazer
Gaffney	Galloway
Gilmour	Gouk
Grey (Beaver River)	Grubel
Hanger	Harb
Harper (Calgary West)	Harper (Simcoe Centre)
Harris	Hart
Hayes	Hermanson
Hill (Macleod)	Hill (Prince George—Peace River)
Hoepfner	Hopkins
Hubbard	Ianno
Iftody	Jackson
Jennings	Keys
Lastewka	Lavigne (Verdun—Saint-Paul)
Lee	Loney
MacDonald	Malhi
Maloney	Manning
Mayfield	McClelland (Edmonton Southwest)
McGuire	McKinnon
McLaughlin	McTeague
McWhinney	Meredith
Mills (Broadview—Greenwood)	Mills (Red Deer)
Mitchell	Morrison
Murray	Nault
Nunziata	O'Brien
O'Reilly	Parrish
Payne	Penson
Peric	Phinney
Pickard (Essex—Kent)	Pillitteri
Ramsay	Reed
Regan	Richardson
Rideout	Ringma
Schmidt	Scott (Skeena)
Serré	Silye
Simmons	Solberg
Solomon	Speaker
Speller	St. Denis
Steckle	Stinson
Strahl	Taylor
Terrana	Thompson
Torsney	Ur
Valeri	Vanclief
Verran	Volpe
Wappel	Wayne
Wells	White (Fraser Valley West)
Williams	Wood
Young	Zed—136

NAYS

Members

Allmand	Anderson
Assad	Axworthy (Winnipeg South Centre)
Barnes	Bellehumeur
Bellemare	Berger
Bergeron	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Blondin—Andrew
Brien	Brown (Oakville—Milton)
Brushett	Bélisle
Caccia	Campbell
Canuel	Caron
Catterall	Chan
Chrétien (Frontenac)	Copp
Dalphonde—Guiral	Daviault
Debien	de Savoye
Deshaies	DeVillers
Dhaliwal	Discepolo
Dromisky	Duceppe
Duhamel	Dumas
Dupuy	Eggleton
Fewchuk	Fillion
Finestone	Flis
Fry	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gagnon (Québec)	Gauthier (Roberval)
Gerrard	Godfrey
Godin	Graham
Grose	Guay
Guimond	Harvard
Hickey	Irwin
Jacob	Kirkby
Knutson	Kraft Sloan
Landry	Langlois
Laurin	Lavigne (Beauharnois—Salaberry)
Lebel	Leblanc (Longueuil)
Leroux (Richmond—Wolfe)	Leroux (Shefford)
Lincoln	Loubier
MacAulay	MacLaren (Etobicoke North)
Manley	Marchand
Marchi	Marleau
Martin (LaSalle—Émard)	Massé
McLellan (Edmonton Northwest)	Mercier
Milliken	Murphy
Nunez	Paré
Patry	Peters
Peterson	Picard (Drummond)
Pomerleau	Rocheleau
Rock	Sauvageau
Shepherd	Sheridan
St-Laurent	Stewart (Brant)
Stewart (Northumberland)	Szabo
Telegdi	Thalheimer
Tobin	Tremblay (Rimouski—Témiscouata)
Venne—103	

PAIRED—MEMBERS

Members

Bachand	Bevilacqua
Bouchard	Cauchon
Collenette	Crête
Dubé	Lalonde
LeBlanc (Cape/Cap Breton Highlands—Canso)	Minna
Ménard	Robichaud

(1825)

The Acting Speaker (Mr. Kilger): I declare the motion carried.

(Bill read the second time and referred to a committee.)

RECOGNITION OF THE PATRIOTES OF LOWER CANADA AND THE REFORMERS OF UPPER CANADA

The House resumed from December 9 consideration of the motion.

The Acting Speaker (Mr. Kilger): Pursuant to the order made on Friday, December 9, 1994, the House will now proceed to the taking of the recorded deferred division on the motion, as amended, by the hon. member for Verchères under Private Members' Business.

As is customary we will proceed with the recorded division row by row, as we did for the previous division.

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 147)

YEAS

Members

Adams	Allmand
Althouse	Anawak
Arseneault	Assad
Asselin	Axworthy (Saskatoon—Clark's Crossing)
Bakopanos	Barnes
Beaumier	Bellehumeur
Bellemare	Bergeron
Bernier (Gaspé)	Bernier (Mégantic—Compton—Stanstead)
Bhaduria	Blaikie
Bonin	Boudria
Brien	Bryden
Bélair	Bélisle
Caccia	Canuel
Caron	Catterall
Chamberlain	Chan
Chrétien (Frontenac)	Copps
Dalphond—Guiral	Daviault
Debien	de Jong
de Savoye	Deshais
Discepola	Dromisky
Duceppe	Duhamel
Dumas	Easter
Eggleton	English
Fewchuk	Fillion
Finestone	Finlay
Flis	Fontana
Fry	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gagnon (Québec)	Gauthier (Roberval)
Gerrard	Godfrey
Godin	Graham
Grose	Guay
Guimond	Harb
Hickey	Hopkins
Hubbard	Ianno
Iftody	Irwin
Jackson	Jacob
Kirkby	Knutson
Kraft Sloan	Landry
Langlois	Lastewka
Laurin	Lavigne (Beauharnois—Salaberry)
Lavigne (Verdun—Saint-Paul)	Lebel
Leblanc (Longueuil)	Lee
Leroux (Richmond—Wolfe)	Leroux (Sheffield)
Lincoln	Loney

Loubier
Malhi
Marchand
Massé
McKinnon
McLellan (Edmonton Northwest)
McWhinney
Milliken
O'Brien
Pagtakhan
Paré
Peric
Picard (Drummond)
Plamondon
Reed
Rideout
Rock
Shepherd
Speller
Taylor
Tremblay (Rimouski—Témiscouata)
Volpe
Wood—133

MacDonald
Maloney
Martin (LaSalle—Émard)
McGuire
McLaughlin
McTeague
Mercier
Nunez
O'Reilly
Parrish
Patry
Phinney
Pillitteri
Pomerleau
Regan
Rocheleau
Sauvageau
Solomon
St-Laurent
Torsney
Venne
Wappel

NAYS

Members

Abbott	Ablonczy
Baker	Benoit
Berger	Bernier (Beauce)
Bertrand	Bethel
Breitkreuz (Yellowhead)	Bridgman
Brown (Calgary Southeast)	Brown (Oakville—Milton)
Brushett	Calder
Campbell	Cannis
Chatters	Collins
Cowling	Crawford
Culbert	Cummins
Dhaliwal	Duncan
Epp	Forseth
Frazer	Gaffney
Galloway	Gilmour
Gouk	Grey (Beaver River)
Hanger	Harper (Calgary West)
Harper (Simcoe Centre)	Harris
Hart	Harvard
Hayes	Hermanson
Hill (Macleod)	Hill (Prince George—Peace River)
Hoepfner	Jennings
Keyes	MacAulay
Manning	Marleau
Mayfield	Meredith
Mills (Broadview—Greenwood)	Mitchell
Morrison	Murphy
Murray	Nault
Nunziata	Payne
Penson	Peters
Pickard (Essex—Kent)	Ramsay
Richardson	Ringma
Schmidt	Scott (Skeena)
Solberg	Steckle
Stewart (Brant)	Stinson
Strahl	Szabo
Telegdi	Terrana
Thalheimer	Thompson
Ur	Valeri
Vancielief	Verran
Wayne	Wells
White (Fraser Valley West)	Williams
Young —85	

PAIRED—MEMBERS

Members

Bachand	Bevilacqua
Bouchard	Cauchon
Collenette	Crête
Dubé	Lalonde
LeBlanc (Cape/Cap Breton Highlands—Canso)	Minna
Ménard	Robichaud

Private Members' Business

(1835)

The Acting Speaker (Mr. Kilger): I declare the motion carried.

Some hon. members: Hear, hear.

(Motion agreed to.)

Mr. Serré: Mr. Speaker, I would like the record to show that I was present during the vote, but that I deliberately abstained from voting.

[*English*]

The Acting Speaker (Mr. Kilger): It being 6.40 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

[*English*]

* * *

COMMUNICATIONS SECURITY ESTABLISHMENT

The House resumed from November 15 consideration of the motion and of the amendment.

Mr. George S. Rideout (Parliamentary Secretary to Minister of Natural Resources, Lib.): Mr. Speaker, it is a pleasure to have an opportunity to rise and speak on this motion of the member for Scarborough—Rouge River to deal with an issue which I am sure does not capture the hearts and minds of a whole lot of people.

I had the opportunity to work on a parliamentary committee in the previous government. We were responsible for a five-year review of CSIS. This motion really emanates from the lack of courage as I would put it of the previous government to deal with this issue of oversight over agencies that can collect data and information on individual Canadians.

In that sense I welcome the opportunity to be here this evening and talk about the proposal that would see the Communications Security Establishment, CSE, fall within the oversight provisions of SIRC, the Security Intelligence Review Committee.

This recommendation really flows from our committee recommendation which was unanimously adopted by all parties in the previous Parliament. I congratulate the member for Scarborough—Rouge River for keeping the issue in front of Parliament and in front of Canadians and bringing forward a motion that I hope all members of the House will see their way clear to support.

The effects of the motion quite frankly would see that CSE would fall under oversight. People will ask what is oversight and what does it mean. It is a protection for individual Canadians and it is really Parliament overseeing agencies that can collect data and information and even conversations of individual Canadians as they go about their daily lives.

I think the issue was put quite nicely by the Library of Parliament in its paper on CSE. I would like to read one section of it because it does put the issues fairly succinctly. I am quoting page 14:

Ward Alcock told the House of Commons subcommittee on national security in June 1993 that CSE is a foreign intelligence collection agency. The very nature of its work depends upon a degree of secrecy. To the extent to which it works is not secret, it loses its capacity to function and to collect information that is of use and value to the Government of Canada.

This statement puts the key issue into its most basic terms: how can a government institution that functions most effectively in the shadows be held publicly accountable without compromising its efficacy? This question is especially important when it relates to an agency with the capacity to violate the rights and freedoms of Canadians.

The opinion that was given by the Library of Parliament was also buttressed by a well known author, Richard Cleroux, who recently wrote a book, "Official Secrets", a look at the spy agencies and other agencies that were involved in collecting data on Canadians and to protect Canadians from untoward activities by foreign governments and foreign agencies.

While I hate to read a rather lengthy quote, I think Mr. Cleroux in his book captures the spirit of what is involved and what this motion is trying to do. I quote pages 77 and 78:

The CSE, which is considered the only government agency more secret than CSIS, employs more than 1,700 people, and uses highly sophisticated radio and telecommunications equipment to listen in simultaneously to thousands of embassy, ship and airline telephone and telecommunications transmissions and voice conversations across Canada and around the world.

The CSE functions as a funnel. Everything that is telecommunications in Canada is sucked into it. It needs no judicial warrants because it is part of the military, not part of CSIS.

(1845)

Later on the same page:

Most of the information picked up by CSE is in the form of electronic data rather than voice conversation. Ninety-nine per cent is shipped wholesale, without ever being analysed here, to the U.S. National Security Agency in Fort Meade, Virginia. The Americans in turn tell the Canadians what they think the Canadians should know.

That is a very clear and concise statement of what is happening with CSE as noted by the author Mr. Cleroux. It points to why we need some oversight, be it parliamentary or otherwise.

This motion says it should be SIRC that carries out that particular function.

We had the privilege of having Stuart Farson advise us and do research for us as we looked at the five-year review of CSIS. He was concerned that CSE was without any parliamentary oversight and that the question of Canadian rights being possibly trampled was very important. In effect he made recommendations to us as a committee that we should look at including CSE in the oversight function.

As we look at what some of the authors have to say, both Mr. Cleroux and Stuart Farson in his paper "Canadian Security Intelligence in the Eighties", it becomes clear that we have a number of agencies. CSE is well-known and clearly defined, being discussed in Parliament and elsewhere. There are also other agencies within the RCMP and other departments of government that have no oversight. That circumstance only exists in Canada. The United States Congress has an oversight committee as well as do other countries in the world.

It is important that we protect Canadian rights. We can still protect secrecy. It is the beauty of the circumstance with the Security Intelligence Review Committee that only those things that should be made public are in fact made public. It is an independent committee of independent people who are the eyes and ears of Parliament.

I go further and support the member for Scarborough—Rouge River in his efforts to have some parliamentary oversight. While there is some duplication, in the long run it is beneficial that we have that oversight in order to protect the rights of Canadians. When one thinks somebody could be listening into a telephone conversation or the electric transmission on a fax machine without having a warrant, something is fundamentally wrong with the circumstance. It requires parliamentary or in this case SIRC oversight. That is what the motion will hopefully accomplish.

I would refer members to our report on CSIS and recommendation 87. It says:

The Committee recommends that Parliament 1) formally establish the CSE by statute—

This is not the case presently.

and 2) establish SIRC as the body responsible for monitoring, reviewing and reporting to Parliament on the activities of the CSE concerning its compliance with the laws of Canada.

As it says in the write-up:

The Committee sees no reason in principle, however, why the security and intelligence arms of the Department of National Defence should not be reviewed by SIRC.

Personally I support the position. I voted in favour of it when the committee looked at it and I support it now. All Canadians need to be protected. These are important rights that should not be easily trampled on. We do not need some big funnel in the sky

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scooping up all of the information and transporting it to the United States for analysis.

I would recommend the motion to all members of this House.

[*Translation*]

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, let me first of all commend the member for Scarborough—Rouge River for his concern for making the debate on the CSE more transparent than the answers given during Question Period by the minister responsible, the Minister of National Defence.

Indeed, the member who also chairs the sub-committee on national security, has moved: "That, in the opinion of this House, the government should amend the Canadian Security Intelligence Service Act to authorize the Security Intelligence Review Committee to review the operations of the Communications Security Establishment (CSE)".

(1850)

As you can see, this augurs much better than the minister's various statements on the subject. This motion is based on a principle which the Bloc Quebecois has stated many times: the ability to account to our taxpayers for the activities of federal institutions, including the Communications Security Establishment.

If this motion is adopted and implemented by the Liberal government, the Communications Security Establishment will be accountable to the Security Intelligence Review Committee, better known as SIRC. It is estimated that the CSE spends between \$200 and \$300 million a year without being held accountable for it. It is also estimated that the CSE employs between 800 and 1,000 employees, but other sources put the number as high as 1,850.

However, it is impossible to obtain confirmation of these figures at this time. Furthermore, recent allegations from a former spy who worked in the CSE for several years indicate that agents used electronic eavesdropping to intercept the telephone calls of Quebec politicians. When questioned on this subject, however, the Minister of National Defence hides behind the sacrosanct national interest and refuses to answer.

The motion of the member for Scarborough—Rouge River does not set a world precedent, far from it. The Australian Security Intelligence Organization, MI-6, the Government Communications Headquarters in Great Britain, and the CIA in the United States are already monitored in their respective countries by an outside committee, which operates in a way similar to what is proposed in Motion M-38.

Belgium and some countries which belonged to the former Warsaw Pact are now considering the possibility of doing exactly what the member for Scarborough—Rouge River is proposing for Canada. Unfortunately, our Minister of National Defence tells us that it is not in the national interest to reveal the operational methods or the administrative standards which

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apply to the CSE's activities, and I refer to an article in *Le Devoir* of October 25, 1994.

Where is the respect for democracy when the minister, always in the so-called national interest, refuses to tell us how many people work for the Communications Security Establishment? After all, the Agence France Presse reported, on November 8, 1994, that the British defence minister was downsizing the secret service, and that about 100 of the 6,000 positions related to these operations at the Government Communications Headquarters would be eliminated.

The British can evaluate how their secret service is managed, as well as appreciate the fact that it is affected by the budgetary cuts announced by their government. They also know how many employees work for that service, and they are informed of the cuts affecting this organization responsible for analysis of so-called sensitive information, or intelligence.

This is where democratic transparency starts. By now, you will have guessed that I am in favour of having an external body monitor CSE's operations, as proposed in the motion now before us.

However, I have some reservations regarding the Security Intelligence Review Committee. First, I wish to point out to the hon. member for Scarborough—Rouge River that the current membership of that committee, SIRC, must be reviewed. Indeed, the members of the committee were essentially appointed on the recommendations of the main political parties in the previous Parliament. These appointments were made on the basis of recommendations by the Liberals, the Conservatives and the New Democrats.

(1855)

I agree with my Bloc Québécois colleagues who feel that some SIRC members no longer have a legitimate right to sit on the committee, since their presence does not reflect the will of Canadians, as expressed during the last federal election. Indeed, these members essentially represent political parties which were democratically rejected by voters.

The membership of this committee should take into account the wishes of Canadians, and it should reflect the political reality of this Parliament. It is time members of SIRC did the honourable thing and promptly resigned so that Parliament could then appoint new members to represent them on this committee.

I should add that in the near future we will have to take steps to take politics out of the process of appointing members to this committee. Furthermore, the legislation governing SIRC should concentrate on reviewing certain mechanisms that raise a number of questions. For instance, does the process of reporting to

Parliament really give members a chance to establish that the rights and freedoms of Canadians and Quebecers have been respected? Should this mechanism be more transparent? Should SIRC be allowed to submit its annual report uncensored to the Speaker of the House?

Under section 54 of the CSIS Act, SIRC is also required to submit to the Solicitor General, on a regular basis, special reports concerning specific events. Should we provide that the nature and subject of these regular reports be routinely communicated to the House?

Section 30 of the CSIS Act defines the functions of an inspector general, which include monitoring compliance with operational policies and reviewing the operational activities of CSIS. Before including the CSE in this legislation, we should consider the relevance and effectiveness of having both an inspector general and the SIRC for monitoring purposes. Is this duplication that could be avoided?

Should the mandate of the director of the CSE be seven years, like his counterpart at CSIS? Or should tenure be during pleasure? Should SIRC have access to cabinet documents which are not legally accessible at the present time? And finally, should a member of the Auditor General's office audit CSE's accounts and report his findings to this House?

Many questions remain to be answered. I think that in the public interest, the government should answer them as soon as possible to prevent further erosion of the public's trust in federal institutions.

In concluding, I seriously hope that the government will react favourably to the motion presented by its member for Scarborough—Rouge River and that it will give careful consideration to my questions and recommendations.

[English]

Mr. John Duncan (North Island—Powell River, Ref.): Mr. Speaker, it is a pleasure to have the opportunity to contribute to debate on motion M-38 introduced by the hon. member for Scarborough—Rouge River.

It is also a pleasure to support this motion. It is not only timely but essential to accountability. It is essential to amend the Canadian Security Intelligence Service Act to authorize the Security Intelligence Review Committee to review the operations of the Communications Security Establishment, or CSE.

This motion brings to light concerns expressed as early as 1990 in the book *Spy Wars* and more recently in the new book *Spyworld* written by Michael Frost, a former CSE employee, where it is alleged that this organization routinely snoops on law-abiding citizens. It compiles dossiers on everything and

everybody from Margaret Trudeau to Quebec separatists. It is open season on any unsuspecting Canadian citizen.

CSE is a unique entity in government. It normally comes under the jurisdiction of the Minister of National Defence as its budget is hidden in the communications budget of the military. However, in reality it is a separate entity that receives its operational tasking from the deputy clerk for security and intelligence of the Privy Council. The political tasking comes from the cabinet committee on security and intelligence.

(1900)

As we witnessed as a result of recent questioning in the House, the mandate of the CSE is questionable. There is no political accountability except to a group of cabinet ministers which is the most secret cabinet committee of government. Here we have an agency with a budget of hundreds of millions of dollars listening to overseas phone calls and accountable to no one person. This is not ham radio and catching the BBC Sunday night opera. This is serious business. It requires serious attention.

We are told all this snooping is done to protect national security. Well the Diefenbunker is no longer a secret and we are about to mothball some CF-18s. There is no obvious external threat, so why so much resistance from the government to outside scrutiny?

While I am no big fan of SIRC, it is as good as anything we have for this purpose. SIRC has managed to keep an eye on our spies without exposing them to danger. We can work on the patronage elements of SIRC at a different occasion.

Why not let SIRC have a review capacity in CSE? Why should CSE be above the law? Why should its budget, mandate and methods not be scrutinized? The operative question is: Does CSE spy on Canadians? The Deputy Prime Minister says it has no mandate to do so, but the Deputy Prime Minister recently refused to answer direct questions regarding if in fact it had.

In September 1990 a report entitled: "In Flux But Not in Crisis" was tabled. This report was the work of a special parliamentary committee on the review of the Canadian Security Intelligence Service Act. On page 153 it reported: "This organization clearly has the capacity to invade the privacy of Canadians in a variety of ways. It was established by order in council, not by statute and to all intents and purposes is unaccountable."

The passage goes on: "While the committee understands that this agency must be shrouded in secrecy to some degree, it believes that Canadians should be in a position to understand what the organization does and should not have to wonder whether their rights and freedoms have been infringed. The committee has evidence that both the RCMP and CSIS have asked the CSE for assistance and as such the committee believes

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that the Communications Security Establishment should have a statutory mandate that provides for review".

My congratulations to a member of that special committee, the hon. member for Scarborough—Rouge River, the member responsible for the motion before us today. He at least recognizes the gravity of the previous passage I just read from the report.

The Minister of National Defence unfortunately believes there is already sufficient review. To me, he is another of those do nothing, say nothing, status quo ministers who would rather stonewall than change. Things are just fine the way they are because they do not impact on his personal and private life.

The fact is this minister really does not have control of the CSE. What he controls is financial and administrative matters. The chief of the CSE reports to the Clerk of the Privy Council for policy and operations. This is not what I consider a fully constituted part of DND like the minister says it is.

The minister need only take a look at the government's response to the "In Flux But Not in Crisis" report entitled: "On Course: National Security for the 1990s" to see what it has to say about control of CSE and what is and what is not a fully constituted part of the Department of National Defence. The Prime Minister and the Privy Council Office are the real power and the issue. The Minister of National Defence is the filler in the sandwich.

(1905)

I am not as naive as to believe that Canada does not need to intercept communications for intelligence purposes. It is part of the electronic information highway. There has to be some form of review and accountability, otherwise abuses can take place.

As the book *Spyworld* states: "Employees of the CSE routinely listened to the conversations of Canadians as they tuned and tested their equipment". I also believe there is nothing wrong with sweeping offices or encrypting phones. This is normal in today's age but I want to know what the CSE is doing besides this. I want to know that it is not abusing its powers. An external review agency seems the only way we can lift this veil of uncertainty, assure accountability and free the CSE from suspicion. That does not sound like such a bad thing to me.

I understand that the CSE is good at what it does. Let us make it even better. Let us support this motion for the good of all Canadians.

Mr. John Bryden (Hamilton—Wentworth, Lib.): Mr. Speaker, it is a pleasure to rise to support the motion of the member for Scarborough—Rouge River.

Let me begin by first making an observation about the Canadian Security Intelligence Service. We recognize that the role of CSIS is one of counterespionage and counterterrorism in Canada. Its role is to ensure that foreign governments do not

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have an improper influence on the lives of Canadians in the sense that it would compromise Canada's security.

That is a very important function in Canada because we are a multicultural society. We value very greatly immigration from all lands. We value our tremendous ethnic and cultural diversity. The fear is that this ethnic melting pot, as it were, may be influenced by some of the foreign nations from which immigrants come and the traditional ethnic hatreds that some countries have.

To that end CSIS protects our interests by doing intelligence work in the ethnic communities in Canada in order to prevent terrorists or foreign governments getting a hold. In doing that we as Canadians have to be concerned that while CSIS fills that very important function that it does not go too far and that the rights of Canadian citizens are protected, including ethnic Canadians.

To cover off that problem we have built into the CSIS act a very excellent control, the Security and Intelligence Review Committee. It is basically a committee of Canadians of conscience who are appointed. They have sweeping powers to doublecheck what CSIS does to make sure that while it does operate in secrecy it operates in a way that has the interests of all Canadians at heart.

Now we come to the Communications Security Establishment. This organization springs from the second world war and Canada's involvement in code and cipher breaking. It is well known what it does now. It is an agency whose role is to intercept communications and to process them. Its direction is toward the collection of foreign intelligence.

I should say it has quite an interesting history. It arose from an organization called the examination unit and specialized in the second world war in breaking Vichy French codes and some Japanese and then went on to break the codes of the free French.

Indeed we will find when the book is written on the subject that the Communications Security Establishment during the early part of the cold war undoubtedly specialized in analysing the diplomatic codes and ciphers of France. I think we will find that this was one of the reasons for the *vive le Quebec libre* speech of Charles de Gaulle. I think he was very annoyed to discover that Canada had France as a target.

(1910)

There is nothing unusual in that as all nations monitor the telecommunications of other nations, be they friends or enemies. It is a way of determining whether contracts are kept, if governments are interfering in the diplomatic and commercial affairs of one's own nation.

This type of study takes two shapes. It is code and cipher breaking where you actually attempt to break the codes and

ciphers of another nation, be they diplomatic or commercial ciphers. It also takes the form of traffic analysis. When you cannot break the codes and ciphers of another nation you examine where messages are being sent and the volume of messages. That gives an indication of what that country is doing in terms of its diplomatic or commercial activities.

Over the last 15 years code and cipher breaking has lessened in importance in the field of communications intelligence, primarily because code and ciphers have become increasingly hard to break. More than that, it is because communications satellites particularly have enabled governments to monitor the affairs of other nations in a much more efficient manner than could be done hitherto.

I believe the collapse of the Soviet Union had much to do with the fact that satellites were monitoring its lack of economic progress more than with any other cause. The Soviet Union could not hide from the satellites that trains were not running, that there was pollution everywhere and that the Soviet Union was in an economic mess. It worked the other way as well. The Soviet Union was monitoring Canada and the United States and the western world. It could see that it was losing the economic war.

In the world of intelligence the agency that looks after domestic counterespionage and the foreign intelligence gathering agency like the Communications Security Establishment are complementary. They always work together. In the case of foreign and diplomatic intelligence it is important for CSIS to monitor what is happening to foreign nationals on Canadian soil who may be engaged in espionage. The parallel activity is the Communications Security Establishment which monitors the actual traffic in diplomatic and commercial communications. These things always go together.

There is the same situation in Canada with its ethnic makeup. While we have CSIS looking after anti-terrorism shall we say, it inevitably has to probe into the affairs and activities of various ethnic communities in Canada. Similarly the CSE has to be in tune with what may be happening in terms of communications, whatever it can derive either from telecommunications or other communications sources what is happening to the nations that may not have Canada's interests at heart or may be attempting to influence ethnic communities in Canada. The two are complementary and very necessarily so.

This type of activity overlaps in subtle ways. I would like to go back for a second to World War II and tell a very brief story which illustrates this point. It was a great triumph for Canadians during World War II and was not reported very well at all.

In 1940 in North Africa the British were facing the Italians in great numbers. Britain had very few troops on the ground in Egypt and the Italians had an enormous army in the western desert. Britain had its back to the wall with the fall of France and

was very fearful with Italian entry into the war about what would happen in North Africa.

The Canadian army intelligence had the advantage of being able to monitor the telegraph lines that left Canada from Newfoundland and Nova Scotia and went to Britain, the Canary Islands, Spain and ultimately to Italy. Telegraph traffic coming out of the United States had to pass momentarily through Canada before it went on to Italy.

(1915)

Even before Mussolini declared war on the allies after the fall of France, or as France fell, Canadians were monitoring the traffic of Italian Americans communicating with relatives in Italy. Mussolini, in an attempt to raise money to buy weapons, had asked Italian Americans to remit U.S. dollars to Italy so relatives would be paid a bonus in lira in Italy. Italian Americans were constantly sending remittances to their relatives in Italy. This was just before the Italians declared war and just after.

Canadians were monitoring all this. As the banks in the United States required that the remittances give names and addresses, it was found that many remittances were being sent to Italians in the military. They were being sent to the actual bases where the Italian military personnel were located. This enabled Canadians to construct the entire Italian order of battle before Mussolini declared war. Wavell, the famous British general who defeated the Italians in the western desert, knew exactly where every division or every unit in the Italian army was in the desert.

We can see how in the intelligence field, communications intelligence, foreign intelligence gathering can be mixed with something that is essentially a domestic phenomenon. In this case it is out of country; it is the Italians but it is a communications phenomenon.

I told the story for the basic reason that we should have a situation in the intelligence world where one arm of secret intelligence gathering, which is CSIS, is responsible and answerable to some review committee which, shall we say, has an oversight role. We cannot have half a loaf; we need the entire loaf. I submit that no matter how competent the Communications Security Establishment inevitably there is some overlap. Both arms of secret intelligence should make this independent review, and for that reason I entirely support the motion.

[Translation]

Mr. Stéphane Bergeron (Verchères, BQ): Mr. Speaker, it is a pleasure for me as well to speak on the motion put forth by the hon. member for Scarborough—Rouge River and the amendment of the hon. member for Bellechasse.

The motion per se is to amend the Canadian Security Intelligence Act to authorize the Security Intelligence Review Com-

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mittee to review the activities of the Communications Security Establishment. As for the amendment, it is designed to force the review committee to table each year before this House a report on the activities of the CSE.

First of all, I would like to say that I agree entirely with the motion with amendment, as I think it is essential for the elected representatives to retain a minimum of control on agencies and institutions related to the world of espionage and intelligence that CSIS, the CSE and the SIRC are.

It also appears necessary, in the light of recent events, to remind the individuals who are part of such organizations that their duty is first and foremost to serve the public and that we have been elected to represent the public.

Concerns expressed by members from both sides of this House are born out by disconcerting revelations concerning alleged unlawful activities of the Canadian Security Intelligence Service and the Communications Security Establishment.

How does a country that prides itself on being one of the most democratic in the world explain having agencies that account for their activities only when and to whom they please? One can also wonder what the current Liberal government is doing to give a feeling of security and restore confidence to all Canadians, but Quebecers in particular, who may have been targeted more often than they should by unlawful investigations.

Why did the government not react when it found out that serious allegations had been made and that the relevant standing committee of this House had been unable to obtain satisfactory answers? Why did a private member have to take the initiative? How will this be perceived by the public?

(1920)

Although the member's initiative is eminently positive, we have a right to wonder what kind of image this passive government is sending to the population whose suspicions and concerns are quite justified.

There is no doubt that the Security Intelligence Review Committee is essential to ensure at least a minimum of accountability on the part of CSIS and eventually the CSE.

Only yesterday, we learned from a Canadian Press article published in *La Presse* that CSIS may have overstepped its mandate and inadvertently revealed secrets in trying to fight industrial espionage. The national agency may have collected with complete impunity information having nothing to do with any threat to national security.

It is certainly not the first time, and probably not the last, that such a thing has occurred. In this case, the review committee produced in 1993 a secret report that was obtained under the Access to Information Act. This should not be seen as a model of openness but it is an acceptable minimum. Unfortunately, this

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acceptable minimum does not currently apply to the CSE which, as we have seen recently, enjoys an unusual level of freedom.

The Deputy Prime Minister said loud and clear in this House that the CSE's mandate was not to spy on Canadians. But no one was fooled, especially since the question that was put to her did not deal with the CSE's mandate but with its actual operations. In fact, the CSE has no mandate defined in legislation and is accountable only to the Privy Council. Clearly, it is not in the Privy Council's interest to make the CSE's blunders public, which makes it a very poor watchdog, we must admit.

The motion being debated today would considerably improve the situation, since it would make the CSE subject to monitoring by SIRC. Unfortunately, I must express some reservations about SIRC's effectiveness. I am thinking, for example, of SIRC's serious credibility problems, which are due to the fact that it is now made up of people who have not understood that they are answerable to Parliament and to the public, and who hide behind a narrow interpretation of some legal provisions to justify their silence.

The testimony given by members of SIRC before the House Committee on National Security on September 13 was a disgrace and Canadians and Quebecers were certainly not well served. At least four of these individuals, whose sense of ethics seems to be quite underdeveloped, were appointed by the previous government, which, need we remind you, was rejected by the voters in the most summary fashion. We are entitled to question the legitimacy of these well-known Conservatives who sit on SIRC.

That is why I join my colleagues in the Bloc Québécois to demand the immediate resignation of these individuals, and I urge the Liberal government to act on this.

A significant renewal of SIRC's staff would reflect the new make-up of this House and bring new blood to an organization which really needs it.

Hopefully, with a minimum of four new members, the Security Intelligence Review Committee could regain some of its lost credibility. These changes are essential, but they are still cosmetic.

Only this government, through the Solicitor General, can make the required changes to the legislation on the Security Intelligence Review Committee.

We can have motions to force the SIRC chairman to provide real answers to parliamentarians, instead of just saying "maybe" or "maybe not", but he will not do so as long as the government does not make significant changes to the act establishing the SIRC.

Although the Official Opposition can only agree with the underlying principle of this legislation, it questions the process for appointing SIRC members, as well as the ambiguous relations of that committee with Parliament.

In conclusion, the issue debated today was in fact the relation of confidence between Canadians and their institutions. When they were in opposition, the Liberals kept asking for greater transparency, as well as better control by Parliament over spy agencies.

The Communications Security Establishment spends over \$250 million annually.

(1925)

What does it do with that money? How does it spend it and for what purposes? We hope that the proposed motion will shed some light on CSE's operations. However, we are very aware that it is up to the federal government to ensure greater transparency regarding intelligence activity in Canada. Unfortunately, this government seems totally paralysed over this issue, as with several other strategic issues.

I want to congratulate the hon. member for Scarborough—Rouge River, and the hon. member for Bellechasse for their initiative which, I hope, will be supported by the government and approved by the majority of members in this House.

Mr. Patrick Gagnon (Parliamentary Secretary to Solicitor General, Lib.): Mr. Speaker, I think we should bear in mind several aspects of the world situation, in other words, the geopolitical, strategic situation of Canada. As a nation with a population of 30 million and a member of the G-7, as a country with a fairly important position in the world, we have to consider not only Canadian industry but also the security of this country today and in the next century.

It would perhaps be useful, in a discussion about the Communications Security Establishment, better known as the CSE, to consider briefly Canada's foreign intelligence activities and the role of the CSE in this respect. First of all, I would like to explain what is meant by foreign intelligence. The term foreign intelligence refers to information on the resources, intentions and activities of foreign states, moral entities or individuals as they concern Canada's defence or the conduct of Canada's international affairs.

This may include information of a political, economic, military or scientific nature or indeed information related to the country's national security. We should also realize that, unlike many of its allies, Canada has no active foreign intelligence service. However, like most countries, Canada has set up a number of limited mechanisms for collecting and analysing information from other countries.

Earlier I mentioned the political context. Since the demise of the Soviet Union and the Eastern Bloc, there has been an increasing sense of instability. This is no longer the world we

used to know, where we had the Communists on one side, and the free world on the other, and when we knew who our enemies were. The world has changed considerably since the fall of the Berlin wall in 1989.

I think that today we live in a world that is far more insecure, unstable and uncertain—when we look, for instance, at Eastern Europe—a world where there is a certain lack of cohesion. We have all these small republics, the conflict between Russia and Chechnya, the dissolution of Yugoslavia and the problems of reconstruction in Eastern Europe. There are very real threats, not only locally, but internationally.

We no longer have the kind of control over nuclear arms that we had at one time, and unfortunately, this uncertainty has caused some nations to cast envious looks at Canada and the West. That is why Canada is not necessarily immune to the changes that have been taking place during the past five years, and especially as a result of the events and disruptions in Eastern Europe. That is, as you know, the political reality we are all faced with.

(1930)

There are economic challenges as well. More and more, a number of countries, some of which we may have thought of as friends, are showing a great deal of interest in Canadian industries. I would say that, these past few years, allegations of industrial spying in the pharmaceutical industry have been increasing. In Quebec, there have been blatant cases of Quebec interests being targeted. They were spied on because they had knowledge and technologies that some of our allies, who will remain nameless, wanted for themselves. It makes us realize that we have knowledge that the whole world is interested in having. Why not use it?

The same with the airspace industry. Many countries have shown an interest for Canadian companies such as Bombardier and de Havilland. I also hear that we have companies specialized in high technology and biotechnology. There is no doubt that an increasing number of foreign countries are interested.

So, we are not immune to change, nor to other countries wanting to obtain information from Canada unlawfully, if not illegally.

I think that Canada has prospered because of the security we enjoy in this country, good understanding and economic and political stability between provinces, co-operation between the industry and the Government of Canada. But this security must be maintained and that is why I think that a communications security establishment meets that need not only to look after our interests, but also to ensure that military changes or upheaval outside Canada do interfere with scientific and technological progress on the home front.

Private Members' Business

There is no question that the world we live in is not an easy one. Personally, I would rather live in a world where there would be no CSE, no CIA, no M-5, no KGB, and no foreign interest.

I believe some people, and this is often the case for the Bloc, have concerns, whether they are founded or not, about the existence of the CSE and other such organizations we have known in the past. But we have a role, an obligation to protect our industries. That is why the CSE is more interested in helping protect Canadian industries trying to develop in an increasingly competitive world.

There is Eastern Europe and then, there are emerging Asian countries. Again, there is interest in the new Canadian technologies, the aluminum and paper industries in particular, where Canada has held on to a certain tradition of supremacy. In an increasingly competitive international environment, we need an intelligence service like the CSE to make sure that information stays in Canada and that such countries do not disrupt the operation of our businesses.

Canada is also a multicultural country. More and more of our people come from other countries.

(1935)

Since Canada is a welcoming country, we have people coming from various countries in Latin America, Asia, Central and Eastern Europe. Sometimes, people return to Canada and settle here to destabilize the country.

There are even well-known and not so well-known ethnic groups facing internal conflicts that have unfortunate repercussions at the national level.

I think that my time is up, but I would like to say, in conclusion, that we need an intelligence service like the CSE, whose main concern is protecting Canadians in the international community and, unfortunately, because of the geopolitical realities prevailing here as the century draws to a close.

[*English*]

The Acting Speaker (Mr. Kilger): Before I give the floor to the hon. member for Saanich—Gulf Islands, being as we are getting close to a period of recess, I wonder if there might be unanimous consent to allow the member for Saanich—Gulf Islands, instead of taking five minutes now and having the remaining five minutes of his ten minute maximum to be taken up at the third hour debate at another time when we return, if the House would give unanimous consent to allow the member to make his intervention complete. At that time we would go to the late show. The member would have five minutes and we would go with no later than ten minutes from the time he would start. Is there unanimous consent?

Some hon. members: Agreed.

Private Members' Business

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, in speaking to Motion M-38 today, I am convinced that important Canadian issues are involved. That there are problems with the Communications Security Establishment, CSE, is emphasized by the fact that the hon. member for Scarborough—Rouge River who chairs the subcommittee on national security feels obliged to call for the government to authorize a regular ongoing review of CSE operations.

Concerns over the mandate of CSE and other Canadian intelligence agencies have been reported in the media, and the release of *Spyworld* has caused indignation in many quarters.

CSE is not directly accountable to the public purse, to Parliament or to any other independent body. The 1990 review by the special committee of the Canadian Security Intelligence Service Act acknowledged that it is now time to examine the wider dimensions of Canadian security and intelligence community and to impose statutory mandates and review mechanisms where necessary.

However, government took no action. Ten years ago Parliament passed legislation holding CSIS operations accountable to an independent body, the Security Intelligence Review Committee, SIRC, which is made up of five political appointees.

SIRC would not rank anywhere near being the best check and balance on the operations of CSIS but it is certainly better than having no review or accountability mechanism. To paraphrase an old saying, if halitosis is better than no breath at all then SIRC is better than no supervision at all.

Thus, while SIRC may not be the best answer, one wonders why the review committee did not also invoke the same requirement for CSE operations. Therefore, Motion M-38 is timely and important.

When the special committee called for a regular review of security and intelligence agencies it also recommended that this agency should have statutory mandate to provide for review and monitor mechanisms. At the time government was considering providing the Minister of National Defence with additional capacity for review of the CSE. To this day government has dragged its heels and has failed to initiate the means for review. It has failed to hold the agency accountable to an independent body for its expenditures or even direct legislation to protect private citizens from the prospect of CSE intruding into and invading our privacy.

There is cause for great concern. Today high tech, computerized world is much different from that which prevailed at the time of CSE's inception during the second world war. It was then set up to intercept signals and break enemy codes, referred to as ciphers and codes.

Today CSE is responsible for communications or information technology security, COMSEC or INFOSEC, and signals intelligence, SIGINT. It sounds not unlike Goldfinger in James Bond

or Captain Kirk in "Star Trek" or "Star Wars" all rolled into one.

(1940)

Unquestionably there is a need to know the state of the art so that CSE can ensure federal government telecommunications or electronic data processing systems are known to be secure.

It must ensure that government personnel are given security training or education and that Canadian industry has access to appropriate security advice, although this aspect might better be left in the hands of the private sector.

The darker side, of which little is known, is that CSE monitors the communications of foreign countries to provide intelligence to government. It listens in on radio and telephone communications between embassies and home countries or consulates. It follows all national and international telephone calls. It records foreign radio communications and reads electromagnetic transmissions from embassy typewriters, processors, and so on.

We understand that 80 per cent of its operational budget is directed to the signals intercept program for communications intelligence which uses radio waves or radar to spy and protect national security; for example, telemetry intelligence, interception of signals relaying information from sensors on board a test vehicle to test engineers, revealing the vehicle's flight and performance characteristics.

Parliament has no statutes or laws to direct the CSE because it was established by order in council, by a cabinet directive. Thus one can speculate on the obvious CSE operations but only the depth of our imagination limits the breadth of its capability and potential involvement. By and large it seems that CSE is accountable to no one. It has virtual carte blanche to write its own terms and exercise full discretionary powers.

Little is known of its operations and even less about how it spends the public's funds it is given. During House of Commons debate hon. members have quoted from the *Globe and Mail* that expenditures in the order of \$100 million to \$125 million were budgeted for 1991. Another hon. member ventured to guess that \$250 million would be a conservative estimate. Who knows how much is spent, how it is spent or why it is spent—perhaps some cabinet ministers, but certainly no independent regulatory agency exercising control.

When one considers Canada's massive deficit-debt it becomes obvious that government has an obligation to seek ways to trim fat, ensure accountability and avoid duplication of efforts. This motion provides government with an excellent opportunity to do just that.

Two special joint committees of this Parliament have only recently concluded reviews of Canadian foreign policy and defence policy. As a result Canada's role in foreign affairs and our military will be adjusted to better reflect today's needs. It would be logical to follow with a review of Canada's security and intelligence agencies. There has been no such review since

their inception in the 1940s and operational control has become lax because their accountability is not adequately enforced.

Obviously a certain amount of secrecy and restricted knowledge of activities is required for CSE. Everyone understands that an intelligence agency cannot adequately perform its duties unless it is to some extent clothed in a veil of secrecy. However, there must still be a mechanism to ensure that activity control limits are in place and enforced and that the taxpayer's dollar is being appropriately and efficiently employed in service to Canada and Canadians.

In 1975 an order in council transferred responsibility for CSE from the National Research Council to the Department of National Defence, but only administrative responsibility was transferred, not its mandate, powers, control or accountability. Thus, I strongly endorse Motion M-38 calling for the government to amend the Canadian Security Intelligence Service Act to authorize the Security Intelligence Review Committee to review CSE's operation and budget.

Government could and should go even further by transferring CSE from the Department of National Defence to CSIS. Such action would make CSE subject to the same control and accountability that CSIS now is.

There is urgency required in implementing some statutory directive because of CSE's capacity to invade and intrude into our privacy. Southam News has already reported that the Privy Council Office has asked the RCMP's legal branch to examine legislation that would make it easier for police to intercept digital or computer communications.

(1945)

In the United States similar laws are under study and the Digital Telephony and Communications Privacy Improvement Act giving telecommunications companies funds to develop software technology allowing full access to telecommunication systems has been debated in the U.S. Congress.

If enacted, this U.S. law would permit monitoring of a wide range of personal data. Are we in Canada also to have our own big brother tracking our every move? Electronic eavesdropping is surreptitious, easily used, and has the capacity to intrude into our most private lives with no search warrants required.

Despite the minister's assurance that CSE has no mandate to spy on Canadians, we do not know what its mandate is. Without checks and balances CSE has no limits to its operations and can be used against anyone without their having any knowledge that it is happening. To have the legal ability to so infringe on our right to privacy is simply unacceptable.

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In conclusion, while I have concerns about SIRC being as responsive and appropriate a monitoring agency as I would like, it is certainly better than having no monitoring agency at all. Perhaps an improvement in answer to this dilemma would be for the monitoring agency, for both CSIS and SIRC, to be constituted as a separate cell under the aegis of the Auditor General who reports to Parliament. Unless there is some technical reason why this cannot be, it would seem to provide the arm's length monitor required to do the job without political bias or interference.

The Acting Speaker (Mr. Kilger): The time provided for the consideration of Private Members' Business has now expired, but I want to put on record that by unanimous consent we extended the time of debate on Motion No. 38 by an extra five minutes so that the next time the motion is before the House there will be 55 minutes left of debate.

Pursuant to Standing Order 93, the order is dropped to the bottom of the order of precedence on the Order Paper.

ADJOURNMENT PROCEEDINGS

[English]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

RAIL LINE ABANDONMENT

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, on November 2, I asked the Prime Minister to ensure that Saint John, New Brunswick, was given a dayliner after VIA's final run through Saint John which takes place on December 15.

The Minister of Transport responded to my question by saying what he needs to hear are proposals that make sense and not what was being done by the former PC government, the party that I now represent.

I find irony in what the minister has said because what the minister has done to Saint John does not make any sense. A new train station was built just last year by the former government. The Liberal government closed it, took away the VIA service and offered a bus to take passengers to Moncton.

The former government built a new air traffic control tower in Saint John. The Liberal government has now closed it and has taken the air traffic controllers away. The decisions are a waste of taxpayers' dollars.

I understand the present fiscal constraints the government is facing. The government has decided to cut non-profitable operations. One of these operations was the VIA Atlantic train

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from Sherbrooke to Saint John, the first mainline ever to be abandoned.

In the Gaspé area the NTA recommended that the Gaspé rail line be abandoned, but the government of the day, the previous government, decided that the abandonment decision should be overturned because the loss of the rail service would negatively affect the quality of life in that region.

The same thing is happening in New Brunswick and in Saint John with this decision. The quality of life in my area is severely negatively affected with the removal of VIA passenger service.

Why did the hon. member's government not do the same for the eastern line as the PC government did with the Gaspé abandonment? Where is the rat pack that was there in the opposition? The minister of fisheries, the Deputy Prime Minister and others formed what was known as the rat pack. They fought hard with myself as mayor of the city of Saint John to make sure the people of Saint John had a rail service.

I cannot accept that the government has cut off the total passenger service to my riding and replaced it with a bus. In light of the savings to the federal treasury that the cut of the Atlantic service will provide, I do not feel that a dayliner would be cost excessive. Since we have a brand new railway station I feel we should get some use out of it and not waste the taxpayers' money that was spent on it. The government looks very irresponsible as does the commission for VIA when they close down a railway station that has just been built.

(1950)

A dayliner service to Moncton would be more appropriate, given the state of highways in New Brunswick. As well it seems to me that a dayliner link if scheduled and priced properly could make money, given that the highest population density in the province resides in the area of Saint John. The decision by the minister to offer a bus instead of a dayliner is really an insult to the people of Saint John.

We were told by the previous government: "You use it or you lose it". The citizens have used it. It is a way of life for our people. There are many people who have no other way to travel except by that train.

The closure of the VIA Rail Atlantic will not save taxpayers much money and comes at a time when the Amtrak network is expanding in Maine. All these cuts and closures come at a time when in Europe and the U.S. they are building high speed and very efficient trains.

I am asking the government to ensure VIA service to Saint John by providing a dayliner to Moncton instead of a bus. In this

time of giving I ask the government to give a little back to the citizens of Saint John that it has taken away.

Mr. Joe Fontana (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, owing to the impending sale of CP's operating assets between Sherbrooke and Saint John, there is no assurance of continued access for the Atlantic train. The member knows that VIA does not own tracks. It operates on running rights from CN and CP. Therefore with CP selling the assets there is no track available for VIA.

VIA will discontinue its Atlantic train over the CP route on December 17 and will increase train frequency to six round trips per week over the ocean route. VIA has done a first rate job in arranging for bus service between Saint John and Moncton to connect VIA passengers with the ocean service. This is the most economical way to provide connections within the VIA network.

In addition, the interline ticketing and tariff agreement VIA has made with SMT will provide for ease of ticketing and baggage handling. SMT will also be modifying schedules on its Fredericton to Newcastle route, providing a direct connection at Newcastle to the ocean for passengers from Fredericton.

It is evident that a connecting bus service is the less costly option by far. The annual cost of a dayliner service would be in the order of \$1.2 million per year. The bus service is much less than that by half.

We have been asked why VIA's newly constructed station in Saint John will no longer be used. Perhaps the member should ask her former Conservative government. When the station was constructed CP was already negotiating the sale of the entire Sherbrooke to Saint John line. The member might want to respond on why her colleagues spent the money on the basis of speculation.

The commitment of Minister of Transport to Saint John and New Brunswick is unquestionable. His actions with respect to the CAA at Saint John, his action with respect to the port of Saint John and with respect to highways in Saint John and New Brunswick are sure testimony of the minister's commitment to good transportation systems in Saint John and New Brunswick.

[Translation]

SOCIAL PROGRAM REFORM

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, exactly eight days ago, I asked the Minister of Human Resources Development when he would table the five missing technical papers that were to clarify, if possible, the direction that his plan to reform social programs would take.

At that time, the minister answered that he thought the remaining documents would be made public in ten days. I want to tell the minister that he has only two days left to keep his promise, but that is not the main purpose of my statement today.

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On this point, I first want to speak out against how the minister is proceeding. In a few days, the Standing Committee on Human Resources Development will complete a Canada-wide tour of consultations in which thousands of citizens will have participated. What a mockery has been made of the consultation process!

An incredible amount of energy has been mobilized but the people whom they said they wanted to consult were not provided with the proper information. They were consulted on an indefinite subject, but I suspect that the chosen direction has already been decided and they are being very careful to keep it from the public. All this remains to be confirmed, of course, but the confirmation should come soon.

(1955)

In the House, on December 5, I also asked the minister to confirm that he had in fact gone blindly into a reform guided only by the cuts imposed by the finance minister. Instead of answering my question, the minister replied that I was completely ignorant, and said: "A large-scale national survey showed that 96 per cent of Canadians believe major changes have to be made in social policy. It may be that the hon. member does not understand but 96 per cent of Canadians are in favour of what we are doing".

The minister was quite right. I do not understand, but not necessarily what he thinks I do not understand. I cannot understand how a minister can interpret in such a shameful demagogic way the results of a poll. Here are the facts. The Decima poll, to which the minister was referring, revealed that 96 per cent of Canadians feel that the time has come to reform social security programs. Some 53 per cent support major changes, while 26 per cent are in favour of a comprehensive reform.

How can the minister distort the facts in such a way and accuse me of not understanding anything? This is a mystery which, I am sure, only the minister can penetrate.

Let me repeat again the results of that poll, just to make sure the minister understands: 96 per cent of Canadians feel that a reform of social programs is necessary. This is not at all the same as saying that 96 per cent of Canadians support the government's approach, far from it!

I also want to tell the minister something he surely knows already: Canadians do not agree at all with the proposal, as introduced by the government. The same poll indicated that 19 per cent of Quebecers strongly supported the idea of a two-tiered UI system, while 56 per cent somewhat agreed with it. This is a far cry from the 96 per cent degree of support of Quebecers that the minister claims.

Finally, I want to take this opportunity to remind the minister that women's groups, including the National Action Committee

on the Status of Women, which alone represents over 80 groups, condemn the proposed changes to the UI system, because they feel these changes are discriminatory. Would the Minister of Human Resources Development go so far as to claim that all these women did not understand anything either?

[English]

Mr. Joe Fontana (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, as of today the government has released four background papers: "Income Security for Children", "Persons with Disabilities", "Child Care and Development" and "From Unemployment Insurance to Employment Insurance". The remaining four papers will be released in the next few days. I can assure the member there is still time for public debate and for the standing committee to analyse these papers as it prepares its final report early in the new year.

Social security reform is an ongoing process. We will continue to make information available to the public throughout the process. Let me emphasize again that our programs are outdated, costly, and no longer meet the needs of today's labour market.

As recent polls have shown, the Canadian people believe there are problems with our social programs and that changes are required: 96 per cent of the people believe there are at least some problems with social programs requiring either minor changes, 17 per cent; major changes, 53 per cent; or a complete overhaul, 26 per cent. Slightly fewer Canadians, 89 per cent, believe the UI system should be changed. The majority, 55 per cent, believe change is required because the system is antiquated, while one-third believe the expense associated with the program is the main reason the UI system should be changed. There is overwhelming support, 80 per cent, for our two-tier system of UI.

I am convinced the government has the support of the Canadian people as we work to reform an antiquated social security system. The release of the remaining technical papers in the next few days will further inform and allow us to make the important decisions required to ensure the survival of Canada's social security system.

[Translation]

CANADA LABOUR CODE

Mr. Bernard St-Laurent (Manicouagan, BQ): Mr. Speaker, I rise to speak about the anti-scab bill and the minister's commitment to table such legislation, which was supposed to be done some time in December.

In March 1994, in my riding near Sept-Îles, at the QNS & L Company, 300 employees were in a legal strike position and were locked out. The strike or labour dispute was to go on for three months. As soon as the dispute started, the employer rushed to hire scabs.

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(2000)

So, as you can imagine, this led to violence and did not create a climate conducive to bargaining with respect and dignity by the workers and the employer. The emphasis was on confrontation throughout the process, and there was no attempt to reach an agreement because scabs had been hired.

Last week, I travelled to Decatur, Illinois, with Ogilvie Mills workers belonging to the CSN, who joined fellow workers who are also on strike, sympathized a little, and tried to meet the head of the business in Decatur, where Ogilvie has its headquarters. To all intents and purposes, I have never seen anything like Decatur in my life, although I have witnessed many labour disputes. I was involved in the union movement for a while before being elected to the House of Commons, so I knew what to expect, but it was the first time I saw anything like that. Decatur could be called Dictature City or Scab City, as the people over there call it. It is the same thing.

If you want to work, all you have to do is show up at Decatur. ADM owners hire, on the spot, workers they then send to one of the many places where there is a labour dispute, to work as scabs, because at Decatur, it is normal to work as a scab. So, this creates a climate of incredible violence. Bargaining is the establishment of a power relationship between two groups and in turn, this power relationship creates respect, which ensures that everything will be done in a dignified manner. Then, once this is established, you can talk about a clean, decent labour contract. But as long as there is no anti-scab legislation in place, this cannot be achieved.

In front of the Ogilvie Mills workers here on Parliament Hill on September 19, the minister promised to amend the Canada Labour Code to ban strike-breaking. He was to bring in a bill making the required changes to the code. This sounded rather interesting. But more recently, on December 4 to be exact, the minister backed away, claiming that his department was preparing another bill, a bill on pay equity, which really has nothing to do with anti-scab legislation.

So, based on that, I wonder, and I repeat the question I asked earlier: how can the minister justify his about-face on the need to incorporate anti-scab amendments into the Canada Labour Code? How does he explain this about-face, as I asked him before, except as an act of obvious lack of political courage?

[English]

Mr. Joe Fontana (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, part I of the Canada Labour Code establishes the framework for industrial relations and regulates the conduct of collective bargaining in the federal private sector.

This jurisdiction covers the operations of enterprises which fall within the definition of federal work, undertaking or busi-

ness and includes interprovincial and international rail, road and pipeline transportation, air transportation, shipping, longshoring, grain handling, telecommunications, broadcasting, banking and certain crown corporations.

As the Minister of Human Resources Development indicated on December 5 in responding to an inquiry raised by the hon. member for Manicouagan, part I of the Canada Labour Code, including the issue of replacement workers, is currently being reviewed with the view to modernizing and improving it so that it can better reflect today's realities. Creating a legislative framework which is free of barriers to co-operative labour management relationships also supports the initiative of the Minister of Industry in building a more innovative economy.

The minister has asked a senior assistant deputy minister to undertake the review process. This involves a consultative process with business, labour unions and other affected parties to seek their views. The views expressed during the consultative process will be carefully considered prior to introducing amendments to part I of the Canada Labour Code.

(2005)

The hon. member for Manicouagan also made reference to a dispute involving Archer Daniels Midland Company, formerly Ogilvie Flour Mills, and the Syndicat national des employés des Minoteries Ogilvie Ltée.

The company and the union are currently negotiating the renewal of their collective agreement which expired on January 31, 1992, and which covers approximately 150 flour mill employees. When the parties were to conclude an agreement with the assistance of a conciliation officer appointed by the minister they were placed in a strike-lockout position. The union membership began a strike on June 6, 1994, following the rejection of a company offer on the previous day.

A federal mediator met with the parties in July and October of 1994 but little progress was made. Meanwhile the union filed a request with the minister for consent to file a complaint with the Canada Labour Relations Board alleging that the company had failed to bargain in good faith.

Ministerial consent was granted and the CLRB held a hearing on November 4, 1994, at which time the parties agreed to resume mediation meetings in an effort to settle their differences. The mediator met with the parties November 30 and December 1 and talks resumed today, December 13, 1994.

A federal mediator resumed meetings with the parties today and mediation talks are scheduled to continue December 14 and 15. It is encouraging that the parties are continuing to meet and I am advised some progress is being made. Both sides have been urged to take advantage of this opportunity to arrive at a settlement of their long and difficult dispute.

CANADIAN WHEAT BOARD

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, pursuant to Standing Order 37(3) I rise to get a more detailed answer to questions I raised on December 5 and 6.

As a person who is concerned about the future of the Canadian Wheat Board I feel it is imperative to point out some of the activities of its government appointed commissioners during the advisory committee elections. I believe these activities point out problems with the board which could, if not immediately dealt with, lead to its demise over the next few years.

The real threat to the Canadian Wheat Board is not from outside but rather from within and result from its lack of accountability and its lack of willingness to change. The main issue to be dealt with is the complete lack of accountability of these appointed commissioners to western Canadian farmers.

This is a concern I have heard from farmers over the past several years. After all, farmers pay all of the operating costs of the Canadian Wheat Board out of their pockets. Why does it seem too much to ask for the commissioners that run the board to be directly accountable to farmers? The only way to ensure that the board of directors is accountable to farmers is by allowing farmers to elect them. There is no other way.

On Monday, December 5, I asked the minister of agriculture about the results of the Canadian Wheat Board advisory committee elections. I mentioned it was no surprise that less than 40 per cent of farmers eligible to vote turned out to elect these largely symbolic positions.

What was a surprise, however, was that leading up to the election, Lorne Hehn, the chief commissioner campaigned for a group of candidates that had a specific political agenda. In addition Richard Klassen wrote an "open letter to prairie wheat and barley growers". Their articles appeared in the *Western Producer*, *Grainews*, and many local papers.

Section 17(4) of the Canadian Wheat Board Act strictly prohibits these actions. It states: "It is the duty of the board to exercise direction and supervision over the administrative conduct of an election of members of the advisory committee". Therefore, the role of commissioners parallels that of Elections Canada in a federal election.

By promoting the point of view of one group of candidates the commissioners, I believe, violated the Wheat Board Act and the trust given to the people who hold these positions. On this basis I asked for the resignation of those who knowingly violated politically neutral positions.

In his response the agriculture minister said he would not ask for their resignations because he had no proof to justify these

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allegations. He also stated it was not unusual for a chief commissioner, from time to time, to defend the policies and practices of the wheat board.

The proof can be found in the chief commissioner's words and in the words of other commissioners. Not only did the chief commissioner openly offer his opinion in the November 17 issue of the *Western Producer* but he also stated that during the board's 60-year history it is entirely unusual for commissioners to defend the actions of the board.

(2010)

Hehn states: "The events of recent weeks compel me to violate the long tradition of silence on controversial grain policy issues. I do so at the risk of being accused of meddling". Therefore, Mr. Hehn knowingly violated section 17(4) of the Canadian Wheat Board Act. This is a very serious offence and I am sure the chief commissioner was aware of the consequences.

Clearly, the politically neutral stance of the wheat board was violated by the chief commissioner and other commissioners. It is also clear that the actions of these individuals should be reviewed. Furthermore, it is clear to everyone that farmers must review and make decisions about how their marketing agency should be run.

I have three specific questions for the minister. With this evidence before him, will the minister acknowledge that the commissioners have violated the Canadian Wheat Board Act and the trust given to them? Will the minister ask for the resignation of all commissioners who campaigned during the period leading up to the advisory committee elections? Will the minister replace those political appointed commissioners with an elected board of directors? If yes, when? If not, why on earth not?

Mr. Lyle Vanclief (Parliamentary Secretary to Minister of Agriculture and Agri-food, Lib.): Mr. Speaker, I would like to point out that section 17(4) of the Canadian Wheat Board Act referred to by the member for Vegreville addresses the administrative requirements for an election of a Canadian Wheat Board advisory committee.

The recent speeches and articles by the Canadian Wheat Board commissioners are a response to producer requests for more information on the board and how it markets wheat and barley on behalf of the producers.

The Canadian Wheat Board commissioners did not campaign on behalf of any candidates. They were responding to those producers who want more information. It is only logical that the wheat board commissioners who are charged with the responsibility of marketing wheat and barley on behalf of the western Canadian producers would be in the best position to describe how they are fulfilling their responsibilities.

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As the hon. member well knows, the debate on the issue of grain marketing has been ongoing. It was not initiated with the particular Canadian Wheat Board advisory committee election and it will not end with this election.

As we have stated on numerous occasions, producers need the opportunity to discuss the grain marketing issue in a logical, structured form with all the facts available to them. The producers will be provided with a forum to discuss and debate the issue over the coming months.

Any decision on how we market grains and oilseeds should be made in the context of where we want our grain industry to be in five to ten years from now. As a result, the federal government has initiated discussions with the industry to develop a longer term vision.

BANKS

Mr. John Solomon (Regina—Lumsden, NDP): Mr. Speaker, when inflation is high in Canada, bank profits are high. When inflation is low in Canada, bank profits are high. When the economy is in recession, bank profits are high. When the economy is in a growth mode, bank profits are high. When interest rates are high in this country, bank profits are high. When interest rates are low, bank profits are high. They are high in every circumstance when it comes to economic indicators.

The fact is that bank profits continue to be high in this country. In view of the fact that the chartered banks donated to the Liberal Party over \$700,000 to the last campaign in Canada and the financial institutions as a whole donated over a million dollars to the Liberal Party slush fund in the last campaign, I am curious to know why the banks continue to get a free ride when it comes to contributing their fair share to building Canada.

In the last year alone the six major chartered banks in Canada reported profits of \$4.3 billion. The chartered banks have an important role in our country's economy due largely to the regulations that are in place under the Bank Act. With the privilege of banking should come the responsibility of assisting in the development of our economy.

The Minister of Finance agrees that Canada's deficit is a serious problem. He, in consultation with the Minister of Human Resources Development, has made it clear that they will be making cuts and reductions to Canada's social security programs. Many Canadians have experienced the hardship of the recession and also faced cutbacks to their unemployment insurance coverage.

The Minister of Finance has made it clear that we will all be tightening our belts to help pay down Canada's debt. Meanwhile we have the banks in Canada that have made huge profits during hard economic times. They have made their profits on the backs of Canadians. It is money that is made on the spread of interest rates, financial transactions and on the government debt.

Another reason is bank service charges. Service charges are one of the fastest growth areas for banks. They allow the banks to continue making money in hard times and in good times.

I believe the government should ask the banks to justify their banking practices and their actions. As responsible corporate citizens the banks have a moral responsibility to pay their fair share of taxes and to reinvest their wealth in Canada and create jobs.

The Minister of Finance has a responsibility to regulate the banks and ensure that they participate in our country's economic recovery.

Bank customers receive interest rates of 2 per cent or 3 per cent on their savings accounts while being charged up to 11 per cent on their loans. The interest rate spread is wide and the banks are the winners on the spread.

After 127 years of Liberal and Conservative governments in Canada we are approaching \$550 billion in debt. There has been no job creation as a result of this latest bank manoeuvre. The banks have made profit by cutting back on staff as a matter of fact. A year ago the Royal Bank announced the need to slash 3,000 jobs from its payroll as well as another 1,100 jobs from its newly acquired Royal Trust, because of the recession its said.

Is the Royal Bank now willing to create 4,000 new jobs or is it going to continue to make profit at the expense of its former employees? The answer to that is not likely.

The Royal Bank in 1993 year end made profits of \$324 million and paid absolutely no taxes. As a matter of fact, it received from the federal government and the revenue department \$5 million in tax credits.

Two years ago the CIBC announced cutbacks of 2,500 jobs. In fact, 14,000 banking jobs have been eliminated in the past four years. Banks reasoned that cutbacks were necessary but now we see their profit margins. The banks lost money on bad real estate loans primarily over ambitious commercial projects in foreign countries. As well, they have lost money loaning money to other countries without providing the same equity backup and guarantees that individuals in Canada must provide.

I am asking in summary that the government provide leadership on this issue and ensure that the banks make a stronger contribution by paying their fair share of taxes back to this country and to institute a fair interest rate policy and to justify some of their monopolistic practices so that Canadians do benefit from banks when they make a profit.

Mr. David Walker (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, over the past few weeks six major banks have reported their profits for the year ending October 31, 1994. The six largest banks reported profits of over \$4.2 billion, a 47 per cent increase over last year. This has prompted some

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observers to ask whether the banks are paying their fair share of tax.

Banks do pay considerable amounts of tax. Banks pay income taxes and are subject to two federal capital taxes, the large corporations tax which applies to all corporations with more than \$10 million of capital, and the financial institutions capital tax. This latter tax is paid annually at an average rate of 1.25 per cent of capital. This tax is designed as a minimum tax for banks and other large financial institutions.

Over the past five years the six largest banks and their mortgage subsidiaries paid on average \$850 million per year in federal income and capital taxes. In 1991 and 1992 they paid around \$1 billion per year in federal income and capital taxes.

Banks also paid income, capital, property and other taxes to provincial and municipal governments.

The hon. member is no doubt aware that further measures were introduced in the 1994 budget to ensure that banks and other financial institutions continue to pay their fair share of tax. These changes will improve the measurement of income on securities and loans held as part of their ordinary course of business.

The Acting Speaker (Mr. Kilger): Pursuant to Standing Order 38, the motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24.

(The House adjourned at 8.19 p.m.)

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