



CANADA

House of Commons Debates

VOLUME 134 • NUMBER 074 • 2nd SESSION • 35th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Wednesday, September 25, 1996

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Wednesday, September 25, 1996

The House met at 2 p.m.

Prayers

The Speaker: As is our practice on Wednesdays, we will now sing O Canada, which will be led by the hon. member for Cumberland—Colchester.

[Editor's Note: Whereupon members sang the national anthem.]

STATEMENTS BY MEMBERS

[English]

INTERNATIONAL PLOUGHING MATCH

Mr. Jim Jordan (Leeds—Grenville, Lib.): Mr. Speaker, the International Ploughing Match held this year in Haldimand—Norfolk brought together the best the nation can offer in the art of ploughing the land.

This year a friend of mine, Mr. Lloyd Vandusen, was the clear winner in two categories of ploughing. Lloyd won championship horse ploughman for Ontario and he scored the highest points of the match in the horse competition.

Lloyd is the best ploughman in Canada and probably the best in the world. I want to personally thank him for the leadership he has shown in creating and maintaining a high interest in the art of ploughing throughout this nation.

Congratulations Lloyd, you are truly the champion.

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CANADA PENSION PLAN

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, the Canada pension plan is in a crisis.

CPP was originally intended to provide retirement pensions for workers and aged survivors. Disability programs were under provincial jurisdiction.

Since 1970 when the first federal disability cheque was issued, amendments have increased benefits and made it easier to qualify.

Now some insurance companies tell clients to apply for CPP disability before they collect any benefits from them. And government payments are deducted before the company plan kicks in. CPP disability is subsidizing private plans and jeopardizing the pension of every working Canadian.

That is not all that is wrong. If your disability claim is turned down by CPP, just appeal it to a tribunal. In more than three-quarters of the cases the original decision is overturned.

Let us save CPP for its original purpose: providing retirement security for our senior citizens. And let us properly address the needs of the country's disabled.

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[Translation]

PAPINEAU FAMILY

Mr. Maurice Dumas (Argenteuil—Papineau, BQ): Mr. Speaker, the history of my riding has been marked by the Papineau family, whose most illustrious member, Louis-Joseph Papineau, died 125 years ago this year.

This great man and patriot, who owned the Petite-Nation seigneurie, occupies an important place in Quebec history, as his main vocation was to defend the rights of Quebecers. To serve this cause, he became a member of Parliament.

The town of Papineauville in my riding was named in honour of his brother Denis-Benjamin Papineau.

Henri Bourassa, Louis-Joseph Papineau's grandson and the founder of *Le Devoir*, was the first mayor of Papineauville, which celebrates this year its 100th anniversary.

We are proud of this rich history. The people of Petite-Nation have inherited these great figures' love for their region. Although they died many years ago, Louis-Joseph Papineau, Denis-Benjamin Papineau and Henri Bourassa are still present in the lives of the people of the Petite-Nation region.

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[English]

LIBERAL GOVERNMENT

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Mr. Speaker, in response to the B.C. government's imaginative proposals to improve the CPP, the Liberals' only response has been to absurdly

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accuse the B.C. government of playing into the hands of the right-wingers at the Fraser Institute.

The Liberals can speak with authority on the Fraser Institute. They have been singing from the Fraser Institute's hymn book ever since coming to power in 1993: deficit cutting at whatever cost to medicare, the CBC and the fabric of our communities; privatizing and deregulating transportation at whatever cost to regions like northern Manitoba; attacking inflation but tolerating depression-like unemployment. It was all there on the Fraser Institute's wish list and the Liberals have delivered.

The Liberals have not delivered on jobs, they have not delivered on child care, on the CBC, on the GST, on medicare, on drug patents, in short on anything that is important to the quality of life for hard working Canadians.

If the Liberals who still have an ounce of attachment to their old tradition of building rather than destroying institutions do not stand up to the Fraser Institute interloper who poses as the finance minister, the Liberals will erode—

The Speaker: The hon. member for Peterborough.

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• (1405)

LAND MINES

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I congratulate the ministers of defence and foreign affairs and others on Canada's leadership in the worldwide campaign to ban land mines. I hope we continue to support the efforts of the Canadian Red Cross and Mines Action Canada to develop an effective international ban.

I also urge the government and the armed forces to support de-mining around the world. We should make particular efforts to develop effective techniques and technologies to remove the millions of land mines which kill and maim people around the world every day.

Expertise on these matters is available in Canada. Land mines, like gas and biological weapons, are inhuman and unacceptable in the modern world.

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FASTBALL

Mr. Larry McCormick (Hastings—Frontenac—Lennox and Addington, Lib.): Thank you, Mr. Speaker, for this opportunity to applaud the accomplishments of two fastball teams from my riding of Hastings—Frontenac—Lennox and Addington. This summer the Napanee Midget and Junior Express each displaced over 30 teams to win provincial elimination competitions and to earn places in the Canadian championship playoffs.

I am also very proud today to recognize coaches and all the volunteers in this organization who provided youth with the opportunity to develop skills and a winning attitude.

The Napanee Midget Express travelled to Prince Albert, Saskatchewan where they achieved silver medal standing. The Napanee Junior Express came home from their national playoffs in St. John's, Newfoundland with gold.

During the midget eliminations which were held in my riding I commented that while winning is wonderful, the real joy resides in playing the game. Well, winning is sweet too.

I believe that only once before have two of the winning Canadian championship teams come from the same town. Look what can be done when dedicated volunteers and energetic youth combine their talents. Please join me in extending well deserved congratulations.

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PORT WILLIAMS ELEMENTARY SCHOOL

Mr. John Murphy (Annapolis Valley—Hants, Lib.): Mr. Speaker, Port Williams Elementary School in my riding of Annapolis Valley—Hants was recently named one of the country's five greatest schools by *Today's Parent* magazine.

This recognition is indeed a great accomplishment. Clearly it is proof that our public education system is a model of excellence. In communities all across this country our public schools are staffed by dedicated professionals and volunteers truly working to make a positive difference in the lives of our young people.

I would ask all members of this House to join me in congratulating Port Williams Elementary School principal Sandi Carmichael, all of her staff, the community, the volunteers and of course the students who help make this school so special. They are truly deserving of this national recognition.

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[Translation]

NEW AGENDA FOR AFRICA

Mr. Philippe Paré (Louis-Hébert, BQ): Mr. Speaker, last week, the UN carried out a mid-term review of its new agenda for Africa. This five-year program is aimed at helping the 47 nations on that disaster-stricken continent, including the 35 poorest countries in the world. Canada maintained only a discreet presence at this rather important meeting to deal with the pressing poverty problem.

Eliminating world poverty is one of the priorities of Canada's foreign policy. Despite this and although Canada has always favoured international forums, the government did not see fit to

send a ministerial representative to this meeting to debate these vital issues.

It just so happens that the Minister of Foreign Affairs is in New York this week for the opening of the 51st session of the UN General Assembly. In light of the major differences between the two Canadian delegations, we question the government's real commitment to a priority it set itself. We hope this is only an honest mistake and not a decision to turn away from Africa and even from the UN.

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[*English*]

TRADE

Mr. Leon E. Benoit (Vegreville, Ref.): Mr. Speaker, many Canadians are concerned that we are being culturally and economically Americanized. Why is this? Could it be because there are fewer obstacles to doing business with the United States than with other Canadian provinces?

This government has talked a lot about its commitment to removing internal trade barriers. That is good. However, its actions have been weak and ineffective. This government's complacency has led to recent conflicts between provinces. New Brunswick and B.C. are fighting over job poachers, Ontario and Quebec over construction jobs, and Quebec and Newfoundland over Churchill Falls.

These disputes which could have been settled with a strong agreement on internal trade are instead pitting province against province and harming national unity.

This government's ineffectiveness in removing internal trade barriers is eroding our national identity and is tearing our country apart.

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• (1410)

1997 FRANCOPHONE GAMES

Ms. Bonnie Brown (Oakville—Milton, Lib.): Mr. Speaker, I want to correct a false impression that was left in the minds of Canadians as a result of an article that appeared in a national newspaper on July 23. The article implied that the government is spending more on the Francophone Games of 1997 than we spent on the Olympics in Atlanta. This is false.

In fact Sports Canada provided \$615,000 to send our team to Atlanta, but it also provides \$20 million annually toward the athletes' preparation programs and more than \$7 million in direct assistance to our carded athletes.

Since 1992 the government has spent almost \$115 million aimed at Olympic sports organizations and their athletes. That is over 40 times the amount we are spending on the Francophone Games.

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The upcoming games in Madagascar are also an opportunity for our athletes to start preparing for the next Olympics. That is what happened in 1994 in Paris where Bruny Surin won the gold medal in the 100 metres and Donovan Bailey won the silver.

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OFFICIAL LANGUAGES

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, this afternoon the staff of Green Gables House in Prince Edward Island National Park will be presented with a certificate of merit by the Commissioner of Official Languages on behalf of the Government of Canada.

The managers of this regional office of the Department of Canadian Heritage continue to meet the objectives of the Official Languages Act by striving at all times to maintain adequate bilingual staff. This summer the two regular and 14 seasonal employees hired were all bilingual.

Congratulations to the Prince Edward Island National Park staff for the excellent service they provide to visitors and islanders alike in both official languages.

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[*Translation*]

THE MONTREAL ECONOMY

Mr. Nick Discepola (Vaudreuil, Lib.): Mr. Speaker, Quebec separatists seem determined to do away with Montreal and its people, whom they hold responsible for the successive referendum reverses they have suffered.

Besides appointing the token minister responsible for Montreal and making vague commitments to work toward national reconciliation, the Parti Québécois has not done a thing for Montreal. It is standing by as the city slowly but inexorably loses its investors, its jobs and its brains.

As if to speed up Montreal's collapse, Quebec separatists have decided to unilaterally re-open the language debate to please a handful of radical militants.

In terms of a strategy for Montreal's recovery, we have seen better, we have never seen worse. The Parti Québécois and its separatist allies are deluding themselves and other Quebecers with this idea that Montreal has to be weakened for their plan to achieve independence to succeed.

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THE MEMBER FOR PIERREFONDS—DOLLARD

Mr. Michel Daviault (Ahuntsic, BQ): Mr. Speaker, we can understand that, in parliaments, all kinds of views are exchanged and differences in ideas might result in opposing, questionable views being expressed, which may even cause controversy. But we cannot and must not let an elected representative make remarks

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aimed at unfairly and wrongfully discrediting another elected representative.

Yesterday, the hon. member for Pierrefonds—Dollard tried to link the leader of the Bloc Québécois to Raymond Villeneuve, an extremist whose revolting remarks have been unanimously condemned.

How can any connection be made in this Parliament between the leader of the Bloc Québécois and Mr. Villeneuve, when the hon. member for Roberval was the first political leader to dissociate himself from and condemn these remarks, saying that they did not reflect the views of any member of the sovereignist movement in Quebec.

It is inadmissible for a member of this Parliament to impute motives when they are totally contrary to the facts.

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[English]

CANADIAN FORCES SEARCH AND RESCUE

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, yesterday the disabled vessel *Alexis le Trotteur* declared an emergency in 100 kilometre plus winds and two storey waves off the coast of Nova Scotia. First a Hercules and then an Aurora maritime patrol aircraft arrived but high winds and rough seas prevented rescue. Even a nearby container ship was unable to respond.

When the Canadian forces search and rescue helicopter arrived, the size of the *Alexis* and the rough seas forced them to abandon their usual procedure. A crewman jumped into the huge waves and swam with a lifeline to hoist four men and women, one at a time, to safety. This 40-minute dangerous rescue left the *Labrador* at critical fuel levels so they flew to St. Pierre and Miquelon.

This is yet another example of exemplary performance and heroism by a Canadian forces search and rescue team. Their dedicated teamwork, training and bravery made possible their success. Despite ancient and severely limited equipment, their professionalism shone through.

• (1415)

Canadian forces search and rescue units deserve our recognition and praise, but even more they need new tools to help them do their job.

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[Translation]

QUEBEC ECONOMY

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, the list of individuals and organizations condemning the separatist threat as a major cause of Quebec's economic instability is getting longer.

Yesterday, it was the mayor of Montreal, Pierre Bourque, who raised the issue of economic uncertainty generated by the sovereignist threat. The mayor said: "It goes without saying that we need stability. We need confidence. The economy is largely based on a climate of confidence".

Montreal, which is still referred to as Quebec's economic engine, can no longer put up with the adverse socio-economic impact of the PQ and the Bloc Québécois' separatist obsession. Montreal and the province of Quebec need political stability, but as long as the separatist threat hangs over Quebec, no socio-economic summit and no minister from Montreal will be able to put a stop to this sad decline.

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[English]

TERRY FOX RUN

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.): Mr. Speaker, on June 28, 1991 Canada mourned the loss of a courageous young man from Port Coquitlam: Terry Fox.

Although Terry's cancer prevented him from finishing his marathon of hope, the legacy of hope he left is one that is carried in the hearts of all who participated in the Terry Fox run this year in Canada and around the world. They have taken up his quest for a cure for cancer.

The spirit of Port Moody—Coquitlam was evident again last Sunday as 5,700 local residents participated in the 16th annual Terry Fox hometown run. This year over \$9 million will likely be raised by an estimated 600,000 Canadians at 4,200 run sites, including 2,600 school events. Thanks to the 1,700 volunteers who were also involved.

Shortly before his death Terry said: "You don't have to do like I did—before you take the time to find out what kind of stuff you're really made of. You can start now".

In tribute to this man and the potential in every Canadian and every member of the House, I challenge us all to get involved in a fight to find a cure for cancer.

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RAYMOND VILLENEUVE

Hon. Sheila Finestone (Mount Royal, Lib.): Mr. Speaker, the threatening comments made by convicted criminal Raymond Villeneuve particularly against the Jewish community on the eve of their holiest day, Yom Kippur, was an act of hatred and anti-Semitism that cannot be tolerated.

The Montreal police investigation is a welcome first step in this finger pointing vilification of a targeted community group. But this action is not enough.

Oral Questions

Where is the voice of the premier of all Quebecers? Where is the voice of denunciation even if this is a marginal group?

For as history has sadly shown us, when political discourse turns to invective, tragedy follows. I believe Villeneuve should be prosecuted under Canada's anti-hate legislation.

[Translation]

And by pointing a finger at the cultural communities, particularly the Jewish community, this former FLQ terrorist is obviously inciting people to violence, and showing a total lack of respect toward all Quebecers.

[English]

I call on Premier Bouchard to continue to denounce extremists like Villeneuve, Bourgeault and other subversives in the separatist movement and to put an end to exclusion and hate mongering.

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[Translation]

PRESENCE IN GALLERY

The Speaker: Dear colleagues, I wish to draw your attention to the presence in our gallery of a parliamentary delegation from Quebec's National Assembly, headed by Speaker Jean-Pierre Charbonneau.

Some hon. members: Hear, hear.

ORAL QUESTION PERIOD

[Translation]

THE CONSTITUTION

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, a few months ago the federal government was backing lawyer Guy Bertrand in his bid to have the last Quebec referendum declared illegal by the courts. At the time, the federal government justified its action by saying that the government of Quebec was also taking an active interest in the Bertrand litigation.

• (1420)

Now we learn that the federal government is preparing to go it alone from here on and ask the Supreme Court to rule on what the government calls the legal issues surrounding Quebec's possible secession. In other words, the government is deciding to take up the crusade begun by Guy Bertrand.

Will the Prime Minister admit that, by taking the issue of Quebec's sovereignty to the Supreme court, the federal government is implicitly admitting that it has lost the political battle and is now trying to set up legal obstacles to prevent the people of Quebec

from making their own decisions about their future? In a way, the government is trying to get the judges to do its work.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the government has not officially taken any such decision. When we are ready, we will so inform the House.

A ruling by the Quebec Superior Court raised some very important questions to do with Canadian constitutional law as well as with international law.

Even the Leader of the Opposition said in an interview that the international law aspect should one day be clarified, and obviously one day it will be.

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, the government's whole approach consists in asking the judges of the Supreme Court for a ruling on a Constitution.

So how can the Prime Minister invoke a Constitution that is silent on the rules for entering and leaving confederation, a Constitution that has no political legitimacy in Quebec, because it was imposed—he should know something about that, it was his doing—it was imposed and has never been agreed to or signed by any premier, either federalist or sovereigntist?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the hon. member should know that the Canadian Constitution dates from 1867 and that it was a law of the British Parliament. So, even back then, parliamentarians were unable to vote.

It has only been since 1982 when we patriated the Constitution, so that Canadians would finally have a Canadian Constitution, that we could change Canada's Constitution to reflect the wishes of the people of Canada. I know that the members of the Bloc Québécois would have preferred to see us remain a colony of Great Britain, legally speaking.

Mr. Michel Gauthier (Leader of the Opposition, BQ): Mr. Speaker, one thing is certain in Quebec and that is that since 1982 nobody has wanted his Constitution, that is clear.

We know that the federal cabinet is divided on the question of whether or not to refer this matter to the Supreme Court and I can understand, because I want to ask the Prime Minister to give us and the members of his cabinet an explanation, and perhaps then he will be able to bring about unity.

How can the Prime Minister explain that Canada's justice minister has flatly contradicted himself twice in this matter, first in September 1995, when he declared that, in his view, this was not a legal question but a political one, and for the second time in May 1996 when he said that he was intervening in the Bertrand case only because the government of Quebec was doing so, and that otherwise he would not? By becoming involved now, the Minister of Justice will have contradicted himself twice since his initial statement.

Oral Questions

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, at the time, the minister said that, if the government of Quebec did not intervene, we would perhaps not have to intervene. But the provincial government did intervene and the ruling was not favourable to the provincial government.

I imagine that if the ruling had been favourable to the government of Quebec, it would not have withdrawn from the case.

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• (1425)

THE WORDING OF THE REFERENDUM QUESTION

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, to say the least, some clarifications of the lengthy responses we have just been given by the government are in order.

My question is for the Minister of Justice. Does the government intend to go ahead before the Supreme Court to ask its judges for a ruling on the federal government's power over the wording of the referendum question, the percentage required in a referendum, and the use of the power of disallowance?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as the Prime Minister has already said, we have not yet decided, but will do so in the next few days. As I said last week, it is our intention to respect the commitment we made in the Throne Speech, which is that next time, should there be a third referendum on the same subject, the question needs to be clear, the consequences need to be well known, and all Canadians need to be involved.

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, can the Minister of Justice tell us whether the federal government will seek to obtain a favourable decision from the Supreme Court as to the possibility of holding its own Canada-wide referendum?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, we will have the opportunity in the next few days to announce our intention, and I would just like to state that all of our options are still open. In the days to come, I will have the opportunity to clarify our position.

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[English]

CANADIAN ARMED FORCES

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, Brigadier-General James Cox, the army's new command inspector, is doing something that the Liberal government refuses to do.

He acknowledges that there is a morale crisis in the armed forces and it has everything to do with leadership.

General Cox says he has a team of soldiers ready to stare people in the face, ask all the hard questions and expect honest answers.

Let me ask the Prime Minister one of those hard questions. Does he now acknowledge the morale crisis in the Canadian Armed Forces and that it has everything to do, not with reorganization or downsizing, but with the leadership vacuum at the top of that department?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I stated yesterday that we have confidence in the leadership of the armed forces at this time. This period of reductions is a difficult time for the armed forces. The fact that there is a public inquiry which will analyse all the operations of national defence, something which has never happened before, is delicate and complicated for everybody.

I urge members of Parliament to let the commission look into all matters and report to the people of Canada. After that we will make the proper decisions. At this time General Boyle, the minister of defence, General Baril and all the others are working to make sure that the armed forces are ready for the tasks they have to do today, tomorrow, next week and next year.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, fortunately for the rank and file people in the Canadian Armed Forces, Generals Cox and Baril are not going to put politics before the morale.

According to General Cox our soldiers are worried about a lingering cloud that follows them around because of the actions of a few. They want the cloud to pass. The only person who can make that cloud go away, especially the cloud at the top, is the Prime Minister.

Will the Prime Minister get rid of the cloud that is hanging over our soldiers by appointing a new chief of the defence staff and a new Minister of National Defence.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, my answer is no. I am not about to cancel the inquiry either.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, he digs himself in deeper and deeper.

Brigadier General Cox said: "We may still have a couple of warts out there that are still hiding and I have to go out there and uncover them". The two biggest blemishes on the reputation of the Canadian Armed Forces are the defence minister and General Boyle.

• (1430)

These generals cannot do it alone. The plumbers and carpenters cannot be expected to rebuild the entire house. At some point, the chief architect of this whole mess has to be held accountable.

Oral Questions

Will the Prime Minister hold General Boyle and the defence minister accountable for damaging the morale and reputation of the Canadian Armed Forces or will he pass the buck to General Cox and General Baril?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I have replied to all these questions. I urge the leader of the third party, if he has any respect and he wants the army to have good morale, to try to find something else to talk about.

It is very easy for me to answer. I said that I have full confidence in the Minister of National Defence. Why? Because the previous administration had seven ministers in nine years. That was the cause of the drop in the morale of the armed forces.

I am committed to giving them stable leadership. That is why the Minister of National Defence will remain the Minister of National Defence.

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[Translation]

FRANCOPHONES OUTSIDE QUEBEC

Mr. Gaston Leroux (Richmond—Wolfe, BQ): Mr. Speaker, yesterday the Minister of Canadian Heritage told us without blinking an eye that francophones in western Canada would be better served by a one hour national newscast than by four 30 minute regional bulletins. What she was saying was that an hour is more than 120 minutes.

My question is directed to the Minister of Canadian Heritage. Does the minister apply this kind of arithmetic to Radio-Canada's radio stations in Vancouver, which will experience cuts totalling 45 per cent, in Regina and Edmonton, with 50 per cent, and finally in Windsor, Ontario, with 60 per cent?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, it is a fact that these cuts will create problems in all regions in Canada.

Management at Radio-Canada in Montreal worked on this with the president and the board of directors and has decided how far these cuts should go. I know it will be difficult. I never denied that. Today we hope francophones in western Canada can have an around-the-clock service through RDI, which is in fact happening now.

It is also true that cuts hurt everyone. However, if we consider Radio-Canada's total budget, after these cuts it would still be \$300 million, which is \$100 million more than TVA, for instance.

Mr. Gaston Leroux (Richmond—Wolfe, BQ): Mr. Speaker, it is clear the minister remains insensitive to the needs of francophones outside Quebec and needs of Acadians.

By imposing new cuts at Radio-Canada, which will have the effect of restricting local broadcasting in French to a few hours a day, would the Minister of Canadian Heritage agree that this is very similar to what was done by the Government of Ontario in 1912, when it passed Regulation 17, which restricted French to one hour a day?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, these are the crocodile tears of an opposition that referred to francophones outside Quebec as paraplegics in wheelchairs and said that, after a referendum, they would disappear just like that.

I would like to draw your attention to what was said by someone who ought to know what he is talking about, and who said, in referring to francophones outside Quebec, and I quote: "The Government of Quebec does not do enough, the Péquistes do not do enough. The federal government has certainly done more than Quebec, and I am prepared to acknowledge that". These comments were made by Lucien Bouchard on April 13, 1994.

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[English]

GOVERNMENT CONTRACTS

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, the Prime Minister says that he does not have a problem if he does not fire a minister. That is ostrich logic and I would like to tell the Prime Minister he has a problem here.

The defence minister has been demonstrating a lack of leadership and abusing his budget for months now. Yesterday we learned of a new contract issued to Mr. Stephanos Karabekos. Today we learn he rewarded his Liberal buddy, Joe Thornley, with an untendered contract for \$50,000.

• (1435)

Does the Prime Minister endorse the defence minister's sleazy, pork barrel politics as a way to restore morale in the Canadian Armed Forces?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, all that is within the budget of the Minister of National Defence and within the guidelines of Treasury Board.

Every department uses people from outside to help sometimes. Members of Parliament have a budget to use people from outside and it is within the guidelines of the House of Commons and Treasury Board.

This hiring is exactly in that category, the right to hire people within the budget of the minister and the budget as a member of Parliament.

Oral Questions

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, if those are the guidelines, Canadians are saying change the guidelines.

The defence minister has been too busy paying off Liberal friends to worry about morale in the forces. He has been using his budget as a slush fund to keep Liberal buddies rolling in dough. Not only that, the only reason he gave the untendered contract was because the defence minister's former press secretary told him to.

What kind of example does the Prime Minister think this sets for rank and file people in the military when their boss is filling the pockets of Liberal pals?

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, the minister had a requirement for some assistance in handling some communications issues and a contract was processed by the Department of National Defence in accordance with Treasury Board policies.

The company in question was determined to have the unique qualifications required to do the work.

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[Translation]

CABLE TELEVISION

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

Quebec cable companies are unanimous in condemning a bill passed by this House, whose main consequence would be to prevent, for all practical purposes, new French-language specialty channels from being introduced in Quebec and Canada.

What steps will the Minister of Canadian Heritage take so that this bill never receives Royal assent?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, the main purpose of this bill was to eliminate negative option billing, which is already banned in Quebec. We are following in the footsteps of the Quebec government, which has already banned this practice.

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, I do not know which bill the minister is talking about, but the bill that was passed Monday by this House is aimed at preventing a new service from being introduced as soon as a subscriber objects to it. It is not the same thing at all in Quebec.

The Liberal members who voted for this bill did so against the advice of the minister and her government, who are aware of its perverse effects. How can the Minister of Canadian Heritage protect francophone culture, when she could not even make backbenchers, especially those from Ontario, listen to reason on this matter?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, I think everyone in this House agrees with the principle that negative option billing should be banned, which was the main purpose of the bill. That is why we followed in the footsteps of the Quebec government in banning this practice. It is important that Parliament take a position on this.

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[English]

CHURCHILL FALLS

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, in Confederation the federal government is supposed to be the referee of interprovincial trade. In the case of Churchill Falls, instead of blowing the whistle on Hydro Quebec and giving it two minutes for gouging, the Prime Minister is hiding out in the locker room.

Will the Prime Minister continue to abdicate his responsibility to ensure fair trade or will he take action to protect the people of Newfoundland?

• (1440)

Hon. Anne McLellan (Minister of Natural Resources, Lib.): Mr. Speaker, as the hon. member well knows, what we are dealing with is a contract between two parties and two governments in the provinces of Newfoundland and Quebec. The federal government is not a party to this contract.

I find it very strange that this party that comes into the House every day defending provincial rights would ask the federal government to interfere in a situation involving two provinces.

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, let me remind the Prime Minister that the people of Alberta had a fair deal to sell oil at market prices in the 1970s and a Liberal government made it unfair by implementing the national energy program.

Now in the case of Churchill Falls there is an unfair deal and the government is refusing to take steps to make it fair even though it has a responsibility to do so.

Even though the Prime Minister refuses to take action on Churchill Falls, will he at least admit that this is not a fair deal?

Hon. Anne McLellan (Minister of Natural Resources, Lib.): Mr. Speaker, I come back to the point that—

Some hon. members: Is it a fair deal?

Ms. McLellan: Do you want me to respond? The question of fairness is not for the federal government. The question of fairness is for the two parties that entered into the deal some 30 years ago.

I have taken heart today from the fact that my Quebec counterpart, the minister of natural resources, Mr. Chevette, has indicated an openness and willingness to sit down with the province of Newfoundland and talk about the possibility of negotiation on future projects and the terms on which they might go ahead. The premier of Quebec has indicated his openness to discuss and

Oral Questions

negotiate the issue of open access transmission of electricity through the province of Quebec.

I would suggest that the two parties should sit down and talk about their differences and attempt to renegotiate the deal if that is their wish.

Some hon. members: Oh, oh.

* * *

[Translation]

FAMILY TRUSTS

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, the family trust scandal has raised many questions about Revenue Canada's questionable interpretation of the Income Tax Act.

On September 10, 1996, Choices, a coalition for social justice, approached the Minister of Justice, requesting that he ask the courts to issue a declaratory judgement on the decision made by Revenue Canada on December 23, 1991.

Could the Minister of Justice tell this House whether he intends to ask the courts to settle the family trust scandal?

Some hon. members: Oh, oh!

Mr. Bellehumeur: All this squawking is making it extremely difficult for me to speak, Mr. Speaker.

[English]

The Speaker: I ask members please to listen both to the question and to the answer, as they are very important to us here in this House and also to fellow citizens across the country.

[Translation]

Mr. Bellehumeur: I have not even asked the question, Mr. Speaker.

The Speaker: Let us get back to the question.

Mr. Bellehumeur: Mr. Speaker, could the Minister of Justice tell us whether he intends to go to the courts to settle the family trust scandal and check if Revenue Canada did indeed misinterpret the Income Tax Act, as Choices and eight academic experts claim it did?

• (1445)

[English]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the preamble was so erroneous that I was prepared to answer it. But I will go beyond that and answer

the question. Some hon. members said "for a change", which I think is quite unfair.

It is important to remember that after the auditor general delivered the report in question, this government referred the matter to the Standing Committee on Finance which heard from a number of legal experts, the vast majority of whom agreed with the legal issue that was in question.

Second, it heard from justice officials that the course taken was consistent with justice advice given over the years from whichever government was in office. It also heard evidence from which it concluded that the officials from revenue acted in good faith.

Against that background the committee formed its conclusion. I believe that represents a thorough analysis of the issue and a conclusion with which we should be entirely comfortable.

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, by refusing to let the courts rule on the family trust scandal, is the Minister of Justice not admitting in fact that the decision made by Revenue Canada was rather questionable and that any judge called upon to rule on this issue would not hesitate to overturn such a twisted decision without giving it a second thought?

[English]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am afraid I cannot agree.

The reality is that it is for the very reason that the ruling was challenged that the government referred the matter to the standing committee. That committee heard evidence, including expert evidence, on the very question.

After having examined the evidence, which I urge the hon. member to look at, if memory serves, six of the eight legal experts who testified supported the approach taken.

I do not agree that a court would take a different view. I think we have had a full airing of the issue. It was before the committee for public discussion and I believe the matter should rest there.

* * *

GOODS AND SERVICES TAX

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, my question is for the Minister of Finance.

The minister has been accused of flip-flopping several times on the payment of GST on membership dues to non-profit organizations. There is still a lot of confusion out there. What is the situation? Do they have to pay or not?

Oral Questions

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, the member has taken a considerable interest in this subject.

I am pleased to report that the changes issued last April have been altered and that memberships in certain non-profit organizations are no longer subject to the GST.

* * *

CHURCHILL FALLS

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, the government is always talking about fairness. It professes that no one in the country and no party in the House can match the Liberals in their commitment to fairness.

Yet when we have the poorest province in Canada being exploited by one of the largest, the Prime Minister will not even admit there is a problem, let alone seek a solution.

Then the Minister of Natural Resources has the gall to say in this House that the question of fairness is not a matter for the federal government.

Why should the people of Canada believe that the Liberal government is committed to fairness when it consistently ignores the injustice of the Churchill Falls project?

Hon. Anne McLellan (Minister of Natural Resources, Lib.): Mr. Speaker, with all due respect, it seems to me the leader of the third party misses the point. Is he possibly suggesting that it is the role of the federal government to be the arbitrator and determine the fairness of every contract entered into by any two parties in this country? Surely not.

Mr. Preston Manning (Calgary Southwest, Ref.): Mr. Speaker, we are not suggesting anything of the kind. We are talking about one particular project.

• (1450)

The minister administers the National Energy Board Act. Surely she has read the words fair and reasonable, fair and reasonable, fair and reasonable, time and time again.

Quebec Hydro has made profits of over \$500 million annually from Churchill Falls in recent years, while Newfoundland gets only a fraction of that amount.

If Newfoundland received a fair portion of those profits its dependence on federal-provincial transfers and equalization would be significantly reduced to the benefit of all Canadians.

Why will the federal government not simply ask the National Energy Board to ascertain—we are not asking it to give an order—what would be a fair and reasonable division of returns between the provinces involved under present economic conditions?

Hon. Anne McLellan (Minister of Natural Resources, Lib.): Mr. Speaker, I would suggest that since the leader of the third party seems to be intimately acquainted with the National Energy Board, he would know that the National Energy Board has no jurisdiction to interfere and modify the terms of an existing contract.

* * *

[Translation]

THE ETHYL CORPORATION

Mr. Benoît Sauvageau (Terrebonne, BQ): Mr. Speaker, we have the same problem as earlier, but still.

In February, the Minister for International Trade wrote to his colleague, the environment minister, to warn him that Bill C-29, which prohibits the importation of MMT, runs totally contrary to Canada's obligations under NAFTA and the WTO.

Considering that Ethyl Corp. is about to make a \$275 million claim under NAFTA if Bill C-29 is passed, can the minister tell us how he will ensure that Canada will win its case before NAFTA?

[English]

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, the government is proceeding with Bill C-29 for many different reasons. We will defend our position with respect to NAFTA. Just because they put in a claim does not mean they will be successful.

[Translation]

Mr. Benoît Sauvageau (Terrebonne, BQ): Mr. Speaker, is the minister telling us that, if the federal government goes ahead with Bill C-29, in spite of his department's warnings, it could end up having to pay Ethyl Corp. \$275 million coming from Canadian taxpayers?

[English]

Hon. Sergio Marchi (Minister of the Environment, Lib.): Mr. Speaker, this government is convinced that for many reasons Bill C-29 is in the best interests of Canadians, both environmentally and healthwise.

Second, Ethyl Corp. is entitled to its opinion. Are you suggesting that a U.S. multi—

The Speaker: Colleagues, always address the Chair in your answers.

Mr. Marchi: Just when I was getting hot, Mr. Speaker. Is the member suggesting that a U.S. multinational corporation should dictate what the Government of Canada should do in the best interests of Canadians, both environmentally and healthwise? Our answer to that is a clear no.

*Oral Questions***TELECOMMUNICATIONS**

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, over the last two weeks there was a very serious lobbying effort by the heritage minister and her department on behalf of the cable companies with respect to the private member's bill that was before this House.

Does she deny that there was this lobbying effort? We need a simple answer, yes or no.

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, it has been brought to my attention by a number of opponents of negative option billing that when this issue was raised by a number of members on the government side of the House almost a year ago, unfortunately the Reform Party did not even think it was an issue.

Luckily its members have caught on. They understand that negative option billing is not in the interests of any consumer. Hopefully with the work of all members of the House, we will have a package that will ban negative option billing forever.

• (1455)

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, this member has become very familiar with the non-answer. She did not answer the question. Was there a lobby or was there not?

The fact is that *Canada AM* on Monday, September 23 quoted from a document dated September 17 from her heritage department, and again it was quoted in the *Globe and Mail* today. I simply ask her how in the world can she deny the existence of a lobby by either her department or her office?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, advice is given and people lobby on every occasion. The member opposite right now is lobbying in the House for his particular perspective.

The fact is that on Monday last there was a vote in the House which enshrined a principle to oppose negative option billing. This government opposed negative option billing last year. It opposed negative option billing this year. It will oppose negative option billing next year. As long as we are the Government of Canada there will be no negative option billing.

* * *

FEDERAL FOOD INSPECTION AGENCY

Mr. Ian Murray (Lanark—Carleton, Lib.): Mr. Speaker, my question is for the Minister of Agriculture and Agri-Food.

Some 4,000 public servants could be affected by the government's move to create a new federal food inspection agency. These

employees are concerned about their future. As the transition to the new agency takes place, what assurance can the minister give these public servants that they will be treated fairly?

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, the new Canadian food inspection agency is an exciting new innovation in government operations which is widely approved and supported throughout the agriculture and agri-food sector.

The new agency will involve some new innovations in its human resources regime to provide the necessary flexibility for the agency to function effectively. But of course the core values of the public service will be incorporated into the operations of the new agency. Fair treatment of employees will be paramount in the transition process that we, of necessity, have to go through.

I would add that also paramount is our absolute determination to ensure that Canadians will continue to benefit from the safest and highest quality food supply in the world.

* * *

[Translation]

TELECOMMUNICATIONS

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, my question is for the Minister of Industry. Under Bell Canada's latest proposal concerning business rates, phone bills will be higher for businesses located in regions, as opposed to those located in large centres. This gap could result in businesses moving to large urban centres.

Does the Minister of Industry realize that his current competition policy will have the effect of adversely affecting regions, and if so what does he intend to do about it?

Hon. John Manley (Minister of Industry, Minister for the Atlantic Canada Opportunities Agency, Minister of Western Economic Diversification and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Mr. Speaker, as a matter of principle, this telecommunication service should be available to all Canadians, wherever they live in Canada.

As the hon. member knows, it is also necessary to have a very competitive telecommunications system, so that we can attract investments to create other opportunities for Canadians.

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, given what the minister just said, does he not realize that the rate increases proposed to the CRTC for businesses located in the regions could cost some \$115 million to these businesses and their communities?

Oral Questions

Since the minister is behaving in a manner reminiscent of Pontius Pilate in this issue, are we to understand that he cannot do anything to protect the economy of the regions?

Hon. John Manley (Minister of Industry, Minister for the Atlantic Canada Opportunities Agency, Minister of Western Economic Diversification and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.): Mr. Speaker, the answer is in the question, in that it is primarily an issue for the CRTC, which deals with services provided in Canada's rural areas and urban centres.

As I just said, it is necessary to have a very competitive system, because it is not easy for us to find investments, including in rural areas of Quebec, without a telecommunications system that can face the U.S. competition.

We must accept the fact that technology is changing, and so are the ways of delivering telephone services.

• (1500)

The time has come for Canada to make changes, while keeping in mind the need to provide a universal service to all Canadians.

* * *

[English]

GOODS AND SERVICES TAX

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, according to the Halifax Chamber of Commerce, if the government's GST harmonization deal goes through in Atlantic Canada, housing prices will go up 5.5 per cent, municipalities will be forced to raise taxes, the sales tax on books, of course, will be doubled and the tax in pricing policy will wipe out profit margins for small businesses and gut jobs.

Will the government finally admit to Canadians that this was nothing but a desperate backroom deal to weasel out of its broken election promise on the GST? Will it save Canadian taxpayers a billion dollars by deep sixing it now before more damage is done to the Atlantic Canadian economy?

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, the one thing that the Canadian people agree on is that the GST harmonization with the provincial retail sales taxes are good for business and good for the people of the country and not harmful. The Atlantic provinces agreement is just the first step in moving to a harmonized retail sales tax across the country.

We hope that the hon. member will support us in this, if he is interested in business, if he is interested in developing the economy, if he is interested in this country at all.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, even the Liberal premiers are now saying that a billion dollars is not enough to cover up the bad smell from this deal.

Nova Scotia Premier John Savage says: "Ottawa can tax books as they do at the moment. We do not tax books and we will not". That sounds like a deal breaker to me.

Since the premiers are now saying they will walk away from the deal, will the finance minister admit that his deal is starting to unravel because the government does not know how to keep its word?

Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, it is interesting to listen to the members of the Reform Party talk about this, especially when it was the Reform Party that said in a minority report on the GST that a harmonized tax would do it.

This deal is not falling apart but rather it is a deal which will go through.

* * *

AGRICULTURE

Mr. Vic Althouse (Mackenzie, NDP): Mr. Speaker, unlike politicians, farmers have to plan well beyond the next election so they want to know the facts about the likely future of single desk agencies in the 1999 trade talks.

My question is for the Minister of Agriculture and Agri-Food who yesterday told us he had been at a Cairns group meeting where he took no farm representatives. There appears to have been no record of the proceedings of what went on.

Will he in future include wheat board advisory members as farm representatives and will he make available the record of such discussions so that all farmers may assess what is really going on, given that New Zealand and Australia, his two believed allies, tell a different story about 1999.

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, contrary to what the hon. gentleman has just said, in preparation for the Cairns group meetings there were discussions between representatives of farm organizations and myself, including the Canadian Federation of Agriculture and others.

The reports of the Cairns group meetings were published at the conclusion of the meetings and broadly carried in the international press.

May I just re-emphasize for the benefit of the hon. member and others, any future decisions to be taken about our marketing institutions or anything else having to do with Canadian agriculture will be made in Canada by Canadians for our own good Canadian reasons and we will not be driven by foreign capital.

*Points of Order***SOMALIA INQUIRY**

Hon. Jean J. Charest (Sherbrooke, PC): Mr. Speaker, my question is for the Prime Minister and it has to do with the Somalia inquiry.

I want to make a constructive suggestion to the Prime Minister today. I think he will acknowledge that this inquiry has deeply affected the morale of Canadian troops and that there will be a very long delay between the report and the proceedings. We also know that there are two different sets of events here, the events in Somalia and what happened afterward.

• (1505)

Given these circumstances, will the Prime Minister not do the sensible thing and ask for an interim report?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the inquiry has a mandate to look into what happened in Somalia when the Progressive Conservative Party was in government and it has to finish its job.

The question of an interim report or no interim report is not for me to ask. It is for the commission to decide. I hope that it will complete the work as quickly as possible. It will be in the interests of the armed forces and everybody that the file be completed, the report be handed in and the government act on the recommendations, if need be.

An interim report will not deviate from the reality that when the inquiry goes into the second phase there will be discomfort for some people because nobody likes to have an inquiry. It is the first time in the history of the armed forces that there has been a public inquiry. I understand that it is difficult. In the meantime the soldiers are doing their job very well, in Haiti and elsewhere. From inside it seems that those who are in—

Some hon. members: Order, order.

Mr. Chrétien (Saint-Maurice): Let me finish. I do not abuse the time of the House.

All who are inside are doing their best to keep the armed forces in good shape and everybody hopes that the inquiry will be completed as soon as possible.

* * *

PRESENCE IN THE GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of Mr. Zhou Wenzhi, Vice-Minister of the Ministry of Water Resources, People's Republic of China.

Some hon. members: Hear, hear.

The Speaker: I have three points of order which I am going to deal with today. I am going to begin with the hon. minister.

BUSINESS OF THE HOUSE

Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I wish to confirm that tomorrow will be an allotted day.

The Speaker: I am now going to proceed to the first point of order that I have from the hon. member for Kootenay East.

* * *

POINTS OF ORDER

REMARKS DURING QUESTION PERIOD

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, in question period today the Minister of Canadian Heritage accused me of being a lobbyist. I am an elected member of this House. I wonder if you might find it in your power to suggest that she apologize to me for calling me a lobbyist when I am just—

The Speaker: We use different words in the House many times in our debates. I would rule that is not a point of order. It is probably a point of debate.

• (1510)

I will pass on to the next point of order, the hon. member for Cariboo—Chilcotin.

REQUEST FOR TABELING OF DOCUMENT

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, much earlier, in fact in the month of June this year, before the summer recess during a discussion of the Airbus affair in question period the Minister of Justice agreed to table a letter that he received from the RCMP.

Twice I have raised a point of order requesting this letter be tabled. Since returning from the summer recess, while checking with the Journals Branch on September 19, I was advised that nothing has been tabled concerning the Airbus affair.

Is the justice minister going to keep his promise or is this another example of the deceptive, sleight of hand government that the Liberals are so good at? I would ask the Minister of Justice—

The Speaker: My colleague, I know that you are very concerned about this particular matter, but the word “deceptive” is rather inflammatory. I wonder, my dear colleague, if you would withdraw the word “deceptive”?

Mr. Mayfield: Mr. Speaker, I am referring to the government's practice of not always doing what it says it will do.

The Speaker: I put it to the hon. member. I wonder if he would consider withdrawing the word “deceptive”.

Routine Proceedings

Mr. Mayfield: Mr. Speaker, I will accede to your request, sir.

The Speaker: I do thank you for doing that. I think we are ready to proceed.

With regard to your specific point of order, a request that a letter be tabled, I checked and evidently such a request was made. I would ask the hon. member if he would appeal to the minister when the minister is back in the House and see if we can get some movement on that. That would be my suggestion at this point.

I go to another point of order, the hon. member for Regina—Lumsden.

REMARKS DURING QUESTION PERIOD

Mr. John Solomon (Regina—Lumsden, NDP): Mr. Speaker, during question period today three ministers made reference to the fact that decisions which the government take are not influenced by American corporations. I think they have misled the House because Cargill has been very important—

Some hon. members: Oh, oh.

An hon. member: Sit down.

The Speaker: My colleague, I would rule that is indeed a point of debate. Notwithstanding the fact that we do not always agree with the words that are used either in the questions or the answers, I would appeal to hon. members to recognize that these are points of debate that are arising.

No doubt the hon. member will want to use the particular words as he used today in a debate at some later time.

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

• (1515)

COMMITTEES OF THE HOUSE

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

Mr. John Finlay (Oxford, Lib.): Madam Speaker, I have the honour to present in both official languages the third report of the Standing Committee on Aboriginal Affairs and Northern Development.

Pursuant to the order of reference of Tuesday, June 4, 1996, your committee has considered Bill C-6, an act to amend the Yukon Mining Act and the Yukon Placer Mining Act and has agreed to report it without amendment.

PROCEDURE AND HOUSE AFFAIRS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker, I have the honour to present the 28th report of the Standing Committee on Procedure and House Affairs regarding the associate and various memberships on committees.

If the House gives its consent, I move that the 28th report be concurred in.

The Acting Speaker (Mrs. Ringuette-Maltais): Does the hon. parliamentary secretary have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

An hon. member: No.

The Acting Speaker (Mrs. Ringuette-Maltais): There is not consent.

* * *

PETITIONS

TAXATION

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, I have two petitions. The first petition comes from Edmonton, Alberta. The petitioners would like to draw to the attention of the House that managing the family home and caring for preschool children is an honourable profession which has not been recognized for its value to our society.

The petitioners therefore pray and call upon Parliament to pursue initiatives to eliminate tax discrimination against families who choose to provide care in the home for preschool children, the chronically ill, the aged or the disabled.

LABELLING OF ALCOHOLIC BEVERAGES

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, the second petition comes from Hazelton, B.C. The petitioners would like to draw to the attention of the House that the consumption of alcoholic beverages may cause health problems or impair one's ability, and specifically that fetal alcohol syndrome or other alcohol related birth defects are 100 per cent preventable by avoiding alcohol consumption during pregnancy.

The petitioners therefore pray and call upon Parliament to enact legislation to require health warning labels to be placed on the containers of all alcoholic beverages to caution expectant mothers and others of the risks associated with alcohol consumption.

Routine Proceedings

THE JUDICIARY

[Translation]

ABDUCTION OF CHILDREN

Mr. Benoît Tremblay (Rosemont, BQ): Madam Speaker, I rise today to present two petitions signed by over 2,000 people in my riding of Rosemont. These petitioners support the efforts of a mother, Micheline Tremblay, who has been trying for close to four years to have her son, Karim, returned to Canada, after he was abducted by his father and taken to Egypt, his father's place of birth.

Four years of legal action have still produced nothing, because there is no legal agreement between Canada and Egypt for co-operation in cases of child abduction.

The petitioners call on the Canadian government to bring the appropriate political pressure to bear on Egypt in order to ensure that Karim is immediately returned to Canada. The government must do everything possible to bring about a co-operation agreement between Egypt and Canada, in order to facilitate the rapid resolution of such situations, which are completely unacceptable.

[English]

IMPAIRED DRIVING

Mr. Paul Steckle (Huron—Bruce, Lib.): Madam Speaker, pursuant to Standing Order 36, I have two petitions from constituents within my riding and I believe there are some from outside of my riding.

The first petition has to do with citizens who are profoundly concerned about the inadequacies in the sentencing practices concerning individuals convicted of impaired driving charges.

The petitioners therefore request that Parliament proceed immediately with amendments to the Criminal Code that will ensure that a sentence given to anyone convicted of driving while impaired or causing injury or death while impaired reflects both the severity of the crime and zero tolerance by Canada toward this crime.

PROFITS FROM CRIME

Mr. Paul Steckle (Huron—Bruce, Lib.): Madam Speaker, the second group of petitioners have signed a petition concerning a Canadian law that does not prohibit convicted criminals from profiting financially by writing books, setting up 1-900 numbers, producing videos, et cetera.

● (1520)

They therefore pray and call upon Parliament to enact Bill C-205, introduced by the hon. member for Scarborough West, at the earliest opportunity so as to provide in Canadian law that no criminal profits from committing a crime.

Mrs. Daphne Jennings (Mission—Coquitlam, Ref.): Madam Speaker, pursuant to Standing Order 36, I rise on behalf of my constituents in Mission—Coquitlam to present a petition. It asks that the government conduct a full public inquiry into the relationship between lending institutions and the judiciary, and to enact legislation restricting the appointment of judges with ties to credit granting institutions.

PROFITS FROM CRIME

Mr. George S. Rideout (Moncton, Lib.): Madam Speaker, it is my pleasure to present two petitions on the same subject. The petitioners pray and call upon Parliament to support Bill C-205, which would prohibit criminals from profiting financially from their crimes by writing books, setting up videos or those sorts of things.

NATIONAL PEDOPHILE REGISTRY

Mrs. Jan Brown (Calgary Southeast, Ind.): Madam Speaker, I rise to present another petition on behalf of constituents and concerned parents across the country who support the effort to create a national pedophile registry.

The petitioners I represent are concerned about making our streets and homes safer for our children and they are opposed to the current status quo in the screening of pedophiles within our communities.

The petitioners pray that a federally implemented pedophile registry be established in order to help better protect our children.

[Translation]

BILL C-205

Mrs. Anna Terrana (Vancouver East, Lib.): Madam Speaker, I have a petition from the residents of British Columbia.

[English]

They draw the attention of the House to the fact that Canadian law does not prohibit convicted criminals from profiting financially by writing books, setting up 1-900 numbers, producing videos, et cetera.

They pray and call upon Parliament to enact Bill C-205, introduced by the hon. member for Scarborough West, at the earliest opportunity so as to provide in Canadian law that no criminal profits from committing a crime.

CANADIAN NATIONAL RAILWAY

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Madam Speaker, I have a petition which has been signed by literally thousands of Manitobans, most of them from northern communities like Churchill.

Routine Proceedings

They are very concerned about the fact that the Canadian National Railway has listed the Sherridon subdivision which serves the communities of Pukatawagan and Lynn Lake as a line to be disposed of in the next three years. They are very concerned that the closure of this line may in turn lead to the closure of the copper and zinc mine in Leaf Rapids and with it the community itself, and will negatively impact the communities of The Pas and Flin Flon through declining mining, smelting and forestry activity.

They are concerned that the closure will eliminate rail passenger service to Pukatawagan forcing the First Nation to obtain all of their transportation services by air, including food and medical supplies.

They are concerned that the closure will remove \$75 million to \$80 million a year from the economies of Manitoba and Canada.

Therefore, they call upon Parliament to invite the Minister of Transport to use the powers available to him under section 48 of the Canada Transportation Act to enter into an agreement with CN North America for the continued operation of the Sherridon subdivision.

THE CONSTITUTION

Ms. Paddy Torsney (Burlington, Lib.): Madam Speaker, I have two sets of petitions. The first has about 300 signatures from people of Burlington. They request that Parliament not amend the Constitution as requested by the Government of Newfoundland and refer the problem of educational reform in that province back to the Government of Newfoundland for resolution by some other non-constitutional procedure.

NATIONAL UNITY

Ms. Paddy Torsney (Burlington, Lib.): Madam Speaker, the second petition has about 50 signatures. The petitioners note that we have one Canada that is indivisible. They request that Parliament and the Prime Minister confirm immediately that Canada is indivisible, that the boundaries of Canada, its provinces, territories and territorial waters, may be modified only by a free vote of all Canadian citizens as guaranteed by the Canadian Charter of Rights and Freedoms, or through the amending formula as stipulated in the Canadian Constitution.

PROFITS FROM CRIME

Mr. John Cannis (Scarborough Centre, Lib.): Madam Speaker, pursuant to Standing Order 36, I have the honour to present two petitions signed by well over 300 constituents.

These petitioners pray that Parliament enact Bill C-205 which was introduced by the hon. member for Scarborough West, and I support that.

The passage of this bill would ensure that under Canadian law no criminal may profit from selling the details of their crimes.

• (1525)

CRIMINAL CODE

Mr. John Nunziata (York South—Weston, Lib.): Madam Speaker, I have two petitions to present to the House today.

The first petition is signed by about 125 residents of Nanton, Alberta. It has to do with section 745 of the Criminal Code which allows convicted killers to apply for early release after serving only 15 years in prison. In fact, the success rate is close to 80 per cent. Most Canadians are appalled that the section is in the Criminal Code.

The petitioners call upon the Government of Canada and all members of Parliament to take immediate steps to have section 745 of the Criminal Code repealed.

IMPAIRED DRIVING

Mr. John Nunziata (York South—Weston, Lib.): Madam Speaker, the second petition is signed by 25 residents of metropolitan Toronto. The petitioners call upon Parliament to pass legislation which will ensure that the sentence given to anyone convicted of driving while impaired or causing injury or death while impaired reflects both the severity of the crime and zero tolerance by Canada toward the crime.

THE CONSTITUTION

Mr. John Solomon (Regina—Lumsden, NDP): Madam Speaker, I have the honour to present three petitions on behalf of my constituents and other people from Saskatchewan.

The first petition is addressed to the House of Commons and requests that Parliament not amend the Constitution as requested by the Government of Newfoundland and that it refer the problem of educational reform in that province back to the Government of Newfoundland for resolution by some other non-constitutional procedures.

WARTIME MERCHANT NAVY

Mr. John Solomon (Regina—Lumsden, NDP): Madam Speaker, the second petition I am presenting on behalf of many constituents, people from Delta and Richmond, B.C. and various parts of the country, but mostly from British Columbia and Saskatchewan.

The petition concerns the wartime merchant navy which was the fourth arm of the armed services. These veterans are not now entitled to receive the war veterans allowance and they request that the House of Commons pass legislation which will enable them to receive pensions and pensionable benefits. They also ask to have post World War II university education, housing and land grant benefits, small business financial aid and veterans health care benefits.

GASOLINE PRICES

Mr. John Solomon (Regina—Lumsden, NDP): Madam Speaker, the third petition which I wish to table today on behalf of many constituents and people from Saskatchewan pertains to gas pricing.

The petitioners are very concerned about the unfair and unjustified gas price hikes and the multinational oil companies which control oil pricing in Canada. They ask that Parliament urge the Government of Canada to establish an energy pricing review commission to keep gasoline prices and the prices of other energy products in check.

* * *

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker, I believe if you were to seek it there would be unanimous consent for a previous concurrence motion.

I move that the 28th report of the Standing Committee on Procedure and House Affairs with respect to committee membership, presented earlier this day, be now concurred in.

Mr. Nunziata: Madam Speaker, I rise on a point of order. Earlier I denied unanimous consent for this matter to proceed.

My question to you, first, is whether this motion is debatable at this point. If not, I would like to rise on another point of order.

The Acting Speaker (Mrs. Ringuette-Maltais): Right now the Chair is seeking the unanimous consent of the House.

Is there unanimous consent?

Mr. Nunziata: No.

The Acting Speaker (Mrs. Ringuette-Maltais): There is not unanimous consent.

Mr. Nunziata: Madam Speaker, I rise on a point of order. If the hon. member would like to know the reason I am not giving unanimous consent to this matter, it has to do with the whole question of parliamentary reform, committee assignments, the manner in which members of Parliament are appointed to committees and the manner in which members of Parliament are appointed—

The Acting Speaker (Mrs. Ringuette-Maltais): That is a point of debate.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Paul Zed (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. Ringuette-Maltais): Is that agreed?

Some hon. members: Agreed.

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● (1530)

MOTIONS FOR PAPERS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Madam Speaker, would you be so kind as to call Motion for the Production of Paper No. 3, standing in the name of the member for Fraser Valley East.

That an Order of the House do issue for copies of every bill submitted by Members of Parliament for reimbursement by the Government of Canada for any entire trip to, from, in or around Washington, D.C., which included the day of June 13, 1995.

Mr. Zed: Madam Speaker, Motion P-3 is a question for an order of the House to issue copies of every bill submitted by MPs for reimbursement by the Government of Canada for a trip to and from or around Washington, D.C. The Government of Canada did not meet the cost of any trip to Washington. Further inquiries concerning this matter may be addressed to the Clerk of the House.

I therefore ask the hon. member to withdraw his motion.

The Acting Speaker (Mrs. Ringuette-Maltais): Since the hon. member for Fraser Valley East is not in his seat at the present time, is it the government's wish to have this Notice of Motion transferred to debate?

Mr. Zed: Yes, Madam Speaker, transferred for debate.

The Acting Speaker (Mrs. Ringuette-Maltais): Transferred for debate.

(Transferred for debate.)

GOVERNMENT ORDERS

[English]

MANGANESE BASED FUEL ADDITIVES ACT

Hon. Sergio Marchi (Minister of the Environment, Lib.) moved that Bill C-29, an act to regulate interprovincial trade in and the importation for commercial purposes of certain manganese based substances, be read the third time and passed.

He said: Madam Speaker, I am pleased that this House is giving final consideration to Bill C-29, the manganese based fuel additives act, because this is an important piece of legislation that should be dealt with on the basis of both merit and good common sense.

I would ask my colleagues to view this legislation in the larger context. That context is as large as the great Canadian outdoors and as important as the air we all breathe.

This government has made clean air a priority. We have already introduced tougher standards for vehicle emissions for the new model year that will help bring cleaner air to all our cities and towns.

These new tail pipe emission standards for cars and trucks represent reductions over present standards of some 30 per cent of total exhaust hydrocarbons and 60 per cent of nitrogen oxide.

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The MMT legislation before us at third reading today is another important stepping stone in the prevention of air pollution. This should not be interpreted as the end of our campaign for cleaner air. We will be making more announcements on this issue in the days and weeks to come.

When all these regulations and standards come into effect, Canadians will see the difference, smell the difference and breathe the difference.

Furthermore, this package of government initiatives will result in billions of dollars in health benefits saved to Canadians and for our health care system. They will help prevent the pain and suffering of choking and gasping attacks on the young and the elderly when bad air days shroud our cities with a dirty blanket of pollution, which happens too often in many of our cities, particularly during the summer.

• (1535)

Right now we have Bill C-29 before us, which I hope and trust will receive third and final reading from the House in a rather expeditious manner.

I think it may be easier to wrap our minds around the common sense of the government's position than it is to wrap our tongues around the pronunciation of what MMT actually stands for. MMT is the commonly used acronym for a more tongue twisting name which simply put is a manganese based fuel additive. This additive is used to increase the octane rating of gasoline.

[*Translation*]

MMT was first considered an alternative to lead in gasoline. It has been used in Canada since 1977. As the hon. members are aware, lead was gradually phased out of almost all fuels before 1990.

[*English*]

The phase out has brought considerable improvement in our urban air quality. Today, almost every Canadian motorist uses MMT simply because Canadian refiners use MMT. The exact amount of this additive may vary from one batch of gasoline to another. In general, though, premium grade gasoline contains a higher volume of MMT than regular grade gasoline.

However, it should be understood that MMT has always been controversial. In 1978 it was prohibited for use in unleaded gasoline in the United States because it was suspected then that the substance damaged emission control equipment.

MMT is certain to have no place in the higher tech, cleaner fuels of the future. So Canada in a certain sense is compelled to confront the problem of MMT not because of some new environmental threat that has just emerged on the horizon, but because our fuels and monitoring devices used to counter environmental threats are simply getting more sophisticated. Cleaning up our air involves using cleaner fuels as well as having cleaner cars and trucks.

While research has continued on the products that we put in our gas tanks it has also continued on our hardware, the engine that burns the fuel and the control equipment that lowers the emissions. Technological advances have steadily cut the harmful emissions coming out of our tailpipes. In fact, since the early 1970s and the advent of national standards, over 90 per cent of the most noxious tailpipe pollutants have been removed.

Now we have taken another major step forward with the introduction of sophisticated on board diagnostic systems.

[*Translation*]

These systems are of great environmental significance. They control vehicle emissions and warn the driver of any operating defect so that the necessary repairs can be made.

[*English*]

When used properly, they ensure that cleaner burning engines of today and of tomorrow operate as designed. They will also help warn drivers about proper maintenance needs that will result in decreased tailpipe emissions and improve fuel economy.

This is a very important technology, but even more important is that it work, that it does its job properly as originally designed. That is where the problem arises when we talk about MMT. The automobile industry strongly warns that gasoline containing MMT clogs and jams up the operation of sophisticated on board diagnostic systems.

• (1540)

Like many of us in this House, I have listened to the arguments and the debate from every conceivable side of this equation. I have read the science as well as the reports. The arguments and the debate for this legislation as well as against it, I suppose, would essentially fall into four distinct categories.

First, there is the importance of a healthy environment. Second, there is the issue of Canadian fuels in the larger North American context. Third, there are the issues of consumer protection. Fourth, there is the economic impact of the proposals underlying Bill C-29.

[*Translation*]

But for me, as Minister of the Environment, the driving force behind this bill is that a fuel additive with the potential to hinder the proper operation of pollution control systems will have indirect negative effects on the health of Canadians.

[*English*]

We cannot take chances with people's health. We cannot take chances with the air we breathe. This is a precautionary principle that I and our government stand by strongly. This brings me to the main argument of my first point concerning the need for this legislation, the health of Canadians and a healthy environment.

Transportation, specifically the automobile, is the single leading source of air pollution in our communities. When 21 auto manufacturers are convinced that MMT clogs their pollution monitoring

equipment, including on board diagnostic computers which alert the drivers to problems and pollution dangers, and when those 21 auto makers petition and warn the government and members of Parliament about their concerns, it becomes clear for me and the government that we must heed that message seriously and respond in a responsible manner.

Let us all remember there are some 14 million cars on Canada's roads, each pumping out over four tonnes of pollutants every single year it is on the road.

Do we want to gamble with pollution monitoring devices in the backdrop of those kinds of statistics and facts? I think not. Nor does the government, especially when we realize that air pollution is linked to some health issues that are deadly serious.

As for the additive MMT, we have received support and representations from a wide spectrum of Canadians and organizations, and not only the environmental organizations, legitimately so, that I happen to represent as a constituency. The spectrum has been much more varied than that.

For instance, we have heard and been petitioned by the Canadian Institute of Child Health, the Asthma Information Association, the Learning Disabilities Association of Canada, the Ontario Public Health Association and the cities of North York and York public health departments and a litany of environmental organizations across the country.

We have also received international letters of support and requests from south of the border and other origins as well. All of them advocate discontinuing the use of MMT in our gasoline because, simply put, the margins of safety are just too narrow.

What are some of these groups saying? I read one letter from the Canadian Institute of Child Health and I was moved by one paragraph: "It would be both scientifically and morally irresponsible to repeat our country's past experience with lead additives".

• (1545)

The Learning Disabilities Association of Canada noted with apparent anger that the corporation that fought against removing lead additives years ago is the same corporation fighting against removing MMT from gasoline.

The Canadian Automobile Association said that MMT damages catalytic converters and coats oxygen sensors. The list goes on, as does the debate.

We need to ask ourselves one fundamental question: what is the point of pushing for new technology? What is the point of the government pushing for new national emissions standards from our auto makers so that the air that Canadians breathe can be protected,

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if it is then going to allow the wrong fuel to be put in the tank? This fuel could gum up the technology and not reach the standards that the government has set for the auto makers and that has been set for a modern, dynamic and caring kind of society?

As I have already indicated, any potential health threat is and should be of prime concern to the government. For example in Toronto, the city that I have the honour of representing, in 1994, the last year for which statistics and full figures are available, there were about 40 days when the air condition at the very best was moderate and at the very worst was poor.

As members of Parliament we hear about this. We may also have people in our families who feel these things. During such days asthmatics and especially asthmatic children because they breathe quicker than we adults are especially vulnerable. In fact the public health department in the city of North York said that it is especially concerned about the health of children because it knows from scientific evidence that children take in more manganese oxide than adults and eliminate it more slowly.

Is it any surprise that we were shocked to read news reports this spring which noted a 20-year study by the health department of the Government of Canada had found that in the metropolitan Toronto area when pollution levels are high—for instance one of those 40 days during 1994—two to three more Canadians died from heart and respiratory diseases.

Environmentalists and others who extrapolate figures from government reports have estimated that air pollution, mostly smog, which comes in large measure from our automobiles and trucks, adds and extra \$1 billion every year to Canada's health care costs.

We have debates in this House about health care and we talk to Canadians who are worried about the affordability of health care. Are we to be indifferent to air quality when it has such a profound effect on Canadians and then it translates into \$1 billion a year on our health care system? I hope not and I believe Canadians feel the same way.

[*Translation*]

Fifteen per cent of hospital admissions of infants for respiratory conditions are linked to ozone and sulphate pollution. We are living in an age when dangerous atmospheric pollutants, rather than hormones, are poisoning babies.

[*English*]

Consequently, if there is a possibility that MMT can cause problems with the technology that helps prevent pollution and sickness, put quite simply we cannot ignore such a threat. After all it was the Canadian Council of Ministers of the Environment that agreed on the need for cleaner vehicles and cleaner fuels.

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In fact, the CCME, not my department, issued a report on cleaner fuels and cleaner vehicles which recognized that fuels and emission control technologies should be treated as an integrated system to reduce motor vehicle emissions.

• (1550)

I believe very strongly that Bill C-29 is consistent with the approach laid down by all the governments and ministers of the environment. I urge all my provincial counterparts, in the name of positive and progressive harmonization, not blind harmonization, and for the sake of moving toward cleaner fuels and renewable fuels, to follow the lead of Canada's national government.

Clearly this point should be put on the record. The approach represented by MMT legislation, brought forward today at third reading, is in keeping with a policy designed to encourage the development of renewable fuels such as ethanol. I am proud of being in a party that has championed ethanol. I am proud to be in a caucus with colleagues who would not give up the battle until they saw that the alternative became a reality.

It is the government's national public policy and Canada's sovereign right to encourage alternative fuels, renewable fuels and cleaner fuels. It is a policy that the government will pursue aggressively and without any apology to anyone or any corporation.

The second point that should be made concerns the United States situation and putting Canadian fuels and additives in a larger North American context. There has always been an argument that Canada's MMT legislation should be in harmony with the legislation in the United States and that the two should be a level playing field. It makes good economic and trade sense, in addition to common sense, that automobiles and trucks should be built with emission controls that work across the continent.

Let us make no mistake. The trend for cleaner fuels in North America is away from the additive MMT not toward MMT. It is important that everyone understands that despite a recent United States court ruling on a technical procedural point and not one of substance that ordered the Environmental Protection Agency to allow MMT to be marketed as a gasoline additive in the United States, at least 15 of the largest petroleum companies in the United States have said that they do not intend to use MMT. That list includes almost every major petroleum producer: Amoco, Anchor, ARCO, BP, Chevron, Conoco, Exxon, Hess, Marathon, Mobil, Penzoil, Phillips, Shell, Sun and Texaco. They will not use MMT.

As well, health tests, as mandated by the United States regulations, will also continue on MMT. Again, on a health basis, the jury, despite the court ruling on a procedural technical aspect, is still out. If we do not believe we have enough evidence, about one-third of the United States market will use what is called reformulated gasoline, especially in areas that suffer from acute air pollution. Under the U.S. clean air act, MMT is not allowed in reformulated gasoline. It is prohibited by law.

Finally, the state of California, a recognized trendsetter when it comes to emission controls, expressly prohibits the use of MMT additives in fuels. What does this mean? It means that the playing field is still not completely levelled. It also means that level playing field is just around the corner. There will be both MMT-laced and MMT-free fuels in the North American market.

• (1555)

When all is said and done, currently the American market is approximately 85 per cent MMT-free. It is very obvious to this side of the House that when we talk about the larger North American context that MMT is going the same way as leaded gasoline. The legislation in Bill C-29 is in keeping with that trend. This is unlike my friends on the other side who want legislation which would somehow buck the trend toward alternative and cleaner fuels for our cars and trucks.

The third point to remember in this debate is consumer protection.

[*Translation*]

We in Canada are faced with a conflict between two major industrial sectors: the automotive manufacturers and the petroleum industry. The automotive industry claims that MMT damages their products and forces solutions on them which might increase their price to the consumer.

[*English*]

When the onboard diagnostics are gummed up by MMT, it is not the guys producing the automobiles in Windsor or the petroleum industry but the Canadian consumers—our constituents—who would have to carry extra warranty expenses. The auto dealers association spoke very clearly in its expression of similar concerns about MMT and car warranties.

Aside from the cost factor of added trips to the garage for Canadian constituents, there will also be the perception that Canadian autos do not work well because the warning lights will always be blinking, not because of a malfunction, but because of a gasoline additive.

Not only is there a health cost to be paid by Canadians if we continue to use MMT, but car owners will also be dipping into their pockets and into their purses a lot more often because of malfunctioning maintenance systems. Canadians do not need these unnecessary economic burdens foisted on them and this legislation will certainly help to prevent that from occurring.

My fourth point concerns the overall economic impact that Bill C-29 would have on our country and on our refiners. The petroleum industry claims that MMT reduces nitrogen oxide emissions—perhaps the opposition critic will quote that—by up to 20 per cent. I

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say quite categorically that this figure is subject to much dispute and much debate. In any case, alternatives to MMT exist.

This legislation will allow the emission monitoring and control equipment to freely operate as it was designed: to prevent unnecessary vehicle maintenance. In this regard, it was not a study from my department but a study commissioned by the Canadian Council of Ministers of the Environment which concluded that the impact on Canada's refining industries would not be overly excessive. The study estimated that the cost for refiners to remove MMT for all of Canada would total \$150 million in capital expenditures plus \$50 million a year in added operating expenses.

I would be prepared to admit that this will lead to an increase in the cost of gasoline and not a decrease. In pennies this translates to an increase in operating costs of .2 cents a litre for the refiners.

• (1600)

Let us carry on that conversation. If we take an average Canadian motorist, statistics tell us that the motorist will travel 20,000 kilometres in any given year, at a fuel consumption rate of some 10 litres of gasoline for 100 kilometres travelled. The average motorist in a year will use about 2,000 litres of gasoline.

If we apply what the refiners have told us it will cost them, .2 cents a litre, and multiply that by the number of litres that an average Canadian motorist uses in a year, it translates to an extra \$5 per motorist per year.

I would submit, with all due respect, without underestimating the costs that Canadians have on all sorts of things, that a \$5 increase per year for an average motorist is a reasonable price to pay for doing the right thing for their health and their environment. What does \$5 mean?

An hon. member: It is a bargain.

Mr. Marchi: A member says it is a bargain. He is absolutely right. On Labour Day weekend, when Canadians were getting into their cars, their trucks or on to their motorcycles going to close the cottage or visit family and friends, the average increase in gasoline prices at the pumps was anywhere between 2 and 4 cents per litre. If a person's mother-in-law lived far away they would almost make up the five buck increase in one weekend. It happens every holiday weekend. It will probably happen Thanksgiving weekend. It will happen at Christmas and New Year's. People grumble and complain and ask why the gasoline goes up when people are on the move the most.

The hon. member from London is absolutely right when he says that \$5 is a fair price. He is also right when he says, in contrast to

other increases at the pumps, that it actually becomes a bargain for Canadians when we think of environmental and health issues as well.

When we talk about the economic impact, there are also the financial benefits which one has to work into the equation. It is not only the negatives that the petroleum industry talks about, although as our mathematics show it is not as negative as that. We have to work in the financial benefits. The petroleum industry oftentimes conveniently forgets about the benefits.

In the 1994 study commissioned by the CCME, it estimated health benefits of up to \$31 billion over 23 years if cleaner fuels and more stringent vehicle emission standards were put in place. Put another way, the cost to Canadians in extra health costs, in pain, suffering and death, could be pared down by almost \$1.5 billion a year, depending on whatever comes out of the tailpipes of our cars or trucks.

If this debate were only an economic ledger sheet, which it is not, the economic plus in taking MMT out of gasoline is clearly and convincingly a lot higher than the economic minus in leaving it in.

As Liberals we know that the ultimate decision underlying Bill C-29 is not just about economics, even though the economics comes out on our side, for Canadians expect us to do what we can to protect their health and to preserve the environment. They also expect us to protect consumers and Canadian automotive technology.

I am surprised at the indifference of the Government of Ontario, which locates the big three, which suggests that it is on an air campaign, which talks about the IJC and the air coming from the United States. I am flabbergasted that the province of Ontario and that the new minister in Ontario have been absolutely silent on this issue. It prefers to sit on the fence rather than take the right decision. If one could be allowed to boast about Ontario's economy, the reliance on our automotive industry, I think it was, as my colleagues say, a shame for the indifference and the silence that the Government of Ontario has demonstrated.

• (1605)

It is for all those reasons, a healthy environment, the need to promote cleaner fuels and alternative fuels, the trend to North American harmonization, consumer protection and the economic pluses, that there is little doubt as to why this legislation is necessary. The absolute bottom line is that Canadians want to breathe their air. They do not want to chew it. They do not want to filter it. They do not want to cleanse it. They certainly do not want to scrub it. They want to breathe it and they want to breathe it freely.

This bill will most definitely help in this basic desire. I urge all members of this House to give speedy passage to what is a good bill in the interests of all Canadians.

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[Translation]

Mrs. Monique Guay (Laurentides, BQ): Madam Speaker, once again we are considering the bill to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances. The purpose of this bill is to prohibit the use of MMT as a fuel additive.

Bill C-29 before the House today is a reincarnation of Bill C-94, which died on the Order Paper when Parliament was prorogued. The government nevertheless found a way to resurrect a number of bills, including Bill C-29, which has now come back to us for third reading. Bill C-94 did not make it through all stages during the previous Parliament because someone put on the brakes. For some rather vague, unspecified reasons, the Liberals decided not to pass this bill at the time. Today, the Liberals, headed by the Minister of the Environment, have brought the bill back to the House without providing any further clarification of those reasons. The same doubts remain, the same questions persist and the same issues are being raised.

One wonders about the real reason why the Minister of the Environment insists on passing a bill that arouses such controversy. You may be sure that the lobbies from Ontario are a major factor in the minister's decision. If that is not the case, he should come out and say so.

This bill has two major industries warring against each other. On one side we have the Ethyl Corporation, which produces MMT, supported by the oil industry, and on the other side the association of automobile manufacturers.

The lobbying done by these two players is considerable and unceasing. Both groups are leaving no stone unturned to win their case. The minister was exposed to all this lobbying and seemed to be at a loss at what to do so far. And today, he brings back C-29. The minister probably feels he should show up from time to time. So far, however, his legislative menu has been pretty meagre, and the same applies to what he has achieved.

We can hardly say the present minister is handling major issues these days. The environment is losing popularity, and the minister seems to be increasingly isolated within cabinet. Aside from a short visit to the Gulf of St. Lawrence this summer to watch the refloating of the *Irving Whale*, the minister is not seen very often, because he has no important issues on his plate. So to make an appearance in Parliament and not disappear altogether, the minister brings back Bill C-29.

If you ask me, this is not the way to go about increasing one's visibility. The minister would do well to go back to the drawing board and do his homework on the whole MMT issue.

The former Minister of the Environment, which she was in name only, in my opinion, if we consider her very mediocre record, made a present of this rather hot potato to her successor.

• (1610)

And he is no surer of his fact than his predecessor. That is the problem with this bill.

The government is not sure that banning MMT is a good thing, whether in environment, economic or legal terms.

The fault here rests mainly with the former minister, the minister of broken promises. At the time, the minister had asked both industries to work together to find a solution to the MMT problem, indicating—which was not very clever—that in the event a basis of agreement could not be found, she would put forward a bill to ban MMT.

From then on, it was clear that the negotiations were strongly biased and would be unproductive. So much for the former minister's fantastic skills as a maestro.

Another rather surprising aspect of this issue is the need for a Minister of the Environment to pass legislation regarding a given commercial product, in this case MMT.

If the minister firmly believes that MMT is a health hazard, why does he not just ban this substance under the Canadian Environmental Protection Act? Why take this roundabout way, through commercial or trade legislation?

There is no scientific evidence that MMT in fuel constitutes a health hazard. Studies on the neurotoxicity of manganese have been conducted and indeed show that a health risk exists. However, these results were obtained for major exposure to manganese, for workers exposed to very large concentrations and for prolonged periods.

It is therefore difficult to see the connection between the effect of overexposure and the effect of manganese emissions from car exhaust, the amount and concentration of which are not comparable.

The former Minister of the Environment, whose departure was noted—almost as a relief—by the Canadian Council of Ministers of the Environment, had used harmonization with the U.S. as an argument to justify introducing this bill. Since then, and as early as first and second reading, this argument has taken a dive. While the product had been banned for more than 15 years south of our border, the Ethyl Corporation, involved in a long-standing battle over this issue, was winning its case to have the product reintroduced in several American states. All this to say that harmonization with our neighbours to the south does not weigh very much in the balance.

We could ask ourselves the following question: What would happen if MMT was produced in Canada? What would happen with Bill C-29, which does not ban the use of MMT per se, but does ban its import? If MMT were produced, say in Ontario, would the

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minister take the same action? He could certainly not ban the import of MMT. Would he then prohibit the product itself?

This is the point I made earlier about the strange way the environment minister is targeting this additive. He is attacking the sale of the product, not the product itself. And what about the prohibition against provincial trade in this product?

You will agree that the minister is acting in a strange manner on this issue. His predecessor did the same and she goofed in many other issues.

This bill is clearly in response to the representations made by the automobile industry, which claims that the MMT additive hinders the functioning of anti-pollution systems, including the OBD-2 system. The purpose of the OBD-2 is to detect any malfunctioning in the exhaust systems. The automobile industry claims that MMT can trigger the illumination of a red light on the panel, thus indicating the existence of a problem, when in fact there is no problem.

Consequently, the car owner would have to go to a garage to have a non-existent problem corrected, which has generated unnecessary costs to the consumer. The red light that comes on for no reason was one of the automobile industry's last arguments. Before that, the industry had claimed that MMT had an adverse effect on oxygen probes, spark plugs, catalyts, etc.

• (1615)

In fact, none of the points raised by the automobile lobby are supported by scientific evidence. The auto industry was never able to come up with serious studies supporting its claims.

Based on our information, the automobile industry is currently conducting tests to see if, indeed, MMT has all these negative consequences for anti-pollution systems. Would it not be better for the minister to wait for the results of these tests, so that car makers can finally support their claims?

Car makers have also threatened to impose on Canadian consumers a \$3,000 increase in the cost of automobiles, to reduce the coverage provided by the warranty, and to simply disconnect the OBD-2 detection device. This pressure exerted on the minister has paid off. However, it should be noted that they have more to do with economics than with health or environment concerns.

Ethyl Corp. is the only one to have provided the results of tests conducted on its product. The company conducted serious, independent tests, in co-operation with the U.S. Environmental Protection Agency, the EPA. The results of these tests totally contradict the claims made by car makers. In fact, the EPA itself recognized

that the concerns of the automobile industry regarding the clogging of anti-pollution systems are not justified.

Given the results of serious tests conducted by one party and the unfounded claims made by the other, you will agree that it is difficult to support this bill. The MMT lobby was the only to provide data. We are anxiously waiting for the automobile lobby to do the same. In the meantime, is it appropriate to pass this bill? If the tests of the auto lobby revealed that MMT does not cause the claimed effects, will the environment minister change course and remove the ban on MMT?

The Bloc Quebecois is definitely concerned about this metal that is being added to gasoline. We are not indifferent to the issue. We too, of course, want to see 100 per cent clean fuel and cars that do not release emissions into the air we all breathe. In this regard, if the automobile industry truly wants to produce cars that are 100 per cent clean and emission free, why does it not build cars that use electricity or, better yet, water?

You will agree that it is somewhat difficult to follow the logic of the automobile industry regarding MMT when the automobile itself uses fossil fuels and is therefore one of the greatest sources of pollution on the planet. While we are at it, the automobile industry should be true to its own logic and also ban the use of gasoline in cars.

I would just like to digress briefly at this point to talk about the Liberals' failure in this area. Members will recall that in 1994 Senator Kenny introduced a bill to reduce smog and greenhouse gas emissions. This bill was passed in June 1995 and concerned the entire government fleet of vehicles.

The bill requires the government to phase out these vehicles with vehicles using an alternative fuel, such as propane or natural gas, and, by April 1997, that half of new vehicles bought must use alternative fuels.

The results to date are nonexistent. The Liberal government has not implemented this bill. Furthermore, the Senate recently denounced the government's slow progress in converting its vehicles. What is the environment minister doing about this? Can he not get his own government to do its duty and thus set an example?

I would like, if I may, to cite a passage from the report of the Senate committee that looked at the progress made in the implementation of Bill S-7. I quote: "The committee is of the opinion that one of the obstacles to the rapid conversion to vehicles using alternative fuels in automobile fleets is that members of the federal cabinet do not seem to be leading the way. Ministers should preach by example and have their cars converted. In fact, all ministers received offers of conversion from methane and propane suppliers. To date, only three have taken advantage of these offers. The

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committee urges the others to follow their example in order to underscore the importance the government attaches to this bill”.

• (1620)

In light of such comments, it is difficult to detect any real resolve on the part of the Liberals with respect to air pollution. I find it paradoxical to say that MMT must be banned because it is a source of pollution, and yet do nothing oneself to reduce this same source of pollution. That is Liberal logic for you. Hard to follow, you will agree.

I draw your attention to the environment minister's press release from last April 18, in which he announces that the bill will be tabled again. In the fourth paragraph, the minister states, and I quote: “Of importance to me, as the Minister of the Environment, are the potential harmful effects on air quality of the interference of MMT with automobile diagnostic systems monitoring exhaust emissions”.

What strikes me in this paragraph are the words “potential harmful effects”. Let us admit that it is hardly a strong case for legislation. Can a bill seriously be tabled using words like “potential”?

In this business of MMT, where we must base our decisions on scientific data, the minister's choice of words is vague to say the least. This shows the government's spinelessness and hesitation where this bill is concerned.

This press release goes along with an information sheet in which we are informed of the five key points on which the minister has based his decision. The first concerns the automotive industry. Of course, the minister rehashes all the same old stuff from the automotive lobby about the harmful effects of MMT on pollution control devices, particularly the diagnostic systems commonly called OBDs, and about how this in turn results in increased atmospheric pollution and health hazards.

All of these real impacts end up as mere statements. At the end it is written down in black and white that the automotive industry is so convinced of the negative effects of MMT that it is currently involved in a test program in the U.S. at the cost of \$10 million, in order to obtain definitive proof to back their position.

That statement takes some of the wind out of the sails of the auto lobby, and of the minister as well. No test completed as yet, no definitive proof either. I am not the one saying this, the Minister himself is. How, then, can the minister table Bill C-29 while the auto lobby cannot as yet, as I have just said, prove its argument? We must admit that this is not a very effective approach for a Minister of the Environment to take.

This is a source of concern, for the minister and the government are showing that lobbies hold more weight for them than concrete

evidence, verified facts, and definite results. That is not, however, any real surprise. We all know how those people across the way operate, and where their motivation comes from.

We have seen how, in many other sectors, the most powerful lobbies gain the upper hand over their little Liberal buddies. The minister has also been pressured by another group in this matter: the Ontario Corn Producers Association. This group wrote to the minister on April 24, as follows:

[English]

“The Ontario Corn Producers Association with a membership of 21,000 Ontario farm families congratulates you for your decision to reintroduce proposed legislation to ban the importation of MMT for use in Canadian gasoline”.

[Translation]

Further on we read that other, more environmental octane enhancers exist, including ethanol. As you know, ethanol is now being used and is produced from corn, hence Ontario's eagerness to congratulate the minister and to see MMT prohibited. Imagine the size of the new market for ethanol if MMT were to disappear.

• (1625)

I would say this is of major importance for Ontario farmers and the processing industry that would develop as a result.

If I remember correctly, in December 1994, the former Minister of the Environment and the Minister of Agriculture launched a development program to encourage the production of ethanol from biomass material. In fact, the major projects for the construction of plants to produce ethanol from corn are all in Ontario, if I am not mistaken. And as the ministers said on December 21, 1994, in a press release, ethanol offers an excellent opportunity to diversify the economy and stimulate economic growth. It opens up a vast market for agricultural products, thereby increasing the incomes of farmers and making them less dependent on farm income protection programs.

I would not want to question the motives of the present minister nor those of the former minister, who resigned and has just returned to the House, saved by the voters of Hamilton East, but there are some strange coincidences in this dossier. The two main economic lobbies, automobile manufacturers and corn ethanol manufacturers, are from Ontario, and the two ministers who have been involved in this issue happen to be from Ontario as well.

Is there a connection? As I said earlier, the Liberals are very sensitive to lobbying. Unfortunately, there is still no product like SPF 35 sun cream, for instance, to protect us from lobbying. Also it is becoming increasingly clear that both ministers have met the expectations of lobbies from their own province. We need look no further.

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For instance, under key item 5 of the minister's information sheet, which is headed: "Possibilities for cleaner fuels", it says that the withdrawal of MMT from gasoline will create opportunities for the introduction and use of ethanol and other substitutes that may become a major component of a comprehensive national policy on the nationwide production and use of renewable energy sources. This policy, we read, would reflect the commitment made in the red book of the Liberal Party of Canada to an agricultural policy that would eliminate MMT, and it would be in line with U.S. federal policy designed to create new markets for renewable fuels such as ethanol.

No need to look any further to see what the Liberals have in mind. Ontario will be the great beneficiary of the withdrawal of MMT. That is crystal clear. The minister also indicated that this will be in line with the promises made in the red book. So now we have a political decision.

I agree that ethanol seems to be a useful additive. But ethanol produced from corn also bears a major economic and environmental cost. From the environmental point of view, corn is a crop that causes considerable pollution and soil depletion. Economically speaking, the cost of production is high. Consider that today, the federal government provides an excise tax exemption of 8.5 cents per litre on ethanol sold on the market to make this product competitive. Some provinces have followed suit, including Ontario.

These negative aspects are never mentioned by the Minister of the Environment. A crop that causes pollution and depletes the soil should give the Minister of the Environment some cause for alarm. I think the minister should consult people on these negative aspects of using corn. Can you imagine a Minister of the Environment being in favour of a crop that pollutes?

This bill still raises a number of questions. But instead of finding the answer to these questions, the minister prefers to blindly accommodate the lobbies from his province. What will the minister do when automobile manufacturers who, I may remind him, want gas that is 100 per cent pure, ask him to prohibit ethanol as an additive? Will he come and tell us that ethanol is a hazard to our health and that it contaminates antipollution systems in cars? The withdrawal of MMT as an additive will indeed have certain consequences.

• (1630)

According to the Ethyl Corporation and the oil industry, there will be three major consequences, which I will list for you without blindly considering them. We in the official opposition have some reservations about the lobby group's arguments. We certainly would not want to fall in the same trap as the minister, who, influenced by the other lobby group, has lacked foresight and rigour in this matter.

First of all, according to Ethyl, MMT reduces smog-causing nitrogen dioxide emissions by 20 per cent. If MMT really reduces urban smog, why would we want to remove it from gasoline?

Of course, the auto industry tells us that cars will pollute even less in the future and that improved performances will more than make up for the loss of current MMT benefits. Of course, department officials told us that the urban smog problem was not as bad in Canadian cities. But who is telling the truth?

Another consequence of MMT's removal is that refineries will require costly modifications. According to the oil companies, these adjustment costs combined with other operating costs will raise the price of gas at the pumps. The oil companies' assessments show some \$100 million in capital costs and tens of millions of dollars in operating costs. Can we ask the oil industry to make such changes to their refineries to respond to the other party's claims, which are not based on any scientific evidence?

Can the minister seriously initiate all these changes simply to increase his visibility and respond to the pressures exerted by his province? I know that the Minister of the Environment and his Liberal colleagues, who are blindly following him in this matter, will accuse us of being impertinent, of being anti-health, of objecting to the reduction of air pollution. They can shout themselves hoarse and say whatever they want about us, we do not care.

If MMT is so harmful, the Liberals should ban it as a hazardous product. The Liberals are saying that MMT is harmful so they should act accordingly and ban the product itself.

The third consequence we must look at has to do with the oil refining process. MMT increases the octane level in gas, thus requiring less oil refining. We know that refining causes pollution. So, if MMT is removed, the oil companies will have to do more refining in order to increase the octane level and will therefore cause more pollution. Is the minister ready to contribute to the increase in direct pollution caused by refineries? Are the Liberals, who are trumpeting their health concerns, ready to increase pollution?

The question the Liberals should ask themselves is whether it is more important to create a market for Ontario corn or to consider the economic, agricultural and environmental impact of this bill seriously and rigorously. They should carefully determine if the expected benefits will indeed be achieved, check and quantify these benefits, and align them in two columns for comparison purposes. At present, the Liberals are going nowhere. It may be for the best, but it is not very responsible.

These are claims made by the MMT lobby that still raise questions, and these questions warrant the minister's undivided attention. But the minister prefers to bury his head in the sand, just like the Deputy Prime Minister did before him. The minister keeps

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repeating that MMT is a health hazard, while Health Canada assures us that it does not represent a significant hazard to human health.

In the September 12 issue of *La Presse*, the Minister of the Environment was quoted as saying the following. "But the Government of Canada can act as well to protect the environment and public health." I will remind the minister that, on December 6, 1994, Health Canada published the results of an independent risk assessment based on new epidemiological studies and data on exposure in Canada entitled: "Risk assessment for the combustion products of MMT in gasoline".

• (1635)

Health Canada's study concluded that there was no health risk for any segment of the Canadian population associated with the use of MMT in fuel. More specifically, it was reported that: "Airborne manganese resulting from the combustion of MMT in gasoline-powered vehicles is not introduced in the Canadian environment in amounts or under conditions that would pose a health risk."

The study also concluded that no relationship exists between ambient air manganese levels and MMT sales or its use in unleaded fuel, regardless of the region or the time of year.

What else does the Minister of the Environment want to tell us about the adverse health effects of MMT, when Health Canada says that there are no adverse effects? He should consult his colleague, the health minister, provided of course he is not even more isolated than he is believed to be in Cabinet. The Minister of Health could run over the findings of these studies for him, to refresh his memory so that he can finally tell us why he really wants this bill passed.

There is no shame in backtracking for a minister. Again, his colleague could remind him of his own experience with the famous issue of cheese made from raw milk.

To fuel the controversy about this bill, on September 10, the American parent company Ethyl Corporation gave notice of its intention to file a complaint and have the Government of Canada pay the company US\$200 million under NAFTA for damages sustained by its subsidiary Ethyl Canada.

Ethyl argues that Canada is not fulfilling its obligations under the North American Free Trade Agreement. According to Ethyl Corp., Canada does not comply with Articles 1110, 1106 and 1102, which deal respectively with expropriation, compensation, performance requirements and national treatment.

Ethyl Corp. is seeking US\$200 million US in compensation, and the minister seems to take it lightly, saying that the government of

Canada has the right to take measures to protect the environment and public health and that the company is entitled to its opinion. If I were the minister I would quickly put Bill C-29 on hold, at least for a while, and I would have in-depth discussions with my legal advisors, to make sure that Canada is in a strong bargaining position and can win its case.

The minister seems rather casual and nonchalant about the company's intention to sue. At a time when cuts are being made to the health, welfare and UI sectors, the minister should ask himself whether Canada has the means to throw away US\$200 million. Should Canada lose its case before the arbitration tribunal, how would the minister justify his bill, which looks more and more like a measure designed to favour a specific interest group? Would he send the bill to car makers, or to corn producers in his province?

Canadian taxpayers have a right to expect fair and rigorous decisions on the part of their ministers, not partisan choices that could cost them a great deal.

NAFTA is not the only agreement that would be violated by Bill C-29. The whole issue of interprovincial trade is also affected, since Bill C-29 prohibits such trade. Some provincial ministers feel this is a case of federal interference. Bill C-29 would also contravene the federal-provincial agreement on trade in Canada.

In fact, no less than six provinces openly oppose this measure. Can the minister turn a blind eye to the provinces' appeals, when his cabinet colleagues are extolling the virtues of the federation and of co-operation in this country? Is the Minister of the Environment that isolated in cabinet, when it comes to this issue?

• (1640)

The minister's decision to go ahead with Bill C-29 has no solid basis. His arguments are not supported by any scientific evidence. The minister naively but willingly relies on the claims made by car makers, and on the hope that the anticipated income growth of his province's corn producers who, coincidentally, account for three quarters of Canada's corn production, will materialize. The minister's decision is also a source of concern for the future. It is not reassuring, for the future and for the environment, when an environment minister who has access to all the tools of a department is so lax regarding a major issue.

I will conclude by tabling an amendment to the bill. I propose:

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

"Bill C-29, An Act to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances, be not now read a third time but that it be read a third time this day six months hence."

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The Acting Speaker (Mrs. Ringuette-Maltais): The amendment is in order. Resuming debate.

[*English*]

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Madam Speaker, it is a pleasure to speak on Bill C-29 but it is also unfortunate in many ways.

I thought this bill would have been terminated in the last Parliament because there is so much contention surrounding this issue. Contrary to what the hon. minister said today, there is ample evidence to support that banning MMT in Canada is really a spurious attempt to do something that should not occur. MMT has not been proven to be damaging to onboard diagnostic devices, the health of Canadians or the environment. I will discuss this a little later.

This bill is very interesting. I will destroy the credibility of the government with regard to this bill. I will demonstrate that the comments made today by members of the government, both in question period and in debate, conflict greatly with what they have said previously and with what they really believe on this matter.

The banning of MMT is supported by a strong automaker lobby group in the previous Minister of the Environment's constituency, and that is the real driving force behind the bill. It is not based on scientific fact. It is not based on any fact at all; it has been done on a whim. The minister has been lobbied strongly for this by the automobile manufacturers and it is obvious the auto manufacturers have won.

It is my impression that Bill C-94 was not drafted in the same manner as other bills. Rather, it was drafted on a whim.

• (1645)

The previous minister did not give a comprehensive analysis to all the stakeholders, especially the hapless consumer. The previous minister had no conclusive evidence whatsoever that MMT was harmful to cars or to humans. All she was going on were the words of Chrysler, Ford and General Motors, the big three. It is a sorry state of affairs when the big three, the industry, can actually push a bill through this House.

After the bill's introduction, the previous minister proceeded to hold a press conference where she informed reporters that the reason for banning MMT was because it caused problems with onboard diagnostic systems to all new automobiles. However, this was not the only reason the minister proceeded to ban the trade on MMT. She stated that Canada was one of the only countries in the world to still be using MMT in unleaded gasoline and that this should change.

As a member of this House and as a representative of Canadians in my riding, it is important that we weigh and pursue every available option to come up with accurate and scientific based conclusions before we create legislation on any topic. What is needed on these technical matters is the best that science can offer. The Liberal government can call itself responsible, but I ask whether it is really responsible to take the words of a few automobile manufacturers over the words of hard, scientific evidence which demonstrates that MMT does not pose a health hazard to Canadians? What I will demonstrate later on is that it is going to do the exact opposite.

We know that the bill was introduced last year and MMT was still not permitted at that time in the United States. The minister has stated today quite unequivocally that his goal is to harmonize gasoline with the situation south of the border. That is a very reasonable thing to do, but why are we attempting to harmonize our gasoline by banning a substance that is being reintroduced in the United States? Does this make sense? No, it does not make sense.

Mr. Marchi: That is false.

Mr. Martin (Esquimalt—Juan de Fuca): The minister is saying this is false, yet he knows full well that the United States, I think it was in October 1995, stated unequivocally that MMT does not pose a health hazard to people, is not damaging to onboard devices and therefore ought to be allowed. In fact, this proves that it is going to actually improve the environment by limiting the amount of nitrous oxide emissions in the air.

I would be very interested to know the evidence the minister has, if he has any, to prove contrary to what I am saying in the House today.

To look at the history, in 1977 Congress made some amendments to the clean air act, which the minister referred to earlier today. One amendment dealt with the emergence of catalytic converters in automobiles. I want to read what the courts stated about the effect it would have on MMT. As catalytic converters could not be used with leaded fuels, their adoption had led to a sharp rise in the use of MMT as an octane booster and Congress responded to the concern that it and other fuel additives might harm the effectiveness of these converters. That was their belief back in the 1970s.

Congress however directed the EPA to grant a waiver once it was determined that the additive would not cause or contribute to the failure of an emission control device or system. The EPA deliberately stalled on making a decision until the courts instructed them to do the testing. On November 30, 1993 the EPA found that MMT "did not cause or contribute to the failure of emission control systems". However, not wanting to be outdone by the courts, the EPA denied the waiver on the grounds that the manufacturer, Ethyl, had not yet established an absence of health effects, another very reasonable conclusion.

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The courts wrangled until about October 20, 1995 when the United States Court of Appeal in the case of Ethyl Corporation v. the Administrator of the United States, EPA, ruled: "We order the EPA to register MMT for use as an additive in unleaded gasoline as of November 30, 1993". Therefore, they proved that MMT did not show any adverse health effects. That is a very important point.

• (1650)

What is significant with this ruling is not that Ethyl won and MMT could be sold in the U.S. in unleaded gasoline by the year end, but rather it is the process which was undertaken by Congress and the EPA. They did not approve of MMT in unleaded fuels until it was proven that MMT was not a health risk and that it was not damaging onboard devices, which are the two concerns the minister expressed today. They are the same concerns which we have in the Reform Party. They are the same concerns which have been disproved by studies undertaken in the United States.

When the bill was introduced in May, both the environment minister and the industry minister said that eliminating MMT from our gasoline was essential in order to achieve a North American harmonization of fuel. Yet as I have previously said, the United States has now brought MMT back into play.

The minister said that 85 per cent of the fuel in the United States was MMT free. That is probably so, but let us not forget that MMT was banned until the end of 1995. One could also say that from the end of 1995 until now, MMT has been reintroduced into the American fuel system and has occupied 15 per cent of the total volume.

Both ministers were confident that the ban on MMT would remain in the United States. In May 1995 the environment minister was asked during question period about the fact that the courts would probably rule in Ethyl's favour. The Deputy Prime Minister's response at that time was: "I advise the hon. member that last week when I had the opportunity to speak with Carol Browner, head of the EPA, she reaffirmed the U.S. commitment not to allow MMT. She decried the fact that there is only one country, Canada, that still allows MMT and we intend to change that".

The Minister of Industry has in fact gone further than his colleague. He said last April during question period that the key is to have uniformity of standards between the U.S. and Canada. He said: "The member will know that MMT is not permitted in the United States by legislation. It is crucial that we have uniformity of standards".

If we are trying to create uniformity of standards, why are we banning MMT which is now being reintroduced in the United States? We are in fact going backward in time to create disharmony in our fuel.

The Minister of Industry also clearly stated on the record that it is important for U.S. and Canadian gasolines to have the same composite harmonization. I would suggest we have proven today that the government is very confused in what it means by harmonization.

When the EPA attempted to ban MMT it mistakenly believed it was harmful. The Liberal government wants to ban it not on substance, but rather on the basis of importation and interprovincial trade. Why can it not be banned in Canada? The reason it cannot be banned in this country is because it is understood that MMT is not a health hazard to people.

If we were going to be genuine about banning this substance, if we truly believed it was a substance which was harmful to Canadians, then we would ban it under that premise. The government is not pursuing that course because it understands that the scientific facts demonstrate very clearly that MMT is not a health hazard. Therefore, the government is taking this roundabout way of trying to ban the importation and interprovincial trade of MMT. It is very disingenuous.

The minister had every opportunity to let this bill die yet did not, even knowing full well that there was an extensive amount of opposition within his own party, in the backbenches, and even within cabinet. In a moment I am going to reveal a very interesting letter from the Minister for International Trade.

The Minister for International Trade sent a letter to the Minister of the Environment which was dated February 23, 1996. The letter reads:

• (1655)

"Dear Minister of the Environment: I understand that you are considering the reintroduction of Bill C-94 in the upcoming session. My department continues to have certain reservations concerning this measure which I wish to draw to your attention.

"One of the original arguments that favoured the ban on MMT was that the U.S. already prohibited its use as a petroleum additive. Recently the U.S. Court of Appeal overturned the U.S. ban."—And this is very important—"This has effectively removed harmonization arguments in support of Bill C-94".

I will repeat that because it is what the Minister for International Trade said to the Minister of the Environment: The U.S. Court of Appeal has overturned the ban and it has removed the harmonization argument that the Minister of the Environment has been speaking about at length today.

The letter goes on to say: "An important prohibition on MMT would be inconsistent with Canada's obligations under the World Trade Organization and the North American Free Trade Agreement. It would constitute an impermissible prohibition on imports particularly if domestic production, sale or use is not similarly prohibited. It could not be justified on health or environmental grounds given current scientific evidence".

The Minister for International Trade has told the Minister of the Environment that MMT cannot be banned because it is not a health hazard and MMT cannot be banned because it does not prove to be a risk to the environment and that it will not harmonize gasoline in North America.

In conclusion the minister said: "Let me stress my department's belief that Bill C-94 should not be reintroduced as it could have many adverse implications for Canadian trade without compensatory environmental benefits".

What the Minister for International Trade said is completely contrary to what the same minister said today in question period. Today he is supporting the bill giving an argument exactly counter to what is stated in his letter to the Minister of the Environment. That is hypocrisy. It cannot be both ways.

The Acting Speaker (Mrs. Ringuette-Maltais): Order. 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 Rosedale, Canada pension plan; the hon. member for Bourassa, Immigration and Refugee Board.

Mr. Martin (Esquimalt—Juan de Fuca): CEPA was designed specifically to ban harmful substances. In order to add a substance to the schedule of banned substances under CEPA, it must be shown by Health Canada that the substance is hazardous to the health of Canadians, but it has been shown that it is not a health hazard. Health Canada reports that its analyses indicate that the combustion products of MMT in gasoline do not represent an added health risk to the Canadian population, period, end of story. MMT is not harmful to Canadians according to Health Canada. I would be very happy to share that report with the minister if he is interested.

From the very beginning we in the Reform Party have unequivocally stated that we would support banning MMT if the government could prove through independent scientific studies that MMT was harmful to Canadians or to the onboard diagnostic systems in cars. We have not seen that evidence and therefore we can only conclude that MMT should not be banned.

When the petroleum companies appeared before the committee, they suggested that they would have a tremendous amount to lose should MMT be removed from Canadian fuels. In their testimony it was suggested that the removal of MMT would result in an increase in manufacturing costs, as much as \$69 million per year. Refineries would have to burn more crude oil in order to achieve the high octane levels needed for today's automobiles, without any economic benefit.

The refineries would be forced to burn a greater amount of crude oil in order to achieve different octane levels, but in the process, it would produce greater emissions through the burning of crude oil.

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Therefore, it would increase the cost of energy for the transportation sector and would be a direct tax on jobs and ultimately a drag on the economy.

• (1700)

When this bill was introduced to the environment committee, one of the questions raised had to do with the possible alternatives to MMT. According to the auto makers, the octane of gasoline can be increased through changes to the refining process as well as through the addition of other octane enhancers such as MTBE, ETBE and ethanol.

The former environment minister, the Deputy Prime Minister, once made a comment that she did not need to conduct independent testing because the big three auto makers had said MMT was harmful. Who are we to dispute the big three auto makers?

On October 18 Rod Raphael, chief of monitoring and criteria in a division of Health Canada, appeared before the environment committee and said the following about MTBE, a possible alternative to MMT: "We have concerns with respect to MTBE and the fact is that MMT could prove to be carcinogenic and that the evaluation of MTBE is still out".

Why would we consider using MTBE when it has shown to have a potential negative effect on the health of Canadians? Why are we replacing something that has been proven to not be harmful to Canadians?

There is also data to show these alternative fuel enhancers have lower mileage rates, so much more that more gasoline has to be burned with more nitrous oxide emissions into the environment with a negative effect.

Bear in mind that nitrous oxide is one of the greatest contributors to pollution through smog. This bill has been brought through various stages. I want to make it clear and point out that at every stage we in the Reform Party have made every attempt to put this bill on hold until conclusive proof has been found that it demonstrates a negative effect on the environment or to Canadians' health.

It is clearly beyond me why this government continues to pursue this bill, showing as it were that it has not shown to demonstrate any negative effects on the health of Canadians.

Furthermore, the banning of MMT may prove to be deleterious to Canadians' health by increasing nitrous oxide levels within the environment. There is no disputing that the presence of MMT in unleaded gasoline actually reduces smog, and therefore banning MMT means an increase of nitrous oxide, and replacing it with an

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alternative would result in an increased negative effect on the environment in a number of different ways.

As politicians we are very familiar with polls. One poll says this and another one says that. If we want a polling company to get a favourable answer, it is very easy to do that. That is what we have seen here in this case.

The same thing happened with MMT, with Ethyl having its studies to prove its case and the auto makers doing their studies to prove their case. It proves absolutely nothing. I must say, though, the studies done by Health Canada are conclusive and flow exactly contrary to what the hon. minister has been saying in this House.

I do not understand why the hon. Minister of the Environment is choosing to ignore studies that come out from the Ministry of Health that fly completely against his conclusions.

Other studies done, for example by Kilbourn Inc., show that the removal of MMT as a reduction of sulphur content in gasoline would result in an increase in capital costs of nearly a billion dollars and an increase of \$200 million in annual operating costs.

These large costs, though, are sure to cripple many refineries in the country and force a lot of Canadians out of their jobs, in the order of thousands I might add.

Since the beginning we in the Reform Party have pushed for independent testing. If the minister were honest in his intentions, he would do that.

This need not have ever come to the House, not last Parliament or this one. Ethyl Corp. and the auto makers were dealing with this themselves. They were almost going to have a conclusion to it when the government stuck its big foot in. It has now completely polarized both these groups. Now it comes to our purview here.

We are wasting taxpayer money in this House by even discussing this bill which could have been dealt with in the private sector in a very effective and efficient fashion.

• (1705)

The negativism about this bill comes not only from within cabinet, not only from the government backbenchers, but from provincial ministers across this country. Throughout 1995 provincial environment ministers submitted letters to the Standing Committee on the Environment with regard to MMT. I am going to read some of these to make it perfectly clear what these provincial ministers are saying.

Ty Lund, Alberta's minister of the environment, states: "This unilateral federal action on a non-toxic component of gasoline will likely only serve to draw valuable resources away from consensus efforts to improve Canada's gasoline and deliver real air quality benefits. Canadian petroleum refineries may be dealt a legislative

disadvantage if MMT is banned in Canada and allowed in the United States".

The former New Brunswick minister of the environment, Vaughn Blaney, stated that the province of New Brunswick raised concerns regarding the negative environmental impacts of proceeding with this plan, including the potential increase of emissions of greenhouse, toxic and acidifying gases from motor vehicles. The exact opposite intent of what the minister wishes to have is going to happen if MMT is banned. We are going to make our environment not cleaner but dirtier. To use the minister's words, nobody wants our air needed to be scrubbed, chewed on or otherwise. We want it cleaner, but banning MMT is not going to effect that change.

Wayne Adams, Nova Scotia's environment minister, stated: "We understand that the position taken by the federal government on the effect of MMT on vehicles equipped with advanced emission control technologies resulted from claims to its effect by the automobile industry. We also understand that they were not able to substantiate those claims with sound technical documentation. Further, there is proof that the removal of MMT from gasoline will cause increases in nitrous oxide emissions by up to 20 per cent. Therefore we cannot support Bill C-94".

Bernhard Weins, Saskatchewan's minister of the environment and resource management, stated: "In our view the scientific data on MMT do not indicate a net environmental gain that will result in the passage of this legislation. In addition to the cost implications, increased greenhouse gas emissions as a result of intensified refinery processes required to replace MMT and increased vehicle tailpipe emissions of smog forming oxides of nitrogen would also occur".

These are not people who are in the camp of Ethyl Corporation. These are not people who have any particular axe to grind other than the safety of Canadians and the health of Canadians. Why are these people opposing Bill C-94 on the basis of sound scientific data to show that banning MMT is not going to make our environment cleaner but rather will make our environment dirtier?

Guy Chevette, Quebec's minister of state for natural resources, stated the bill will have a major impact on the competitiveness of Quebec's refiners. It goes on and on. There is a list of these statements. The words of these provincial ministers and the statements made by the Montreal Board of Trade clearly speak for themselves.

I ask the Minister of the Environment to please rethink his position on this bill. His provincial counterparts are not standing behind him. Part of cabinet is not standing behind him. I would venture to say that a large number of the backbenchers in the Liberal Party are also not standing behind him.

This bill should be dropped. This bill should never have come forward in this Parliament and it should be scrapped. I suggest the minister start to address the wide variety and number of significant

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environmental hazards that are in our midst today which have simply not been dealt with by this government.

There are a litany of environmental problems that are affecting Canadians from coast to coast which in the three years since we have been here are simply not being addressed. Included are deforestation, salinization of soil, the damage to our wetlands, desertification, pollution in the Arctic.

• (1710)

Colleagues in the House here today, my friends from the Bloc Québécois, friends from the Liberal Party, went to the Arctic and heard increasingly disturbing evidence of carcinogens, teratogens and toxins increasing in the Arctic. They are increasing through the food chain with dramatic, disastrous and deleterious effects for the health of the people who live in the Arctic.

I have not seen one thing come into this House since that meeting earlier this year to address that factual graphic evidence of the damage that has been done to our environment in the Arctic. The damage that is taking place among the people who are living in the Arctic is silent and is killing. I know the minister is very interested in this and I hope to see action on this.

On the endangered species legislation we have seen nothing. While we talk in this House at least two species are being eliminated from the face of the planet every single day, and Canada is no exception. We have dozens of species on the endangered list. We have dozens on the threatened list. CITES, the convention on the international trade in endangered species of wild flora and fauna, has repeatedly said interestingly and sadly enough that Canada has the ignominious reputation for being one of the top ten conduits of illegal animal parts in the world.

I did not know that, and I am ashamed to say that we in this country are a conduit for some of the most threatened and endangered species on this planet, species that are never going to be in existence again if things are not done to protect them: the black rhino, spotted cats, a wide variety of bird species.

In Canada we have the problem of bears being poached for gall bladders and other parts. We have the grizzly bear situation in British Columbia. This is only the tip of the iceberg. Correct me if I am wrong, but I have not seen a single piece of legislation that has come forward in the House to address endangered species. While we speak habitat is being destroyed and species in this country are being wiped off the face of the planet.

It would be very productive if we saw in this House efforts put from the government on endangered species legislation, on habitat protection, on habitat reclamation and on using novel ways of actually reclaiming habitat that has been destroyed by industry. Having the polluter pay is a sensible way of doing that without

burdening the taxpayer and putting onerous demands on the already limited budget the minister has to work with.

Co-operative efforts with industry are going to improve habitat and perhaps expand the amount of habitat that we have, that we need, to protect our endangered species. In Canada, as in every other part of the world, habitat destruction is the single most important reason for the decimation of species.

There are novel ways to protect our parks. Our parks are under threat in a number of ways. The primary reason they are under threat is financial. You cannot blame anybody for this because that is the financial reality we all live under, but there are novel ways of doing that.

I think it is interesting for us to look at what other parts of the world are actually doing to preserve their wild spaces. There are interesting co-operative efforts that can be done with industry so that the parks themselves can earn revenues. Those revenues can be reinvested within the parks to hire enforcement officers, to increase the amount of protected spaces they have for education, for research and scientific study.

In doing that we would give the parks the ability to generate the revenues so they will be there for us in this House, for our families, for Canadians from coast to coast and for the generations of Canadians to come. It is a legacy that we have inherited. It is a legacy that is on our shoulders to give to future generations.

• (1715)

These issues have to be dealt with. I plead with hon. minister to bring forth good constructive suggestions and to work with other members to address the critically important environmental issues that affect us from coast to coast, not the banning of MMT which has not been shown deleterious to the health of Canadians.

Could he please bring his skills and those of his ministry to bear on these important environmental issues, on the pollution that is taking place in our oceans as we speak, to develop new ways to work with the Minister of Transport, to develop new co-operative ways with the municipalities and the provinces, to deal with alternative means of transportation.

The European experience is very interesting. Look at what they have done with respect to train travel and electric travel for mass transit. Even in relatively small communities of 60,000 to 70,000 people, they have established interesting transportation mechanisms which have led to a decrease in the utilization of cars, thereby decreasing the amount of auto emissions.

Co-operative efforts like that along with the use of non-electric, non-petroleum modes of transportation such as bicycles can be utilized very effectively. We might be put to shame by looking at

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the European experience. We could take some of what they have done and apply it to some areas in this country.

The hon. minister comes from the city as I, Toronto. It is sad to see the environmental degradation that has taken place in this very fine city. I am sure he shares the concerns of everybody in this House who lives in urban centres about the environmental degradation they have seen.

Now is the time for this government to show and take a leadership role in developing cost effective, scientifically sound methods to decrease the pollution we have in our midst to improve our environment not only for us but, most important, for the Canadians of tomorrow.

The Deputy Speaker: The hon. member for Essex—Windsor will be sharing her time with the hon. member for Halton—Peel.

Ms. Susan Whelan (Essex—Windsor, Lib.): Mr. Speaker, I am pleased to be here today to participate in this debate. The passing of this bill will benefit all Canadians and fulfils another red book promise made to Canadians.

I would like to express my sincere thanks to the Minister of the Environment for reintroducing this legislation and for pursuing its passage. The Liberal Party agriculture policy paper released on September 24, 1993 stated: "Liberals are committed to banning the use of MMT in Canadian automotive fuels".

The rationale for this legislation is twofold. It deals with the health and the environmental risks and the need for harmonized standards to ensure jobs and investment in Canada that flows from our integrated North American automotive industry.

Everyone in this House must know that the Canadian automotive industry accounts for 465,000 direct and indirect jobs across the country. The industry represents approximately 7 per cent of Canada's GDP and has invested more than \$15 billion in Canada over the last decade.

As a result of the North American approach to vehicle manufacturing under the 1965 Auto Pact, more than two million vehicles were manufactured in Canada in 1993, of which 85 per cent were exported for sale in the United States.

In Windsor Chrysler, in partnership with the University of Windsor, recently opened the Automotive Research Development Centre. It invested \$20 million and the federal government contributed \$4 million.

Initially the centre will conduct a road simulation project, advanced engine design and alternate fuel research, creating 16 jobs for new researchers, placements for up to 20 co-op students as well as ongoing employment for 100 individuals in the design area. MMT will continue to be tested in Windsor.

If Canada is to attract these major research centres and maintain the strong presence we have in the automotive industry, we must keep harmonized sectoral standards.

● (1720)

However, harmonized sectoral standards require MMT free fuel. Contrary to the information others have spoken before us today, MMT is not widely used as a gasoline additive. Until last year Canada was the only OECD country that allowed MMT to be added to unleaded gasoline.

Although a recent narrow technical court ruling in the United States has forced the EPA to grant a waiver to allow Ethyl Corporation to use MMT, it is still prohibited in one-third of the American market, as it is still banned in 37 states including California, which I am surprised my colleague from British Columbia was not aware of, and in many major U.S. cities that require reformulated fuels under the U.S. clean air act.

As well, many of the larger petroleum companies, including Amoco, Anchor Gasoline, ARCO, BP, Chevron, Conoco, Exxon, Hess, Marathon Oil, Mobil, Penzoil, Phillips, Shell, Sun and Texaco, have all stated they do not intend to add MMT to unleaded gasoline.

Although emission control equipment and monitors have been designed to perform in real life conditions, they do not function properly if they are exposed to metals and other contaminants in gasoline such as MMT. Experience in Canada has demonstrated that MMT interferes with the engine and vehicle emission systems.

In a recent correspondence to members of Parliament, the Motor Vehicle Manufacturer's Association states:

Automakers' concerns about manganese based gasoline additives, such as MMT, have been supported by third parties. Leading manufacturers of spark plugs, Champion Spark Plug Inc., and Robert Bosch Corp. corroborates vehicle manufacturers' findings that MMT in gasoline causes significant deterioration in the life of spark plugs, EGR valves, oxygen sensors and catalytic converters, which are integral to the advanced emissions control systems on all new 1996 model vehicles and essential to reducing exhaust emissions from cars and light trucks.

Ward's Engine and Vehicle Technology Update of February 1, 1996 devoted a recent article to problems associated with MMT use in gasoline: "Auto Industry Leery of MMT Gasoline Additive". Ward's quotes James Kranzthor, a senior product engineer at Chevron in San Francisco, as saying "Chevron discontinued use of MMT in our gasoline sold in Canada last year due to spark plug fouling and because of concerns of Canadian auto makers".

General Motors of Canada Limited has also written:

We would like to be able to offer a new technology, second generation "On Board Diagnostic" system in Canada. This technology, now on all U.S. cars, senses when a vehicle is beginning to demonstrate certain conditions (such as a minor misfires) which may lead to higher emissions. This allows the customer to have the vehicle serviced

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before there is an emission problem. Unfortunately, MMT impedes the effective operation of OBD-II systems and there is no way we know to design around it.

I am aware that for the first time since 1978, MMT will be allowed to be added to fuel in some U.S. states. However, this was based on a very narrow court ruling on the grounds that as MMT had been used in the U.S. before, MMT could again be employed in the U.S. before long term health risk studies are complete.

However, I would like to point out that in the United States the major auto makers, General Motors, Ford, Chrysler, Honda and Toyota, are now undertaking a \$10 million research program with the U.S. EPA to provide the necessary evidence for the U.S. courts to have MMT banned again.

I would also like to quote from the head of the U.S. agency, Carol Browner, commenting earlier this year that the EPA believes that the American public should not be used as a laboratory to test the safety of MMT.

I would like to discuss the health risks associated with MMT. Dr. Donaldson, one of Canada's top neurotoxologists, was one of the scientists selected by the National Research Council of Canada to participate in its mid-eighties study entitled "Manganese in the Canadian Environment". Dr. Donaldson testified to the U.S. Environmental Protection Agency:

I believe that manganese is an age accelerating neurotoxin and I believe this is the answer to manganese's ability to produce biochemically, pathologically and clinically the picture which is very similar but not identical to Parkinson's Disease.

He also explained on CBC Radio on November 23, 1990:

One of the things which attracted me to manganese—was essentially its ability to induce neurological damage almost identical with Parkinson's Disease. And this is why I started to address how this metal line could possibly produce symptoms of Parkinson's Disease and also brain damage which was similar to Parkinson's Disease.

● (1725)

Ms. Ellen Silbergeld of the Environmental Defence Fund served on the EPA peer review panel on the EPA's health assessment document on manganese. She testified:

Regardless of the effects of MMT on emissions control, there is no dispute that manganese is neurotoxic to humans. It is on this basis that EPA should deny this waiver. Particularly since Ethyl has yet again failed to provide evidence on two critical points. One, that the use of MMT will not affect human health and two, that the use of MMT will not measurably add to the environmental loading of manganese in critical compartments directly related to human exposure.

We cannot ignore this evidence. We must act with prudence. I am equally concerned that we must act now rather than regret our inaction later.

Finally, I would like to take issue with the recent action taken by Ethyl Corporation to attempt to file a \$201 million claim against Canada, trying to argue that under chapter 11 of the NAFTA this environmental legislation has violated its rights as an investor. This is clearly not the case. The president of the Canadian Automobile Association stated:

Bill C-29 is not about trade and commerce, it is about environmental protection and improvement. It would eliminate manganese based octane enhancers (such as MMT) from gasoline sold in Canada, regardless of their origin. Most gasoline sold in the United States and Mexico does not contain manganese based additives, so Canadian practices will be harmonized with our trading partners as a result of Bill C-29.

Bill Roberts, a lawyer for the U.S. Environmental Defence Fund, stated in reaction to Ethyl's claim:

For Ethyl to ask Canadian taxpayers to pay for lost profits on a product that could cause neurotoxic damage to millions of Canadian citizens is remarkably callous.

Finally, my message to Ethyl Corporation is that this government does not respond to corporate threats and it is the Government of Canada that sets policy in this country, not U.S. corporations.

Mr. Julian Reed (Halton—Peel, Lib.): Mr. Speaker, methylcyclopentadienyl manganese tricarbonyl is what we are talking about this afternoon. There have been a lot of myths and purported evidence delivered in this debate today.

I want to pay tribute to the Hon. Ralph Ferguson, the former member of Parliament for Lambton—Middlesex, who actually spearheaded the process of getting oxygenates into gasoline and MMT out. This process began long before I had the honour of being elected to the House. This bill should be attributed to Ralph Ferguson because of the work he did and the evidence he produced. He started the ball rolling and elicited the enthusiasm of this member, at least, to get on the ball to discover that we could actually do something positive with motor fuel.

It is not the question of whether manganese is toxic. There is some evidence which shows it is, but our health ministry has not declared it to be a toxin. What appeals to me about phasing out MMT is that the replacement that can be used probably provides for us the largest single window of air quality improvement that we are going to have during this session of Parliament.

By replacing MMT as an octane enhancer with oxygenates we will reduce the carbon monoxide emissions from all our automobiles, whether they have good emission controls or no emission controls, by 30 per cent and we will reduce carbon dioxide by approximately 15 per cent. The previous speaker, my friend from the Reform Party, talked about nitrous oxide emissions being increased, possibly up to 20 per cent if that were to take place.

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● (1730)

If the member will look at the evidence he will find that there is also evidence which demonstrates there is no increase in nitrous oxide emissions. But if there were 20 per cent, 20 per cent of practically nothing is practically nothing. I would suggest to him that some of the evidence which was brought before the committee really pushed the envelope.

Thirty-nine cities in the United States have mandated fuel which contains oxygenates for the simple reason that they are concerned about ground level ozone. Anybody who lives in a metropolitan area in Canada, and particularly in metropolitan Toronto, will remember last summer and the summer before that during the hot weather ground level ozone warnings were being issued on a daily basis. Ground level ozone now has been studied to the point where we can predict by its intensity how many additional admissions there will be to hospitals. We can predict how many additional deaths from respiratory failure there will be because of ground level ozone. Does it not make simple sense to do everything we can to reduce those occurrences?

Getting rid of the manganese in gasoline and getting oxygen in its place is exactly what will accomplish that, whether evidence may show whether it is toxic or not. At this time we can leave that debate to one side.

There is overwhelming evidence from a health point of view and from the positive possibilities that are presented—

The Deputy Speaker: My regrets, but the hon. member will have five minutes when the House resumes next time.

* * *

CRIMINAL CODE

The House resumed from September 24 consideration of the motion that Bill C-45, an act to amend the Criminal Code (judicial review of parole ineligibility) and another act, be read the third time and passed; and on the amendment.

The Deputy Speaker: The House will now proceed to the taking of the deferred recorded division on the amendment to Bill C-45, an act to amend the Criminal Code (judicial review of parole ineligibility) and another act.

The vote is on the amendment. Call in the members.

(The House divided on the amendment, which was negated on the following division:)

*(Division No. 130)***YEAS**

Members

Abbott
Asselin
Bélisle
Benoit
Brien
CanuelAblonczy
Bachand
Bellehumeur
Bergeron
Brown (Calgary Southeast/Sud-Est)
Chatters

Chrétien (Frontenac)	Crête
Cummins	Dalphon-D-Guiral
Daviault	de Jong
de Savoye	Debien
Deshaies	Duceppe
Dumas	Epp
Fillion	Frazier
Gagnon (Québec)	Gauthier
Gouk	Grey (Beaver River)
Grubel	Guay
Guimond	Harper (Calgary West/Ouest)
Harris	Hart
Hayes	Hermanson
Hill (Prince George—Peace River)	Hoepfner
Jennings	Johnston
Landry	Langlois
Laurin	Lavigne (Beauharnois—Salaberry)
Lebel	Leblanc (Longueuil)
Lefebvre	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Loubier
Martin (Esquimalt—Juan de Fuca)	Mayfield
McClelland (Edmonton Southwest/Sud-Ouest)	Ménard
Mercier	Meredith
Mills (Red Deer)	Morrison
Nunez	Paré
Penson	Plamondon
Ringma	Schmidt
Solberg	Solomon
Speaker	Stinson
Strahl	Thompson
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Témiscouata)
Williams —75	

NAYS

Members

Adams	Alcock
Anderson	Arseneault
Augustine	Baker
Barnes	Beaunier
Bélair	Bélangier
Bellemare	Bertrand
Bethel	Bevilacqua
Blondin-Andrew	Bodnar
Bonin	Brown (Oakville—Milton)
Brushett	Bryden
Calder	Campbell
Cannis	Catterall
Cauchon	Chamberlain
Chrétien (Saint-Maurice)	Clancy
Collins	Cowling
Crawford	Culbert
Cullen	DeVillers
Dingwall	Dion
Discepola	Dromisky
Dupuy	Easter
Eggleton	Fewchuk
Finestone	Finlay
Flis	Fontana
Gaffney	Gagliano
Gerrard	Godfrey
Goodale	Graham
Grose	Guarnieri
Harb	Harvard
Hickey	Hopkins
Hubbard	Ianno
Jackson	Jordan
Keyes	Kirkby
Knutson	Kraft Sloan
Lastewka	LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lee	Lincoln
Loney	MacAulay
MacDonald	MacLellan (Cape/Cap-Breton—The Sydneys)
Malhi	Manley
Marchi	Marleau
McCormick	McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)	McTeague
McWhinney	Minna
Mitchell	Murphy

Murray
Nunziata
Pagtakhan
Parrish
Peric
Peterson
Phinney
Pillitteri
Richardson
Rock
Shepherd
Speller
Szabo
Terrana
Torsney
Valeri
Volpe
Wells
Wood

Nault
O'Brien (London—Middlesex)
Paradis
Payne
Peters
Pettigrew
Pickard (Essex—Kent)
Reed
Rideout
Scott (Fredericton—York—Sunbury)
Skoke
Steckle
Telegdi
Thalheimer
Ur
Verran
Walker
Whelan
Zed—124

PAIRED MEMBERS

Axworthy (Winnipeg South Centre/Sud-Centre)	Bernier (Gaspé)
Caccia	Caron
Cohen	Dubé
English	Godin
Jacob	Lalonde
Maloney	Martin (LaSalle—Émard)
Milliken	O'Reilly
Patry	Picard (Drummond)
Pomerleau	Rocheleau
Sauvageau	Sheridan
St-Laurent	St. Denis

• (1755)

[Translation]

The Deputy Speaker: I declare the amendment lost.

[English]

The House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[Translation]

CRIMINAL CODE

Mrs. Christiane Gagnon (Québec, BQ) moved that Bill C-246, an act to amend the Criminal Code (sexual exploitation of children outside Canada), be now read the second time and referred to a committee.

She said: Mr. Speaker, the subject of my bill, child sex tourism, has already been debated in the House last June, during second reading of Bill C-27.

When I tabled my bill on November 30, 1995, the government was not yet talking about sex tourism. It was only in April, 5 months later, that the government finally moved and tabled its bill to amend the Criminal Code in order to be able to take legal action

Private Members' Business

against Canadian citizens who travelled abroad and exploited children in countries other than Canada.

Since last spring, topics related to the exploitation of children have often been in the news.

There was the Stockholm conference, where representatives from around the world analysed the problem of the sexual exploitation of children and the best ways of combatting it.

There was the Dutroux case in Belgium; everyone was horrified to learn the details of the activities of this man and his accomplices. The newspapers carried stories of a very active pedophile network. Can we think for one instant that such a network exists only in Belgium? Can we imagine that we are safe from such events in Canada or in Quebec?

There is the current campaign by Mrs. Anne-Claude Girard, the mother of a family in Jonquière. Her young daughter was the victim of a well known pedophile in Quebec who had been sentenced for several crimes against children. Mrs. Girard is circulating a petition calling for a number of actions in order to ensure that society is protected against pedophiles and that there is adequate assistance for their victims. I believe that Mrs. Girard has collected over 15,000 signatures in various ridings in Quebec, and she will be circulating her petition in other parts of Canada.

There is the investigation now under way in South Africa, where the police and the FBI are investigating a case similar to the Dutroux affair. A pedophile is apparently linked to the disappearance of five young girls, who it seems were assaulted in Pretoria or "exported" to other regions in Africa.

There is another case in Peru, where a man presumed to have raped and killed 12 young girls was recently arrested.

There is the retired Greek, who has just admitted raping 30 teenage girls.

There is the Austrian network dismantled early this month: 70 Czech and Slovak minors were being exploited in this network.

There is the case in Romania, where the police have just questioned a 60-year old man accused of committing depraved acts on six young girls.

There was also the case in Poland, a favourite new site for pedophiles, where over 400 people, including numerous foreigners, were sentenced last year for having sex with minors under the age of 15.

• (1805)

There is Italy, where minor girls are forced into prostitution by networks, some of them Albanian. There is Argentina, where authorities are worried about an upsurge in prostitution among poor children.

Private Members' Business

You will note that this perversion of adults having sex with children confronts us everywhere. Sex tourism, of course, is just one aspect of an environment that includes incest and other forms of preying on children.

The purpose of my bill, which is designed to protect children, all children, is to make it possible to take action against adults guilty of such behaviour abroad as well as in Canada and in Quebec.

The so-called tourists who travel to other countries to take advantage of children are pedophiles. *Le Petit Larousse* defines pedophilia as: "Sexual attraction of an adult for children". When a man goes to Bangkok to pay a low price for the sexual services of a child, be it a boy or a girl, he is engaging in pedophilia. Cases updated over the summer have established a very explicit link between pedophilia and the networks built up by pedophiles in order to be able to act freely.

These networks operate primarily in the area of pornography. For example, a German was arrested in Romania after obscene videos featuring children between the ages of five and ten were discovered. The same scenario was repeated in Poland, where two men are now on trial for films involving boys aged 12 or 13.

Early this month, an article in *Agence France-Presse* reported that, in Seville as well, the legal system is worried about images appearing on the Internet, an offence for which two men have already been sentenced to jail in England.

In Quebec, the head of the sexual offence section of the Montreal Urban Community police department declared this summer that pedophile networks are now rampant in the city and that the advent of the Internet, which allows pedophiles to obtain pornographic material and to seek out children anywhere in the world stands to contribute to the spread of the problem.

The experts at the Stockholm conference on the sexual exploitation of children evaluated at one million the number of pornographic images and at 40 million the number of Internet pages now devoted to child pornography. Forty million pages.

Those same experts reported that more and more pedophiles armed with video cameras film their relations with children across the world and sell their pictures on the Internet to pay for their trips. Sex tourism becomes a vicious circle, as it were.

Pedophile networks are therefore active in the area of sex tourism. The same article reported that this activity, already widespread in Asia, is increasing in countries like Brazil, Cuba and South Africa. It refers to various charges that have been laid for sex tourism. One case involved two men from the Netherlands guilty of having sexual relations with 16 year-old minors in the Philippines. Another concerns a 69 year old Swede, sentenced to three months in prison for sexual assault of a 13 year old Thai girl.

In my speech last June, I gave a few examples of this practice. I will not elaborate on these now. I also analyzed the various ways those who participate in sex tourism try and justify their abject behaviour. I will not elaborate on that either, because I am short of time. However, we know that the phenomenon exists, that it is becoming increasingly widespread and that it is unacceptable.

I was very pleased last April when the government tabled a bill with basically the same purpose as mine. I also listened carefully to statements by the Minister of Foreign Affairs about the present government's intention to work with other countries throughout the world to put an end to this shameful practice.

Since the government tabled its own bill and since that bill is very similar to mine, I decided against asking the House to vote on my bill. However, in order to improve our chances of achieving the purpose of the legislation, I suggested an amendment to the bill introduced by the Minister of Foreign Affairs. This is what I would like to see amended.

My bill contains provision for the conviction of persons who either directly or indirectly encourage this kind of behaviour.

• (1810)

I am referring more specifically to carriers, travel agencies and advertising agencies. We do not find this provision in the government's bill, and I find that disappointing.

The government will probably reply that the general interpretation provisions contained in the initial sections of the Criminal Code are broad enough to allow for legal action against peripheral intervenors such as carriers and travel agencies. That may be. It may be true from a strictly legal point of view. However, I could give a few examples where Parliament was less reluctant to elaborate on "being a party" in the case of other offences.

In this respect, there are two definitions that might help us. The first one is the definition of being a party to an offence, provided under section 21 of the Criminal Code, according to which being a party includes actually committing an offence, doing or omitting to do anything for the purpose of aiding any person to commit it or abetting any person in committing it.

The second definition, in section 22, is that of counselling someone to commit an offence. Counselling is defined so as to include procuring, soliciting or inciting. Finally, the definition of accessory after the fact is given in section 23.

Why then, if the presence of these general principles is sufficient, for example, to charge persons involved in the commission of an offence, was the text of section 240 concerning "an accessory after the fact to murder" passed? Could section 23 not be used?

Private Members' Business

Perhaps it was judged that the offence was of a serious enough nature to assign it special status.

Why, then, do we find in section 245 the words "everyone who administers or causes to be administered to any person or causes any person to take poison"? Why could sections 21 or 22 not be used to obtain a conviction?

Why does section 212 specifically punish a person who, and I quote "procures, attempts to procure or solicits a person to have illicit sexual intercourse with another person"? Here again, could the sections previously referred to not have been used to obtain a conviction?

It is a pretty sure bet that, if one were to go over the Criminal Code with a fine toothcomb, one would find other examples where the legislator felt it wise to repeat certain elements, in order to clarify his intent. It is recommendable, in my opinion, for the same thing to be done in the case of those indirectly involved in sex tourism involving children.

I would also like to add that my bill is similar to that passed in Australia in 1994. In addition to the clients of sex tourism involving children, those who promote, organize or profit from it are covered expressly by the new Australian legislation.

I know that legal systems differ from one country to the next, but Australian criminal law is, nevertheless, based in large measure on Common Law, as is the Canadian system. If Australian law has been able to accommodate a clarification such as the one I am proposing, perhaps Canadian law could do the same.

Perhaps protection of children is worth a few concessions by the legal purists. While grateful for the government's having reacted within a reasonable length of time, I am inviting it to reconsider my proposal with the greatest of care.

Individuals, all individuals, involved in the sexual exploitation of children need to know that they will be brought to justice and punished in a manner suited to the odious nature of their act. We have promised to join the war against the exploitation of children. Now we must use all of the tools available to us as fully as possible.

[*English*]

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I want to begin by commending the member for Quebec as I know of her commitment to the issue. I am also very pleased to speak to Bill C-246, an act to amend the Criminal Code (sexual exploitation of children outside Canada).

The government continues to have concerns regarding the sexual exploitation of children and this bill gives us one more chance to express our repulsion at the kind of behaviour involved in the sexual exploitation of children. These are the same concerns that

have already led the Minister of Justice to introduce Bill C-27, which addresses child sex tourism as well as child prostitution, criminal harassment and female genital mutilation.

• (1815)

I will not, however, be supporting the amendments contained in Bill C-246, as presented by the member, because either they are overly broad or they cover what has already been covered by Bill C-27.

Bill C-27 passed second reading on June 10. It has been referred to the justice and legal affairs committee. The committee will hear witnesses and deal with any proposals to amend the bill before reporting it back to the House on completion of its review.

Members will know that Bill C-27 extends the jurisdiction of Canadian courts to prosecute Canadians and permanent residents in this country who will have used the services of prostitutes under the age of 18 while abroad. This is a significant departure from what our criminal laws usually do in that acts committed outside Canada can be prosecuted.

There is more. Our law permits that sex tour operations acting in this country be prosecuted. I believe that these measures will assist considerably in deterring Canadians and permanent residents from engaging in activities thinking that they are shielded from criminal liability because of their belief, whether true or false, that this behaviour is tolerated abroad. Whether it is or is not tolerated abroad is irrelevant; it is not tolerated in this country.

The amendments contained in Bill C-27 concerning child sex tourism will meet the international commitments that the government has undertaken with a view to improving the situation of children throughout the world. For instance, at the ninth UN Congress on the Prevention of Crime and the Treatment of Offenders which took place in Cairo in 1995, member states were urged to adopt effective measures against practices harmful to women and children. Bill C-27 goes in that direction clearly.

Canada has ratified the United Nations Convention on the Rights of the Child and this bill will help to fulfil our commitments, as set out in the convention, to protect children from all forms of sexual exploitation and unlawful sexual practices. These concerns extend to the prostitution of children whether in or outside Canada.

On August 29, 1996 in Stockholm, Sweden, 125 states, including Canada, adopted the declaration and agenda for action prepared by the World Congress against commercial sexual exploitation of children. Canada pledged its best efforts to promote and achieve the goals of the World Congress, as reflected in the declaration and agenda for action. The extraterritorial amendment on child sex tourism proposed in Bill C-27 fulfils one of the most significant commitments of the declaration and agenda for action.

Private Members' Business

Bill C-27 also acts on the commitments made by the government in the February throne speech, namely the protection of the rights of children as a Canadian priority. This bill proposes further amendments to the Criminal Code to enable the criminal prosecution in Canada of Canadian citizens and permanent residents who travel abroad to engage in the sexual exploitation of children for money and other considerations.

The practice of child sex tourism can only be stopped by international commitment and collaboration. Bill C-27 recognizes this commitment and sends a very strong message internationally about Canada's intolerance of such practices.

With this amendment Canada will join 11 other countries—Sweden, Norway, Denmark, Finland, Iceland, Belgium, France, Germany, Australia, New Zealand and the United States—which have already enacted similar legislative measures.

As I have said, young people matter a great deal to us. It is important to send a strong message of social disapproval with respect to the abuse, exploitation and prostitution of children. Young people of all nations deserve our respect and need our protection.

Bill C-27 is important for all Canadians. It is in keeping with the ideals of Canadian society, a society which does not tolerate violence against children.

• (1820)

Bill C-246 deals essentially with child sex tourism. However, the bill presents some significant problems and the member made reference those problems. If the bill seeks to address the use of young prostitutes abroad, it does not do anything other than what Bill C-27 does. If it seeks to stop sex tourism operations in this country, let it be known that the law already prohibits these activities.

The Criminal Code in section 212 already addresses certain aspects of sex tourism. In addition, parties to the offence of using the services of young prostitutes abroad after the passage of Bill C-27, such as those who aid and abet, are also guilty of the crime of procuring. Therefore, I believe that the amendment proposed by Bill C-246 in this respect is not necessary.

The real problem with this private member's bill is that it overshoots the mark. For example, it would apply not only to Canadian citizens and permanent residents, as Bill C-27 would do, but it will also apply to any person who "is present in Canada after the commission of the act or omission".

In international law, the nationality principle which is the principle used to extend jurisdiction of our courts to offences committed abroad makes it possible for a country to extend its jurisdiction over offences committed by its nationals abroad. This

principle can also be relied on to establish extraterritorial jurisdiction over permanent residents. But this principle would not allow us to extend jurisdiction over any person who happens to be present in or passing through the country, which is what Bill C-246 permits.

People who have no connection whatsoever with Canada could therefore be prosecuted for offences that have no link with Canada: the young prostitute is not Canadian and the customer is not Canadian and the offence is not committed in Canada. These cases are deserving of extradition, not of prosecution in this country.

It is essential then that Canada abide by the principles of international law when it seeks to exercise jurisdiction for offences committed abroad. We must also be practical. Do we want the provinces which are tasked with prostitution related offences to have to prosecute cab drivers in foreign cities that would have transported customers where they have no grounds to believe the prostitute would be under the age of 18? This is what this bill allows and I do not think it is the kind of statute the House wants to or should pass.

The House needs to fight sex tourism as proposed in Bill C-27, which has received second reading. I share the concerns of the member for Quebec. Fortunately the Minister of Justice has taken the steps noted to address the issue.

I cannot support Bill C-246 because I believe that the bill the Minister of Justice introduced to deal with the same issues, Bill C-27, represents the best approach to the serious problem of child sex tourism.

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, this is a private member's bill brought in by the member for Quebec.

For Canadians who are watching these proceedings, this is one of the privileges that members of Parliament have. If we see a matter or an issue that deserves a legislated approach or solution and we do not see the government bringing one forward, then we can draft and table our own legislated solution for the consideration of the House.

I commend my colleague from Quebec and all members who take the time and trouble to listen to Canadians, to discern what issues are on their minds and what needs to be addressed and to bring forward legislation and proposals which will address those concerns.

It is very interesting that although very few private members' bills are actually passed by the House, we had an exception this week which encouraged a lot of members of Parliament both from the backbenches of the governing party and also the opposition benches. It is fair to say that very few private members' bills are passed in the House.

Private Members' Business

• (1825)

There is another very positive side benefit to these private members' bills and the work that goes into them. Quite often they encourage or force the government or bring about a situation where the government brings in its own legislation to deal with the problem that raised by the private member's legislation. As elected representatives we guard and appreciate very much the privilege of being able to bring these initiatives forward.

Bill C-246 is an attempt by one of the members of this House from the Bloc party to address the issue of child sex tourism or sexual exploitation of children. That is an issue which has been more and more on the minds of Canadians. The sexual use and abuse of children is repugnant to Canadians. It is a terrible abuse of the innocence and the trust of young children. There is no question but that it should be dealt with by the full force of the law.

Every Canadian, and we believe every human being, has certain fundamental human rights, one of which is safety of the person, safety from being exploited, abused and degraded. Certainly sexual exploitation of children is one that we should take extremely seriously and that we should address with every possible means.

I commend the member for Quebec for her concern about this issue, her concern about children, not only in Canada but across the globe and her attempt to deal with this situation.

As the previous speaker pointed out, the government, possibly as a result of the member for Quebec's initiative and the raising of this concern, has chosen to take some steps to deal with this issue in a bill that we will be debating soon, Bill C-27. It came out after this private member's bill. It covers most of the same issues. Again, we commend the government on doing that.

Unfortunately there are some reasons why this bill is not one that I can support. Although its intent is good and although we recognize that it deals with a very important issue that needs to be addressed, there are some real difficulties with the way this bill has been drafted.

I will point out some of the concerns why I will not be able to support this bill even though I am very much in sympathy with the motivation of the member who is putting it forward.

First, it attempts to legislate in Canada for problems in other countries. That is really beyond the jurisdiction and scope of our law. There is a Latin term for it, that it is outside of the scope of the Canadian Parliament to legislate problems in other countries, although we would often like to do so.

My recommendation is that we not just throw up our hands and say there are countries where exploitation of children for sexual purposes is a real problem but that we work vigorously through diplomatic channels to work with the other countries to promote

their efforts to clean up this terrible situation. We should be good citizens of the world and good neighbours of these countries that are trying to deal with these issues. We should encourage them, help them and if necessary push them into doing so.

For our legislators to reach beyond our borders to deal with these situations, repugnant though they are, is really not a very effective or appropriate way to try to deal with this.

• (1830)

Another problem is that since the crime that would be created in Bill C-246 would take place in other countries, there is a real problem in gathering sufficient evidence even if prosecution were desired in this country.

There are different police methods, for example, in other countries. The method of gathering evidence in other countries may not be acceptable to our courts. They may violate charter rights or processes that would render evidence invalid. There are a number of difficulties getting the proper evidence from other countries. It would be very expensive to do this.

When people think about the exploitation of children in this way, they would very much like to say that costs should be no object in trying to stamp out these terrible practices. The fact is there are reasonable limits that have to be put on the use of our justice funding.

As members know from some of the debates that have taken place this week, when we were talking about expanding some of the rehabilitation measures in our prisons, when we talk about longer incarceration for violent and dangerous criminals in this country along with other measures that Canadians are asking for, we have to bear in mind there is a finite amount of funding, money and tax dollars to support these things.

To send investigators, to have witnesses coming and to have evidence brought in from around the globe is not as practical as all of us wish it were and would like it to be.

Clause 1 of this bill really wants to go after everyone who has committed an offence by sexually exploiting children outside the country. The previous speaker mentioned the situation that could very well arise when a citizen of another country may be visiting Canada.

Do we capture everybody who crosses our borders who is alleged to have these offences and then prosecute them? To some extent, Canadians are saying we are not being very successful in holding our own criminals in Canada accountable.

If we are trying to make people accountable from across the globe who happen to visit here, we will expand the load on an already overburdened justice system in a way that will make us lose protections and effectiveness in other areas.

Private Members' Business

We need to be, again, very temperate, very moderate and very balanced in our expectations of how much our system can handle and what our priorities are going to be.

There is another question. These are issues in no particular ranking. I noticed that if convicted under this act, the conviction would only be a summary conviction. In other words, this would be as opposed to an indictable conviction. Summary convictions are thought of as lesser offences.

Considering the terrible and repugnant acts and violations of young children involved with the subject matter of this bill, I am rather puzzled to know why we would go to all this trouble only to have at the most a conviction on a summary basis, which would draw a penalty of two years maximum and very often less, particularly with our early release provisions and that sort of thing.

It seemed to me that if we were going to all this trouble and expense to really want to stamp out this terrible practice by the measures this member is suggesting, we should certainly give the courts a lot more leeway to impose heavy penalties than is in this bill.

• (1835)

A very important political statement, a statement of intent, has been made by this bill. However, in my view the measures set out in this bill will be very difficult if not almost impossible to implement. There are things we need to do to deal with this, but I do not believe this bill is sufficient.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I am happy to speak today on Bill C-246, An Act to amend the Criminal Code (sexual exploitation of children outside Canada).

I wish to recognize at the outset the generosity of the honourable member for Québec, who introduced this bill. We are dealing here with a situation involving to some extent the export of crime. Since our society does not tolerate this type of activity, which we want to prevent by passing this bill, some people will go to other countries to commit the acts in question.

My personal opinion is that this bill tries to prevent a certain form of imperialism.

This bill is characteristic of Quebec's and Canada's position in general regarding respect for children and people and it also reflects the fact that we cannot ignore the reality of such an activity, especially since as a society we are exporting it because we do not tolerate it on our own lands. There is at the moment a sort of silent acceptance, which must absolutely be dealt with.

The Government has already proposed in Bill C-27 measures comparable to the objectives of this bill. Its objective, I repeat is to amend sections 7 and 211 of the Criminal code so as to prohibit

obtaining, for consideration, the sexual services of a person under the age of eighteen years outside of Canada; transporting people to common bawdy-houses outside Canada for the purpose of having sexual relations with persons under the age of eighteen years; and certain acts of procuring committed outside Canada in relation to persons under the age of eighteen years.

I wish to congratulate the member for Québec, who introduced this bill.

We can see that the government has finally decided to follow suit with Bill C-27. The two bills are quite similar on the principle but it appears that Bill C-27 needs to be reinforced because we are in an area where we have a responsibility to act, even if we are dealing with extraterritorial actions, since fundamental human rights are at stake. We are not discussing relations between corporations, as with the Helms-Burton act, we are discussing fundamental rights. It seems to us that the government bill, based on an interesting principle, similar to the one put forward by the member for Québec, also needs to be strengthened.

First of all, we must make it more specific in order to give it real legal authority to go after these people. As the bill now stands, a principle is stated, but we do not really have the means to prosecute. Furthermore, the wording should be changed to meet the needs in this regard. Let us take an example. The clause suggested in Bill C-246 states that it is about anyone who "takes, transports, directs, or offers to take, transport or direct, any other person to a common bawdy-house". These are very precise and concrete terms ensuring that every person implicated in such a criminal act may be prosecuted. They really allow for the control of such acts and show the people who could be tempted by sexual tourism that Canadians or Canadian residents cannot indulge in that kind of activity, under threat of penalty.

Now, another shortfall of the bill is precisely concerning the people targeted in it. Presently, only Canadian citizens and landed immigrants are targeted.

• (1840)

There are however people who live in Canada for a while and are not targeted by that kind of bill, although they may precisely be those who travel the most. I am thinking about refugees and asylum seekers. I think it would be in our interest to specify who is targeted in Bill C-27 to make sure that legal proceedings can be taken against any individual in such a position.

The bill introduced by the member for Québec contains another recommendation that is much more significant.

While the government bill treats this simply as aggravated assault, the member for Québec—I support her on this one and I invite all members to consider how wise her recommendation is—suggests that the sexual exploitation of children outside Canada be made a separate offence so that legal action could be

taken directly instead of more globally under a section of the Criminal Code dealing with several activities. It would be good to be more specific.

There is another more technical element. The government bill will make an exception for surgical procedures. According to the advice we received from doctors, it does not seem advisable to allow people to obtain, in a roundabout way, what is prohibited by law. In other words, managing to legally perform sexual mutilation as a result of a physician's broad authorization. We believe that right now nothing can justify such an exception and we think it should be removed.

Another thing, the bill provides that sexual mutilations would be allowed on a consenting adult. This seems somewhat nonsensical. Do we authorize adults to commit suicide or mutilate their own body in various ways? Why should it be allowed in this case, especially as people in a different cultural context may be subject to specific pressure? Such a thing is not desirable. This kind of action is no more acceptable when it involves an adult instead of a child, and we believe it is important for Bill C-27 to be improved in this respect.

In my view, this piece of legislation will have an impact abroad, outside Quebec and Canada, but also internally, because it reflects an important principle found in many other areas of human activity, namely the fact that we will not tolerate the export of criminal acts abroad because of the wealth of our society. Similarly, in the environmental sector, we cannot tolerate the export of economic activities that cause pollution because we do not want them at home.

In this area, this is also not acceptable, and what is proposed by the hon. member for Québec allows us to target a crime that the Quebec or Canadian society would not accept. They would not tolerate that people living in Quebec or Canada, citizens or landed immigrants in our country, or refugees or asylum seekers could commit such crimes abroad.

Therefore, the bill proposed by the hon. member for Québec is a step in the right direction. It even suggests to the government ways to improve the situation which we do not find in the government bill, and this is why I would ask unanimous consent to put this bill to a vote.

• (1845)

The Deputy Speaker: Since no more members wish to speak and the motion was not selected as a votable item, the time provided for consideration—

Mr. Crête: Mr. Speaker, on a point of order please.

At the end of my speech, I introduced a motion requesting unanimous consent of the House to determine if the bill was votable.

Adjournment Debate

The Deputy Speaker: Is there unanimous consent for this motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: There is no unanimous consent of the House. Therefore, the order is dropped from the Order Paper.

ADJOURNMENT PROCEEDINGS

[English]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

CANADA PENSION PLAN

Mr. Bill Graham (Rosedale, Lib.): Mr. Speaker, in June I had the opportunity to ask the Secretary of State for Multiculturalism and the Status of Women how the government intends to ensure that the special needs of women will be considered in the reform of the Canada pension plan. I am happy to be able to follow this issue up this evening because it is an extremely important one.

The pension needs of women are different from the pension needs of men. Several of my constituents have brought this to my attention on many occasions, but particularly during the time of the recent cross-country consultations led by my colleague, the member for Winnipeg North Centre.

I often have the opportunity when I am in my riding to meet with women, particularly elderly women who are living alone, to discuss with them the problems they have in meeting their needs and surviving in increasingly difficult circumstances in many cases.

When the CPP information paper was released, it was criticized for failing to include a gender analysis of the various options presented. The importance of pensions to women cannot be understated. The majority of the senior population is presently female, and this proportion is presently on the increase. Therefore the issue of women's economic independence and security in their later years will take on even more importance.

During the consultations on the CPP, women's groups strongly supported the CPP system saying that it has worked well for them and is a vital concern to them. My understanding is that the CPP offers a number of advantages for women not found in private sector pension plans. For that reason it seems to me that gender analysis reform to the CPP system is crucial.

When we reflect on the change in patterns of work and in the contribution that women today are making to the workforce and their ability to be flexible in that contribution, it is most important that we should concentrate on the needs of the pension system to

Adjournment Debate

reflect both the needs for that new flexibility and for the needs that women will have as they increasingly become employed in the workforce.

That is why I would like to ask the parliamentary secretary to update the House on how this aspect of the reform process has progressed. During the CPP consultations, women's organizations advised the federal and provincial governments against reducing the number of drop-out years, of deindexing pensions or raising the age of entitlement. They noted that these types of measures would impose a disproportionately onerous burden on women.

It was pointed out that any reform of survivor benefits should recognize that many women have low paying jobs. There were also some calls for a homemakers pension plan.

These points, it seems to me, all have merit. Can the parliamentary secretary comment on them?

Ms. Maria Minna (Parliamentary Secretary to Minister of Citizenship and Immigration Lib.): Mr. Speaker, I want to thank the hon. member for Rosedale for raising this important issue in the House. I too have been involved with this issue for some time now and have been very interested in it. I had some discussions in my own riding and across the city of Toronto on the issue.

While financial issues around the CPP are certainly of concern to all Canadians, our ultimate objective is of course to ensure the well-being of individuals in their retirement years.

We know how important the Canada pension plan is for women. Women on average live longer than men, earn only 70 per cent of a man's dollar and have less access than men do to private or employer sponsored pension plans. As a result, their retirement income is limited.

• (1850)

Particular features of the CPP such as the child rearing, drop out and survivor benefits provide recognition of the essential and invaluable but unpaid work contributions that women make to our society.

Women's full economic contribution must be recognized. Women are now the main breadwinners in 25 per cent of families and their income is increasingly important to all families. In addition to this paid work however, women continue to perform the majority of unpaid child care, elder care and household work; work that no society can do without.

As the Secretary of State for Multiculturalism and the Status of Women stated in her original response, the government is aware that women and men have very different patterns of employment and earnings. For that reason Status of Women Canada with the Caledon Institute held a round table to specifically look at the gender implications of CPP reform. This round table was held as a part of the consultation process led by the hon. member for Winnipeg North Centre and the findings were conveyed to federal, provincial and territorial finance ministers who are responsible for the Canada pension plan.

This is part of the government's policy of undertaking gender based analysis as set out in the federal plan for gender equality. Our commitment to gender equality means equally valuing similarities and differences between women and men and the varying roles which they play.

The minister is very committed to ensuring that gender analysis is done and that it is considered and taken into account when the final results on the CPP are announced. I hope this helps the hon. member and I look forward to discussing the issue with him.

[Translation]

THE IMMIGRATION AND REFUGEE BOARD

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, on May 14, 1996, I asked the Minister of Citizenship and Immigration a question concerning Philip Chrysafidis, a member of the Immigration and Refugee Board in Montreal. He was appointed by this Liberal government on February 24, 1994. His term of office comes to an end in February 1997.

In May 1996, five criminal charges were laid against him. He was accused of the illegal harassment of a female hearing officer at the IRB and of her husband, also an employee of the IRB. A few days later on, Mr. Chrysafidis purportedly threatened the man with physical harm or even death. He is also accused of deliberately intercepting private communications. Finally, he was caught carrying a prohibited weapon.

Because of these accusations, Mr. Chrysafidis has been suspended since May 7, but he is still receiving his full salary of \$86,000 a year. Therefore, he is being paid for not working. I wonder how long he will receive \$86,000 a year. As you know, the trial could go on for months and even years. The accused will only appear before the court on September 30 for his preliminary hearing.

Given the substantial sum of money involved and the state of our public finance, I wonder why the chairman of the IRB did nothing to put an end to such abuse and also why the Minister of Citizenship and Immigration is not acting in a more responsible way and demanding an administrative inquiry in this matter. All the more so since three employees of the board are involved in this case, whether as perpetrators or as victims of alleged acts.

When the accusations against Mr. Chrysafidis were made public, IRB officials refused to comment on this case. They explained it was more of a private case. The courts should then be left to do their job.

However, I think this embarrassing situation for the IRB may have the effect of staining its reputation. It is also damaging its

Adjournment Debate

credibility. I believe this situation is damning and unfortunate enough for the minister to intervene in this case.

Certainly, the commissioner in question is presumed to be innocent. But the relevant authorities must make the administrative decisions that are necessary in this case. How long will this commissioner receive his full salary when he is not performing his duties?

Furthermore, I wish to mention that at least 11 complaints against commissioners have been processed or have been the subject of an inquiry since the complaint processing mechanism was created at the IRB in January 1995. It must also be noted that, in the past, 35 hearing officers had signed a petition criticizing commissioner Chrysafidis' behaviour.

I invite the minister to exercise more diligently her role as minister responsible for the IRB.

[*English*]

Ms. Maria Minna (Parliamentary Secretary to Minister of Citizenship and Immigration Lib.): Mr. Speaker, I must admit I find the persistence of the member for Bourassa in pursuing this question a little puzzling. He knows full well that this matter is

currently before the courts and that it would be inappropriate for the minister to comment at this time.

The hon. member of the opposition has suggested that the minister should actively intervene and remove this individual from the Immigration and Refugee Board. As he well knows, the IRB is a quasi-judicial tribunal which operates at arm's length from the Department of Citizenship and Immigration. It is important to maintain this arm's length relationship if we want to preserve both the impartiality and the perception of impartiality of IRB decisions.

The Minister of Citizenship and Immigration does not casually meddle in IRB affairs, particularly affairs concerning human resources. This is an area over which the board's chairperson, Ms. Mawani, has complete authority.

I would like to remind the hon. member that one of the fundamental principles of Canadian law is that someone is innocent until proven guilty.

At this point, this is all the minister can and is prepared to do in this case.

The Deputy Speaker: Colleagues, the House stands adjourned until tomorrow at 10 a.m.

(The House adjourned at 6.55 p.m.)

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Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

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