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Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Monday, October 7, 1996

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

[*English*]

CHILD CARE

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.) moved:

That, in the opinion of this House, the government should not spend any more public money on non-parental day care initiatives at this time, and any existing expenditures for child care should subsidize financial need, not the method of child care chosen, and further that the program subsidize children and parents, not institutions and professionals.

He said: Mr. Speaker, it gives me great pleasure to introduce a motion which the Liberals were so afraid to debate that they refused to make it votable. As a consequence, this debate is limited to just one hour. What will be confusing for so many Canadians is that the Liberals are restricting debate on an important promise they made during the 1993 election campaign.

The Liberal promise for a national day care program was so important that it takes up almost two and half pages in the Liberal red book—pages 38 to 40 for those government members who are now running for their red books.

The Liberal broken promise on child care states:

In each year, following a year of 3 per cent economic growth, a Liberal government will create 50,000 new child care spaces to a total of 150,000.

Guess what? Economic growth using real GDP measured 4.6 per cent in 1994. According to the red book promise the Liberals should have created 50,000 new child care spaces in 1995. How many did they create? None that I know of. On page 39 of the Liberal red book, they promised to spend \$120 million in 1995-95 to create 50,000 additional child care spaces. How much did they spend? Nothing that I am aware of.

The red ink book promised a total of \$720 million in federal funding for a total of 150,000 new day care spaces. Another Liberal broken promise.

On January 24, 1994 the Deputy Prime Minister repeated the Liberal promise in the House of Commons. She said: "As soon as the economy has grown by 3 per cent we plan to open 150,000 new day care spaces within three years. That was clearly indicated in our red book and there is no doubt that the Prime Minister will fulfil the promises made in that book". Oh, really? We will see how prominent the Liberal red book is during the next election campaign.

In December 1995 the government's first minister of human resources promised \$630 million to expand and improve day care spaces, but he made the offer conditional on the participation of the provinces. On March 8, 1996 the Secretary of State for the Status of Women, in response to a question in the House of Commons regarding the government's support for a national child care program, said: "Everything she quoted in the red book is true. It was true then and it is true today".

In June 1996 the new minister of HRD promised the provinces just \$250 million over three years. Again the provinces were reluctant partners.

Now the broken election promise will be defended with the excuse that the provinces are to blame, not the Liberals in Ottawa. However, the reason I point out so clearly another broken red book promise is not that I am attempting to pressure the government to spend more tax dollars. I bring it up to illustrate how out of touch Liberals are with reality, to demonstrate how out of touch Liberals are with the real priorities of parents, how out of touch Liberals are with the real priorities of Canadian taxpayers. You cannot believe their promises.

The other reason I bring up the Liberal broken promise is to illustrate a serious flaw in the democratic and parliamentary process. How can the government go about offering \$720 million, \$630 million or even \$250 million to the provinces for a national day care program when the matter has not even been debated in the House of Commons?

Let us get to the real reason for the debate today. If we are going to have a national day care program then the matter has to be debated in public and in the House of Commons. Frankly, I disagree with the federal government spending any money on a national day care program, and that is what the debate is about today.

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The Liberal government should be embarrassed that it has to be a Reform MP who has to bring this issue on to the floor of the House of Commons as a private member's motion rather than as a government legislative initiative for a measure it promised in the 1993 election campaign and repeated in the Speech from the Throne.

The Liberal government should be embarrassed that it limited debate on this important issue to just one hour by deciding not to make this motion votable when it passed all 12 criteria for determining if an item will be votable in the House. It passed all 12 of the government's own guidelines.

I believe my motion is self-explanatory but when we deal with this government, nothing can be left to the imagination.

• (1110)

My motion states:

That, in the opinion of this House, the government should not spend any more public money on non-parental day care initiatives at this time, and any existing expenditures for child care should subsidize financial need, not the method of child care chosen, and further that the program subsidize children and parents, not institutions and professionals.

My motion is based on longstanding Reform blue book policy. Reform's blue book is distinctly different from the Liberal red book. Reform's policies are made by our members in a democratic process that is open to all members of our party and voted on by delegates at our assemblies which, according to our party's constitution, are the highest authority and supreme governing body of the party.

Here is where Reformers stand on a national day care program. Reformers support child care programs that subsidize financial need, not the method of child care chosen, and that subsidize children and parents, not institutions and professionals. That is our policy.

Reformers oppose state run day care. Reformers support government regulation of day care standards by respecting provincial jurisdiction in this matter. Reformers support a system of flat rate taxation with continued recognition of the costs associated with the care of children. Until such a time as a system of flat rate taxation can be implemented, Reformers support the concept of income splitting between legally married couples to support and nurture families. Those are our policies.

Reformers believe, fundamentally, that the care of children is the domain of families and that parents must have full responsibility in Canadian society to nurture and provide for children.

Current federal programs are intrusive and restrict choices that parents may make in deciding on the best type of care for their children. We believe that the appropriate role for government is to provide a fair tax and benefit system that provides parents with the opportunity to properly care for their children in a manner of their

own choosing, not the government's choosing. Government must uphold the exclusive authority and responsibility of parents in the area of raising children. The only acceptable role for government is as an intervener to protect children in cases of abuse or neglect.

Day care is a service that private organizations, families and individuals can provide efficiently and effectively. Because of this it is unnecessary for government to provide state run day care.

The provinces currently set their own regulations for day care and there certainly is not any reason for the federal government to set up another bureaucracy in Ottawa to duplicate work already being done by the provinces, nor does the federal government have the constitutional authority to intrude into yet another area of provincial jurisdiction.

Currently federal program spending in child care creates a system of incentives that favours institutionalized day care to the detriment of home care. This occurs through government subsidies for day care, financed by higher taxes on stay at home parents and, through the child care expense deduction, allowed only to parents with children in receptable day care institutions, thereby creating further inequity and a clear bias in favour of institutional day care.

Another key point I would like to make in my speech today is to inform members of the House about the negative effects that institutionalized day care or, as my motion says, non-parental day care, has on the lives and future development of children. What effect does separating a baby from its mother for long periods of time have on the future development of the child? The answer to this question is truly alarming and proves beyond any doubt that institutionalized day care is a recipe for disaster.

Here is the proof. In February of 1995 I had the honour of hosting a news conference on Parliament Hill with Dr. Mark Genius, executive director of the National Foundation of Family Research and Education. At the news conference Dr. Genius released the findings of two extensive studies regarding the influence of regular separation from parents on young children.

• (1115)

Dr. Genius said:

Research collected over the last 40 years on non-parental care demonstrates clearly that prior to five years of age, regular separation from parents results in an unmistakably negative effect on emotion and behavioural development in children, as well as a hindering effect on the security of the children's bonds to their parents. Further studies have linked children's insecure bonding with parents to clinical, emotional and behavioural difficulties, including youth crime.

Dr. Genius continued:

The research demonstrates definite risks to the emotional health and behavioural adjustment of children when they are separated from their parents on a regular basis, most noticeably for periods of 20 or more hours per week. Further, improved cognitive skills have been argued by some as a reason for increased use of regular non-parental care. This is not supported by the research. In fact, the results indicate a minor negative effect for those children raised in regular non-parental care of more than 20 hours per week. There is also no scientific support for the claim that high quality day care is an acceptable substitute for parental care.

Private Members' Business

Dr. Genuis had this recommendation to the government:

Any program facilitating regular separation of children younger than five years of age from their parents, such as the government's present plan, will contribute to a destructive cycle within Canada. Canada's citizens will feel the effect through higher taxes, emotional distress, increased crime, lower work productivity and higher business costs due to mental illness and personal and family stress. The information now available to us in the area of regular non-parental care compels the government to reconsider its present plan. Further, based on the information that is now available, we recommend that the federal government give serious consideration to plans that would better enable families to take care of their own children.

I would like to clarify for the benefit of all members that Dr. Genuis' research involved a comprehensive analysis which combined and standardized the findings from all the studies conducted on day care since 1957 from throughout the world. All the problems identified by Dr. Genuis' research were not because day care institutions are bad places but a direct result of insecure bonding between the children and their parents caused by long periods of separation.

This is an impressive research effort and the findings are difficult, if not impossible, to refute. This is not to say that Dr. Genuis and his research have not come under attack; they have, but I might add that neither has been successfully challenged. No doubt my Liberal colleagues will have read articles and columns in the country's left-wing newspapers which regularly try to extol the virtues of institutionalized day care.

A study released this spring by the U.S. National Institutes of Health concluded that children's attachment to their mothers need not be harmed by as much as 30 hours a week of non-maternal care, the exact opposite of Dr. Genuis' exhaustive research. How can this be? I have to thank *Financial Post* columnist David Frum for pointing out the serious flaws in the study conducted by the U.S. National Institutes of Health and reported on so favourably by the country's so-called national newspapers. I will quote directly from Mr. Frum's column published May 4, 1996:

When asked by a *New York Times* reporter why the National Institutes of Health team had found that children were less harmed by day care than previous researchers had found, the study co-ordinator replied that one explanation might be that previous studies focused on child care centres, which were found to provide the lowest quality of care. For a child to be spared the ill effects of separation from the mother, the National Institutes of Health team agreed it needs high quality care, which the NIH team found means care by fathers, or relatives or in the home by a caregiver. In other words, it does not hurt babies to be separated from mom, provided they are cared for by dad, grandma or an in-home nanny.

Mr. Frum also pointed out an obvious flaw in the National Institutes of Health study. It tracked the effects of day care only up to the age of 15 months. Mr. Frum also reported: "Even the authors of the National Institutes of Health study conceded that their results

are as yet so provisional and tentative that it would be irresponsible to put too much weight on them".

• (1120)

On the other hand, Dr. Genuis' research on the negative effects of institutionalized day care are conclusive. What is amazing is that the Liberal government would propose spending almost three-quarters of a billion dollars without knowing exactly what the effects of institutionalized day care are on the future of our children, our families and our country.

By their actions the Liberals have proven they are prepared to take the latest left-wing fad and run with it, spending hundreds of millions of taxpayers hard earned dollars in the process without having any regard for the consequences. In light of the evidence, I would call the Liberal policy on day care as reckless disregard. Liberals obviously live by the credo of old style politicians: If the promise sounds good and will help us get elected, let us run with it.

The referendum on the Charlottetown accord proved that Canadian voters are smarter than the elitist politicians run by backroom bureaucrats and slick pollsters. Canada's political system is undergoing a major overhaul. It started in the kitchens, living rooms and coffee shops across the nation. People are paying very close attention to what politicians say, what they promise and more important, what they do when they get to Ottawa. Those politicians who become arrogant and out of touch, politicians who disregard the opinions of the silent majority do so at their own peril.

This is what the silent majority is telling the government about institutionalized day care. Liberal MPs should pay close attention. The people are trying to tell them something about their policies.

In the 1991 Decima poll, 70 per cent of women surveyed said they would prefer to stay home to care for their children, if they had a choice. The Angus Reid group confirmed these opinions in the April 1994 survey which found that 68 per cent of Canadians agreed and 58 per cent strongly agreed that the traditional two parent family with one parent at home is the best type of family to raise children. Amazingly, even 68 per cent of single parents also agreed with the statement.

Reformers are listening very closely to the people. That is why I introduced Motion No. 101. That is why I encourage everyone present in the House, including the hecklers across the way, to listen to the scientific evidence I have introduced. I introduced Motion No. 101 and I encourage everyone present to support a full and open debate on the day care issue before we compound our past mistakes by committing more money to build more day care bureaucracies across the country.

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Institutionalized day care is clearly a big mistake, a very big mistake. Taxation has put extra stress on children because both parents in some households must work to keep afloat financially. Children in day care are more at risk and institutions cannot solve the problem, no matter what the quality of care is.

The fact is that institutionalized day care creates more problems, increased costs to justice, increased costs to education. In the process, it undermines the very fabric of society. The transmission of values from one generation to the other is seriously put at risk.

In conclusion, I ask the Liberals to honour their promise to make private members' business subject to free votes. Consequently, I ask for unanimous consent of the House to make Motion No. 101 declared a votable item at this time.

The Deputy Speaker: The House has heard the request of the hon. member. Is there unanimous consent to make this motion votable?

Some hon. members: No.

The Deputy Speaker: I hear a no. Accordingly, the motion is not a votable item.

Mr. Robert D. Nault (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, I welcome the interest of the hon. member in the child care issue. It is a matter of great concern to all parties in the House. Whatever our political stripes, many of us have had to confront the challenge of assuring quality care for our own children.

• (1125)

For all his concern, I cannot support the member's motion which suggests that the government should not spend public money on non-parental day care initiatives. This measure would restrict rather than improve child care choices for Canadian families. Such a proposition is not only unreasonable but unrealistic in today's world. I emphasize unrealistic. It seems to me that the member and his friends are still operating as if they were in the 1950s and not in the world that we live in today.

Before debating the merits of this motion I am obliged to point out that the delivery of child care services as well as the regulation and licensing of child care falls under provincial jurisdiction. The federal government indirectly funds social service programs such as child care through the Canada health and social transfer.

Unlike its predecessor, the Canada assistance plan, the CHST does not attach conditions about the way those federal funds are spent. Each province has the discretion to determine the level and nature of funding for child care. Most provinces ensure that

subsidies are directed to those in greatest need, particularly low income families.

Federal involvement in child care includes: the child care expense deduction; under the Employment Insurance Act part II, funds can be directed toward supporting child care expenses; the First Nations and Inuit child care initiative; and finally, the child care visions research and development program.

In areas where the federal government does have influence, it has taken a very flexible approach. Canadian parents are able to decide how best to meet their individual family needs. This government strongly supports parental choice, not some sort of weird interest in telling people that they have to stay at home whether or not they would like to. If that was their choice, a lot of people would, but obviously in today's environment that is not always the case.

The family of the 1990s is very different from the traditional two parent, stay at home mom variety many of us grew up with. Clearly a one size fits all approach to child care could not begin to meet the many demands facing dual income families, single working parents or adults trying to move off social assistance and into the labour force. Accessible and affordable quality care outside the parental home is crucial to these people.

This government recognizes the challenges facing Canadian families. That is why there are no stipulations as to the type of care that can be declared under the child care expense deduction. Families can claim any form of non-parental child care so long as they provide receipts for their expenses.

The federal government has introduced a number of new measures that support families with children. Changes to child support regulations in the Income Tax Act will protect the interests of children by ensuring that non-custodial parents live up to the responsibilities and provide child support payments.

The maximum annual level of the working income supplement designed to help low income parents meet the extra costs related to working will double over the next two years from \$500 to \$1000. Starting on January 1, 1997, an innovative family income supplement will increase employment insurance benefits for low income claimants with children. These measures complement the child tax benefit which is specifically targeted at low to middle income families.

Nowhere, and I stress nowhere, is the need for federal support greater than among Inuit and First Nations families. The Government of Canada is providing \$72 million over three years for the First Nations and Inuit child care initiative which will lead to the development of 6,000 new or improved spaces in these communities.

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We have also invested another \$18 million over three years in the child care visions research and development fund. This fund will seek new solutions to balancing work and family responsibilities by supporting studies into the adequacy, outcomes and cost-effectiveness of child care practices and offering insights into the most appropriate types of care.

No one denies that in an ideal world probably the care of children would take place by one parent in the home. In reality that is not always possible. I stress reality.

• (1130)

In 1993, 70 per cent of families have two earners compared to 30 per cent 20 years ago. Labour force participation of women with children under six has increased from 47 per cent in 1981 to 63 per cent in 1993. Whether by choice or of necessity, these women and their families depend on having access to quality, affordable care for their children outside their homes.

These parents want the assurance that they are putting their little loved ones in the hand of trained child care providers who can nurture the social, physical and emotional development of their young children.

Reformers would like to turn back the clock but we cannot. In 1950 just 30 per cent of couples with children were in the workforce. By 1990 the number of families with both parents working had increased to 70 per cent. This is today's reality. The majority of Canadian families want and need access to quality child care, often community based centre care or regulated home care.

I suggest to the hon. member that what is really important is not who is getting paid, but ensuring that whoever provides the care is offering the best quality of care for Canada's children.

At the first ministers' meeting last June there was broad support for governments to work together to develop a national child benefit. The federal government is collaborating closely with the provinces to determine how such a benefit might be implemented.

I hope the hon. member will be a part of this important process. I encourage him to set aside his unnecessary motion and instead work with the government as we try to improve the well-being of Canadian children.

[*Translation*]

Mr. Gilbert Fillion (Chicoutimi, BQ): Mr. Speaker, I am pleased to take part in this debate this morning. Before I begin, I must clarify the motion of my Reform colleague. On the one hand, the Reform party wants the government not to spend any more public money on non-parental daycare, in other words to keep the funds earmarked for it at the same, limited, level. We must bear this point in mind. On the other hand, they want all of the existing

expenditures for child care to be used to subsidize parents rather than institutions and professionals.

As for the first aspect, all provinces will agree that the money currently being spent on daycare is insufficient. Now that we are aware of the situation families are facing, these sums ought to be raised considerably in order to provide quality services. Most definitely, choices must be made. Should this money go directly to parents, or to a daycare system that is already in place and monitored?

We in the Bloc Québécois feel that, at this time, the daycare system already in place—which is of course, as I have said, under-funded—ought to be improved. This is the way to go to provide better services to children.

I will take a closer look at the concept of having child care funding go directly to subsidize parents, rather than to institutions and professionals. My Reform colleague may think that this motion is the solution to all of the problems of insufficient daycare spaces. Not so.

Even this government, the Liberal government, managed to sell the public during its 1993 campaign on its plan to increase the number of daycare spaces, a promise they have not yet been able to keep—nor will they before the next elections.

Proposing such a motion indicates a very poor understanding of the problems faced by parents who have to work.

• (1135)

The problem will not be solved by giving the money directly to the parents. On the contrary, I think this would only make the problem worse. At this time, our child care centres are effective and provide an important service to parents who rely on them to care for their children.

There are different types of child care. There are both public and private facilities, as well as small centres caring for fewer than nine children in residential neighbourhoods in each of our municipalities. These centres offer an ongoing presence and promote child development. In fact, their activities are focused on the social development of their small charges.

Child care centres do not serve only the parents who, for various reasons, choose to send their children there. They also help other parents who must turn to them on a periodic basis because they work or go to school, or because of illness in the family.

In Quebec, this is an area of provincial jurisdiction. As we know, the federal government transfers money to Quebec so it can run the child care network. The hitch in all this is that, in transferring this money, the federal government sets certain conditions the Quebec government must meet.

As you probably guessed, I would like the federal government to completely withdraw from this area of jurisdiction and authorize the transfer of tax points directly to the provinces, which will then

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be able to set up the system they want. If the federal government insists on continuing to transfer money without giving us the tax points, it should stop imposing so-called national standards that simply confuse the issue.

To help parents and the child care network, the Quebec government gives the money to the child care centres themselves for certain reasons. First, it helps preserve the quality of services. This approach assures parents their children will be in an environment that will allow them to develop normally.

Quebec's child care centres must meet certain standards and undergo inspections by a monitoring agency to ensure that these standards are being maintained.

If, as the Reform motion suggests, the money were given directly to parents, would the exact same level of service be provided? Of course, it is another option, but would controls be available? Why change something that is working well as it is?

If we really want to make child care more like that provided by the parents, we could draw inspiration from the child care project underway in my riding, where a not-for-profit organization offers home day care services in rural areas. The services are provided under the supervision of an agency which, as I just said, is a not-for-profit organization. The purpose is not to make money, but to make sure the services parents are entitled to are available everywhere. Visits can be made to these homes to ensure the children are receiving the services they are entitled to. As I said earlier, existing day care centres promote the social development of children. They do more than that: they teach these children how to live in society.

• (1140)

As we all know, today, families have few children, often a single child. In this context, daycare centres will be a void. They focus their action on the modern family concept.

I think that the social integration of children should be fostered from a very early age and that daycare centres are one way of achieving this. This is a place where young children can prepare for entering the school world. If we think back to this time of our lives, we will remember that it was not always easy. Daycare centres play a role in helping children and, indirectly, their parents. As far as I am concerned, daycare centres are useful, efficient and necessary.

The problem, of course, is the lack of day care spaces. Unable to meet the promise it made in 1993 to create day care spaces, this government will have to review its position on this issue as well as on social housing. In fact, it has taken the same approach to day

care as it did to social housing, completely withdrawing financial support. There is indeed a need for daycare centres.

My hon. friends from the Reform Party are headed in the wrong direction with this motion we have before us today. There is also a danger. Subsidizing parents could create a new problem: parents could use the money for themselves, as it will certainly happen. Not everyone will do it, but some parents might use the money to hire people who are not always qualified for this type of work. Such an arrangement would also promote moonlighting. As we know, no level of government can currently afford such schemes. Governments are trying to stop clandestine work in other areas, but to bypass the daycare structure would actually open the door to such activity.

Hiring a good person to look after the children is probably a parent's primary concern. Sometimes though, mistakes can be made. Sometimes, people do not have the proper qualifications to do the job. People who work through the daycare system are, of course, paid a salary. This salary is taxed, which means it is easier to monitor the situation.

Moreover, daycares often provide support for single-parent families which, as we have often said in this House, are usually headed by the mother. Whether we like it or not, the fact is that, more often than not, these women have to rely on social assistance. Therefore, they must have access to quality services.

However, I think there is room for improvement in daycare services. A lingering problem in my region is that few daycares take into account the needs of parents who work in the evening, at night and on weekends. We must absolutely look at this issue and provide services seven days a week, 24 hours a day. This is an improvement that must be made as quickly as possible.

• (1145)

As I said earlier, Reformers are again headed in the wrong direction, because daycares come under provincial jurisdiction. If the Reform Party wants to do something about this issue, it should team up with the Bloc Québécois to ask the federal government to completely withdraw from this area, and to pay fair compensation to the provinces. The federal government is far from taking this position.

During the federal-provincial conference held in September 1995, the federal minister even went so far as to say he was prepared to co-operate with the provinces, provided that—

The Deputy Speaker: I regret to interrupt the hon. member, but his time is up.

I now recognize the hon. member for Port Moody—Coquitlam.

Private Members' Business

[English]

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.): Mr. Speaker, I am pleased to speak to Motion No. 101.

The motion presented by my Reform colleague from Yorkton—Melville has three main points to which I will speak today. First, the government will not provide any more public money on non-parental day care initiatives. Second, existing expenditures should go to the needs, not the method of care. Third, the subsidy should be to the parents and children, not to institutions and professionals.

The Reform policy is described in the blue book, which my colleague from Yorkton—Melville has explained. There is so much I could say on this issue but I will not repeat much of what he has said.

However, this week is most appropriate to address matters relating to the family as this is national family week. Families do not exist separately from government policy. The government attitude to the importance of family is reflected in its attention to or its neglect of families in its policies.

I will look briefly at the Liberal government's record and its shabby treatment of families in its public policy. This government, that spends tens of millions of dollars every year on gender issues, billions of dollars on children's issues, seems to have a very myopic, shortsighted vision of a stronger country through stronger families.

The legacy of this myopia is seen in the record of the last quarter century, which has been controlled by the old vision of old governments, the legacy of the failure of the Liberal vision, of more taxes, more government in the lives of Canadians and quite frankly, the wrong priorities in public policy.

The first statement in this motion is that government should not spend any more public money on non-parental day care initiatives. The plain truth, which I can say quite briefly, is that the government is now bankrupt both of ideas and of money. The government has been forced lately, with the help of the Reform Party, to start to put its House in order. However, we still need a clear statement of deficit elimination because sadly we are still digging that debt hole.

The legacy of the government's spending will add within its mandate \$100 billion to the national debt. The interest alone on that increased debt will be paid every year even when the budget is balanced. If we stop to think for a moment, the interest only on that increased debt courtesy of the present Liberal government would be enough to pay 100,000 families in excess of \$70,000 every year from now until forever. Let us decide right now that we do not need increased government spending.

The second point in my colleague's motion is that existing expenditures should go to need, not to the government's prescribed

method. When families are looking for solutions to their problems, do they need to go first to government, particularly the federal government? Would I want a federal bureaucrat coming to my kitchen table and saying to me: "I am here from Ottawa, I came to help?" Hardly. Le problème c'est Ottawa.

Where has this brought us, this feeling that Ottawa can solve the problems of this country? Child poverty in the last 20 years has not been brought under control by government policy. In fact it is more of a problem now than it used to be. Youth and child crime are epidemic. Teen suicides have grown in epidemic proportions. Our families are disintegrating around us. Just last week we heard that teen pregnancies, the greatest precursor of poverty in our society, will be more of a dilemma for the next generation than it has been for this one. They have gone up 20 per cent since 1987.

• (1150)

The history of the involvement of government in people's lives has been costly, has been through misdirected social policies and in fact, as we have already heard, it parallels the growth of dual income families.

Do families today have the choice? Hardly. As my colleague stated, 70 per cent of women with preschool children told an Angus Reid poll recently that they would remain home if they felt they could afford to do so. However, the government has removed that choice from them. In other words, misdirected government spending eventually translates into greater demand for the programs set up by the government to deal with those problems. How convenient for a Liberal minded government that simply wants an excuse to justify programs and to continue its existence in the future.

The history of government in the involvement of private affairs of law-abiding families is a history of greater and greater intrusion, a vicious circle which can only be alleviated when the government withdraws its meddling hands from the lives of Canadian families and when it allows them to keep more of their hard earned income rather than taking half of it.

This is the product of the old vision for a Canadian society which still grips the hearts and the minds of those who are determining government policy on that side of the House. Government programs must be directed to need. Government programs must not create greater dependency and thus create a greater problem for society.

There is not a need for dependence in our society but a need for empowerment through a recognition of wise choices, not government choices, and of faith in Canadians and a faith in Canadian families.

The third point in my colleague's motion bill is that the government's interest should be in a subsidy to parents and children and not institutions and professionals. I often hear the mantra from the Liberals concerning the best interests of the child.

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They would translate that into a saying that the best interests of a child are more government programs, more government spending.

I question their child care expense deduction. In fact the Liberal member mentioned that. Right now that program is only of benefit to those who can present receipts. How in the world can a parent at home present receipts to a government and yet that care is valid. In fact that care is preferred by the majority of Canadians.

We talk about the best interests of the child, Liberal style. In fact, it is the worst interest of the future of our country. As I have said on the expensive programs, those very children as adults will be passed the bill for the very programs that supposedly were for their good. That debt is passed on with interest over the years and it is the children who will be paying that. Their jobs and their security will be at risk because of it.

As my colleague mentioned, studies such as the 40-year study compendium put forward by Dr. Genius of the National Foundation for Family Research and Education said non-parental day care of more than 20 hours a week in early childhood posed a significant risk factor in developing insecure bonding with parents. Once established, that insecure bonding is a central factor in social and behavioural development.

That has been ignored by the other parties as they have talked to this bill. In 1993 there were 2,232,250 children in licensed day care in Canada. That is not the choice of parents but courtesy of misdirected government policy. There are other problems as well. I speak today of the spread of disease and the long term complications both to individuals and society because of that, the long term risk of overuse or early use of antibiotics and that overuse to public health.

Today I have brought a few clippings from June 9, 1996. The number of recurrent ear infections, the bane of preschool children and their parents, rose 44 per cent in the 1980s. This increase was blamed largely on the earlier entry to child day care and exposure to germs. Also I have an article by Dr. Harrison Spencer, chief of parasitic diseases at the Centres for Disease Control in Minnesota. I quote: "Day care children are at risk anywhere from 2 to 18 times as much as non-day care kids for certain infectious diseases that run the gambit from diarrheal diseases to respiratory and flu like illnesses".

• (1155)

As well, Winnipeg disease expert, Dr. Ron Gold says: "The 200,000 plus Canadian children in day care are twice as likely to get sick as those cared for at home. There is a horrible litany of day care related diseases, as they are called. Over 70 per cent of clinical cases of hepatitis A can be traced to a day care setting", and on it goes.

The Liberal response to these problems presented by day care are that they would choose their well-funded feminist agenda that state funding of day care is a priority and that women must be in the workplace.

I recently received a letter from a constituent which reflects the priorities of the government and refers to parental care and its priorities in the taxation system. The letter actually states that the government rejects a certain method of taxation because it can involve work disincentives for the second spouse to enter the workforce, that is, the government has said that it rejects a certain taxation system because it might stop the second spouse from working. Does this not reflect a bias toward having both parents in the workforce? This is full in the face of evidence which says that children need their parents at home and many parents would prefer to stay at home.

The government's social engineering policies have been tremendously effective. In the 15 years from 1977 to 1992 the number of mothers with children under the age of six who were in the workforce grew from 38 per cent to a full 63 per cent. But this choice, as I said before, was not made freely.

There is a new vision required for children in Canada, a vision that requires aid to those who are truly in need, a vision that empowers people instead of fuelling institutions—

The Deputy Speaker: I am sorry to tell the hon. member that her time has expired.

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I am pleased to respond to the motion of the hon. member for Yorkton—Melville. Though well intentioned, the motion is misdirected. Imagine bringing forward questionable research to support arguments.

Few issues matter more to the millions of parents in the country than ensuring that their children have every opportunity to play and learn in safe, nurturing and healthy environments. I am surprised that the member, who travelled with the human resources development standing committee, who listened but really did not hear the voices of the parents who appeared before the committee on this subject. Assuring the welfare of our children is critical to this country's future. Quality care provides the foundation for lifelong learning and increases the employability of the next generation.

Happy, well adjusted children today will go on to lead productive and rewarding lives as parents, workers and taxpayers. While I am sure that we all agree on that, I am convinced this motion will not advance that objective.

Motion No. 101 seems to be based on a number of incorrect assumptions. As my colleagues have already noted, the delivery of child care services as well as their regulation and licensing comes under provincial authority. The federal government only indirectly funds social service programs such as child care through the Canada health and social transfer. This provides maximum flexibil-

ity to provinces, allowing them to design and deliver their programs according to their priorities and to suit the needs of their communities.

The changes suggested by the hon. member's motion would require revisions to the CHST, changes that would be unwelcomed by provinces and in fact would be contrary to the spirit of the speech from the throne.

• (1200)

The Government of Canada has stated that it will not use its spending powers to influence how provinces provide social services, including child care. I am sure that the hon. member supports this position.

I would like to remind the House that at last summer's first ministers meeting, the premiers and the Prime Minister agreed that more effort should be directed to improving the well-being of Canadian children. The government is currently discussing a possible national child benefit program with the provinces.

The federal government is investing \$90 million over three years in two initiatives alone. The government already provides support to families and children through such initiatives as the child tax benefit, which is targeted to low and middle income families; increases in the working income supplement; the child care expense deduction; changes to the child support regulations in the Income Tax Act; funds which can be directed toward child care expenses under the Employment Insurance Act; the First Nations and Inuit child care initiative; the child care visions research and development program. There are many programs totalling millions of dollars. This is a reflection of the importance we attach to this issue.

These programs highlight the legitimate and appropriate role of the federal government in fully addressing the needs of families and underscores two important points. The first is that the federal government supports parental choice. I think this is lost on the members of the other party. This especially applies to aboriginal communities. Child care there must reflect the unique traditions and circumstances of First Nations and Inuit families and must be sensitive to their cultural priorities.

The federal government is concerned that Canadian families have access to quality child care. Ideally, parents should have reasonable and affordable alternatives, whether found in community based centres or regulated home day care.

Women particularly could be penalized by this motion which might severely limit rather than strengthen their child care choices.

Women's participation in the workforce is increasingly important to family incomes and women's career aspirations. Many

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families now need two incomes just to make ends meet. Today almost two-thirds of women with children under the age of six work outside the home. I am sure that the hon. member recognizes that our economy depends on the contributions of women in the workplace.

We also know that accessible and affordable child care can help more mothers move into the labour force and off social welfare rolls. Being able to leave their children with qualified care providers can mean the difference between dependence and self-sufficiency for these women. They must have child care choices that will allow them to enter or re-enter the workforce and provide for their families, something which Motion No. 101 could restrict.

The second key point I want to make is that we are beginning to understand the factors that go into assuring quality care. That is why the child care visions emphasis on research and evaluation is so important. The hon. member's motion rests on the assumption that parental care in the home is always the best option. Doubtless in the vast majority of cases this would be true if working parents had the choice.

No member in this House today would argue that the best setting for young children is at home in the care of a loving parent. However, this is not a viable choice for an increasing number of parents who must work, take training or who, for other reasons, cannot remain at home. The facts are that more and more children are spending longer hours each day in the care of adults other than their parents. This fact cannot be denied.

Is it not, therefore, incumbent on all levels of government to ensure, to the degree possible, that children receive quality care not only for their safety and well-being but also to contribute to their healthy development? It is not enough to assume that child care is just child minding and that anyone can do. Do we not want the very best for Canada's children?

• (1205)

There are no easy answers to the child care question. Canadian parents are often confronted with difficult choices. That is why it is essential we increase and improve their options, something this motion clearly would not do.

I urge the members of this House to bear in mind that we should not play politics with something so precious as our children. This is why I urge them to defeat Motion No. 101.

What really matters is doing what is best for Canada's families. Let us work together to ensure that we do precisely that.

The Deputy Speaker: The time provided for the consideration of Private Members' Business has now expired. The order is dropped from the Order Paper.

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Mr. Thompson: Mr. Speaker, I rise on a point of order. In light of the fact that this is the beginning of national family week and in light of the fact that I have heard some speeches from both sides of the House over this very debatable item of universal day care, with the confidence that the government has that it is doing the right thing, I believe this item deserves full debate.

I would ask, on a point of order, that each member of this House carefully consider taking this item and moving it to a votable motion in the sense that it is an extremely important one. The Canadian people deserve their say and the way they will have their say is through the votes of their members. I encourage them to do so as I make that motion.

The Deputy Speaker: The notice had already been read that the matter had expired because the hour had expired. Although, in fairness, the member gave me prior notice of that, his point is not really a point of order. As he knows, the matter was raised earlier by another member. The House was asked to express its view on that about a half hour earlier.

He is on the record, but the Chair cannot rule that is a proper point order and cannot, therefore, ask for unanimous consent.

PRIVATE MEMBERS' BUSINESS

[Translation]

OCEANS ACT

Hon. Diane Marleau (on behalf of the Minister of Fisheries and Oceans, Lib.) moved that Bill C-26, an Act respecting the oceans of Canada, be read for the third time and passed.

Mr. Ted McWhinney (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I have the great pleasure of leading off this final debate in the House of Commons on the oceans act, which confirms Canada's role as a world leader in the management and protection of oceans and marine resources. It is a bill in which I take a great interest because of my training in international law, including the law of the sea.

The bill being presented to Parliament is an extremely important one for two reasons. First of all, this bill confirms Canada's role as a world leader in the management and protection of oceans and marine resources. Second, this bill is proof that our Parliamentary process can work in the best interest of all Canadians.

[English]

The bill which was introduced June 1995 was very good legislation. The bill we have before us today, however, is much

better legislation. The Standing Committee on Fisheries and Oceans under the chairmanship of the hon. member for Dartmouth and then under the chairmanship of the hon. member for Egmont has demonstrated the thoughtful, practical and far sighted vision Canadians expect from members of Parliament.

Last September the former minister of fisheries and oceans told the House of Commons we want the strongest possible bill that can be provided. In doing so, he called the members of the standing committee the conscience and the voice of the oceans.

The standing committee conducted an exhaustive and pragmatic review of the bill. There were and there are some disagreements, as there almost always are, on the details of comprehensive legislation. Those differences were aired in a spirit of honesty, and an earnest exchange of views between committee members and witnesses allowed for some common ground to be found.

When the former minister had the chance to appear before the committee, the opposition members gave him a fair hearing. The hon. member for Gaspé, representing the Bloc Québécois, showed a keen interest in this bill as he provided his views and concerns with the bill. These issues were thoroughly discussed and debated at that time, and some consensus was reached despite his very profound differences on other issues of national importance. And the Reform Party represented by the hon. member for Skeena showed a commitment to put the well-being of our oceans above the well-being of our respective political parties.

• (1210)

Indeed it was the member for Skeena who stated at the committee: "I would like to say that the principle of the bill is valid and it is past time that Canada should adopt such an act".

The legislative process, the committee process, has worked partly because the government has responded positively to suggestions made by members of Parliament. The real success, however, comes from the fact that the standing committee listened attentively to the recommendations, a wide range of witnesses and then acted on those recommendations by suggesting improvements to the bill.

Jeremy Bentham recognized that law is not made by judge alone but by judge and company. The member for Dartmouth put it this way at committee: "People outside of the ministry and outside of senior advisors to ministers actually have a role to play in ensuring that there is better legislation".

The witnesses making valuable contributions to this bill ran the gamut from the Canadian Nature Federation to the Naval Officers' Association of Canada, from the Snow Crab Fishermen's Association to the Inuit Tapirisat, from the Newfoundland Oceans Industries Association to the Pacific Fishermen's Alliance. Canadians

spoke, the standing committee acted, the government acted and now Parliament is acting.

The oceans act accomplishes three key legislative ends. It stakes out Canada's jurisdiction over 6.5 million square kilometres of ocean areas. It establishes the framework for proactive oceans management strategy based on collaboration among all Canadians. It gives authority to the Minister of Fisheries and Oceans to act as the federal lead in ocean related policies and activities.

The basic principles underlying the bill are quite straightforward. The first principle is that we must ensure the sustainable development of our oceans. The economic and environmental actions we take to meet our needs must not compromise the ability of future generations to meet their needs.

The second principle is the need for integrated management of activities in our marine coastal waters. For too long we have allowed our actions to be thought of sector by sector. We cannot afford to compartmentalize ocean activities, because each of these activities can have a profound impact on the health and wealth of the oceans as a whole.

The third principle is the need for a precautionary approach to oceans management. We must choose to err on the side of caution. We cannot take the risk of destroying our oceans ecosystems forever because we took a gamble today.

This bill has been a long time coming. Over 70 per cent of our planet is covered by oceans. Canada's oceans have shaped us a country and defined us as a people. Our oceans have long served as beacons of hope for individual success and collective prosperity. Our Arctic, Pacific and Atlantic waters make Canada the only country in the world with three distinct ocean ecosystems. Our country has the world's longest coastline.

The simple fact is that Canadians, whether we live along the coast or thousands of kilometres inland, have long had a love affair with the oceans. We have long shown strong international leadership on the protection of ocean resources. It is time to turn those noble sentiments into wise policy. It is time to back up our strong global voice in ocean resources with strong domestic action.

Canada has never had a comprehensive co-ordinated blueprint for responsible management of our three oceans and the renewable and non-renewable resources they contain. It is time to lead by example. It is time to respond to changes in international law and to advances in environmental understanding. It is time to end what the former national advisory board on science and technology, now the Advisory Council on Science and Technology, called our haphazard and ad hoc approach to ocean policy.

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The World Commission on Environment and Development and the Rio summit both called for actions taken in this legislation. Our experience from resource crisis and the turbot dispute calls for the actions undertaken by the bill. Our oceans are deeply important to Canadians. We need to exercise jurisdiction over those oceans not only in the interests of Canadians but in the interest of the wonders those oceans contain.

The national advisory board on science and technology specifically called for an oceans act. At the meeting in Charlottetown last November provincial and territorial fisheries ministers publicly endorsed the intent of the oceans act. At hearings across the country during the last year, Canadians from every sector and every community overwhelmingly urged the adoption of an oceans act.

● (1215)

Bill C-26 will formally define for the first time in Canadian law a 12 nautical mile contiguous zone and also an exclusive economic zone that stretches 200 nautical miles from our coasts. In the contiguous zone, Canada will have new powers to enforce our customs and tax laws. In the exclusive economic zone, Canada will control the management of all resources. What is most important is that this new jurisdiction enables Canadians to apply the same environmental laws to our oceans as we apply in the rest of Canada.

Having staked out that jurisdiction, Bill C-26 establishes the basis for an oceans management strategy. This will allow Canadians to develop and implement high standards for ocean stewardship, high standards for partnership and co-operation and high standards for meeting national goals based on regional and local needs.

The foundation of the new strategy will allow Canadians to accept shared responsibility for ocean knowledge and understanding, marine resource management, marine environmental management, coastal economic development, ocean safety and continuing international leadership on ocean issues.

Bill C-26 obliges the federal government to rationalize and modernize its own ocean policies and programs.

[Translation]

At the present time, management responsibilities for oceans and marine resources are handled by 14 government departments and agencies. The oceans act clearly designates the Department of Fisheries and Oceans as the primary federal body with responsibility for these areas.

This means the elimination of overlap and duplication. This means a considerable increase in federal government accountability. The Minister of Fisheries and Oceans will not pass on to others the responsibility of taking action where oceans are concerned.

The debate on this bill has raised certain concerns that I feel deserve our attention.

Private Members' Business

[English]

There have been some fears raised that the oceans act may somehow be a means to deal indirectly with fisheries licensing and allocation issues. This bill is not about the setting of fish quotas or privatization of fisheries. This bill is not a fisheries management act. It is an oceans management act.

Parliament will be dealing with a new fisheries act. When it is debated I am certain it will spark, to put it mildly, lively debate. I trust though that members of Parliament will not delay the oceans act because of disagreements they may have over the future fisheries act. That would be a very unfortunate undermining of the really good work we have accomplished on the bill currently before the House.

Another concern raised about the oceans act is that it may lead to more bureaucracy and higher spending by the Department of Fisheries and Oceans. We want to guarantee to Canadians that the reorganization of the Department of Fisheries and Oceans has resulted in significant spending cuts. Following the merger of DFO and the coast guard, the total reduction in net spending will be about \$500 million by the year 2000.

The final concern raised by Bill C-26 is that it might give jurisdiction to the federal government at the expense of the provinces and territories. Let me make it as simple as possible: There is zero impact on the jurisdiction of the provinces or territories. This is not a bill about taking power from other governments; it is about bringing governments and people together to manage our oceans with intelligence, innovation and consensus.

In fact, I think it is fair to say that the legitimate reservations anyone may have had about this legislation were thoroughly considered during the committee hearings and thoroughly addressed through the valuable amendments made to the bill. The preamble to the bill is considerably stronger than it was only a few months ago.

The final bill underscores that our three oceans are the common heritage of all Canadians and that conservation based on an ecosystem is essential to the diversity and productivity of those oceans. The preamble now contains a clause which states that Canada will promote the application of the precautionary approach in order to protect resources and safeguard the ocean environment.

• (1220)

The preamble also highlights the point now made repeatedly throughout the bill. The Minister of Fisheries and Oceans will work with provincial and territorial governments, aboriginal organizations and bodies established under land claims agreements, as well as other federal ministers, boards and agencies to develop a comprehensive oceans management strategy for Canada. It emphasizes the important function of other levels of government and aboriginal people in assuring that a national oceans policy truly serves all Canadians.

The improved bill strengthens both the power and the fairness of enforcement procedures. The Government of Canada now has clear authority to prevent the entry to Canada of any person in the 12 nautical mile contiguous zone who is likely to commit an offence in Canada. The law now authorizes search and seizure and arrest powers in the contiguous zone if there is reason to believe that an offence was committed on Canadian territory.

The bill has been substantially strengthened by obliging the Minister of Fisheries and Oceans to show leadership in the establishment of marine protected areas. As amended, this bill enables the establishment of marine protected areas for a variety of purposes. These include: the conservation and protection of commercial and non-commercial fishery resources including marine mammals and their habitats; the conservation and protection of endangered or threatened marine species and their habitats; the conservation and protection of unique habitats; the conservation and protection of marine areas of high biodiversity or biological productivity; and the conservation and protection of any other marine resource or habitat as is necessary to fulfil the mandate of the Minister of Fisheries and Oceans.

The standing committee has made it clear that the Minister of Fisheries and Oceans may recommend regulations on zoning or the prohibition of activities within marine protected areas in order to protect fish and marine mammals, endangered species and their habitats, and any marine areas of high biodiversity or biological productivity. This is a major step forward in assigning responsibility and power for the creation of a national policy for the establishment of marine protected areas. The standing committee also amended the bill to give the minister emergency powers to protect any marine resource or habitat which is deemed to be at risk.

The original version of the bill authorized the minister to set marine environmental quality guidelines. The new version authorizes the minister to give those guidelines the force of normal regulations and also gives the minister the authority to set the duties of officers designated to enforce those regulations.

Once again, these amendments illustrate that the Standing Committee on Fisheries and Oceans is the conscience and the voice of the oceans.

It could have been tempting for members of Parliament from coastal communities to water down environmental provisions of the bill in order to ensure short term economic gains for their communities. They have done exactly the opposite. They have toughened up the environmental provisions of the bill. They have strengthened the provisions to guarantee sustainable development, integrated management and a precautionary approach to oceans issues. They have made the substance of the bill reflect the preamble of the bill.

The standing committee has also toughened up the requirements on the Minister of Fisheries and Oceans to show leadership, to

seek consensus, to take action and to be held responsible for his actions. This same spirit of political accountability is found in amendments which make the minister, not senior officials, responsible for coast guard services and hydrographic services.

The minister will be ultimately responsible for federal policies on the safe, economical and efficient movement of ships, including aids for navigation, pleasure craft safety, and marine pollution prevention and response. The minister will be responsible for setting hydrographic standards and for providing hydrographic advice, services and support to other governments and international organizations.

The bottom line is that the standing committee has amended the bill to give the minister more powers to do the job of protecting Canada's oceans. The bottom line is also that the committee has amended the bill to make certain that the minister cannot hide behind public servants or cabinet colleagues in carrying out those powers.

There is one more amendment which deserves special praise. Clause 42 of the bill has been expanded to permit conducting studies to obtain traditional ecological knowledge for the purpose of understanding the life and the mysteries of our oceans. That is a very smart move. The people who for generations have survived by and on the oceans have enormous knowledge of currents, tides, temperatures and marine organisms. They more than any of us appreciate both the fathoms of the ocean and what is unfathomable.

• (1225)

When you live by the sea, you learn to revere the sea. I am certain all of us have much to learn from that hard won and time honoured knowledge. The truth is of course that Canadians have been learning about the oceans ever since the first inhabitants of our far north crossed over the Bering Strait from Asia thousands of years ago.

The oceans act is the modern day expression of what we know and what we do not know, where we are and where we must go. For all the accumulated wisdom, for all the international calls to action, for all the hard work by researchers, environmentalists, businesses, fishers, aboriginal peoples, governments, coastal residents and others, we are still only at the stage of saying it is time to claim full jurisdiction, time to get the federal government's oceans management structures in order and time to pull together on devising a long range oceans management strategy.

We are not yet at the stage of having a complete oceans strategy in place. The bill does not attempt to do that. Effective strategy can only come about through the formation of collaborative agreements among all Canadians and the acceptance of responsibility by all Canadians.

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This bill provides the mandate and the basic tools to develop the strategy but it is only a beginning. Leadership by the federal government is important but we will only make the best decisions with local leadership, community involvement and an ongoing willingness to create a collegial, collaborative, holistic, cross-sectoral, cross-country approach to the management of our vast and diverse ocean resources. That is the new pluralism in our federalism and federal government.

This bill sets the stage but it is up to Canadians now to write the script and play our roles. Planning for the ocean jobs of the future is not a one day nor a one person operation. Decisions that affect our children's future and our grandchildren's future require the input, the initiative and the involvement of us all.

We do know that this bill may need to be revised in the future, that we may need to hold ourselves to account. To reassure those who worry that we may not have crossed every *t* or dotted every *i* in this bill, there is a critical and democratic improvement recommended by the standing committee. The amended bill now requires a review of the administration of the oceans act within three years by the Standing Committee on Fisheries and Oceans. Parliament will have the right and indeed the duty to ensure that both the provisions and the operation of the oceans act meet the desires of Canadians and the needs of our oceans.

We all know from our contemporary history that Canadians have an enormous capacity to come together in order to defend the interests of our ocean resources internationally. It was two years ago that Parliament passed Bill C-29, an act to amend the Coastal Fisheries Protection Act, and Parliament passed it in two days. We know that Canadians will come together to support our global oceans conservation measures and that they will put aside partisan differences to do so.

Canadians all agree on the need to rally in support of the wise and prudent precautionary management of Canada's oceans and ocean resources. The bill before Parliament calls upon us to rally domestically for our oceans in the same way we are willing to rally internationally. The organisms of our oceans would not know one politician from another. We know however that unless we act to protect those organisms, they may not survive and we will all be the losers.

It has been 50 years since the Right Hon. Lester Pearson called upon Canadians to demonstrate international leadership through national commitment on the law of the sea and the oceans. It has been nearly 40 years since the Right Hon. John Diefenbaker ensured that Canada took a position at the vanguard of the first UN conference on oceans. It has been nearly 30 years since the Right Hon. Pierre Trudeau and our current Prime Minister as one of his colleagues acted to protect Arctic waters from pollution prevention. It has been nearly 20 years since our current Governor General asserted Canada's 200 mile fishing zone.

Private Members' Business

• (1230)

[*Translation*]

As members in this House, we do not, perhaps, have the vision of Mr. Pearson and of Mr. Diefenbaker. What we do have, however, is the common ability to work toward the achievement of their vision of a responsible country that undertakes to do what it can to resolve the major issues facing this planet.

We have in common the ability to introduce an oceans act, which marks a step ahead in meeting our own needs, while respecting those of generations of Canadians to come.

[*English*]

This is a good bill and it has been made much better by the diligence and the energy of a broad array of Canadians and by the very effective efforts of all members of the Standing Committee on Fisheries and Oceans.

We encourage members of Parliament to pass this bill with enthusiasm and with optimism for the future.

[*Translation*]

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, unlike my colleague across the way, the Parliamentary Secretary to the Minister of Fisheries and Oceans, I must admit that I am not necessarily enthusiastic about speaking to this bill on ocean management.

I must start out by indicating that the Bloc Québécois disagrees with the government on it, and I will take the next few minutes to explain why.

The lengthy efforts put into it by the standing committee have been referred to, and I must acknowledge that, indeed, much work has been put into it, and the parliamentary secretary is the one who deserves all the credit. However, all partisan feelings, which may be present in this House, aside the ideas and principles defended by the Bloc Québécois during the committee stage were put forward precisely in order to ensure a better basis for participation by the various provinces in this strategy.

This concept of partnership is necessary if the strategy the Government wants is to work properly. Since the Government has—pardon my expression—closed its ears to those proposals, the Bloc Québécois finds itself forced to vote against the bill in question.

I must also make it clear, for the benefit of all environmental groups in Canada and Quebec, that the Bloc Québécois is not opposed to the form and principle of an ocean management strategy. No one can be against virtue. But, precisely in order to ensure that this virtue serves a purpose, we wanted to ensure that the proposals contained in this bill could be implemented in practice.

The partnership of trust required to implement this strategy had to be reflected in the bill, and it was the duty of everyone to get involved in it with honour and enthusiasm. We did not see that notion of partnership in the bill, nor in the final version we have here before us. Nor do we see the attitude that was reflected in committee. It is absent from the bill.

Under these circumstances, people will therefore understand that the Bloc Quebec would be in favour of an ocean management strategy if it were efficient, supported by everyone, and reflecting the views of everyone. Everyone would recognize their rights, and more important, their obligations, as things are not as clear as they seem. This is why the Bloc feels obliged to oppose the bill for the moment. I will therefore have an amendment to propose at the end of my speech, when you indicate to me the point at which I will be able to table this amendment.

As my colleague across the way has just pointed out, Bill C-26, the Oceans Act, contained three parts.

• (1235)

Part I recognizes Canada's jurisdiction over its ocean areas. The content seems to be similar to that of the convention on the law of the sea as drafted by the United Nations and, so far, we have no problem. However, I do not see the need for Parliament to pass a specific piece of legislation since we are only dealing with adapting the vocabulary.

Part II—I will go back over each part later in my speech—mentions a legislative framework to develop a national ocean management strategy, and that is the rub. This is where the Bloc Québécois is telling the government side that there is a major flaw, something is very wrong, because the foundation, namely the relationship between partners, is not defined in a satisfactory way for the partners, I will discuss this later in greater details.

Part III, last but not least, deals with the powers, duties and functions of the minister, in other words his power to set fees with regard to marine sciences and the coast guard. First, I will say that the fact that the minister intends to grab increased powers in this area does not augur well, it is not reassuring for the Canadian people since, in the absence of regulations, he has already gone ahead this year with making changes to the coast guard fees for navigational aids, against the wish of stakeholders in this area. This does not augur well. I will deal in greater detail with the three parts later on, explaining why the Bloc Québécois cannot support this government bill.

To amuse this assembly before dealing with part I, I would like to share with parliamentarians part of the preamble to the bill. It makes me smile. I smiled when I read this part. The third paragraph of the preamble states:

Whereas Parliament wishes to affirm in Canadian domestic law Canada's sovereign rights, jurisdiction and responsibilities in the exclusive economic zone of Canada;

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Some hon. members: Hear, hear.

Mr. Bernier (Gaspé): I am happy to see that the Liberal members are quite alert on this Monday morning, but here is the rest of my comment. The last time I heard the former minister of fisheries and oceans, Brian Tobin, pronounce the word sovereignty, it was automatically associated with separation. Big question. Will I read somewhere, or expect the United Nations to declare, that Canada wants to separate from the rest of the world? I see the Liberal members are awake, and I am not sure that this is what they want to do.

Let me seize this opportunity to make an instructive comment: beware people of Canada, sovereignty does not mean separation. Sovereignty means sovereignty in the text you have here; it means the Government of Canada is acting like someone who owns the place and, accordingly, it lays down the rules and takes all the necessary measures to reach its goals. I am happy to see the maturity of Canada in this aspect. When, in a near future I hope, we can talk to each other as mature people, we will remember the meaning of the word sovereignty.

What is also amusing, even though I do not want to insist on this point, is that, at the end of the preamble they say:

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

So first they speak of sovereignty and then they refer to Her Majesty. Excuse me, but I see some inconsistency there. The way I see sovereignty, once you are sovereign, you decide by yourself and you do not necessarily refer to somebody else. This is all I wanted to say about that excerpt. I only wanted to shed some light on this morning's debate.

• (1240)

Now that everyone is wide awake thanks to the quality of my introduction, let me go on to part I, which follows the preamble. As I mentioned, part I only reproduces the text of the United Nations convention on the law of the sea. I do not necessarily see any problem with this definition.

However, despite the fact we proposed amendments to ensure the terminology was correct when we talk about definitions relating to the law of the sea, these amendments were not accepted. The parliamentary secretary held out his hand to us by saying the Canadian government had no intention of infringing upon the rights of the provinces and other parties to this bill.

Since this is probably the last time I have an opportunity to talk about Bill C-26, I must remind the House that the amendments tabled by the Bloc Québécois and, unfortunately, defeated were aimed at clarifying the scope of the powers and rights of the provinces and the federal government, to ensure everything was

very clear in order to establish the partnership relationship right at the beginning.

As these amendments were not passed at the rewriting of the bill, allow me to remain sceptical about what the government really wants. When it is said on one side that it will not hurt and we propose a way of doing things to ensure it will not hurt us and our proposals are refused, I have some difficulty following.

As I mentioned, part II of Bill C-26 provides a legislative framework. This legislative framework is inappropriate since there are still many grey areas in federal responsibilities concerning ocean management. I repeat, the amendments we had tabled were aimed at clarifying the powers and rights of the provinces and the federal government.

To this day, we have received no guarantee there would be no federal intrusion in the powers of the provinces. There are issues where, even before the introduction of Bill C-26, there were grey areas. The environment, for instance.

Since environmental law is a relatively new concept, it has some flaws. I understand how important it is to discuss this concept in developing a management strategy. Since this is recognized as a relatively new area of law, now is the time to look at potential impacts and reassure the partners we will have to deal with. I can see no reference to this in the bill.

Odder yet, and more embarrassing I might add, is the fact that, regarding all the dealings the Minister of Fisheries and Oceans is required to have with his colleagues from the various departments in matters relating to the environment, because this must all be done in conjunction with other federal ministers, the respective powers of the fisheries minister and the environment minister have not been delineated.

It is somewhat amusing, in developing an oceans management strategy, not to clearly define what the relationship should be between two brothers from the same party, the government party. It takes some gall, on the government side, to tell us how to run the strategy when they have not even established what relationship should exist between themselves to begin with.

• (1245)

As I said earlier and contrary to what some of the Liberal members who got up this morning may think, the Bloc Québécois is not against what is right. I repeat again, we are always prepared to discuss a management strategy, but it must be a consistent strategy that will provide for the provinces' active participation. I emphasize again the fact that the success of this strategy rests on partnership because, if the hon. members opposite tell us that this, that and the other needs to be done in terms of oceans management, not having defined from the start their own roles and responsibilities

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ties, it will be difficult, first, to establish this policy and, second, to implement it.

I also mentioned earlier that the amendments put forward by the Bloc Québécois were only designed to specify and delimit the scope and legal significance of the federal government's authority in relation to possible encroachments. We just had a referendum campaign, during which promises were made for a renewed Canada, new things and a new attitude. I was expecting greater attention would be paid to sparing feelings. Unfortunately, I can see none of that.

Regarding the management strategy and the whole legislative framework around it, two things have happened since report stage, last June. Things have happened regarding the partnership I insist is required, the significance of which is still unknown.

I must first congratulate B.C. members for their premier's initiative in walking out of last June's first ministers' conference because he did not feel he was being listened to. He went on to say—as I understood from the interpretation into French—that he felt he was wasting his time. Imagine, wasting his time at a first ministers' conference. That is saying something.

So you can understand how an opposition backbencher like myself who is trying to talk some sense into other members of this House who, in my opinion, are full of common sense, at least on this side, can be very sceptical.

What I want to bring to other members' attention is that the federal government, the minister of fisheries himself stepped in, probably at the urging of the Prime Minister of Canada, who told him: "There is an urgent need for you to go to B.C. because there is trouble brewing in that province. I got the door shut in my face. They want to talk about fisheries and I did not know what to say about it. Can you go and find out what it is they want?" The premier of British Columbia asked that the impact of the salmon fishery streamlining plan on that province be reviewed because no one in B.C. agreed with the plan put forward by the minister of fisheries. Yet, the minister in Ottawa kept on saying: "Yes, that is what we should do and it will be done". So the premier had to get involved.

What I want to stress is the fact that—and, if I may, Mr. Speaker, I would like to read from the press release: "This agreement in principle is aimed at reviewing the respective roles and responsibilities of the federal government and the province in managing the Pacific salmon fishery and reviving this industry. The review will be conducted by DFO in co-operation with an interprovincial team".

What we must look at is mentioned at the end of the press release: "The responsibility review will be completed in February 1997".

We are four months away from that date. The results may be published a little later, but what I want to draw your attention to is

this: the elements to be reviewed include, but are not limited to, resource management and conservation, licensing, fleet management, resource allocation, habitat rehabilitation and clean-up, the reduction of administrative overlap and duplication, and the improvement of client services.

• (1250)

This is precisely what the Bloc Québécois sought for all the provinces: to be able to discuss ocean management on an equal footing with the federal government.

I will not mention other related points which have to do with the quantities that can be fished and the available quotas, since another bill was introduced in the House and will be reviewed. The press release refers to an agreement in principle between the federal government and the Government of British Columbia, precisely to review the issues of resource conservation and habitat cleanup. These issues concern all the oceans and relate to Bill C-26, which is currently before us.

I still believe that the rights of the provinces are not respected and that the obligations of the federal government toward the provinces are not fulfilled. This was evidenced by the fact that, when it came to finding out who would do what and how, a provincial premier had to slam the door behind him during a first ministers' meeting before the issue was taken seriously.

It is very important to specify this aspect in today's bill and to give it this spirit. Otherwise, will other premiers have to do the same thing every time? Here is a trick for the other provincial premiers: when you see that the federal government will not budge, slam the door and leave. Then the federal government will propose to negotiate an agreement in principle, in which your rights will be taken into consideration.

Come on. We, as parliamentarians, must show a little more maturity and realize there is a grey area that must be defined.

This issue deserves some attention. We must review the content of these clauses, without obviating the need for a commonly developed management strategy. I want such a strategy to be developed. I do not want a situation where every province will have to bang the door. I want us to clearly define how things will be done.

Another point, and I do not want to belabour it, is that the management strategy lists the partners. What I wanted was for the provinces to clearly define all this, and we would list the other partners that needed to be included and with whom we had to work.

I must say at the outset that I am for the notion of a law-abiding society, a democracy, and that, when the democracy turns to its judges for a ruling, perhaps their word should be followed. I refer

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to the most recent Supreme Court ruling, handed down last Friday. I do not yet know what the impact of this ruling will be.

In line with the spirit of the Sparrow ruling, which has been the precedent for some time now, concerning fishing and subsistence rights for native peoples, the most recent ruling refers to the fact that native peoples would be entitled to fish without permits, for their subsistence, throughout the province of Quebec. Will this also apply to all other provinces in Canada? I do not know. I do not want to get into the merits of the ruling, but I would like to remind the minister immediately that the order of precedence will now have to be borne in mind.

Account will have to be taken of how cohabitation will be managed, because it is now no longer just a question of divvying up fish, but also of isolating responsibilities, or at least of knowing what they think of it, what they can do with us. Without wishing to go into more detail, I think that this is something that Canada has been refusing to look into more deeply for too long now, and I think it would be a good idea, as I will mention a bit later one, to postpone passage of Bill C-26, precisely so that this can be examined more fully, I will therefore limit my remarks in this regard for the time being.

• (1255)

I will now take a look at part III of Bill C-26, which sets out the general powers, duties and function of the minister, followed by his powers, duties and functions with respect to the oceans and Coast Guard services.

I will begin by repeating, because I have probably already said this at the beginning of my speech, that it worries me to see that they are now increasing the regulatory powers of the minister. The minister did not have these powers last June. What happened?

I will take the example of the services provided by the Coast Guard. When they talk about navigational aids, they are talking about the presence of buoys. The minister's intention was to charge duty every time a ship went through our Canadian waters, but look out, this bill, as it stands, applies only to Canadian ships. I did not see, in the description of the minister's functions, the possibility of imposing this tax on all ships.

Lacking the regulatory power allowing him to charge for navigational aids, the minister has decided, at the last minute, to circumvent publication in the Canada Gazette because, usually an order such as this must appear in the Canada Gazette within 30 days. But, instead, he took the other route, which allows him to appear before a Cabinet committee and get approval in one afternoon. One day for publication, and bingo, we have to pay.

What you have to know is that the industry did express its opposition to this bill, not because it refused to pay, but because it wanted to know if these navigational aids are used efficiently, if the fees requested are right and, more importantly, what would be the

impact on the Canadian industry in terms of shipping and, also what would be the impact on the people who use shipping services.

The minister chose to ignore all of this, to ignore the recommendations. He went even further stating: "There is a second part coming up, but I will play fair and wait for the impact study before implementing it." Despite the lack of regulatory power to everything, the minister was able to find a way to go ahead, which is far from reassuring, because once he has full power within a much simpler process, he might do worse yet. Do you understand now why we are worried and why this piece of legislation does not really set our minds at ease.

There is another small point I want to make, also about the Coast Guard. The Coast Guard is made up of two divisions. There are the people who deal with shipping, with the huge vessels, and there are the people who deal with smaller, recreational boats.

When they saw that the people who deal with the larger vessels could get a minor regulation passed and make shipowners cough up \$20 million, the Coast Guard people dealing with the smaller boats probably told themselves: "We will try to do the same." They made some representations and held consultations last June.

Their objective was to set some kind of registration fees for small boats. For a rowboat, for a pedal-boat, for any kind of craft, the fees would vary from \$5 to \$35. They decided to travel throughout Canada to find out what the people thought about their idea. That kind of behaviour is worrisome. Where was the feedback process in all of this? The Quebecers and Canadians who were consulted said: "No way, what is wrong with you people this morning? You would have me pay \$5 for my rowboat. Who would control all of that? What will it cost?"

• (1300)

So they backed off a bit. It is a good thing that the minister did not yet have the regulatory powers that would have made it very easy for him to implement such a scheme. If this bill had been in force in June, would the coast guard have acted so cautiously? Would it have not gone ahead with its plans? Its unstated objective was to recover \$14 million by charging these fees. This bill needs transparency. We need a way to be sure that there will be co-operation.

I just mentioned two instances where the coast guard used its powers to impose its will and people are not about to forget that. We are not off to a good start. It is not reassuring for people to work with the coast guard. Each time they take part in a consultation process, when they think their views are really being taken into account, they realize it was not the case at all.

I even heard the former commissioner—it seems that he has gone to another part of the department—say that there could be a consultation process but the legislation would still be in place by a

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certain date. That shows a flagrant lack of respect for the people who pay the government officials' salaries.

People expect us, as parliamentarians, to analyze the pros and cons. When decisions regarding a bill are unilateral and, I would say, arrogant without regard to those who will suffer their consequences, the bill cannot be said to be created with honour and enthusiasm. We have re-establish the notion of relationship.

Again with regard to part III, which deals with the minister's powers, I would like to mention that the government ignored amendments concerning an information feedback mechanism. We are told that the minister will consult with such persons or bodies as he or she considers appropriate to consult—that is how it is defined. What kind of transparency is the government displaying to Quebecers and Canadians?

The bill also says further on that any other regulations or modifications do not have to be published. I do not want to start the debate on the amendments all over again, but I just want my fellow parliamentarians and the people who are watching us on television to realize that we are not headed in the right direction.

We also talked about the way fees for services are set. I remember the amendments proposed by the Bloc and by the Reform Party called for more transparency in that respect. We asked if we could come back to this subject. A three hour debate to determine new Coast Guard fees is not much. I think these fees should not be determined in one party's back rooms. The issue should be discussed right here, because all Canadians will be affected.

I cannot remember which of my colleagues made that request, a fair and reasonable request, but it too was rejected. As far as I know, the government party has a majority. If a request is made to have a bill referred back to committee, well they have a majority in committee too. They can place a limit on discussion, but at least we can discuss it and report to the House. And they have a majority here too.

Once the bill is passed, we know for sure there is no way we can repeal it. We would like to be able to use our right as parliamentarians to express the views of the people on these fees. After hearing all points of view, the government will be able to make a fair and informed decision. But when certain facts are ignored on purpose, the decision will be lacking, in certain respects.

• (1305)

I talked to you then about what the Coast Guard had done concerning navigation aids. I also talked about potential fees and about studies on fees that could be levied on recreational boaters. There is nothing very encouraging about all of that.

That is why we, the members of the Bloc Québécois, would like to move an amendment. My amendment deals with the following three points, if I were to sum up my remarks. First of all, the concept of partnership with the provinces does not seem to be clear enough as it stands now. I referred to an agreement in principle, a report that should be made public by the end of February involving B.C. and the federal government.

I think we must take into account the spirit in which Canada signed with British Columbia and let the bill reflect that so no other provincial premier is forced to slam the door in order to bring this to the attention of the government.

I must say that I put this amendment forward because there are still grey areas in the text, which will hinder the implementation of the strategy. I am still talking of the provinces, of communications between provinces, environmental matters, which are grey areas. There are grey areas even in communications between the fisheries minister and the environment minister at the federal level. This is one more reason to consider the amendment which I will table.

Finally, I put this amendment forward because part III of this bill increases the powers of the minister concerning the fees charged for services and because there is a lack of transparency and feedback on the efficiency of the services and the price-setting process.

Most hon. members would be well advised to think twice before opposing this amendment, which we want to table, since, as I remind them, the Bloc Québécois is for virtue, that is to say that it agrees with the establishment of an oceans resource management strategy. We believe, however, that such a strategy should be consistent and efficient, which it will be when the three points I just mentioned will be taken into account.

Therefore, I move:

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

"Bill C-26, An Act respecting the oceans of Canada, be not now read a third time but that it be read a third time this day six months hence."

I submit this amendment, which is seconded by my colleague for Chicoutimi. I hope that the hon. members who are now here will remember that, with this amendment, the Bloc Québécois wants to further the spirit of partnership, that the Bloc Québécois does not want to hinder the establishment of an oceans resource management strategy for partisan purposes, but wants to make sure that such a strategy is efficient and effective.

I will wait to hear about the admissibility of my motion and I will follow gladly the debate on this bill, hoping that most of my colleagues will have understood that the Bloc Québécois is promoting the cause and not partisan quarrels.

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The Deputy Speaker: The amendment by the hon. member for Gaspé is admissible. From now on, debate is on the amendment, which is seconded by the hon. member for Chicoutimi.

• (1310)

[*English*]

Mr. John Cummins (Delta, Ref.): Mr. Speaker, is this on the amendment or on the bill?

The Deputy Speaker: The debate is now on the amendment, the amendment having been ruled receivable. I will indicate further to help that since it is a six-month hoist amendment it should not change or alter his intended intervention.

Mr. Cummins; Mr. Speaker, as this House gives consideration to Bill C-26, the oceans act, I would like to make reference to the statement of the chair of the fisheries committee when the bill was initially before his committee:

Many times a piece of legislation is passed, and for the people who sit around this table it's clear as crystal. Then two years later, when regulators get at it and they start reinterpreting it, it's not in the same interpretation. It's not interpreted in the same way as it was meant when it was debated in the House—.

That's one of the problems when language is unclear, and that is really one of the reasons the legislative process—[is] so important.

The members of the fisheries committee from both sides of this House made improvements to the original bill and should be congratulated for their work. Work by my colleague, the member for Skeena, was most notable. He made several amendments during report stage which attempted to ensure consultation and strict adherence to the user pay, user say principle.

He insisted that fees be implemented only after a full socio-economic impact analysis had been carried out, that fees reflect the level and cost of a specific service and that they be implemented in a fully transparent manner with full ongoing consultation with affected resource users. The amendments he proposed endeavoured to accomplish these goals. Unfortunately our amendments were not accepted and as a result the ocean act remains unchanged in this regard.

Reformers view full and ongoing consultation with resource users and grassroots Canadians as essential to good government. Implementing marine service fees without first completing a socioeconomic impact analysis is what this Liberal government stands for and what we oppose.

I would like to address what are for me several key aspects of the bill. With the exception of Australia, Canada is perhaps more affected by oceans than any other nation. When I first looked at the oceans act I assumed it dealt equally with the waters on our three coasts. Unfortunately that is not the case. Perhaps a third of the waters of Canada are in the area adjacent to the Nunavut land

claim. Nunavut waters do not come under the act in the same way that the waters off Nova Scotia do.

When this bill was before the committee, the main Inuit organization in the Nunavut territory advised the committee that certain sections of the bill were ultra vires given the Nunavut land claims agreement.

For instance, the Inuit organization suggested that the bill be amended to acknowledge that the governor in council could not make regulations under the act unless they were approved by the Nunavut land claims authority. Clearly the Nunavut interpret their treaty as limiting federal authority over legislation affecting Arctic waters within the Nunavut settlement area.

The response of the government was to acknowledge that federal authority in Arctic waters is limited by the land claims agreement. I quote from section 2.1:

For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from existing aboriginal or treaty rights of the aboriginal peoples of Canada under section 35 of the Constitution Act, 1982.

Section 36.1:

The Governor in Council, on the recommendation of the Minister of Fisheries and Oceans, may make orders exercising any power under section 35 on an emergency basis where the Minister is of the opinion that a marine resource or habitat is likely to be at risk to the extent that such orders are not inconsistent with a land claims agreement that has been given effect and has been ratified or approved by an act of Parliament.

That is to say, the government has conceded that land claims agreements may constrain the ability of the Government of Canada to protect a resource owned by all the people of Canada.

The implications for British Columbians are significant. Land claims agreements when negotiated are likely to cover virtually the whole of the west coast. The Nisga'a land claim agreement was only the first. The wording of land claim agreements has diminished the authority of the federal government in an area completely under its control.

• (1315)

This bill simply acknowledges what the government and its officials have negotiated and continue to negotiate away. Land claims must never again be rushed through Parliament. They must receive thorough review and debate on the implications of their entrenchment within the Constitution.

When land claim negotiations are complete in the Arctic and Pacific coasts, the applications of the Oceans Act to these waters is likely to be greatly diminished. A patchwork application of Canadian marine and environmental law to Canadian waters does not inspire me with confidence. While this bill would give the minister of fisheries and cabinet broad powers to manage and protect Canada's marine resources, the government has decided to cut the coast guard on the west coast by one-third.

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I want to quote from a department of fisheries document written in early September which details the folly of these cuts at a time when the government is asking for more authority to manage and protect the marine environment. The document was discussed earlier last week by my colleague from North Island—Powell River, therefore I will not give the whole document but I would like to mention some points.

The cuts will have an impact on our ability to manage the resource. For example, Canada is required to collect data and enforce provisions of specific fisheries agreements in the Pacific salmon treaty. The data is critical to stock assessment biologists in Canada. Canada and the United States have agreed to provide specific levels of enforcement patrol of shellfish closed areas to protect consumers from contaminated and toxic shellfish. The United States provides the largest market for British Columbia commercial bivalve fisheries.

Will this cut to inspection hurt our sales in the United States? What happens if an outbreak of shellfish contamination occurs? Surely the U.S. market will dry up overnight if it is undetected.

The ability of vessels to remain away from home on a regular or sporadic basis is critical to both fisheries enforcement and management. Coast guard currently plans to replace vessels in Tofino and Bamfield with a 47-foot class lifeboat with no accommodation for crew or shore based fisheries officers. This demonstrates an expectation that there will be little opportunity to participate in fisheries patrols in remote areas.

Another matter that these cuts are going to affect is this. Uncertainty about vessel support from multi-tasked vessels or insufficient vessels will result in fewer fisheries. The new initiatives implemented to rationalize the salmon fleet, the Mifflin plan, will be compromised.

There is currently a demand for increased habitat investigation and monitoring of projects in remote areas as a result of the Oceans Act, which we are discussing today, the Canadian Environmental Assessment Act and agreements made with First Nations by Aboriginal Fishing Strategy and land claims initiatives. Yet the cutbacks will impact on the ability to live up to obligations.

Fisheries notes that developing a highly motivated and effective marine fleet is essential for fisheries patrol. A marine enforcement program within the coast guard has the potential to boost enforcement capability in specific areas. Current tasking and restrictions on fleet movement will limit the overall effectiveness of this part of the coast guard program. It is not likely that priority areas for fishing enforcement will always coincide with search and rescue zones.

Again, this is how these cuts will impact and this is the direction this government is taking. I doubt very much it will be able to live up to the commitments under the Oceans Act.

There is a huge list of deficiencies and ways in which the cuts will impact on the ability to manage the fisheries. The one to which I would like to refer is the ability to act under the Oceans Act.

What if a major emergency like the one that nearly occurred last August near Campbell River occurred? The issue to which I am referring was the near collision between a passenger ship and a barge loaded with propane and dynamite. Currently we lack the ability to respond to such a disaster, and yet the government is imposing even further cuts on the coast guard. It is horrifying to imagine the implications of these cutbacks.

● (1320)

Furthermore, international boundary enforcement patrols are of significant concern and the reduction in patrol capability will limit DFO's ability in the area. The international grey zone in the lower straits and in the north are of particular concern to us.

The language of Bill C-26 gives the minister and the cabinet the power to legislate. They will write the oceans law and policy under the regulation making power in the bill.

For many years after Confederation legislation typically defined not only the objectives and principles of government policy in a particular area, but also the precise details. This is true of the current Fisheries Act. For example, section 28 states that no one shall hunt or kill fish or marine animals of any kind by means of rockets or explosive materials. Section 29(1) states that no one shall erect, use or maintain any net, weir or other device which duly obstructs the passage of fish. The current act states in section 32 that no person shall destroy fish by any means other than fishing. Section 33 states that no person shall purchase, sell or possess any fish that has been caught in contravention of this act or the regulations.

It is clear. The fine tuning is in the regulations but the law is clear in the act. The oceans act lacks such clarity in what is prohibited. Everything is up to the minister, even the generality of oceans law and policy.

It has been said that the present practice is for legislation to outline the policy to be followed in an area and to delegate the authority to prescribe the details of the law to the cabinet or the minister.

The bill would, for example, in part II, the oceans management strategy, mandate the Minister of Fisheries and Oceans to develop and implement an oceans management strategy. The bill does not

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say what the oceans law is to be, it says that the minister has the authority to write one after he consults a long series of groups which may have an interest in oceans law. The writers of the bill obviously do not know what the law or policy ought to be, only that it is needed and that it ought to have the force of law once the minister decides what it ought to be.

If this were a bill for the Minister of Finance it would undoubtedly authorize him to set tax rates after he had consulted various groups. If it were taxes we would instinctively know that the bill was ridiculous. If the Minister of Finance wants a new tax he must come to Parliament to obtain specific authorization.

I would have preferred to have seen some detail in the oceans act. What is the oceans law and policy which the minister wants to implement? Under this bill Parliament effectively loses control of lawmaking. In effect, the government is given a free hand to do as it sees fit in the realm of oceans law and policy.

Such problems are not new. A very distinguished former member of the House, Stanley Knowles, gave a caution that is even more valid today in regard to the oceans act than it was when initially spoken in the House. He stated:

It is our experience in Parliament time and time again to think we know what we passed when we gave final approval to a piece of legislation, only to find months later that things were being done or restrictions being imposed of a kind we did not believe appeared in the bill at all. We try to find out what happened, and we discover that we had given authority to the Governor in Council to make regulations for the carrying out of the purposes of the act and that under this authority restrictive regulations were passed, or restrictive definitions introduced of such a nature as to produce quite a different result from the result we thought had been intended.

• (1325)

The aboriginal fishing strategy is clearly an unexpected and unintended policy created by regulation under the Fisheries Act. Even though the Fisheries Act is, for the most part, very traditional legislation with a fair amount of detail, the government has been able to twist the meaning of the act to create a native only commercial fisheries law as regulations under the act.

The native only commercial law stands against 150 years of Canadian history and law. The Supreme Court this year in the *Nikal* decision held the policy of the crown, both before and after Confederation "was to treat Indians in the same manner as non-Indians with respect to the allocation of fishing grounds for commercial use". The native only commercial fishery law has wrecked havoc on the west salmon fishery.

If the courts ever get the opportunity to consider the native only commercial fisheries regulations I believe they are likely to strike them down as being incompatible with the intentions of Parliament when it wrote the act.

If the government can get away with native only commercial fishery for four years, we can only guess what will happen with a very open-ended act like the oceans act. Virtually anything could be done.

Some legislation is only a shell that enables the cabinet to write its own laws. In the past bills were substantive and the regulations involved only technical standards, such as the size of a net or the variety of fish. Sadly we often find that it is the regulations where substantive law is found.

In 1993 in the last Parliament a subcommittee of finance, the then subcommittee on regulations, spoke with clarity about the problem that occurs when parliamentarians demand too little and give too much in legislation they approve. I commend the members of this House who in the last Parliament wrote this report.

The subcommittee noted the "tendency, beginning with energy legislation in the early 1980s to enact framework legislation, leaving substantive provisions to be set out by regulations. The new regulations often affect the rights, duties and obligations of citizens. This contrasts with the more traditional approach under which only technical standards and details tended to be left to regulations".

In the first chapter entitled "Inadequate Legislative Overview" the report reminds us that "under our system of government, Parliament is supreme, subject to limits imposed by the Constitution. In concrete terms this implies that the cabinet cannot raise taxes that Parliament has not sanctioned, or spend money that Parliament has not approved".

It goes on to warn "that regulations promulgated by government departments— have the force of law just as primary legislation does. They can be promulgated lawfully only if appropriate authority has been delegated under a statute that Parliament has passed. However, when the delegated authority is broad and use of that authority is not adequately supervised by Parliament, the implied parliamentary control is absent and the supremacy of Parliament is undermined—The cabinet's formal accountability to Parliament for regulation making amounts in practice to a dead letter".

The oceans act is a shell. It authorizes the minister and the cabinet to write their own law after they have decided what it is they want. It would be better parliamentary practice, I submit, if after the government decides what it wants for an oceans law and policy for it to come back to Parliament and submit a bill to Parliament.

I am anxious to get good environmental legislation on the books. But is this good environmental and oceans law or is it just another Canadian Environmental Protection Act? What ought to have been our basic environmental law has left the development of the law to the government to be done through regulation.

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Let me tell members from firsthand experience in Delta why I have some doubt about this approach. The Tsawassen Indian Band in my riding has developed a condominium project in an environmentally sensitive area. As of late it has also built a sewage plant on an intertidal marsh, class 1 habitat.

When the sewage project was under consideration, I hoped that our basic environmental law would require that an environmental assessment be done. Lots of games were played but no real environmental assessment was done. We were told that since no government money was directly involved, none had to be done. Perhaps no government money in the bricks and mortar of the condo project, but lots of offshore money. So much for what environmentalists and others had called our foremost piece of environmental legislation.

• (1330)

With regard to the sewage project, the Minister of the Environment in a letter to me dated July 17, 1996 acknowledges the weakness of the Canadian Environmental Assessment Act. He said: "My department has no decision making responsibilities that would require it to initiate an assessment in accordance with the act".

In the same letter the Minister of the Environment admitted the involvement of his officials was through the Fisheries Act, not the Environmental Assessment Act. He stated: "Given the shared responsibilities between environment and fisheries with respect to the Fisheries Act, officials from my department are working with the Department of Fisheries and Oceans on this review".

Let me read from fisheries documents that I received under the Access to Information Act: "We are concerned there will be a sewage discharge into what is a very ecologically important habitat. This project has the potential to adversely affect an internationally important area for migratory birds, particularly migrating and over wintering waterfowl and shore birds. Intertidal habitats can be extremely sensitive. There is insufficient information provided to demonstrate that fish protection requirements will be met".

There was a hole in the law, a loophole so big that the law, we were told, did not apply on Indian reserves. Why? Because the regulation affecting reserves had not been written yet. Now who would have thought that the law did not apply to all of us equally and that the minister could write a separate law for natives? How did this happen? Because the legislation was deliberately vague. It did not say what was prohibited. It left it to the discretion of cabinet. It encouraged behind the scenes influence peddling.

When the band went about bulldozing an environmentally sensitive area to make room for the sewage plant for the condo project, I did not spend much time on the Environmental Assess-

ment Act. I went to the Fisheries Act. I went to the kind of environmental legislation that works, that has teeth. When we read it, we knew where we stood. We did not have to check to see if the minister has made a policy statement or what the regulations say as there is nothing much in the act.

I complained to the fisheries department that someone was quite possibly breaching the act by destroying environmentally sensitive fish habitat. The department did its job, though not before some environmental destruction had occurred.

I am concerned that the same hole exists in the oceans act with regard to environmental issues, especially if natives are involved. Let me show one reason why the Fisheries Act worked and why the oceans act will not and why the Environmental Assessment Act does not.

Section 35 of the Fisheries Act does not say that the minister may make regulations or make a policy after consulting everything that moves. Instead it says: "No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat". How is that for clarity? No mumbo-jumbo, no weasel words. Destroy fish habitat and the act kicks in. No special exemptions for environmental destruction by a province or native bands. The act leaves an out. The minister can authorize the destruction of habitat. If not, the law has been broken.

As an aside, some would trash the Fisheries Act and the fisheries department and turn the job of fish habitat protection over to the environment department or the province. I am not one of them. The Fisheries Act and the fisheries department can, when push comes to shove, do what needs to be done. I would say to those in Victoria and Ottawa who would trash the fisheries department authority to protect fish habitat: You are no friend of fish. If it works do not trash it.

• (1335)

We as parliamentarians can do better. We must demand more. We receive poorly written shells masquerading as potential legislation because we have demanded too little and the government has been allowed to safely ask for too much authority.

Mr. George S. Baker (Gander—Grand Falls, Lib.): Mr. Speaker, listening to the members from the Reform Party and the Bloc, one would think that this was a terrible piece of legislation we have before us. One would wonder why the Government of Canada would introduce such a terrible piece of legislation according to the official opposition.

The fact is that the bill before the House today is the first of its kind. It is a historic event in the House of Commons because Canada for the first time in its history will actually pass a law, if the majority of the people in the Chamber vote for it, to put into law that Canada has an exclusive economic zone.

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It took the present Liberal administration under our Prime Minister to bring in this act. The act was brought in by the minister, the MP for Bonavista—Trinity—Conception in Newfoundland, a rear admiral, a man who knows more about the ocean than perhaps any other member of Parliament knows. The Minister of Fisheries and Oceans represents a riding that perhaps has more fishermen than any other riding in Canada has.

As well, the parliamentary secretary is a learned and extremely well educated colleague. I do not know of anybody ever in the Chamber who has received the education that the Parliamentary Secretary to the Minister of Fisheries and Oceans has. He has a masters in law. He is on the judicial committee at the Hague. He knows international law inside out and upside down.

The Minister of Fisheries and Oceans is bringing in this bill, which the opposition does not want to praise him on because there is too much in the bill that is good politics, good for Canada and good for our fishermen. Where else would we find such terms as contiguous zone, Canadian waters, continental shelf, exclusive economic zone, territorial sea?

Never before have we ever seen that in legislation before this Chamber. Why is that? The reason is quite simple. Never before have we had a government that has brought in a piece of legislation that outlines two things, one of which is conservation and the other of which is proper management.

The Bloc stood in the Chamber today and put on the record how bad the management of DFO has been over the years and how terrible it is that it has not been able to manage the resource properly. I suppose one could agree with that statement if one looked at what happened under the previous Tory government.

There was no logic behind the management decisions made by that government. It led to the destruction of the northern cod stock off the east coast of Canada. It led to the destruction of the fish stocks that the northern cod stock fed on. It led to the destruction of the pelagic resources of our oceans. It led to the destruction of some of the greatest spawning grounds for fish in the entire world.

● (1340)

I remind the hon. member who spoke for the Bloc to look at the great spawning area for mackerel off Quebec's coast, the greatest spawning area perhaps in the world. For year after year after year when those mackerel at the end of May were trying to get in from the ocean to the Gulf of St. Lawrence to go to those great spawning areas, the Government of Canada, then led by the Tories of course, assigned foreign quotas to block the migration of those mackerel into their spawning grounds off the coast of Quebec. That was done simply because of poor management decisions by the Government of Canada.

However, under this legislation and under the actions of this government, the minister and the parliamentary secretary in bringing this legislation forward, that will no longer be possible to do. In other words, for the great resources of the fishery off the coast of Quebec, especially along the north shore of Quebec where the great spawning areas are for those fish that were blocked from their migration pattern on to those spawning grounds, never again will there be quotas assigned. Quotas were assigned under the previous Tory administration to Norway, to Sweden, to Denmark, to Cuba, to Japan, to the Russian states, in order to block that migration on to the coast of Quebec.

It is a two-way street, is it not? Not only did the mackerel disappear from the coast of Quebec where they spawn, but they disappeared as well off the coast of Nova Scotia where they were on their way into the spawning ground. They disappeared along the coast of Newfoundland and Labrador because that is where the mackerel go after they spawn at the end of May. It takes them until about September to become eight or nine inches long as they travel up around the coast of Newfoundland and Labrador and go out into the ocean again.

That migration was prevented. It was stalled. It was stopped by those quotas to foreign nations in Canadian waters, assigned by the Tory government. That is perhaps the blackest mark we have on our fishery. It was poor management.

Under this legislation the minister and the parliamentary secretary are bringing forward today, fisheries management takes top priority. Conservation becomes the most important thing in the decision of quotas and the assigning of them.

As well, it operates both ways for the fishermen of Quebec. The hon. member representing the Bloc should remember that the squid disappeared in the early eighties off the Quebec north shore. The reason they disappeared was that the squid which are prevalent on Canada's east coast are not born like the mackerel are along the coast of Quebec. They are born way down in Florida. Their migration path is almost like the Trans-Canada Highway of the squid. They go up past the east coast of Nova Scotia.

● (1345)

What was happening there under the poor management of the previous administration, the Tory governments of this country? We had vessels from Cuba, Japan, the Soviet Union and from other nations with licences from the federal government to block that annual migration of squid in the month of July.

All of a sudden the squid did not show up on the coast of Quebec or on the coast of Newfoundland or on the coast of New Brunswick

Private Members' Business

or Prince Edward Island. Why? It was poor management, poor decision making. That would not be possible under the legislation passing this Chamber today. Why? The Minister of Fisheries and Oceans is bound to consult and not only consult, but the fishermen themselves and the industry itself will have to have an input.

On the same argument, as far as the Quebec coast is concerned, at the same time in the early eighties there was the tragic disappearance of the capelin, a very tiny fish that does not spawn as the mackerel does on the coast of Quebec, as the squid does down in Florida; it spawns off the coasts of Nova Scotia and Newfoundland and off the south coast of Labrador.

Due to poor management, because it did not have an act of Parliament like this at the time, what did the previous Tory administration do? In 1980 the Tory government gave a quota to the Soviet Union for over 100,000 tonnes of capelin. That is more than has ever been caught in any one year in Canadian history by all Canadian fishermen put together. Why? The Government of Canada was not bound by an act like this. The Government of Canada was not bound by these regulations.

I point out to the member from the Bloc what has happened in the past under previous administrations because they did not have this bill. They did not have the Liberal government we have today. They did not have that before, and what happened to his shore, his coastline, was that yes, the mackerel were prevented from going to their spawning ground at the end of May; yes, the squid disappeared at the end of July and were not seen anymore after 1980 because of the decisions of the federal Tory government at that time; yes, the capelin that spawn off Newfoundland and southern Labrador and Nova Scotia were never seen again because all of their biomasses were practically eliminated by overfishing licences given by the federal government.

There is a reason I mentioned those three species of fish for the benefit of the hon. fisheries critic for the Bloc. Those are the three fish that form the main food supply of what the hon. member has been so concerned about, codfish. They are the main food supply of the cod.

One would think that if we catch the food of the cod we would actually affect the codfish. According to the scientific evidence that was available at the time the Tories were in office, that conclusion could not be drawn. This was the reason they claimed it could not be drawn. They said we would have to have fishing of this food for about a year and then non-fishing, fishing of that food stock and then non-fishing, to be able to compare it year after year. A common sense thing like that. That is why this bill allows the minister to take certain measures in consultation with the fishermen and the industry to ensure this does not happen.

• (1350)

The main food supply of the cod was destroyed through mismanagement under the previous Tory administration. With this bill we

will have brought in a measure by which the Minister of Fisheries and Oceans will be able to step in to prevent that from happening in the future.

The other point which the hon. member from the Bloc did not consider was that the bill will also allow the minister, more than ever before, to step in as far as types of fishing gear are concerned.

We could imagine the effect of factory freezer trawler dragging the bottom of the ocean, ripping through a spawning area where fish accumulate at a certain time of year to reproduce. Imagine the effect that would have on the fishery. Imagine the common sense which went into the decision which said "yes, you can use that type of equipment". Where was the common sense? It just was not there.

This bill will enable the minister to make decisions based on consultation with fishermen. They would never allow that to happen. It amazes why this problem was created in the first place. When we look at all the scientific evidence which is available on how codfish and groundfish spawn it is amazing that the Tory government would ever have allowed those types of licences to be issued.

The scientific studies all point to the same thing. They say that during that four week period when fish are in the process of and preparing for their spawning season that even a little food cannot be dropped among them because they will disperse. There were studies done which used gigantic fish tanks to examine the spawning habits of various types of groundfish. When the studies reached that four week period the fish could not be fed. No food could be dropped into the tanks during the four week spawning season. Why was that? The fish would then swim at such a speed they would collide with the sides of the tank. If we disturb a groundfish in the process of spawning it will not spawn.

This bill will enable the minister and any future minister of any future federal government in Canada to look first and foremost to conservation and then to management. There must be management committees. They must consult with the fishers, as it is stated in the bill and as my learned, educated and civilized friend, the parliamentary secretary, pointed out a few moments ago.

• (1355)

The hon. member for Vancouver Quadra has written 23 books and co-authored another couple of dozen, all concerning an aspect of this bill, international law, the law of the sea.

The Speaker is telling me I am out of time.

The Speaker: Actually, my colleague, you had about 15 seconds left. I was worried you were going to start using that act as a prop of some kind. I have never known you to use props in this House before.

I rushed in to get the tail end of your speech. You will have one brief question before we go to Statements by Members.

[*Translation*]

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, I note that the hon. member for Gander—Grand Falls is in his usual fine form this morning.

He has given us a brilliant lecture on the food chain. I would even add, although I have said I was going to attempt to be non-partisan, that—and I shall offer him a pun in his own language—to listen to him, one would believe that the mother of the cod is a Grit.

Some hon. members: Ah, ah.

Mr. Bernier (Gaspé): What I wish to emphasize here, and what I have already stated this morning, is that, with respect to part II of this bill, I am in agreement with the creation of an ocean management strategy. But—and I shall be as brief as possible here, returning after the question period—in order to protect against the return of the Conservative party, may I just ask the hon. member for Gander—Grand Falls whether he remembers how the Liberal premier of Newfoundland and the Conservative Prime Minister in Ottawa used to be at each other's throats?

When Brian Peckford made his pilgrimage to Ottawa, no one would listen to him. How will things be any better for his successor, if the powers of the provinces are not protected in this bill? That is the question.

We are very much aware of the situation with the capelin, and the mackerel, that the cod are after them, but what are you after?

[*English*]

The Speaker: My colleague, I know if I could ask for a yes or a no answer, I would be all right. However, I want to give you every opportunity to answer this member. We will now go to statements, but if you will only come back after question period, I will stay here to see what you have to say.

STATEMENTS BY MEMBERS

[*English*]

PRINCE EDWARD ISLAND

Mr. George Proud (Hillsborough, Lib.): Mr. Speaker, these are hard acts to follow. However, I am pleased today that the 1996 annual conference of the Transportation Association of Canada is to be held in my riding.

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Delegates arrived in Charlottetown yesterday for the conference, which continues until Wednesday. This year's theme is cost effectiveness through innovation. I find it very fitting that this conference is taking place on the island.

As many already know, the fixed link, which has recently been named Confederation Bridge by the hon. minister, will significantly alter the transportation industry of Prince Edward Island.

As an island, P.E.I. is greatly affected by any small change in that industry. Further to next year's opening of the bridge, islanders are analysing the situation surrounding our four major seaports in light of legislation before this House.

I welcome the delegates to the island. I trust that they will enjoy their stay in the birthplace of Confederation.

* * *

[*Translation*]

UNEMPLOYMENT INSURANCE

Mr. Gérard Asselin (Charlevoix, BQ): Mr. Speaker, this past July, several areas of Quebec, including the Charlevoix region, were struck by torrential rains and unprecedented flooding.

Thousands of people had to be evacuated, some as a preventive measure, and others because their lives were really in danger. A number of lives were lost in this tragedy, and many saw what they had worked for all their lives carried away by the wild flood waters.

There has, however, been other devastation as well. A number of seasonal workers face significant reduction in their chances of drawing employment insurance, in some cases, their chances are nil.

I am requesting, personally and on behalf of the Bloc Québécois, that the new Minister of Human Resources Development proceed as quickly as possible with measures to make employment insurance more flexible for workers in the regions affected by the disaster of this past July 19 and 20.

* * *

• (1400)

[*English*]

FISHERIES

Mr. John Cummins (Delta, Ref.): Mr. Speaker, the new fisheries act allows the minister to do an end run around recent decisions by the Supreme Court of Canada.

The justices ruled that the right to sell fish can only be extended when it can be proved that the sale or barter of fish took place on a regular basis prior to European contact and was central to the band's life and culture.

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The new act allows the minister to defy the Supreme Court of Canada and pull fish for his friends out of the Liberal pork barrel.

The new act allows the minister to continue racially divisive native only commercial fisheries in defiance of the Supreme Court of Canada.

The new act allows the minister to keep his pork barrel activities to himself, as he is not required to publish details of the agreements.

The new act removes the public right to fish, a right guaranteed in law since the signing of the Magna Carta. The public loses its right of access to fish. The minister gets the right to give fish to his Liberal friends and do it in secret.

This government is not only willing to defy the will of the people of British Columbia, it is also prepared—

The Speaker: The hon. member for Yukon.

* * *

CANADIAN BROADCASTING CORPORATION

Hon. Audrey McLaughlin (Yukon, NDP): Mr. Speaker, I have with me today hundreds of letters which supplement the many phone calls I have received from Yukoners with regard to the cuts to CBC.

As we know, in the north in particular the CBC provides a national, international and local window for northerners on events as they occur. It also provides a voice for northerners that is obviously seen to be very much threatened.

Probably in my 10 years as a member of Parliament I have not received as many letters and as many phone calls as I have about the proposed cuts to CBC in the north.

The Liberal government in its red book stated clearly that it would provide stable multi-year funding for the CBC. It is a promise it must keep. The cuts to CBC north are particularly severe. We have already dealt with a \$1.9 million funding cut by this government. CBC north is essential to the unity of this country and to the options for voices for northerners and for the information to be clearly seen from coast to coast.

* * *

THE FAMILY

Mrs. Rose-Marie Ur (Lambton—Middlesex, Lib.): Mr. Speaker, October 7 to 13 is National Family Week in Canada and the theme this year is rediscovering family strengths.

Building on the 1995 theme, families are forever, this year's National Family Week theme urges Canadians to celebrate the strengths and capacities of our families.

Where would we be without our families? For many Canadians there is no simpler or more fundamental question to answer. The

guidance and the love that our families give us are essential to finding our own path to the future.

Rediscovering the many ways in which families support and help their members through life's changing circumstances, life's joys and sorrows brings us all back to the basics of what families are all about: caring, nurturing, supporting and developing the potentials of all their members.

During this National Family Week and all year long let us all pledge to rediscovery and celebrate the strengths and achievements of our own families and the families in our communities right across Canada.

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COMMUNITIES IN BLOOM

Mr. Glen McKinnon (Brandon—Souris, Lib.): Mr. Speaker, not one, not two, but three, yes three, communities from the Brandon—Souris constituency were chosen as finalists in the 1996 Communities in Bloom contest. Brandon, Boissevain and my home town of Virden, Manitoba were selected to represent three different categories at the national awards ceremony in Ottawa earlier this fall.

All three municipalities displayed their strong commitment to community green spaces, to environmental awareness which best represented our exciting Manitoba heritage.

Speaking from firsthand experience, Communities in Bloom has had an incredible effect on building community spirit throughout southwestern Manitoba.

Congratulations to everyone involved in organizing this program and in particular to the town of Virden, which was chosen national winner in its category.

* * *

HOUSING

Mr. John Harvard (Winnipeg—St. James, Lib.): Mr. Speaker, today is World Habitat Day, a day to reflect on shelter and its importance in our lives.

The conditions under which people live determine to a large extent their health, productivity and sense of well-being. We in Canada are fortunate to be among the best housed people in the world. We owe that enviable status to the efforts of such organizations as Canada Mortgage and Housing Corporation.

• (1405)

Working with the industry and a host of governmental and non-governmental organizations, CMHC strives to encourage the development of more affordable and appropriate housing through such programs as affordability and choice today.

We also recognize the importance of helping people help themselves and are working with other organizations to develop the capacity of Canadians to meet their housing needs with their own resources.

I encourage my fellow colleagues and indeed all Canadians to join the United Nations in observing World Habitat Day.

* * *

GUN CONTROL

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, we all know that the Liberals have no respect for the personal rights and freedoms of Canadians.

But thank goodness there is hope on the horizon. The Alberta, Saskatchewan, Manitoba, Ontario and Yukon governments will challenge the constitutionality of the federal government's universal gun registry.

These five governments will ask the courts whether the registry violates the civil and property rights of Canadians. They will also argue that the registry will be an ineffective means of reducing crime, an inappropriate use of scarce tax dollars and will unfairly penalize lawful gun owners and users.

If it is clear to five different governments and if it is clear to most every Canadian that a universal gun registry will not reduce crime and will waste millions of dollars, it should be clear to the Liberal government. But it does not seem to care.

I challenge the Liberal government today to repeal its plan for universal gun registration. I challenge the British Columbia government to join with other provincial governments to help protect the personal rights and freedoms of Canadians.

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[*Translation*]

THE CHARLES-LEMOYNE HOSPITAL FOUNDATION

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, for the past 12 years, the Charles Lemoyne hospital foundation has hosted a Grand Prix Formula I hospital bed race known as the Ral-lit.

This rally attracts approximately 20 teams, each with 30 to 50 competitors racing in their matted racers.

Each runner must cover two kilometres of a total of 20 kilometres. For some the goal is to win, for others to participate. Some even try to beat the Guinness record of one hour, 9 minutes et 9 seconds set by a Longueuil team in 1989.

The 1996 edition was chaired by none other than André Viger, a wheelchair athlete widely admired for his courage.

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The purpose of this event is to raise money for research and to buy medical equipment. It gives those who like unusual activities the opportunity to have fun on the south shore.

I wish to thank and congratulate the Charles-Lemoyne hospital foundation for organizing such a novel event.

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[*English*]

PUBLIC SERVICE

Mr. Ovid L. Jackson (Bruce—Grey, Lib.): Mr. Speaker, October is National Quality Month and I want to pay tribute to the men and women in the federal public service who are focusing on the needs of our most important clients, Canadians, and are thus contributing to getting government right.

Canada's public servants are achieving this goal by ensuring that federal programs and services are delivered promptly, dependably and accurately; providing services that are courteous and which respect the Official Languages Act; ensuring that the services provided are of good value for the tax dollars spent; and improving the services wherever possible, based on suggestions by Canadians.

This government is committed to innovation, to cutting red tape and unnecessary delays, and to delivering to Canadians the best possible services for their tax dollars.

October is National Quality Month and as such the Government of Canada salutes the efforts of our public servants to make quality management a cornerstone of our day to day activities.

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NELSON HOUSE

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, time and time again the government has expressed concern and has initiated many measures to protect women and children from violence. Yet Nelson House, a shelter and refuge for abused women and children in Nepean, is in danger of closing its doors at a time when it is needed more than ever.

The seed for Nelson House was planted by me and a group of community members in 1989. A tireless group of volunteers nourished this seed and Nelson House opened its doors five years ago. Doors which have welcomed, a roof which has sheltered and walls which have protected from fear and violence must stand. These constitute a true home providing hope, strength and opportunity for a new life to those in need.

I thank the volunteers who have given of their time as subsequent board members of Nelson House and I urge all the players, the ministry of social services, the regional government, the staff, the committed volunteers in the community to work together to

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ensure that Nelson House survives and continues to play the important role it has played over the past five years.

* * *

• (1410)

BOSNIA-HERZEGOVINA

Mrs. Carolyn Parrish (Mississauga West, Lib.): Mr. Speaker, I rise in the House today to share my ongoing and deep concern for the people of Bosnia-Herzegovina.

Despite the efforts of Canada and many other countries, the devastations of war remain: four million anti-personnel land mines in a country of two million people, 85 per cent unemployment and entire communities of destroyed homes and buildings. The lack of clean water, medical and dental care, electricity and basic sanitation is dehumanizing. I particularly mourn the young people who will never have the opportunity to finish school and hold a job, an entire lost generation.

I encourage this government to maintain our peacekeeping commitment. I also encourage more organizations such as Doctors Without Borders and most especially dental practitioners to continue their generous work over there. When the fighting stops the real human needs begin.

* * *

[*Translation*]

BREAST CANCER

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, October is breast cancer awareness month. In Canada, over 17,000 women are diagnosed with breast cancer every year. On average, every day 49 Quebec and Canadian women must face this shocking piece of news. Breast cancer kills over 5,400 women every year. Today, October 7, 15 women will succumb to it.

Groups such as the breast cancer society are working hard to find a cure to this disease. The causes of it are not well known, the treatment of it is all too often ineffective and hopes of surviving it come at the cost of severe mutilation, for some women.

Basic research in this area must go on. Treatment effectiveness must keep on improving to give hope and courage to the thousands of women faced with this terrible disease.

* * *

[*English*]

THE FAMILY

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.): Mr. Speaker, today marks the beginning of National Family Week and, on behalf of the Reform Party, I want to commend all Canadian

families for the vital role they play in the stability and survival of Canadian society.

Without question, the family is our most valuable institution and the heart of our social order. It is the place where children are brought into the world and cared for. It is where they learn, or ought to learn, trust, love and security as well as the values and behaviour that will make them good citizens and in turn good parents themselves.

The family is where our most deeply held beliefs are passed on to future generations. It is where social stability and prosperity begin.

That is why since its inception the Reform Party of Canada has recognized the importance of strong family units in building a successful society. The party's constitution states:

We affirm the value and dignity of the individual person and the importance of strengthening and protecting the family unit as essential to the well-being of individuals and society.

Put simply, families represent the future of Canada. It is in the best interest of us all to make sure they are healthy and thriving.

* * *

[*Translation*]

ROBERT BOURASSA

Mr. Peter Milliken (Kingston and the Islands, Lib.): Mr. Speaker, today, we are paying our last respects to a man who, as Premier, governed Quebec for almost 15 years.

Robert Bourassa was and remains one of the prominent figures of the political scene in Quebec and Canada. He played a very fundamental role in the development of modern Quebec, a source of pride for all of Canada.

Robert Bourassa was a proud Canadian and a proud Quebecer. He worked harder than anybody else to re-establish and maintain the dialogue between Quebec and the other Canadian provinces.

This great man had an endless respect and affection for his province and his country. Today, in this House, we are adding our voices to those of millions of Canadians in order to say, with deep emotion: "Thank you, Mr. Bourassa".

* * *

ROBERT BOURASSA

Mr. Ronald J. Duhamel (St. Boniface, Lib.): Mr. Speaker, over the weekend, countless people went to the Quebec National Assembly to pay their respects to Robert Bourassa.

He devoted his whole life to politics in Quebec and Canada and deserves a place in the history of our country. He was an open, accessible premier, an ardent proponent of consensus and consultation. More than anybody else, he made entrepreneurship flourish in Quebec and provided his province with a solid economic base. He

saw big and far and his vision of a modern and dynamic Quebec has since become a model to be followed.

In respectful silence, the Canadian people are now paying homage to this great man, who played such an important role in the history of Quebec and Canada.

ORAL QUESTION PERIOD

• (1415)

[*Translation*]

CANADIAN ARMED FORCES

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the new Minister of National Defence said, when he was appointed, that it was important to send a clear message to members of the armed forces in order to ease the distress in the ranks.

Will the Minister of National Defence not admit that the situation within the armed forces cannot be changed as long as General Boyle is chief of defence staff?

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, in the last few days the Department of National Defence has undergone considerable changes. I had an opportunity this morning to meet with General Boyle and the deputy minister of the department.

I can well understand the hon. member's remarks regarding the distress that exists within the armed forces. We will do everything possible to make adjustments within the existing system in order to restore the confidence of the men and women working in the armed forces.

That may take a while. Furthermore, it is my view that my predecessor did a remarkable job. I am very sorry to see him go. We will proceed in a reasonable and responsible manner.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Yes, Mr. Speaker, let us talk about responsibility. Members will recall that the former defence minister resigned because he had signed a compromising letter, even though he could not recall doing so. He took full responsibility. He refused to blame his staff.

General Boyle did the exact opposite. Having himself given the order to release falsified documents, he blamed his staff, whom he said did not inform him of the ramifications of this action. He concluded that he could not be held responsible.

I ask the minister why the rules of accountability applied to the former defence minister are not applied to General Boyle?

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Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, there is no doubt that the member has described a situation that was very difficult for my predecessor, the former defence minister. He was, however, in a situation where he was advised that the rules were clear and that what he had done was not consistent with the existing rules. He decided to hand in his resignation, and I am sorry to see him go.

As for the situations being looked at in the Somalia inquiry and the allegations that have been made, the commission is still hearing testimony, and we will respect the conclusions of this inquiry.

General Boyle, however, was in a situation that was rather different from that facing my predecessor.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I have trouble seeing how the rules can be clear for a minister, but not for General Boyle. These are not allegations. The general has admitted this himself in his testimony. We do not have to ask the judge whether or not he believes General Boyle's testimony. The general has admitted it himself.

Does the minister realize that the morale of the troops will remain low as long as General Boyle continues to hold his position, for he no longer has the confidence of his troops, or of Canadians? He only has the confidence of a government that continues to protect him in the face of all logic.

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, we intend to do everything necessary in order to restore the confidence of the armed forces. I am not as certain as the hon. member that the men and women in the armed forces are all in disarray.

• (1420)

We admit that we have major problems, but this extends well beyond the scope of the Somalia inquiry. This is necessary, and my predecessor was in the process of taking decisions that might improve the situation of the armed forces, for example with respect to the purchase of new equipment and all sorts of other measures to be implemented in the coming weeks.

We will do everything necessary to restore to the Canadian Armed Forces the reputation they have earned over the years. It will not be an easy task, but we will give it our all.

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, my question is for the Minister of National Defence.

The new Minister of National Defence also stated that the problem would not be solved by assigning responsibility to a single individual but by tackling the whole system.

Can the minister, who wants to take all necessary measures, make a commitment to ask the Somalia inquiry to submit an

Oral Questions

interim report as soon as possible so that light can be shed on the cover-up operations within the Canadian armed forces following the Somalia incidents?

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, I think one must be very careful in trying to tell the Somalia inquiry how it should run its business.

I take good note of the hon. member's suggestion, which was also raised by other members in this House, that there should perhaps be an interim report on certain issues that have already been looked at by the inquiry.

I am sure the hon. member will agree with me that we should avoid doing anything that would bring into question the Somalia inquiry's integrity and impartiality.

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, could the minister's refusal be due to his fear that a specific, early interim report might reveal the role and responsibilities that should be assumed not only by General Boyle but also by the former Minister of National Defence?

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): No, Mr. Speaker.

[*English*]

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, I would like to congratulate the new defence minister in his new position. He has been the prime minister's firefighter and he is going to be busier than Smokey the Bear at national defence.

Reform wants to see morale restored in the Canadian Armed Forces. On Friday the former defence minister caved in to pressure and threw in the towel, but he left behind his hand-picked chief of defence staff, General Jean Boyle. Will the new defence minister prove his commitment to restoring morale in the Canadian Armed Forces and fire General Boyle?

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, my predecessor is an honourable man and he chose a course of action which was made very clear when he reviewed a situation which he has thoroughly explained and which was covered by the rules of conduct for ministers of the crown.

I want to assure my hon. friend I am convinced that many members of the House on all sides and from all political parties, have one objective in mind and that is to try to do what is right and what is responsible with respect to protecting the reputation of the Canadian Armed Forces, a reputation gained through great trials and tribulations over this past century.

I intend—and I have given this undertaking—to do everything I can, and I hope that he will join with us, to make sure that

everything we do is designed to try to improve the conditions of work for the men and women of the Canadian Armed Forces and to make sure they do the job which Canadians expect of them.

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, I take it that was a yes.

The minister's resignation highlights another Liberal double standard. The last defence minister wrote a letter to the Immigration and Refugee Board. He screwed up. He admitted it and he quit. It was the only thing he could do. General Boyle should not be far behind. Boyle signed a letter authorizing the release of altered documents. He screwed up and he admitted it.

Will the government explain why mea culpa is okay for General Boyle when the defence minister lost his job over it?

• (1425)

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, if the objective of the exercise in which we are involved is simply to attach blame to one or two individuals or to indicate that there were problems such as the hon. member describes, then surely the inquiry at some point will tell us what it thinks is the appropriate remedy.

I want to suggest respectfully to my colleague that the armed forces and Canada are faced by a major crisis. One person or two people being involved or being singled out for special attention, especially when they are in positions of leadership, is understandable. But I believe the problems in the Canadian Armed Forces go far beyond just a couple of people who, for whatever reason, are being singled out for special attention today and have been for some weeks. I am not going to be drawn into that at this point.

I began my work this morning by meeting with the chief of the defence staff and the deputy minister. What I have said to them and will say to my hon. friend is that what we do will have one objective. I hope that together we can make sure that the men and women of the Canadian Armed Forces work in an environment where they have a mandate and the people of Canada through Parliament give them the resources to carry out that mandate.

Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.): Mr. Speaker, I thank the minister for his answers. There is a culture of cover-up at national defence, and the Liberals have not only condoned it, they have fostered it by refusing to take any action to remedy it.

Documents have been shredded, the military police have been lied to, the public has been misled, the spirit of the Access to Information Act has been broken and the morale of the good people in our Canadian Armed Forces has been dragged through the mud.

Yet one of the major players in this whole affair still has his job. Will the minister take action today and fire General Boyle?

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Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, one of the principal reasons we have been involved during the past several months in the process of determining what went wrong in Somalia is because the government and my predecessor had the will power, the commitment and the courage to institute a commission of inquiry.

I want to point out something to my hon. friend that I believe is very important to Canadians. It is not just what went on in terms of communicating information and indicating whether or not appropriate information was being made available on inquiry, as important as that is. What is far more important, what I believe after some 72 hours of having been asked to do this job, and what I believe my hon. friend believes as well is that Canadians find out what happened in Somalia. What went so wrong that Canadians have been shocked and disgusted by what took place in Somalia?

We are going to find out what happened in Somalia.

* * *

[Translation]

IMMIGRATION

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, my question is for the Minister of Immigration or another government representative.

The death last week of a woman who was trying to enter the U.S. revealed an illegal immigrant smuggling operation between Canada and the U.S. Worse, according to a U.S. border patrol official, this kind of activity has been on the rise since 1994. Yet the RCMP assures us that they have no information to this effect and no investigation is under way. In a word, there is no problem, according to the RCMP.

Is the Minister of Citizenship and Immigration aware of this illegal immigrant smuggling via Akwesasne and did she ask her colleague, the solicitor general, to investigate, since the RCMP are obviously ignoring the problem?

[English]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the tragedy that occurred last week demonstrates there is illegal activity going on. With a border the length of ours with the United States it is not surprising that there is illegal activity.

Over the past three years, with the investment the government has made in the anti-smuggling initiative, every available effort has been made to try to reduce the extent of illegal activity.

• (1430)

I should also draw attention to the fact that the Prime Minister and the President of United States recently entered into an accord

with respect to patrolling the border pursuant to which authorities in both countries share information and meet regularly to develop co-ordinated strategies to diminish illegal activities across the border.

They will never be entirely eliminated but last week's tragedy demonstrates the urgency of our continued effort. It is to that continued effort that this government is committed.

[Translation]

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, in spite of the efforts described by the minister, the situation is deteriorating. Since this illegal immigrant smuggling has been going on for years and the minister is still not taking her responsibilities, are we to understand that the federal government is not acting because the smuggling ring is operating on aboriginal territory?

[English]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, no, that is not so. A lot of the success achieved in the last year or two has resulted directly from the integrated efforts of the Akwesasne Mohawk police, the RCMP, the Sûreté du Québec, the Ontario Provincial Police and the New York state police. Together, those five forces have combined efforts to make real progress in intercepting and diminishing the extent of smuggling.

The government accepts its responsibility and takes it very seriously. I assure the hon. member that its efforts to reduce and diminish the kind of illegal activity to which he has referred will very much continue.

* * *

SOMALIA INQUIRY

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, I too would like to congratulate the Minister of National Defence on his appointment and wish him well in his quest to restore the pride and morale in the armed forces that they deserve.

General Boyle was appointed as chief of the defence staff in January 1996. That means that he has now been in the seat for 10 months. When he was appointed, there was a question as to his suitability for the job because of his involvement with Somalia. Whether it is fair or not, there is concern about his leadership.

Would the minister consider, because of this questionable leadership, asking General Boyle to stand aside until the facts are brought to the surface?

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, first let me thank my hon. friend for his congratulations. I look forward to working with him and with other members of the House who have the best interests of the Canadian Armed Forces at heart.

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As I go through this phase, let me suggest to him, to a lot of people at national defence headquarters, to a lot of people across the country in the forces themselves as well as to all the public servants, I do not expect to be able to master all of this in a very short period of time but I am going to work very hard at it.

I want to assure my hon. friend that we will take into account all of the suggestions, all of the recommendations. I will be very careful in doing that. I want to make sure that I am fair and as equitable as possible.

I do not have any prejudice or axe to grind in any of this. I look forward to working with those members of Parliament who believe, as I do and as I can tell my hon. friend does from his question, that the objective of the exercise is to make sure that the men and women in the Canadian Armed Forces know what is expected of them, that we provide them with a mandate they can understand and work within and that we provide them with the financial and human resources to carry out that mandate.

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, the question is still one of leadership. To be fair and to see that justice is done to all concerned, I ask the minister that he consider asking the commission to provide an interim report which would provide him with the information regarding whether General Boyle is or is not fit to continue his job, and then take the appropriate action, whichever way it falls.

Hon. Douglas Young (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, that question was put to me earlier. I will address it again because it is an important one.

I want to be very careful about not appearing to interfere in any way in the work of the commission of inquiry. We will look at whether there are some approaches that might be appropriate and considered that way by members of the commission. We will take into account all the suggestions that are made.

• (1435)

There is one thing I want to stress today. The hon. member made reference to the length of time the chief of the defence staff has been in office. I ask him to consider, and I ask Canadians generally to consider, whether we can envisage the commission of inquiry working on a very lengthy agenda into six months, a year, a year and a half and what impact that also might have on the morale and the capacity of the armed forces to function.

There are a couple of questions that are implicit in the one the hon. member has just put which we will have to address. I will certainly take his views into account as we come to a final determination.

[Translation]

AIR TRANSPORTATION

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, my question is for the Minister of Transport.

On July 12, the Minister of Transport wrote, in a letter attempting to justify the withdrawal of Air Canada's privilege to fly to Prague, that he was the one who decided that Canadian Airlines International would become Canada's carrier to the Czech Republic.

On Friday, in answering a question from the Bloc on the same issue, the minister said in this House, and I quote: "I made no decision. That is how it works. It is automatic".

There is a problem. The minister is contradicting himself. My question is very simple. Who is right: (a) the minister, in his July 12 letter; (b) the minister in the House, on October 4; or (c) none of the above?

[English]

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, the hon. member is showing the traditional confusion of the Bloc with respect to government policy which has been in place for somewhat over a year.

The policy is this. One or other of the major airlines is assigned the right to exploit a new route. If within the time given, in this case 365 days, it fails to establish the service, the option then goes to another airline. In very rare cases the other airline is neither Air Canada nor Canadian International. Basically it is automatic, it goes to the other airline.

The hon. member is simply confused in this respect. He is confused in thinking that the established policy of how new routes are divided, the so-called use it or lose it policy, requires the intervention of a minister in any substantial way.

As I indicated last week, essentially it is automatic. It is a minor question of issuing a letter. There is a minor question of determining whether one of the many other smaller airlines might be considered, but basically it goes to either Air Canada or Canadian International.

[Translation]

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, this is very confusing indeed. The minister just alluded to the rule of 365 days, or 12 months.

He says it is for this reason that Air Canada lost the Prague route. If so, why did the minister give Canadian almost two years to choose its destinations to India, Malaysia and the Philippines? Why the double standard?

[English]

Hon. David Anderson (Minister of Transport, Lib.): Mr. Speaker, as I indicated in my response to the earlier question, this is a relatively new policy of the government.

The previous policy was the so-called division of the world. If it is the desire of the Bloc to go back to the so-called division of the world, where Air Canada has no routes in Asia and where Canadian has its routes severely limited in Europe, that is its policy.

I would like to know what the Bloc proposal is. We adopted a new policy 18 months to two years ago where we allowed competition on routes such as Hong Kong and the Japan route. Air Canada was allowed to dramatically expand its flights to Asia in particular and we are now in the process of waiting until the year 1998 to see how that new policy works out before making any change to it.

* * *

NATIONAL FAMILY WEEK

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.): Mr. Speaker, today marks the beginning of national family week, a week co-sponsored by Health Canada.

There is a record of government programs for the past quarter century that have spawned increased child poverty, teen suicide and more, surrounded by epidemic marital breakdown.

• (1440)

Could the Minister of Health please tell the House what his department has planned to highlight National Family Week and what, if any, new strategies he has to change the existing confusion over meaningful family policy?

Hon. Sergio Marchi (Minister of the Environment, Lib.): Mr. Speaker, the member might know that the Minister of Health is away on government business today.

There is a very busy week planned. We do not accept the assertion in the member's question and preamble that there is a confusion in the policy. I would be most happy to transmit the member's question to the minister so that he will be able to respond either on the floor of the House of Commons or certainly in writing to the member.

Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.): Mr. Speaker, speaking of the confusion, perhaps I can give an example.

Seventy per cent of women with young children have stated they would stay at home to care for their own young children if they could afford to do so. Recently a letter from the finance minister in response to a question about taxation policy stated that government taxation policy must not work as a disincentive to a spouse seeking

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to work, but made absolutely no mention of those who are desperately seeking to stay home.

I ask the Minister of Finance: Will the Liberals show respect for all Canadian families and commit to a level playing field by giving families real choice in the provision of care for their children?

Hon. Sergio Marchi (Minister of the Environment, Lib.): Mr. Speaker, you have got me again. I will certainly try not to make policy on behalf of my colleague. However, when it comes to social policy, I am not sure we need any lectures from the Reform Party of Canada.

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[Translation]

THE FRANCOPHONIE

Mr. Jean-Paul Marchand (Québec-Est, BQ): Mr. Speaker, last Friday, the hon. member for Glengarry—Prescott—Russell became the Minister responsible for Francophonie and International Co-operation, and I offer him my congratulations.

Some hon. members: Hear, hear.

Mr. Marchand: From now on, his new responsibilities will lead him to encourage close links with Quebec in order to enhance the Francophonie on the international level.

I am therefore asking the minister what sort of relationship he expects to develop with the Government of Quebec when he, the new minister of Francophonie, is involved in organizing a rock concert in defence of those who have violated Quebec law?

Hon. Don Boudria (Minister of International Cooperation and Minister responsible for Francophonie, Lib.): Mr. Speaker, first of all, the hon. member across the way ought not slap a guilty label on people who have not had their day in court.

Second, I would remind my hon. colleague that this government, and all of its ministers, including myself, intends to entertain excellent relations with our counterparts everywhere, and in particular with my counterpart, the minister responsible for Francophonie in Quebec.

Mr. Jean-Paul Marchand (Québec-Est, BQ): Mr. Speaker, does the minister expect to have great credibility within the Francophonie, when one of his last acts before his ministerial appointment was to get rid of one of his colleagues who wanted to cast some light on the use of French in the national capital?

Hon. Don Boudria (Minister of International Cooperation and Minister responsible for Francophonie, Lib.): Mr. Speaker, I thank my colleague for the question. I must remind him that he himself had said that the hearings in question ought not to be held, if they were going to be held on both sides of the river.

Oral Questions

[English]

TAXATION

Ms. Susan Whelan (Essex—Windsor, Lib.): Mr. Speaker, my question is for the Parliamentary Secretary to the Minister of Finance.

A number of recent articles about the new seniors benefit claim that the new system will impose double taxation on seniors and discourage savings in RRSPs. Can the parliamentary secretary please clarify how the new seniors benefit will affect millions of retired Canadians?

Mr. Barry Campbell (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, the hon. member's question provides an opportunity for the government to respond to those who are fear mongering among seniors. This frightens seniors and I am happy to set the record straight.

The new seniors benefit does not affect current seniors and most Canadians I hope now know that. We have protected the payments of every current senior. We have improved the system for those who will be seniors in 2001. There is no across the board 50 per cent tax back rate as some articles are suggesting. There is no disincentive to save for RRSPs. The fact is the benefit looks at the after tax income of seniors and it will be tax free. Seventy-five per cent of seniors and couples will be as well off or better off than they are today.

• (1445)

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, Canadian families purchase RRSPs to look after themselves in their retirement years. The new seniors benefit means that seniors will pay tax at a rate of 50 per cent beginning with the first dollar of income earned from other sources. This means that RRSP income will be taxed at 50 per cent; it means that CPP income will be taxed at 50 per cent.

Will the minister tell young Canadians why they should buy RRSPs today when the marginal rate is 17 per cent only to pay 50 per cent when it is taxed back when they are seniors?

Mr. Barry Campbell (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, I guess I get to do it again.

For those members opposite who did not hear the earlier answer, I will repeat there is no across the board 50 per cent tax back rate. I further say on this occasion that it is interesting to hear such a question from the member opposite when his party proposes to privatize it all with no indication of what the cost would be to individual Canadians.

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, it defies reality. The government's own budget documents

clearly state that income from other sources is taxed back from the first dollar to \$16,000 at 50 per cent. After \$16,000 to approximately \$24,000 it goes to zero. It makes absolutely no sense. This is from the government's own documents.

The Liberal 50 per cent senior tax hurts needy seniors the most. Why then are Liberals deliberately discriminating against the most needy senior citizens?

Mr. Barry Campbell (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, that is simply untrue. Seventy-five per cent of those Canadians who are the most needy among us will be better off under the new seniors benefit. That is also in the papers to see.

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[Translation]

THE ENVIRONMENT

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, my question is for the Minister of the Environment.

On September 20, the minister told this House he would act quickly to ensure the site of the *Irving Whale* wreck is decontaminated. He said that, should sediment samples show a high concentration of contaminants, he would give instructions to clean up the area before winter comes.

Since it has been confirmed that only 10 per cent of the 7,200 kilograms of PCBs were recovered, could the minister bring us up to date on the results of the seafloor analyses?

[English]

Hon. Sergio Marchi (Minister of the Environment, Lib.): Mr. Speaker, as I mentioned to the member about 10 days ago when she asked a similar question, we were very concerned about the possible traces of PCBs that may have still been at the bottom in the area of the footprint of the barge.

The member should know that some 20 per cent of the PCB contaminated fuel was recovered. On the way down or during its 26 years on the bottom, it obviously may have leaked at a greater rate than earlier anticipated. We did get some 3,400 tonnes of oil fully recovered, which would have been an environmental catastrophe for P.E.I. as well as Îles-de-la-Madeleine.

Boats are on the scene today. Fourteen samples were taken over the weekend and those will be analysed as quickly as possible to determine the extent and the seriousness of the results. I mentioned before in the House and I mention again that if the analysis determines that there should be further remediation, then further remediation it shall be.

Oral Questions

[Translation]

Mrs. Monique Guay (Laurentides, BQ): Mr. Speaker, does the minister undertake to table as soon as possible all the information pertaining to the analyses carried out on the bottom of the St. Lawrence River?

[English]

Hon. Sergio Marchi (Minister of the Environment, Lib.): Mr. Speaker, the member is already behind the times. We have made it fully public.

• (1450)

For the last week the department has been talking to the public advisory committee representing Îles-de-la-Madeleine as well as the public advisory committee for P.E.I. Not only are we making the business of the *Irving Whale* public, but both committees have applauded the efforts of my department as well as the Department of Fisheries and Oceans. I would suggest that the openness, transparency and the co-operation with the communities is what has made that operation a success.

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MINING

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, my question is for the Minister of Indian Affairs and Northern Development.

When the minister announced August 8 that the BHP Diamonds project in the Northwest Territories had received conditional approval, he laid down a 60-day deadline for satisfactory progress to be made on negotiating both an environmental agreement with Ottawa and impact benefits agreements with aboriginal peoples.

Two months later that deadline is upon us. One thousand construction jobs are on the line and the window is quickly closing in which winter work can be contracted that far north. What comes next for Canada's first diamond mine, the BHP Diamond project?

Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I am pleased to report to the House that the parties are negotiating well. I met with Mr. Kakfwi from the government this morning. I met with the chief on treaty 8 last week. The Deh Cho negotiations are going on with the Dog Rib and the government.

There is a sense that it can be done. People are staying in the north rather than going to Vancouver or coming here to negotiate. It has a feel of closure. There have been some complications as the hon. member might know. The water board adjourned its hearing of two months back a few weeks ago. This has complicated the situation but I would advise the member that it is on track. Everybody feels if they work together with the governments and

the First Nations that we will have an agreement the whole country will be proud of.

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, mining communities worldwide are watching what happens with this project and they will make decisions based upon what happens up there.

We understand and the minister knows there is only a certain timeframe that work can be done in the north. What is the minister doing to ensure this project moves forward now?

Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, there is more at issue than the desires of BHP. The meetings with BHP have been very positive. I met with them last week. There are governments, First Nations and people living there. There are at least six major agreements which have to be brought together. They are coming together. I have heard no one say that they are leaving the table or that it is a no go. As of today everybody seems to think that significant progress can be made and it is moving along.

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[Translation]

LAND MINES

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, the international conference on land mines held in Ottawa last week raised hopes that, one day, we will succeed in eliminating these terrible devices in developing countries, thus preventing a great many serious and often fatal injuries.

Could the Minister for International Co-operation and Minister responsible for Francophonie, whom I congratulate by the way, tell this House what steps the government plans to take in order to achieve this goal?

Hon. Don Boudria (Minister for International Co-operation and Minister responsible for Francophonie, Lib.): Mr. Speaker, I would like to point out the excellent work done by my predecessor, and by the Minister of Foreign Affairs, as well as the latter's leadership in this area.

The Canadian International Development Agency, for which I am responsible, has subsidized mine clearing operations in Bosnia, Angola, Afghanistan and Cambodia to the tune of \$9 million since 1993-94.

It is this government's intention to stay on course to ensure that these devices will eventually be completely eliminated.

* * *

CANADA POST CORPORATION

Mr. Gilbert Fillion (Chicoutimi, BQ): Mr. Speaker, my question is for the minister responsible for the Canada Post Corporation.

Oral Questions

On July 31, the minister received copy of the report prepared by the committee on the Canada Post Corporation, commonly called the Radwanski report. Earlier, the Standing Committee on Government Operations had passed a motion asking to obtain a copy of this report within five days of its submission to the minister.

My question is very simple. Why, more than two months after receiving copy of the report, does the minister refuse to give a copy of this document to the government operations committee, as she had pledged to do?

• (1455)

Hon. Diane Marleau (Minister of Public Works and Government Services, Lib.): Mr. Speaker, it is my intention to make this report public tomorrow morning. All members of Parliament will receive a copy of it.

Mr. Gilbert Fillion (Chicoutimi, BQ): Mr. Speaker, I have a supplementary, but I first want to thank the minister, even though we have been waiting for this report for two months.

Now that the report will be tabled, will the minister pledge to immediately hold a public debate on the issue, so as to follow up on the content of this report?

Hon. Diane Marleau (Minister of Public Works and Government Services, Lib.): Mr. Speaker, Mr. Radwanski travelled across the country. A public debate took place and the report submitted to me will be released tomorrow, which means that the debate goes on.

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[English]

CHILD CARE

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, page 38 of the Liberal red book promises: "In each year following a year of 3 per cent economic growth, a Liberal government will create 50,000 new child care spaces to a total of 150,000".

My question is for the Minister of Human Resources Development. How many day care spaces have been created as a result of that promise?

Mr. Robert D. Nault (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, it is always interesting to listen to the Reform members asking questions in the House.

If they read the whole red book they would know that it deals specifically with the collaboration of the provinces. Once we have an agreement with the provinces on some sort of child care initiative we will certainly announce it in the House. I am sure when we do, if we get the co-operation of the provinces, those

members will still disagree with us on child care spaces. However, we will do a lot of hard work and try to get that done for them.

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, it becomes very obvious that the Liberals are better at making excuses than keeping their promises.

This government is preventing parents from giving the best possible care: parental care. Why do Liberals remove real choice by favouring institutional day care and why do they instead give phoney promises? The government is not creating equal opportunities for all parents, including those who stay at home to take care of their children.

Mr. Robert D. Nault (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, again I can only say to the member that when we announced the CHST we made it quite clear that there was a tremendous amount of flexibility within the program in the delivery of finances to the provinces. That flexibility does not suggest one particular child care initiative over another, but does give flexibility to the provinces to allow parents to choose the child care facilities or areas which they think are best suited to their location.

I disagree with the member when he says that we are suggesting one over the other. In fact, we are giving the flexibility and the choices which parents need in this modern era.

* * *

AGRICULTURE

Mr. Len Taylor (The Battlefords—Meadow Lake, NDP): Mr. Speaker, the Minister of Agriculture and Agri-Food is being asked to talk to his counterpart in the province of Alberta with regard to that province's farm income security program, an ad hoc subsidy program which has caused that province to be called the Europeans of the cattle industry. Critics say the program is literally eating up the Crow advantage at the same time as Alberta is speaking out against the federal ad hoc subsidy program.

Can the Minister of Agriculture and Agri-Food tell us if he is at all concerned about Alberta's FISP, what role the federal government has in protecting the industry from a possible American challenge, and if he intends to do anything about this unusual provincial subsidy?

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, over the course of the last several months, including at a federal-provincial conference of agriculture ministers which was held this past summer in Victoria, I have had the opportunity to consider the structure of the Alberta program. It is fair to say that the program is raising concerns among provincial agriculture ministers in several other provinces and among various producer organizations.

• (1500)

One of the fundamental objectives of our new generation of farm safety nets is to try to ensure to the maximum extent humanly

possible that various forms of programming, both federal and provincial, across this country are fair and equitable for producers and as among various regions.

The hon. gentleman can be assured that the Government of Canada will be watching very closely to make certain that all programs are applied in an equitable manner so that all farmers in every corner of this country are treated fairly.

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.

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[Translation]

FIRE PREVENTION WEEK

Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.): Mr. Speaker, this week Canada will be observing Fire Prevention Week. It is the appropriate time to heighten Canadians' awareness of the need to be vigilant and responsive to fire hazards, especially in the home and at work.

Saturday, October 12, has been designated as Fire Service Recognition Day. Our full time and volunteer fire fighters often put their own lives in danger in order to save other lives.

We want to use this day to express our appreciation and gratitude to all fire fighters across Canada.

[English]

The theme for this year's fire prevention week campaign is "let's hear it for fire safety: test your detectors". As all members know, fires are always dramatic experiences, especially when human lives are involved.

It is important for Canadians to increase their awareness of the danger of fire and the ways they can protect their family, property and themselves. Since the 1970s when smoke alarms were introduced in Canada statistics have shown repeatedly that these devices can save lives and reduce loss of property.

However, to offer the protection for which they were designed smoke alarms must be fully operational. This means that they must be checked periodically to ensure that they are in good working

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condition, that the batteries are not dead or have not been removed, and that they are located at strategic points in the home.

[Translation]

The costs associated with fire related injuries, death and property losses are high. In 1993, 417 Canadians lost their lives as a result of fires, 78 per cent of which occurred in the home. In fact, 26,000 of the 66,000 fires reported were residential fires and amounted to \$482 million in property losses.

• (1505)

As for federal buildings, 48 fires were recorded in 1995-96. Although no death occurred, the fires accounted for eight injuries and \$716,000 in property losses. Canadians must be reminded that the vast majority of fire deaths in North America occur in the home.

To increase their protection, they must constantly be aware of the fire hazards lurking in their midst. It is always better to be safe than sorry. I therefore urge all Canadians to check their smoke detectors and participate in fire safety initiatives during this year's Fire Prevention Week.

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, I am pleased to speak today to draw attention to fire prevention week, and to take advantage of this opportunity to encourage the public to take the time to think about fire prevention, both at home and at work.

As you know, hundreds of lives are lost every year in fires of various types, but unfortunately most deaths by fire are related to fires in the home. This means that, if we are to improve this situation and reduce deaths by fire as much as possible, more emphasis than ever must be placed on prevention and on continuing to raise public awareness.

The discovery of fire goes far back into the history of human kind. Fire is a part of our everyday lives, and will surely be around for a very long time to come. Although, most of the time, fire seems to be under control, we must be vigilant and not let down our guard. Incidents involving fire can happen so quickly, and their consequences, both material and personal, can be very serious.

One of the best ways of saving lives if there is a fire is to install smoke detectors. A properly maintained smoke detector can, without a doubt, prevent terrible human tragedies and, moreover, detectors are inexpensive and easily installed.

Whether in a house or apartment or in the work place, these devices are essential to our safety, and I encourage people who do not have smoke detectors to get them as soon as possible, and people who do have them to check them to ensure they are operating properly. During fire prevention week, whose theme this

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year is “let’s hear it for fire safety: test your detectors”, we all need to do our bit to improve our collective safety.

This coming Saturday, October 12, has been designated as the day to pay tribute to fire fighters. On behalf of the public, I would like to thank all full time and part time fire fighters for their excellent work and for all of the services they render to society.

We take their presence for granted, and all too often lose sight of the fact that they frequently put their lives on the line to save someone else. I want them to know that we are grateful and that they have every right to be proud of what they do. It is not always easy to serve the public. It demands self-discipline, determination, and professionalism. I encourage our fire fighters to keep up the good work. Our heartfelt thanks for the excellent work they do on our behalf.

In closing, I would like to invite everyone to take part in the various activities that will be held during the week and to keep in mind that it is important to be prevention-conscious all year long.

[*English*]

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, on behalf of my party I would like to join my colleagues and add our support for fire fighters and echo their words.

In the constituency I represent, Edmonton Southwest, fire fighters have been long time supporters of the burn unit at the University of Alberta hospital. Fire fighters are involved in the community far beyond their day to day jobs as firemen. Very often we will find that the stalwarts in communities, particularly smaller communities, are volunteer fire fighters, really the backbone of the community.

Earlier speakers suggested that this week we are paying particular attention to fire and the ravages of fire to us as individuals. It is well now to recall once a year that each home should have a fire evacuation plan. Just as we have fire drills right in the House of Commons and in our places of business, places of worship and schools, every home should have a fire drill.

We in this House have the opportunity to do something real when it comes to fire fighters. That is to support the motion that will be coming up by the member for Burnaby—Kingsway, Motion No. 241, which is to put into Canada operation respond, a computerized data base of hazardous materials that would improve safety for fire fighters and help save lives and property.

• (1510)

That will be debated at 5.30 p.m. on October 10 in this House. It has been supported by members of all parties on an individual basis. I would ask all members to consider supporting this when it comes to the House and for the co-operation of the Minister of Transport.

COMMITTEES OF HOUSE

INDUSTRY

Mr. Peter Milliken (Kingston and the Islands, Lib.): Mr. Speaker, I have the honour to present in both official languages the second report of the Standing Committee on Industry.

In accordance with its order of reference on Monday, May 27, 1996, your committee has considered Bill C-5, an act to amend the Bankruptcy and Insolvency Act, the Companies Creditors Arrangement Act and the Income Tax Act, and has agreed to report the bill with a significant number of amendments.

PROCEDURE AND HOUSE AFFAIRS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present the 35th report of the Standing Committee on Procedure and House Affairs regarding the membership of the Standing Committee on Public Accounts.

If the House gives its consent, I intend to move concurrence in the 35th report later this day.

* * *

CRIMINAL CODE

Mr. Art Hanger (Calgary Northeast, Ref.) moved for leave to introduce Bill C-334, an act to amend the Criminal Code (violent crimes or sexual offences).

He said: Mr. Speaker, this private member’s bill will send this message to criminals: two violence or sex strikes and you are out.

This legislation directs our courts and judges to automatically order a life sentence for any offender who, on two or more separate occasions, is convicted of a serious violent or sexual offence.

Canadians deserve to feel that they and their families are safe in their homes, at work, at school, on the street and in their communities. In short, Canadians want a country in which we can look to the future instead of over our shoulders.

Consequently this bill is urgently needed to address the unchecked proliferation of high risk violent criminals, pedophiles and sexual predators who cause great harm to our communities.

I urge all hon. members to give this legislation their full and fair consideration.

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

BANKACT

Mr. Sarkis Assadourian (Don Valley North, Lib.) moved for leave to introduce Bill C-335, an act to amend the Bank Act (foreign banks).

He said: Mr. Speaker, the purpose of this bill is to open the Bank Act to foreign banks, foreign competition, so that they can provide more money to small businesses in Canada and create more jobs.

For the last two years the banks, the so-called big six, made \$5.6 billion in profit and had more lay-offs to Canadians. This act requires them to open their purse to small businesses to give more money. Some are doing it but some are not doing enough.

This requires them to give small business more money in order to create more jobs for Canadians to work rather than to depend on social welfare programs.

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

* * *

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if the House gives its consent, I move that the 35th report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

(Motion agreed to.)

* * *

• (1515)

PETITIONS

CRIMINAL CODE

Mr. Paul Steckle (Huron—Bruce, Lib.): Mr. Speaker, I have a petition registered with over 300 names. The petitioners believe that violent crime is still on the increase. They also believe that the justice system continues to be lenient on criminals and that the current justice system has failed to address society's concerns. Current methods of punishment, they believe, are not acting as proper deterrents and are not producing the desired effects to lower crime rates and give us safer communities.

Therefore, they petition Parliament and humbly ask and pray that the appropriate laws be amended to include corporal punishment as an alternate method of punishment for those adults who are

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repeat offenders and choose not to be governed by more conventional methods.

* * *

CYPRUS

Mr. Ted McWhinney (Vancouver Quadra, Lib.): Mr. Speaker, I have the honour to present a petition signed by 427 Canadian citizens, many of them of Greek or Greek Cypriot origins, from the greater Vancouver region.

They ask support from this Parliament for the application of United Nations Security Council resolutions which provide for the demilitarization of the island of Cyprus and its restoration to full territorial integrity.

NATIONAL PEDOPHILE REGISTRY

Mrs. Jan Brown (Calgary Southeast, Ind.): Mr. Speaker, I rise to present this petition on behalf of constituents in New Brunswick who are concerned for our efforts to create a national pedophile registry.

The petitioners whom I represent are concerned about making our streets and homes safer, and in particular for our children. 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.

HEALTH CARE

Mr. Werner Schmidt (Okanagan Centre, Ref.): Mr. Speaker, I rise to present a petition from 200 people across Canada, most of them from Kelowna. They pray that the government, without delay, provide for the fluoridation of water supplies in all Canadian cities to protect the health and welfare of all Canadians.

YOUNG OFFENDERS ACT

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, I have four petitions to present today. The first group of petitioners request that Parliament pass legislation to strengthen the Young Offenders Act, including publishing the names of young offenders, lowering the age of application and transferring serious offenders to adult court.

HUMAN RIGHTS

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, the second group of petitioners request that the Government of Canada not amend the human rights act to include the phrase sexual orientation. The petitioners are concerned about including the undefined phrase sexual orientation in federal legislation. Refusing to define this statement leaves interpretation open to the courts, a very dangerous precedent to set.

Government Orders

AGE OF CONSENT

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, the third petition concerns the age of consent laws. The petitioners ask that Parliament set the age of consent at 18 years to protect children from exploitation and abuse.

PROFITS FROM CRIME

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, the final petition is on the subject of Bill C-205, the private member's bill presented by the member for Scarborough West. The petitioners request that the House enact Bill C-205 to prevent criminals profiting from their crimes.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Acting Speaker (Mr. Kilger): Is it agreed?

Some hon. members: Agreed.

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

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

The House resumed from October 4 consideration of the motion that Bill C-55, an act to amend the Criminal Code (high risk offenders), the Corrections and Conditional Release Act, the Criminal Records Act, the Prisons and Reformatories Act and the Department of the Solicitor General Act, be read the second time and referred to a committee.

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I am pleased to rise and comment on Bill C-55, an act to amend the Criminal Code.

Before I begin, I want to tell the House a story about what happened not long ago in my hometown of Williams Lake, a city of

about 20,000 people in the central interior of British Columbia. On July 16, 1996 a wife and mother was innocently riding her bicycle in a wooded area near the city one afternoon. When she did not come home that night, police were called to investigate. Two days later they found her body. She had been sexually assaulted and murdered. To this day her killer has yet to be found despite the outrage in the community and the thousands of dollars which have been put aside as a reward to those who might point to the killer.

• (1520)

I tell this story to the House today, not to sensationalize another murder case, but to give an example of what people in the Cariboo—Chilcotin, and all Canadians I might add, live with every day. People do not know who or where this murderer is and they worry about their safety.

How does this deep concern that Canadians have for their physical safety relate to Bill C-55? The bill deals with changes to the criminal justice system and Canadians want criminal justice reform. They want to be safe. They want to feel safe in their homes. They want to walk down their streets without fear and they want their neighbourhoods restored for themselves and their children to places of peaceful activity.

Will this legislation restore people's basic freedoms and allow Canadians to experience greater freedom from fear? This is the test we place on the legislation as we consider it today.

Let me briefly outline the contents of the bill. Bill C-55 consists of three components: first, a dangerous offender provision; second, a long term offender provision and, third, a judicial restraint provision. I want to examine each of these in turn.

First, let us look at the dangerous offender provision. Bill C-55's dangerous offender provision would give the crown a window of six months after conviction to bring a dangerous offender application based on newly received information. Presently a dangerous offender application must be made at the trial. This new provision does not go far enough in protecting people from dangerous criminals.

As the proposed dangerous offender provision now stands, the crown could find evidence to support a dangerous offender application after the six-month period, but the crown would be unable to bring an application against the criminal because the six-month time period had expired. Consequently, a dangerous offender could still be back in society too soon, still a threat, still causing fear and concern. This provision does not go far enough to protect Canadians and provide them with the safety they seek.

Therefore, Reform proposes that Bill C-55 be amended to allow the crown the right to seek dangerous offender status for persons convicted of crimes causing serious personal harm at any time during that offender's sentence.

Government Orders

To offer Canadians even greater protection from violent criminals, Reform also proposes that Bill C-55 be amended to require the courts to automatically place a dangerous offender finding on any person who commits on two or more separate occasions an offence constituting a serious personal injury offence. I refer to Criminal Code section 752.

Under the present system, the crown has the option to bring a dangerous offender application against a criminal after any number of offences. This Reform amendment would give Canadians greater confidence that all violent criminals would be incarcerated for an indefinite period of time or until that person poses no danger or threat to anyone else.

I want to consider the long term offender provision. The second component of Bill C-55 would create a new class of criminals called long term offenders. These criminals would be supervised by the justice system for up to 10 years after their sentence and the completion of parole. They would be designated long term offenders if it can be determined among other criteria that there is a substantial risk that the offender will reoffend. They must also be convicted of sexual assault, sexual interference, invitation to sexual touching, sexual exploitation, exposure, aggravated sexual assault and sexual assault with a weapon or causing bodily harm.

• (1525)

This provision does not go far enough in protecting society against these very brutal crimes. To help Canadians feel and be safe in their homes, in their neighbourhoods and in their communities, long term offender status must be broadened to apply to a wider range of offences committed by sexual predators or pedophiles.

Reform proposes that Bill C-55 be amended to include under the proposed section 753.1(2) an offence under any of the following provisions of the Criminal Code: householder permitting sexual activity by a child relating to section 171; living off the avails of prostitution by a child, subsection 212(2); obtaining sexual services of a child, subsection 212(4). I could mention a number of other offences but I list these to make the point that Bill C-55 could be amended to go much further in protecting society from persons convicted of sexual crimes.

The third component of Bill C-55 is the judicial restraint provision. This provision would add to the Criminal Code a process that permits provincial attorneys general to apply to a judge when they have reasonable grounds to believe that an individual will commit a serious offence, a violent crime. The judge would have the power to place those individuals under police supervision, prohibit the possession of firearms, ammunition and firearms acquisition certificates and require them to wear electronic bracelets so that their movements can be monitored.

The Canadian people cannot accept this provision of Bill C-55 because it makes the wrong approach in attempting to reduce

crime. The judicial restraint provision can be applied to people who have no criminal record or even to people who have been acquitted of any criminal charges.

I believe that greater physical security can be ensured through deterrence but I certainly do not believe that deterring crime means constituting a broad, indiscriminate and unreasonable infringement of a person's right to a fair trial before his peers.

The minister's proposal is tantamount to conviction without trial and Canadians want nothing reminding them of star chamber proceedings in our judicial system. Monitoring innocent people will not reduce crime. In fact, are we not innocent until proven guilty and not guilty until proven innocent?

This is not the first time we have seen such legislation from this justice minister who is so willing to disregard civil liberties. The first instance of his willingness to ignore Magna Carta civil liberties was Bill C-68 calling for universal gun registration. This legislation penalizes law-abiding gun owners and users and could mean the future confiscation of their firearms. This bill also moves against ancient rights preventing unwarranted search and seizure and the right of a person to not give evidence against himself.

Why does the justice minister distrust law-abiding Canadian citizens so much? How can the government punish people for something it cannot prove or punish them for something someone might do in the future? This judicial restraint provision would be a violation of fundamental human rights and would further break down the trust level between government and law-abiding citizens.

When introducing this legislation last month the justice minister told the House: "We are taking steps to prevent crime before it happens". The way to do this is not by monitoring innocent people but by getting tough on criminals who have committed serious violent crimes. This means bring in truth in sentencing for violent, repeat serious offenders. Bring in tougher sentences. By this I mean sentence every criminal who is convicted a second time for a violent crime to life imprisonment without eligibility for early release or parole. Make prison time hard time, no free time, no law libraries, no holiday pay, no fun experiences at all.

• (1530)

The judicial restraint provision of Bill C-55 must only be contemplated in matters where individuals have been convicted for offences under the Criminal Code of Canada. Clause 9 of Bill C-55 which allows for the surveillance of innocent Canadians must be struck in its totality from the bill.

In closing, I want to re-emphasize that the Canadian people are concerned about their physical security. They want criminal justice reform. They want to feel safe in their homes. They want to be safe in their homes. They want their streets free for their children to play safely and they want their communities restored to them without fear.

Government Orders

Bill C-55 does not go far enough in protecting people's basic freedoms and allowing Canadians to experience greater freedom from fear. However, if the amendments I suggest to the dangerous offender, long term offender and judicial restraint provisions were made to Bill C-55, I would not oppose passage of this legislation.

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, it is a great pleasure for me to speak today on Bill C-55, another attempt by the government to deal with dangerous offender legislation.

As many in this House know, over the past three years that I have been a member of this Chamber I have spent a lot of time and energy dealing with the aspect of dangerous offender legislation. In April 1994, over two years ago, I introduced a private member's bill that dealt specifically with the items that Bill C-55 is trying to deal with.

That piece of legislation has been before the justice and legal affairs committee for well over two years. Had this government really wanted to do something for Canadians in the aspect of dangerous offender legislation, it should have seen to the immediate acceptance of that private member's bill in this House. What the government has done over the past two years has been to introduce legislation that has dealt with partial elements of my private member's bill.

In the last session the solicitor general introduced Bill C-45 which saw the wisdom of taking a section out of my private member's bill dealing with the crown having to prove serious harm or death would be done to a child in order to keep somebody who was likely to reoffend incarcerated. My private member's bill suggested that it was a very difficult thing for a child to express the harm that was done and that it should not be a requirement and only the likelihood of an offender reoffending against the child should be taken into consideration. The government saw the wisdom in using that aspect in Bill C-45 in the last session.

Now Bill C-55 has been introduced in this session. It also is taking a part of my private member's bill which dealt with long term supervision for people who are deemed to be dangerous offenders or likely to reoffend. That clause, adding up to a 10-year supervision at the end of the sentence, comes directly from my private member's bill.

I have to give credit to the government for seeing the wisdom in those aspects of my private member's bill. I would still suggest that had the government been serious it could have enacted and brought into law Bill C-240, which is now Bill C-254 which sits in committee and deals with these aspects plus others.

• (1535)

As with Bill C-45 in the last session and now Bill C-55 in this session, the government is still falling short of providing that kind of protection to Canadians, that people who are likely to reoffend,

to cause serious harm or death to an individual are going to be dealt with in a serious manner. Our party is planning a number of amendments which it is hoped will fill those loopholes the system will still have.

This legislation has not dealt with the time frame. Presently a dangerous offender must be designated at the time of sentencing. If for whatever reason the information is not there, the assessments are not done at the time of sentencing, one cannot deem an individual to be a dangerous offender.

This legislation is opening the window to a six-month period of time. What it does not deal with is that in that six months there is one month when the offender will likely be in a provincial remand centre waiting for his appeal to be heard. Then the offender will spend two months in an assessment centre having various tests and information collected. It will be three months into the six-month window before the offender is even incarcerated in his place of residence for the next number of years where he can be supervised and where his behaviour and attitudes can be monitored.

It certainly does not allow the offender any opportunity to take part in counselling to see whether counselling and treatment will be of any benefit to him. It does not allow any possible rehabilitation for the offender. It does not allow any possible length of time for the people who must make these kinds of determinations to review the individual and see whether he is likely to cause serious harm or death upon release.

The concept of six months will not do anything. I would suggest that the government go back to my private member's bill and have a good look at the reasons why it points out that the time to do this kind of assessment or reassessment is in the last year of this individual's incarceration. They can then monitor what kind of treatment this individual had, whether he refused treatment, whether the treatment did any good, whether there has been any effective rehabilitation, whether the individual has had a lousy attitude in the prison system where he has been constantly supervised and monitored. Six months will not allow the people working with this individual any opportunity to make those kinds of assessments.

We see once again the inability of the government to look at the options and alternatives that have been presented by other members of the House which may bring some solution to the problems at hand. We see the inability of the government to go beyond a limited response to the demands of Canadians.

Canadians whom I have talked to want some commitment from the government that it will make sure that known dangerous offenders who wander the streets, people who they know will likely reoffend and cause serious bodily harm or death to an individual are not out there on the streets. They want to know that when their children walk from school or a workplace that they will not become the victim of a person known to those who had them in their care

that they were likely to cause serious bodily harm or death to an individual.

Canadians are looking to their government for assurances that they will be safe on the streets. Once again the government has fallen short. Yes, it is a good step in the right direction. Yes, it is taking some aspects that are likely to work better than what we have now. But there is a refusal to make those decisions that will give the kind of guarantee or commitment by the government to Canadians that the government takes the risk seriously and that it will make those tough decisions to keep somebody incarcerated because it knows they are likely to cause serious bodily harm or death to an individual.

This legislation still will not help the Melanie Carpenters. Auger, her killer, would not be caught under this legislation. Mr. Auger who ended up killing a young Canadian girl who was in her workplace would still be out on the street able to find a victim. That is what Canadians want the government to protect them from. The government has an opportunity to do just that. I would suggest it is not too much for Canadians to ask of their government.

• (1540)

If we can lock up people because they do not pay their bills, or if we can lock up people because they abuse a substance, surely to God we can lock up people who are likely to kill innocent Canadians when we know they are likely to kill innocent Canadians. Surely Canadians can expect their government to bring in legislation which allows them to keep those dangerous offenders off the street.

Why is the government once again coming up short of the mark? Why is the government going part of the way and bringing in another aspect of supervision or another aspect of identifying dangerous offenders but not doing the right thing? When the system that deals with the care and the concern of these individuals is saying that we cannot afford to put these people back out on the street, why is the government not listening to it?

Six months will not do the job. It needs to be done the year before they are released. Only then can the decision be one based on fact and not just on what might or might not happen.

I would like the government to seriously consider the amendments which will be proposed by my party. I would like the government to seriously look at amendments which will make the legislation the best piece of legislation it can be in order to protect Canadians and to ensure there will be no Melanie Carpenters in the future.

Mr. Grant Hill (MacLeod, Ref.): Mr. Speaker, I read an interesting editorial on this particular bill entitled: "Allan Rock in Wonderland". I chuckled—

Government Orders

The Acting Speaker (Mr. Kilger): I would remind all members to refer to each other in the traditional manner of the House, which is by ministry or by riding.

Mr. Hill (MacLeod): My apologies, Mr. Speaker. The justice minister in Wonderland would have been more appropriate.

The editorial described how the justice minister has two views of citizens in Canada. One view is a deep suspicion of law-abiding citizens, that they might commit a crime. The other is that he has an abiding view that the criminals who have already committed a crime just need to be better understood. They need to be rehabilitated. They need to have their backgrounds checked. I chuckled over that because I do not think Canadians will buy that any longer.

I want to illustrate what I consider to be the real flaw in this legislation by talking about how insecure the citizens in my community are in their homes and streets. They are insecure in terms of the safety of their kids when they are at school. I would like to illustrate by example where the justice system is going. This example is not publicly known. The young man who was affected by this would not speak in public. He was concerned that he would be criticized by the media.

A young farmer lives very close to the Saskatchewan-Alberta border. In fact, his farm is right beside the Trans-Canada Highway. One morning he got up to go out and do his combining. As he left his farmstead he noticed a hitchhiker in the ditch along the Trans-Canada Highway. Farmers are really friendly in that part of the country. He stopped, rolled down his window and said: "Buddy, can I do anything for you?" The young fellow woke up and said: "No, I am just catching a few winks before I hitchhike on down the road". He said: "Are you sure I cannot get anything for you?" The hitchhiker said: "No, I am okay. Thanks a lot".

Off the farmer went. He climbed into his combine and went about doing his work. He worked for much of the day doing his rounds. He had a two-way radio in his combine and his brother from a neighbouring farm phoned him and said: "The RCMP want to see you. You had better come home". He went home all concerned. Maybe his wife and children had been hurt in a car accident, or some such problem. They had been visiting another locale.

• (1545)

The RCMP said: "Do you own a motor bike?" He said: "Yes, it is in my garage". The RCMP said: "I do not think it is in your garage. We just caught somebody. We chased him down the highway riding a Harley Davidson registered to you. He has crashed it on the Alberta side of the border near Medicine Hat. You better come and claim your motor bike".

Government Orders

He climbed into his pick-up truck and went. Sure enough, the hitchhiker who had been in the ditch, who had been just waiting for a ride to go down the road, had broken into his garage and stolen his motor bike. He had also broken into his House and stolen some of his money, some of his ID and a firearm, a pistol.

When our farmer friend got to the motor bike, it was badly damaged. These motor bikes are worth quite a bit of money. It was his pride and joy. He bought an old one and restored it. It was all smashed up. It was all bent up.

He said: "I just do not understand how a person could do that. I was friendly to him. I tried to help him". The RCMP said: "This is not a nice dude. We have a record on him all the way from Ontario. He is a vicious criminal". He was able to hitchhike across our big land. He was not stopped. There was no problem for him, but he is caught now and he is in deep trouble with the law. He has broken into your house. He smashed into your private domain. Thank goodness your wife and children were not there because he might have done something really serious".

"Good", he said, "our justice system is going to take care of this dude. I am okay. I will just take my motor bike and my licks and go home".

"Just a second", asked the RCMP, "how did you store your pistol?" "I stored my pistol in my locked home. It is my castle, my domain, locked up. Nobody could get near it". "Have a trigger lock on it, boy?" "What do you mean?" "Don't you know the law? By the way, do you have a permit to take that pistol from your home to the shooting range?" "That's my personal protection against coyotes".

"You're in trouble, my boy. You're in trouble. You had better be talking to the Medicine Hat police because they have your pistol. The fine for what you have just done—you vicious, heinous criminal, not having your pistol locked up with a trigger lock and the ammunition in a different box".

The fact is he had all those things but he was accused of not having them. The fine is \$800. There goes our young law-abiding farmer, back home, tail between his legs, whooped, no pistol, big fine coming.

He went to his friends and said: "I wonder what is going to happen to the real crook in this thing. What's going to happen to the guy with the criminal record from Ontario who has travelled across our country, who has stolen my Harley Davidson, smashed it in the ditch, stolen my ID and my wallet?"

He actually got in trouble, did our boy. He got in real serious trouble, did our boy. He got 18 months suspended sentence—a little pat on the wrist. Off he went, our criminal.

Could he be a dangerous offender? According to this he could not be a dangerous offender because he had committed a crime. He was misunderstood, probably had some poverty in the family. He probably had a dad who did not take care of him properly, a mother who did not understand him.

The crook in this case walked. The crook in this case smiled. The crook in this case laughs at our justice minister. The crook in this case ends up being the young farmer whose only mistake was not have an electric fence around his home to electrocute this sucker.

● (1550)

The whole idea of our justice minister in wonderland leaves Canadians from coast to coast insecure in their homes, in their schools and in their businesses, cynical about our justice system.

What should have happened here? This is so simple. My grade 9 son was here last week and he knows what should have happened. There should have been a real clanging, slamming of an iron door for the crook.

The young man may have made a mistake by not understanding the storage of the firearm. He had owned this .357 magnum firearm for 15 years. He should have had from the Medicine Hat police a simple document saying: "You must comply properly with the terms of storage for this firearm. Please make certain that you understand the rules". In other words, he should have had the slap on the wrist for a mistake. There was no mistake on the part of this other friend. None whatsoever.

A criminal justice system that sets out to prevent stalking, to prevent sexual predators, to prevent the serious violent crimes in our society is a good start. However, the cynicism that Canadians feel about our justice system will not be addressed by this bill.

Mr. Speaker, where am I at?

The Acting Speaker (Mr. Kilger): One minute left.

An hon. member: One minute too much.

Mr. Hill (Macleod): Let me summarize then. My colleagues say one minute too much. Maybe they would like to address this issue and ask was the justice system just in this case.

Would the member across like to stand before Canadians and say that the slap on the wrist was directed toward the right individual? If he can stand in this place and say that, this member of Parliament would be surprised.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I listened with interest to the speech from the hon. member for Macleod. His comments were very appropriate as we debate Bill C-55, amendments to the Criminal Code, high risk offenders. This is the

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government's response to Canadians, saying we are going to be tough on crime.

We just heard the hon. member for Macleod point out to us that when the government wants to get tough on crime it gets the wrong guy. The young hood who committed the major crime of stealing, robbing, helping himself to the guys wallet got off virtually scot free, whereas the young farmer had to pay the price.

This type of attitude has to stop. There are many situations in the country where people become victims of crime. When a person becomes a victim of crime, they change their opinion about the offender, the criminal. Obviously the people on the government side have been quite fortunate because they have not been victims of crime.

But let us talk about it from the perspective of a victim. We have heard about and we see every day, unfortunately and far too often, our citizens being murdered, raped, assaulted, victimized, robbed. That means that every time a crime is committed there is a victim and that victim is an innocent person who does not deserve to have that crime inflicted on them. It is the responsibility of the government to stop criminals from harassing and putting fear into ordinary law-abiding Canadians who just want to live their lives in safety and in peace. That is in danger and we hear it time and time again.

• (1555)

I have heard our leader, the hon. member for Calgary Southwest, tell us about the time he was at a town hall meeting talking about crime and justice. He was asking the people what they wanted. An elderly couple stood up and said: "Do you know what we want? We want to be able to leave this meeting, walk down the street to our car and drive home, park our car and walk into our house which is currently in darkness and feel safe. Safe as we walk down the street, safe as we drive home, safe as we park our car, safe as we unlock the door in a dark house and walk in and safe as we live there at night. But we do not have that". That is what every Canadian wants and that is what this government is failing to deliver. People want to be assured that the streets of this country are safe.

We have crime protection units all across the country. We have crime watch. We have all these organizations which are just great, and I commend every Canadian who participates in these, but they are participating in holding up a justice system that is being ignored and let down by this government. It is far more interested in looking after the criminal than looking after the victim.

When a crime is committed and the police arrest a suspect the victim becomes a disinterested bystander. The fight is now between the government and the suspect, where the government proves its case and the suspect puts up his defence and a decision is rendered guilty or not guilty. The role of the victim has been completely bypassed and ignored, and the victim feels like they have been trashed by the system. That is what we are trying to stop. We need

compassion for the victim and we have to ensure that there is a proper punishment handed out to the criminal, not like what my friend from Macleod was saying.

We have very loose and open parole systems in this country. We have a parole system that says even though someone is sentenced to a period of incarceration by a judge for this length of time, they can actually get out by serving as little as one-sixth.

That does not mean they are going to get out after serving one-sixth of their time, but when they serve as little as one-sixth of the sentence imposed by a judge, somebody else comes along, some parole officer, a patronage appointment by the way, who is making \$100,000 a year because they happen to be well connected with the right political party at the right time, and sits in judgement and says: "The recommendation or the decision by the court, by the judge, at the time the criminal was found guilty is irrelevant. We are going to let this guy walk out on the street". Now they are going to say: "Maybe we are going to put some more restrictions on that".

We have been debating Bill C-45 which says that if a judge recommends that a person be locked up for 25 years, after 15 years we should take another look and let him out on the street. That is being soft on crime.

While the Liberals may talk about their dangerous offender class the whole point is they want to get these people back out on the street faster and as quick as possible, ignoring the recommendations of the judges, ignoring the wishes of Canadians in the street, ignoring that these people are going to be committing crimes on an ongoing basis. That is what has to stop.

• (1600)

If the government gets into this whole realm of dangerous offenders, and this is what it wants to do, why did it not bring in Bill C-55 earlier? There are many people who should be locked up for a very long time who are already walking down the street, courtesy of section 745 which allows earlier parole. Now it wants to bring in this type of legislation before the election to say "look how good we are".

I do not think this legislation is very good. While it is a good start, it is only a start. It is not in any way, shape or form recognized as a bill that is going to really address the issue which is going to punish our criminals, which is going to make sure they realize the benefits of a disciplined environment, shall we say, in prison where they learn normal rules of society. I know that may be difficult in prison, but we can start.

The only time that I have seen the inside of a prison was as a member of Parliament. I had the opportunity of visiting the maximum institution in Edmonton. I have to admit our visit was quite sufficient. There is no requirement there for people to cut their hair, be dressed properly and get to work. They have a problem filling in their time. They laze around.

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We need an institution that puts people to work all day, every day, six days a week, so that they can be ready to work when they go back out into the general public. We let them lie in jail and by mollycoddled. I think I heard my friend from Fraser Valley West the other day talk about the fact that they are going to get a cost of living increase in jail. What is a cost of living increase in jail? We should not be paying these people unless they are actually producing something.

Bill C-55 is a small attempt, a poor attempt and not much of an attempt to really make Canadians feel more comfortable about being out in the streets, to know that the streets are safer, that they can feel this government is concerned about them as individuals more than looking after criminals. It is a small start. Let the Reform Party finish the job after the next election when we are given the right to be over there on the other side.

The Acting Speaker (Mr. Kilger): Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

An hon. member: On division.

(Motion agreed to, bill read the second time and referred to a committee.)

* * *

• (1605)

[*Translation*]

OCEANS ACT

The House resumed consideration of the motion that Bill C-26, an act respecting the oceans of Canada, be read the third time and passed, and of the amendment.

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, I am pleased to rise today to oppose passage, at third reading, of Bill C-26, an act respecting the oceans of Canada.

I oppose this bill aimed at, among other things, recognizing Canada's jurisdiction over its maritime zones for a number of reasons. Some of them were set forth in the speech I made in this House on June 11.

Bill C-26 seeks to establish a national oceans management strategy, while defining federal responsibilities in this regard. It is these very fundamental aspects of this bill that concern the Bloc Québécois—major concerns which I fully share. This bill abuses several provincial prerogatives by giving the fisheries minister

power to act without prior endorsement from provincial governments.

Canada is known to be one of the countries of the world which has the longest coast, on three oceans. Our oceans contain numerous resources, not only water resources, but also various kinds of fish and marine mammals, beluga whales, seals, and so on that live in them. Canada's waters also contain numerous as yet undeveloped resources, oil and natural gas, for instance.

Quebecers and Canadians are aware of the existence of these marine resources, and react quickly whenever they are threatened. They also know that water controls the Earth's climate and releases a lot of oxygen.

The Minister of Fisheries and Oceans also knows how concerned Quebecers and Canadians are about these natural resources. That is why he created ocean day on June 8, 1996. I remind the House that this special day was a result of initiatives taken at the Earth Summit held in Rio de Janeiro in 1992. National ocean day is there to heighten public awareness of the influence of oceans on our daily lives.

Despite his desire to educate the public about the importance of Canadian waters, the Minister of Fisheries and Oceans has introduced a bill that does little to deal with what Quebecers and Canadians really want in this regard.

Bill C-26 being extremely centralizing, the provinces have virtually no role left with regard to the ocean policy. Yet we know that provinces are much more aware of what the people want than the federal government.

As for the partnership between the federal and provincial governments, the former Minister of Fisheries and Oceans had supported the idea, but I see in this bill that the possibility of partnership has been ruled out. As a matter of fact, clause 29 of Bill C-26 tends to view provincial governments as mere collaborators, on the same level as aboriginal organizations, coastal communities and other interested persons and bodies.

I believe that Bill C-26 will lead to endless discussions as well as long and painful struggles between both levels of government.

• (1610)

The bill contains other clauses showing the desire of this government to centralize powers. Cases in point are clauses 28 to 36 dealing with the development of a management strategy for estuaries, coastal waters and marine waters. Not only do these clauses infringe upon provincial jurisdiction, but they give the Minister of Fisheries and Oceans powers already belonging to the federal environment minister.

It should be noted that the environment is an area of jurisdiction not explicitly attributed to either level of government under the Constitution. Before 1985, the Quebec government played a significant role in environmental issues. The federal government only got involved in areas related to its own jurisdiction. However, after

1985, Ottawa started to be very active in environmental issues through its spending powers. This led to a lot of duplication and overlap.

Bill C-26 is a further step toward centralization, which the provinces, Quebec especially, find unacceptable. Overlap exists mainly in federal-provincial regulations regarding the environment. As a result, companies must often spend a lot of money, time and energy to learn about the many existing government programs and to abide by the stringent requirements of both governments. Bill C-26 only makes matters worse since the federal government, in spite of its financial problems, is creating new structures to protect a specific ecosystem.

The Minister of Fisheries and Oceans also wants to unilaterally impose, on the marine industry, fees for all coast guard services, including navigational aids and ice breaking, as stated in clauses 41 and 47 to 52 of the bill.

The Bloc Québécois proposed several amendments to these clauses in order to make the fees more equitable and force the minister to consult the industry and the provinces before he imposes fees or raises the rates. This new federal tax threatens the competitiveness of the port of Montreal—as you know, I represent Montréal-Nord which is part of the greater Montreal area—of other harbours on the St. Lawrence and of all Quebec businesses that depend on marine transportation.

The Quebec minister of state responsible for the Montreal area, Serge Ménard, and the president of the Communauté urbaine de Montréal, Vera Danyluck, have condemned this improvised and dangerous tax. It must be pointed out that the federal government ordered the coast guard, the agency responsible for the safety of marine transportation in Canada, to charge ship owners \$160 million before 1999, beginning with \$20 million this year, in 1996.

However, the impact will be worse for Montreal and other Quebec harbours because the federal government wants to implement three different fee schedules, one for the St. Lawrence, one for the west coast and one for the maritimes.

• (1615)

For instance, Ottawa will collect a fee from a foreign vessel arriving in Montreal, while that vessel will not pay anything if it goes to American ports on the Great Lakes. It must be pointed out that half of the some 726,000 containers that are carried each year to Montreal go to and from the American Midwest and the state of New York and the New England states.

Costs at the port of Montreal will increase and this will benefit harbours on the eastern seaboard of the United States that are competing with Montreal. Unfortunately, the Minister of Fisheries and Oceans did not wait for the results of an economic impact study

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before introducing this measure. Clearly, through this action, Ottawa wants to favour the other regions to the detriment of Quebec.

The first fees have just been collected for navigational aids: buoys, lighthouses, traffic control, but the hardest for Quebec will come in 1997, when ice breaking fees will be implemented. Port activity generates major economic spinoffs of \$1.2 billion for Montreal, as well as 14,000 jobs in Montreal.

On April 3, I met officials of the port authority in Montreal with my Bloc Québécois colleagues from the Montreal area. They told us that container traffic is at an unprecedented level and that the port authority has a net profit for the sixteenth year in a row. This net profit was at \$9.3 million in 1995, compared to \$8.7 million in 1994.

The Montreal Port Corporation is stepping up its efforts to stimulate activity and expand its facilities. However, the Canadian Coast Guard cost recovery project counteracts the Montreal Port Corporation's efforts to become more competitive. It also hurts industrial users such as the oil industry.

Shipping is vital to the economy of Montreal and Quebec as a whole. The port of Montreal alone handles 20 million tonnes of cargo per year. Since 60 per cent of the freight passing through the port of Montreal is shipped by rail to various destinations throughout the continent, the profitability of the rail system will also be affected by the proposed fee structure. This bill will aggravate the situation in the Montreal region, which faces enormous economic problems as well as an outrageously high unemployment rate.

When I spoke to Bill C-26 last June, I listed the many reasons why I was opposed to this bill as it was presented to us. Today, I reaffirm my opposition because the bill provides for too much federal interference in areas of provincial jurisdiction. As a member who is sensitive to the needs of the people who elected him, I am unable to endorse a bill that totally ignores their concerns.

In this, I agree with my Bloc colleagues, who show the same consideration for their constituents. That is why I supported all the motions put forward by the Bloc Québécois, and especially by my colleague from Gaspé. For all these reasons, I oppose Bill C-26.

[*English*]

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I listened quite attentively to the comments and critique of the hon. Bloc member on Bill C-26, the oceans act.

In light of the fact that my hon. colleague from Skeena had made a number of amendments, I believe seven, at the time the bill was before the House at report stage, what specifically is different about the amendments the Bloc is bringing forward?

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I heard his concern about the fee structure for the coast guard marine services fees. It sounded very reminiscent of the same concerns that were being put forward by my hon. colleague from Skeena at that time, and certainly support his concerns about that section of the bill and the amendments he has brought forward.

Reform was concerned about the dedication of costs to ensure that the costs that were attributed to the provision of certain services were actually documented. Therefore the fees would be structured in such a way as to be specific to those costs being incurred by the government, that they would not go beyond that.

Could the hon. member enlighten me and the House regarding what specifically is different about the amendments being brought forward and debated at this time by the Bloc? What is different from the Reform amendments that were brought forward at report stage, which unfortunately were subsequently defeated in the House?

• (1620)

[*Translation*]

Mr. Nunez: Mr. Speaker, the amendments proposed by Bloc members would provide for greater provincial involvement in the development of an oceans strategy and policy. We also want a fairer fee implementation scheme, and I mentioned that the government scheme would have a major impact on Montreal. We agree that a strategy should be developed, but provincial jurisdiction in this area should be respected, and I think the bill violates this principle.

I should add that some of the Reform Party's amendments were in line with those put forward by the Bloc Quebecois, which was a mere coincidence. Unfortunately, all these motions were defeated by the members of the majority party, and I find this regrettable.

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, in the words of the hon. member of the Reform Party and the hon. member for Bourassa, what is different about the amendments brought forward by the Bloc Quebecois, compared to those brought forward by the Reform member for Skeena, who also sat on the parliamentary committee, is mainly the relationship between the provinces and the central government in Ottawa.

I found the amendments put forward by the hon. member for Skeena—which dealt mainly with a feedback mechanism to establish, for instance, whether the services provided by the coast guard were performed efficiently—most appropriate.

The second amendment asked for transparency to be exercised in developing a price setting mechanism. We would have liked to come back and debate this in the House. I am pleased that the hon.

member for Skeena addressed these issues. We had gone about it in a slightly different way.

Still in response to the remark my hon. colleague from the Reform Party made today, I would like to point out that, in light of the fact that an agreement between British Columbia and the federal government is imminent, the Bloc Quebecois tabled this afternoon an amendment to have the next reading of Bill C-26 deferred by six months, since the discussions between the province and the federal government on the sharing of management measures regarding, for example, resource conservation will dictate how the federal government should act thereafter, with its individual provincial partners.

• (1625)

These were the main differences between our amendments and those put forward by the Reform Party. But on many other aspects, it is clear that we can work together to impress upon the government party that time has come to face the facts and recognize that this committee's work was not partisan, but aimed at moving things along. If the process stalls, the people will be the judge of that later.

Mr. Nunez: Mr. Speaker, I can only agree with the remarks made and views expressed by my distinguished colleague from Gaspé. I must commend him because he has very aptly represented the views of the Bloc Quebecois on this issue. He knows the subject and the bill before us inside out.

Naturally, I will take this opportunity to support the amendment he has brought forward this afternoon. I think there are still too many outstanding issues that must be resolved. He mentioned British Columbia. I think that the government of that province has maintained a very dignified attitude vis-à-vis the federal government. It voiced complaints and criticisms, and made claims that the federal government has not seen fit to take into account.

For these reasons, I support the amendment put forward this afternoon by the hon. member for Gaspé.

[*English*]

The Acting Speaker (Mr. Kilger): Before resuming debate, 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 Portneuf—Telecommunications; the hon. member for Saskatoon—Clark's Crossing—Justice.

Mrs. Dianne Brushett (Cumberland—Colchester, Lib.): Mr. Speaker, I am pleased to rise in support of Bill C-26 and to respond to the concerns raised by the Bloc Quebecois members of the House.

The Bloc Quebecois is concerned that in some way the Canada Oceans Act infringes on the rights and jurisdiction of the prov-

inces. Such concerns are valid concerns for any province to have, but they simply do not apply with respect to the Canada Oceans Act.

On the contrary, the spirit of this legislation is to bring the various stakeholders together to participate in integrated ocean management. The objective is to work in close co-operation with provincial governments and other agencies to create partnerships and to jointly develop concrete plans for managing marine resources.

This is quite obvious if one reads the preamble of the act which states in part that the Minister of Fisheries and Oceans will encourage the development and implementation of a national strategy for the management of estuarine, coastal and marine ecosystems in collaboration with other ministers, boards and agencies of the Government of Canada, with—I say with—provincial and territorial governments and with affected aboriginal organizations, coastal communities and other persons and bodies, including those bodies established under land claims agreements.

Obviously the provincial role is central to this act. Clause 29 states specifically that the minister, in collaboration with provincial and territorial governments among others, shall lead and facilitate the development and implementation of a national strategy for the management of estuarine, coastal and marine ecosystems.

There is no exclusion of the provinces. There is total respect for the integrity of provincial ocean territory and there is a specific recognition that the oceans management strategy outlined in the Canada Oceans Act must be the result of concerted efforts between the federal government and the provinces.

Further to this, the provinces are mentioned specifically in the clause dealing with integrated management plans and in the clause dealing with the implementation of these plans. They are key players. Clause 33(1)(a) states:

In exercising the powers and performing the duties and functions assigned to the minister by this act, the minister (a) shall co-operate with other ministers, boards and agencies of the Government of Canada, with provincial and territorial governments and with affected aboriginal organizations—

The provinces are again mentioned in clause 33(2) which deals with consultation. Does this sound like an exclusionary act? Does this sound like an act that wants to take away the rights and privileges of the provinces? No, it does not because it is not. The government would not be here today promoting the act if it were.

• (1630)

Bill C-26 respects the rights and jurisdiction of all provinces and territories. It provides for an integrated strategy of oceans management developed in co-operation with those provinces and territories. The legislation does not make any changes to the present constitutional framework or to the distribution of powers between

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the federal government and the provinces. It does not encroach in any way on provincial rights. Any such fears are totally unfounded.

The Canada oceans act is all about partnership. It will make it possible for Canadians to work together to preserve our oceans' resource. In no way, as has been suggested, a grab for more power by the federal government at the expense of any province.

The bill before us today calls on all Canadians to come together to develop that strategy that combines a harnessing of the oceans' economic potential with a respect for the oceans' environmental needs. The national environmental agenda can no longer be separated from the national economic agenda.

Bill C-26 puts in place the fundamentals to ensure the convergence of Canada's economic and environmental agendas for our oceans. Indeed it goes even further than that. It puts in place the fundamental legislative foundation to ensure that Canada's ocean strategy is based on converging environmental, economic, social and foreign policies.

Ocean resources are not finite. We have learned that the hard way. We have learned that human actions can jeopardize fragile ocean ecosystems. We have learned that ocean species and resources are independent. We have learned also that the environmental health of our oceans is directly connected with our country's economic health. If we abuse the oceans we pay the price for that abuse.

The Canada oceans act formalizes Canada's jurisdiction over nearly five million square kilometres of ocean. It creates a 200 nautical mile exclusive economic zone for Canada in the Atlantic, Pacific and Arctic oceans. What does that jurisdiction mean for Canadians? It gives Canada the right to explore and exploit the resources of the waters, the seabed and the subsoil in this exclusive economic zone. It also gives us the right and the responsibility to conserve and manage the living and non-living resources in that zone.

As all hon. members are aware, if we do not conserve and manage those resources wisely, it will not be long before there will be no resources to explore or to exploit. What the bill now before this House is doing is setting out the legislative framework for new oceans management strategy. That is why the bill consolidates and clarifies specific federal responsibilities for implementing the new strategy. Note I said consolidates and clarifies. There is no question here of a power grab at the expense of the provinces.

Bill C-26 calls for sustainable development of Canada's oceans and their integrated management. It is only through sustainable development and integrated management that we can make our economic and environmental agendas converge.

The Canada oceans act is based on that wisdom. It is based on the philosophy of sustainable development. The bill takes mea-

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tures to give life to the principle of sustainable development by putting in place a basis for Canadian action plans for our oceans.

The Canada oceans act will extend Canadian environmental legislation to include the new exclusive economic zones. The act will make the the Department of Fisheries and Oceans the common focal point for co-ordinating federal ocean activities. It will authorize the Minister of Fisheries and Oceans to develop marine quality guidelines and to establish marine protected areas.

The act will give the Minister of Fisheries and Oceans responsibility for conducting and facilitating marine research. The act will give the minister the authority to lead in co-ordinating the activities of all Canadians in the development of a shared Canadian oceans strategy. The act will enable the minister to enter into new partnership agreements, to share ocean information, to share ocean research and to share ocean planning and ocean management.

• (1635)

That is why this bill is about sharing. It is only through working together that we can reduce duplication and conflicts. It is only through working together that we can increase the effectiveness of measures to protect the ocean environment. It is only through working together that we can adopt a comprehensive ecosystem based approach to comprehensive ecosystem problems.

The Canada oceans act recognizes that efforts to promote sustainable development of our oceans cannot take place in isolation. Sustainable development of our oceans is not the sole responsibility of the federal government. It requires efforts on the local level, the provincial level, the regional level, the national level and the international level. It requires efforts by all of us, acting both individually and together.

We absolutely need national goals and national priorities. We also need community based planning and meaningful local decision making. We also need provincial planning and decision making. None of us can do the job alone.

The Canada oceans act is not a federal power grab. It is far from it. The Canada oceans act represents the federal government's taking its obligations to our oceans seriously and responsibly. A critical aspect of those obligations is the creation of a legal foundation to enable provinces and territories, businesses and environmentalists, fisheries and ocean industries to pull together and to pull in the same direction.

We all want Canada's oceans to be productive, safe and healthy. We can achieve that only by making Canada a world leader in ocean and marine resource management. We can achieve it only if we manage our oceans in close co-operation with one another.

The Canada oceans act is very precise and very detailed in describing Canada's new oceans jurisdiction. It is very precise and very detailed in describing the reorganization and the renewal of federal responsibilities for our oceans. However, it is quite open ended with respect to the precise elaboration of the new ocean management strategy. That is because we must build the strategy together. We need to draw on each other's strengths and we need to be sensitive to each other's aspirations.

As we travel through Canada's provinces we find concentrations of knowledge and skill. We find not only ocean scientists, engineers and business managers, we also find people in fishing communities with generations of accumulated knowledge about currents, salinity, water depth, temperatures, tides and navigational routes. That knowledge is important in the development of a national ocean marine strategy.

A major challenge in building a new strategy is to make certain that we link all that knowledge together and share it with one another. We need to understand what we know and what we do not know. We need to understand how each of our ocean regions is unique and how our ocean regions are interdependent. We need more incite into all aspects of our oceans and their resources. That will take a tremendous effort and amount of co-operation; a multidisciplinary effort. It is going to take a long time.

The Canada oceans act will facilitate the process by allowing the Minister of Fisheries and Oceans to make federal research and scientific data widely available across Canada. The bill will also give the minister the power to enter into new agreements to promote ocean scientists' research. The bill will also enable the minister to work co-operatively with all ocean stakeholders in marine resource management. Thus we are poised to enter a new era of domestic conservation, management and enforcement agreements for the wide range of ocean resources made available to Canadians through jurisdiction over the exclusive economic zone.

Let us also note that Canada's ocean marine strategy must place the highest priority on marine safety. The Canada oceans act confirms the merger of the Canada Coast Guard and the Department of Fisheries and Oceans. This is a key common sense action to meld ocean responsibilities with ocean safety.

• (1640)

Our aim is to work in harmony to develop even better safety enhancing technologies and navigational systems as we forge a future of ocean sustainable development. This legislation makes it possible to form new domestic agreements to assist ocean trade and commerce. We can work co-operatively to transfer technologies from government and academic researchers to the private sector. We can work co-operatively to improve resource assessment and inspection. We can harmonize regulations and guarantee services

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provided by different levels of government to meet the needs of our sea coast communities and ports effectively.

The Canada oceans act makes it possible for Canadians to work together to shape the best national answers and the best local answers for the sustainable development of our very precious ocean resources. It provides for the components of an integrated ocean strategy. Those components are a better understanding of oceans, better resource management, better environmental management, increased safety and increased trade and commerce. That is what the Canada oceans act is all about. It is about sharing and working together.

If we are to have a future at all, if we are to have oceans with resources for future generations to develop, we must learn to work together as partners.

In no way can it be asserted that in this bill the Government of Canada is assuming the right to legislate unilaterally on Canada's maritime regions. On the contrary, the spirit of this legislation is to bring stakeholders together to participate in integrated oceans management. The objective is to work in close co-operation with provincial governments and other agencies to create partnerships and jointly develop plans for managing marine resources.

As I said earlier, Bill C-26 respects Quebec's territorial integrity and the territorial integrity of every province and territory in this country. It respects the rights and the jurisdictions of the provinces and territories. It provides for an integrated strategy of ocean management developed in co-operation with the provinces.

I urge all hon. members of this House to support the Canada oceans act.

[*Translation*]

Mr. Philippe Paré (Louis-Hébert, BQ): Mr. Speaker, I listened carefully to the hon. member for Cumberland—Colchester, and I cannot help but conclude that this is just more double talk from a government that keeps quoting fine principles.

For example, the member said: "The spirit of this legislation is to bring stakeholders together. It is about national goals and national priorities. It is about sharing and working together". At the same time, this bill divides Canada into three different zones as far as navigational aids are concerned, each zone having different conditions, which means different fees. In the end, what we have here is the old philosophy of dividing and ruling.

[*English*]

Mrs. Brushett: Mr. Speaker, I appreciate the hon. member's question. In my opinion the reason the bill has divided our oceans into three zones is that we are talking about three oceans. We are talking about the Atlantic Ocean, the Pacific Ocean and the Arctic

Ocean. This is a vast and great country and it is imperative that we meet the needs of all its zones.

Mr. John Cummins (Delta, Ref.): Mr. Speaker, the hon. member for Cumberland—Colchester is quite excited about this bill and it escapes me as to the reason for that.

When I look at the bill I do not see too much there. I see that the government is committed into entering into negotiations with various groups to determine a strategy. For example, in section 29 it says: "The minister in collaboration with other ministers—" and it goes on and on as to the groups he is going to collaborate with. It says he shall lead and facilitate the development and implementation of a national strategy for the management of estuarine, coastal and marine ecosystems and waters that form part of Canada or in which Canada has sovereign rights under international law. What does that mean? What is the policy? What management strategy is the government going to pursue? I do not know. I would bet dollars to doughnuts the hon. member does not know what the strategy is either.

• (1645)

That is the problem with the bill. It sets up the minister as a dictator. He can determine what the policy is going to be, make it up as he goes along. The rest of us will have no say in it because it will be passed, it will be law and there will be nothing we can do about it.

The people who sent us here will have complaints about the legislation. It will not get any support because there is absolutely nothing. We are giving the government carte blanche to do what it wants.

Mrs. Brushett: Mr. Speaker, I appreciate the hon. member's question. Coming from the marine territory of Nova Scotia, which is surrounded by water, I am fully aware of the implications of the bill.

When the government came to power I made three promises to the Canadian people; sustainable finances, sustainable economic development and sustainable environmental development.

This bill practices sustainable environmental development. How well the Canadian people know what past rules, regulations and policies have done to our ocean resources. How well the people off the coastal waters of the Atlantic know what has happened without resource management.

This bill brings together a facilitation process, not a dictatorial process, where the federal government in co-operation with the coastal provinces, whether they be Atlantic, Pacific or northern, will communicate and share information on scientific, resource, industrial, oceanographic matters. We will develop sustainable policies, not only for this generation but for the future of our young people.

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Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, as my hon. colleague from Delta indicated, the hon. member who just spoke seems to think this is the greatest thing since sliced bread. I am not exactly sure why.

I know time is short for questions and comments. I would like to point out to the hon. member that the Reform Party put forward a number of amendments at report stage about which I spoke a few minutes ago. We feel it is crucial that any and all fees brought about by the legislation should not be implemented until a full socio-economic impact analysis is done.

The member spoke quite eloquently in her presentation about how co-operatively the minister and the government would be in implementing this national strategy. I wonder why her party voted against the amendments which would have made it necessary for the minister and the government to initiate a full impact study before the fees were put in place. The people in her riding involved in the industry would have a say about what the fees would be and whether the fees would have a positive or negative impact on their industry.

How did she vote? Why did the government members vote against this?

Mrs. Brushett: Mr. Speaker, again I reiterate that the government made the promise of sustainable finances and a sustainable environment. They are part and parcel of the legislation.

I live on the coast of Nova Scotia where fees will be implemented as they will be on the west coast. People there know what fees are.

I find it interesting that the hon. member would talk about fees when it is his party that wants to cut everything in sight and reduce the deficit faster. It seems quite admirable that he would stand in the House today and challenge why we are creating fees and cutting the deficit.

• (1650)

[*Translation*]

Mr. Gérard Asselin (Charlevoix, BQ): Mr. Speaker, I am pleased to address Bill C-26, but I do so with much less enthusiasm than the hon. member who just spoke.

First, we must publicly condemn the fees that will cause all kinds of problems in the various departments since, under this legislation, the Minister of Fisheries and Oceans will have authority to get involved in matters relating to the environment.

The hon. member for Gaspé does an excellent job as the official opposition critic on issues that relate to fisheries and oceans. He had an opportunity to meet hundreds of witnesses who expressed

their disagreement with the bill that the minister wants the House to pass.

Following the representations made by the hon. member for Gaspé, the Bloc Québécois proposed amendments in the House that would have had the effect of protecting the resource, the environment and the industry, while making all fishing boats safer.

These amendments were proposed by the Bloc at second reading, but the minister did not seem to agree with them. He did not deem appropriate to include them so as to improve Bill C-26 which, in fact, violates certain prerogatives of the provinces.

Yet, the minister must, in Bill C-26, respect these provincial prerogatives. Obviously, a federal act affecting the St. Lawrence Seaway, such as Bill C-26, does not concern Quebec only, but all the provinces. Today, these issues are being raised mostly by the Bloc Québécois. The Reform Party also proposed amendments, but we must make the federal government aware of the problems that it will create for every provincial environment department.

It is also important that the federal government seek the approval of its provincial counterparts, since this legislation will create management problems for them. The bill will cause more overlap and duplication, which is already a \$6 billion problem for Quebec and Ottawa alone.

In this case, the overlap will not necessarily occur between the federal and provincial governments, but between departments. Indeed, if we read Bill C-26, we can see that it gives powers to the Minister of Fisheries and Oceans regarding the environmental sector. I will get back to this later on.

The Liberals are once again resorting to one of their good old techniques. They claim to be consulting, they pat people on the back, but in the end they will do as they please. Why waste MPs' time, whether they are Liberals, Reformers or Bloc members? We all have better things to do. Our work in committee is an important task.

When the House refers a bill to the fisheries and oceans committee, it means the committee will conduct a clause by clause review. However, this is a futile exercise, since the minister does as he pleases. The minister decides what he wants to do; if the dice have already been cast, they should tell us. There is no use sending a bill to a committee for study and calling witnesses from across Canada, from Quebec City to Halifax and from Montreal to Vancouver, to come here and tell us they do not agree with the legislation, if unfortunately the minister does not take into account submissions to the committee.

In any case, we, in the Bloc Québécois, have agreed to keep on condemning the mess the minister is about to make in the shipping industry as well as in the pleasure boating industry. If the Minister of Fisheries and Oceans wants to pass, with Bill C-26, legislation to ensure the safety of ships, the Bloc has no quarrel with it. And if the

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idea is to make the users of marine infrastructures pay for the cost of the coast guard in order to ensure people's safety, the Bloc has no quarrel with that, either.

• (1655)

However, the fault we find with the legislation is that it goes too far in involving the coast guard in controlling pleasure craft. I find it hard to imagine the coast guard patrolling the hundreds and thousands of lakes on the north shore used exclusively for hunting and fishing. It is hard to imagine the coast guard regulating and making sure that someone driving a boat with a 2 hp or 4 hp motor is qualified to drive that boat, to put gas in the motor or change the spark plugs. Or course, it will have to make sure the boat is equipped with life buoys.

People in our area know all these things and we do not want the coast guard involved in matters of hunting and fishing and tourism, which could hurt our tourism industry. I can hardly imagine coast guard vessels sailing up and down our rivers. It will be very expensive, because its vessels will run aground a few times. We do not have too many rivers that are navigable, except for fishing boats.

Bill C-26 also claims titles of sovereignty. I do not quite get the idea. If they come up with such a bill, are we to understand that the federalists have caught the sovereignty fever?

There are also many grey areas in this bill. A few things are not quite clear, and the government should pay attention to these grey areas. That was done in committee and in different forums.

I wonder if I am not just wasting my time today, trying to explain to Liberal members how important it is for the government to get the co-operation of the provinces concerning this bill and the use of exclusive provincial jurisdiction over the environment. I have already said that, but it bears repeating.

The provinces, the environment departments and the provincial officials should not be considered mere associates. They should be involved and they should be given the opportunity to voice their views and say what they think of Bill C-26, or it will become a nuisance if they are not consulted.

The provinces should be involved in discussions. They should be more than mere associates, as I said. They should help draft this bill. Then it would be easier for the federal government to see to the implementation of this legislation within each of the provinces.

In one of its amendments, the Bloc Quebecois asks that the rights and jurisdiction of the provinces be respected for the management of the environment and the marine infrastructure on the north shore. The Bloc Quebecois wants to protect the right of the provinces over any area of the sea in which a law of a province

applies and over the living resources of that area. The Bloc also wants to ensure that the provinces take part in the development and implementation of the oceans management strategy.

Bill C-26 also deals with the environment and I will have the opportunity later on to examine the environmental system in more detail. The Bloc Quebecois also tried to force the minister to consult the Standing Committee on Fisheries and Oceans. For greater openness, the government should have agreed to have its decisions sanctioned by elected representatives of all political parties. It is important to consult every political party. Members of Parliament have been elected by the people to represent all of the ridings throughout Canada. I think there are 75 ridings in the province of Quebec, which means 75 members of Parliament from Quebec, who should all have their say about this.

• (1700)

The Bloc members are the only ones to criticize this bill, except for the Conservative member for Sherbrooke and the independent member for Beauce. Where are the other members?

What are the Liberal members doing in this House? They have been gagged and their actions have been restricted. I am sure that, back home, in Charlevoix, the people are criticizing this bill and that the residents on the north shore or in Charlevoix are not the only ones to do so. The Bloc Quebecois members are not the only ones to be worried about this piece of legislation. I would like the Liberal members who were elected to represent their constituents to reject this proposal coming from their colleague, the minister.

One of the purposes of Bill C-26 is to encourage the federal ministers to talk to each other. Do we need a bill to encourage the Liberal members to talk to each other as well? As far as I know, there still is cabinet, which meets quite regularly. It is in the interest of ministers to see to it that the machinery of government is working properly.

I want to make a point here. Since the events back in June, the Minister of Fisheries and Oceans proceeded with the first step of the rate setting process for navigational aids. Twenty million dollars were taken out of the taxpayers' pockets. This is a hidden tax.

Marine companies received bills during the summer even though the impact study on the new initiatives will be ready only in November. If ridicule kills, many will die. It is fortunate that ridicule never killed anyone because it is ridiculous to implement such regulations and bill people who kindly helped and contributed in spite of the fact that there is an injunction order against this rate setting process.

Three major companies asked for an injunction. Even though the bill has not yet been passed and has been challenged, and even though an injunction was made, the Minister of Fisheries and

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Oceans sent bills for \$20 million to companies currently using the services of the coast guard.

But there is more to come. In the next few days, the government wants to get \$40 million more. This is a hidden tax. The government says in its red book that it will not raise taxes while increasing services, but we have found out what is going on. The Liberal government is resorting to a hidden tax to raise taxes. This is just another way of taxing small taxpayers, in particular users of pleasure craft or inland vessels.

Here is an example. The Société des traversiers du Québec, that operates a ferry on the St. Lawrence between Matane and Baie-Comeau or Matane and Godbout, will be hit by a \$25,000 increase in only one year. And I am saying a \$25,000 increase because the Société des traversiers du Québec will have to pass on the costs of this new rate structure to users.

I will say it again. This rate increase for crossing the river by ferry between Matane and Baie-Comeau and Matane and Godbout, which applies to products—and we know that many food products and materials are shipped across the river—will mean a higher cost of living in exchange as a result of the impact of this bill.

What I find most laughable is the fees charged for pleasure craft. The Bloc had brought forward amendments calling for the removal of all references to navigation and pleasure craft. It is unacceptable that the minister should grab the power to act on rivers and lakes that, for the most part, are managed by the Government of Quebec.

• (1705)

In Quebec, rivers and lakes are managed by the province's Department of Environment, and that includes the fauna and flora as well as the water. Furthermore, the Government of Quebec manages the land surrounding lakes as regards to the building of hunting camps or cottages.

When the federal government says it will manage pleasure craft, I wonder if it will go as far as taxing outdoor recreational equipment like surfboards, pedalos and water skiing equipment. And it may not have thought of it, but if it is a few cents short with its hidden tax, it could tax life buoys. But since the goal is to increase security, I suppose the minister has thought of it. Just about the only piece of equipment that left out is the lifebuoy.

Bill C-26 gives the Minister of Fisheries and Oceans powers that already belong to the Minister of the Environment. The bill seems to be creating a sectoral department of the environment: the department of the coastal environment. If that was done in all sectors, we would have a department of transport environment, a department of industry environment, etc. All departments would end up with environmental protection and conservation powers. If

that is the direction the government wants to go, it should abolish the Department of the Environment.

I have been sitting on the environment committee for one year as parliamentary assistant to the hon. member for Laurentides. Recently, the minister told us that there was no environmental issue. When we ask a question of a minister, we want to talk to a minister who has a plan, an agenda, we want to talk to a minister who knows where he is going. When the minister moves away from his plan or agenda, we ask him questions, we try to make him stick to that agenda.

The present Minister of the Environment as well as the former one, who is now Deputy Prime Minister, have any plan. It seems to me that the Department of the Environment still exists only because it has always existed, but there is no co-ordination whatsoever. I understand that the federal government wants to give the Department of Fisheries and Oceans and to the Department of Transport their share, but I hope that one day it will abolish the Department of the Environment if nobody here in Ottawa is in charge of environmental protection.

I would say that the Minister of the Environment is not in a very comfortable position. To use a maritime analogy, I would say that in the environment sector, we are adrift in a dinghy without a captain.

It is important to bring this government back to its senses. The minister has to be responsible for environment and must have backbone and be able to say to his Cabinet colleagues: "Just a minute. As Minister of Environment, I am responsible for everything that concerns the environment, be it at Fisheries and Oceans or Transport Canada. We have a department called Environment Canada and we intend to administer all areas relating to environment".

For the last six months or so the definition of sustainable development has been under study. The Department of Fisheries and Oceans is bypassing once more the Department of Environment. I believe that the Minister of Fisheries and Oceans has enough in his own backyard to keep himself busy. He should let Environment Canada administer the environment.

Those sections empower the Minister of Fisheries and Oceans to develop and implement a national strategy for the management of estuarine, coastal and marine ecosystems. This strategy will require the implementation of plans for the management of activities, the establishment of management or advisory bodies, the development of numerous programs, the establishment of environmental standards, the gathering and analysis of scientific data on the ecosystems involved. What a waste!

This bill provides for the establishment of a program, the implementation of a plan, the development and establishment of bodies but all those things already exist in the environment sector.

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• (1710)

There will be duplication and overlap between federal and provincial governments, and, as I was saying, they are creating more and more problems here with yet another example of duplication and overlap between departments.

In no case does the bill require the department to agree with other federal departments or with the provinces in this process. The minister is not required to agree with his ministerial colleagues or with the provinces. He has a free hand. He can do as he pleases. It is one hell of a situation. It makes no sense. Liberal members are going to have to tone down their enthusiasm and bring their minister, who is about to do something that will probably cost a lot of money, back into line. If he is allowed to go his own way, it will be a major disaster.

That the minister is not required to work in co-operation with environment officials in particular and with other departments in general is inconsistent and unacceptable. At a time when positions are being cut and the government is supposed to be cutting its spending, the Department of Fisheries and Oceans is creating duplication within the federal government. That was what I was explaining.

Of course, we want to bring down the deficit and that is why the Liberals were elected, but they should not bring it down at the expense of the most disadvantaged, or by creating a disguised tax, or by going after the very tools workers need by imposing additional fees on their boats. After they are registered, it is almost certain that there will be no way to keep track, and if so, how much will it cost?

In theory, the Department of the Environment will be responsible for administering this additional jurisdiction, with the co-operation of each of the departments concerned. As I was saying, the minister would do well to consult each of the departments.

There is now considerable overlap and duplication in federal and provincial environment regulations. Private enterprise is therefore very often forced to spend time, money and energy obtaining information on the numerous government programs; providing the two levels of government with the required information and data; sitting on the many advisory committees and sub-committees responsible for regulating industry; preparing for inspections conducted by the federal and provincial governments; and, finally, meeting the requirements of both levels of government.

In this regard, the toxic waste regulations are a convincing example. At this time, eight federal regulations overlap similar regulations that exist in Quebec. Let us take, for example, the storage of PCB material regulations and the pulp and paper effluent regulations. Quebec sovereignty would have resolved all this by eliminating overlap and duplication.

I am certain that each of the provinces, and certainly Quebec, has regulations concerning bodies of water, as do municipalities and

RCMs. There are provincial and municipal committees on the environment. Each of the municipalities and RCMs has green plans.

When the minister says he will impose fees on pleasure craft, it gets to where I wonder whether the minister will not start tattooing registration numbers on the back or leg of anyone swimming across Lac Saint-Jean next year.

I will be one of the members of the Bloc Québécois voting against Bill C-26. I could have said a lot more, for it is truly a scandalous bill.

• (1715)

[*English*]

Mr. Ted McWhinney (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I thank the hon. member for his intervention. I would like to pose some questions that might accelerate our proceeding to the conclusion of the debate.

Would he recognize that it is a matter of high urgency to establish a jurisdictional base in Canadian law against predatory foreign interests in our contiguous zone and our exclusive economic zone, and that these interests are so far only protected under international law and pending ratification of the law of the sea convention, customary international law and bilateral treaties? Would he concede this urgency?

In so far as there may exist in his view difficulties in co-operation between the provincial government—in this case I believe he was speaking of Quebec—and the federal government, would he be prepared to study the recent memorandum of understanding between the Government of British Columbia and the federal government? It is directed to a cognate problem under the jurisdiction of the Ministry of Fisheries and Ocean's coastal communities where co-operative federalism is being achieved without the necessity of a constitutional amendment, which we recognize under chapter five of the 1982 act is almost impossible to achieve.

[*Translation*]

Mr. Asselin: Mr. Speaker, there is a problem when one reads Bill C-26. How could the federal government be concerned about the area you just mentioned, when it has no regard for its partners, the provinces? You should start by paying attention to these partners, the provinces which are going to help you manage and plan this bill you are getting ready to enact.

I believe that the government's strategy is first and foremost to set fees. Let us be honest. It is money you are after, not foreign products. You are not interested in knowing what is going to happen and how. It is money you need. And you are going to do it

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under the guise of safety. You are going to set fees, claiming they are needed for safety and protection.

I believe that if we removed the fees, and kept only the elements related to safety and protection, the minister would not be interested in having this piece of legislation passed. He is only interested in money. He is even putting a tax on small sail boats, windsurfers, pedal boats, etc. It is obvious he is grabbing whatever he can.

The Deputy Speaker: Colleagues, I would ask you to address your remarks to the Chair. Thank you.

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, first of all, I wish to congratulate my colleague from Charlevoix for his presentation. I have a question for him that concerns the environment.

If I may, I would first like to respond to the parliamentary secretary's question and set the record straight for the members who are here tonight—I am concerned about fisheries while my colleague was more interested in the environmental aspects—as well as the people watching us on television.

The question of my hon. colleague from B.C. is as follows: Do you want us to pass this bill because it is the only way to protect our marine environment, our waters from the whole world?

I simply want to inform this House and the parliamentary secretary that part I of this bill canadianizes the terminology used in the UN Convention on the Law of the Sea. How can we provide a little more protection for our waters? Do we want international recognition?

We simply grab a pen, go to the UN and sign the Convention on the Law of the Sea. That is how it will be done, not by signing this here in Ottawa. Even fisheries and oceans officials said that part I of the bill was not needed. This goes without saying.

• (1720)

Having said that, I took notes during my colleague from Charlevoix's speech, and I noticed that, as assistant to the official opposition critic on the environment, he paid attention to the measures the government is about to take.

My colleague pointed out the communications links provided between some government departments like justice or the solicitor general and fisheries and oceans for enforcing certain regulations.

My hon. colleague surely noticed that Bill C-26 makes no mention of the relationship between Environment Canada and the Department of Fisheries and Oceans, and I should remind this House that, when this bill was drafted, the two ministers responsible were the current Deputy Prime Minister and Brian Tobin. Mr. Tobin himself told a committee that these two departments or individuals were the yin and the yang.

So here is my question, which I think he also mentioned: In the absence of duly written rights, does my colleague expect some duplication—as I understood from his speech—between the two federal ministers?

Mr. Asselin: Mr. Speaker, in reply to the allegation of the member for Gaspé, who is parliamentary critic for fisheries, I think there will be more than one duplication. Let us take an example. Quebec is already involved in the environmental area. Ottawa, through Environment Canada, is trying to legislate in that same area. Already you have a duplication there.

Besides that, we will create duplication within departments. The environment minister will have no power whatsoever because, apparently, the Minister of Fisheries and Oceans will have the ability to legislate without consulting the Minister of the Environment.

The minister will have the freedom to have Bill C-26 pass and implement it as he pleases, provided Fisheries and Oceans is responsible for the plant life and the wildlife; in other words, he will be able to interfere in areas governed by Environment Canada, without consulting that department. Afterwards, Environment Canada will try to act also, because public servants in that department will want to save their jobs.

But the environment minister will also want to protect his job. Somewhere along the road there will be frustrations and bickering. When they come out of the cabinet meetings, there will be quarrelling, because the environment minister will feel powerless since the fisheries and oceans minister will be doing his job. It makes no sense.

Again, I think this goes far beyond duplication and overlap, it means people are looking for something to do and that means real waste. We are wasting our energies trying to invent something that already exists internally.

[English]

Mr. Harold Culbert (Carleton—Charlotte, Lib.): Mr. Speaker, I rise to take part in the debate on the Canada Oceans Act.

Canada is by any global standard a maritime nation. It is a nation with unique, vast and diverse ocean resources. Geographically Canada has the longest salt water coastline of any nation in the world and the longest archipelago. With the declaration of an exclusive economic zone, Canada's ocean territory will be the equivalent of one-half of its land territory. Canada truly is a water world.

With these three distinct ocean environments, the Atlantic, the Arctic and the Pacific, Canadian coastlines represent the most fascinating ecosystem diversity on earth. Canada is never very far from its oceans. For this reason Canada must place ocean management very high on its list of priorities.

Eight provinces and both territories possess salt water coastlines, as does my constituency of Carleton—Charlotte located on the Bay of Fundy in New Brunswick. Carleton—Charlotte represents diversity in its many industries: agriculture, forestry, manufacturing and processing, fishing and aquaculture to name a few. This diversity exemplifies the economic and long term sustainable benefits of our natural resources base and the urgent need to conserve them. The oceans act is a fundamental building block of natural resources management, the area where Canada has and will continue to be a leader.

• (1725)

The global environment behaves as an umbrella, an end and constantly changing result of its primary components, the natural resources. Environmentally, the influence of the oceans on the Canadian climate is felt by all parts of the country. Hudson Bay acts as a great temperature moderator to central Canada. The bay brings cool nights to temper the hot summer prairie days. The resulting climate has given Canada the most productive agriculture region in the world.

On the east coast the cold Atlantic mixes with the warm gulf stream to create the wonderful variable climate that has shaped a coastline of unsurpassed beauty. Tourists from all over the world come to admire the marvellous ocean scenery and the world's highest tides found along the Bay of Fundy coast in Carleton—Charlotte.

Culturally, the oceans have contributed to the tradition and character of the Canadian fabric. From the earliest records of aboriginal settlements to the arrival of the first Europeans, the oceans have been a stage on which Canadian history has been played.

It was the glowing reports of the bountiful oceans and the quest for the promised ocean route to the Orient that accelerated the pace of development. The Europeans prized the fish, whale and seals they found in the Canadian Atlantic as much as they prized the gold and silver of Mexico and the spices and silks of the West Indies.

The oceans continue to be stamped indelibly on our culture and social consciousness. Each year Canadians everywhere make their annual pilgrimage to the seashore. The ocean literature and art by numerous Canadian authors and artists such as Farley Mowat, Emily Carr and David Blackwood are indeed cherished classics.

Economically, Canada's ocean fisheries have suffered setbacks in recent years with the collapse of the groundfish industry in the east, directly affecting my constituency of Carleton—Charlotte, and the reduction of salmon catches on the west coast. However, there is much opportunity and promise in new technologies and new ocean ventures. The conservation initiatives have provided for optimistic futures.

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Canada's aquaculture industry continues to grow as an international industry. The aquaculture industry is predicted to generate over \$1 billion in sales, including some \$500 million in export sales by the year 2000.

The finest restaurants in the world serve seafood grown in Canada. The Bay of Fundy Salmon Marketing Institute, a subsidiary of the New Brunswick Salmon Growers Association, has recently launched its certified quality Bay of Fundy salmon. The program has been implemented to ensure quality standards in all 13 of its processing plants. These salmon must pass some 30 quality standards to gain certified quality designation. Watch for the blue and gold logo on the gill tag and sticker, guaranteeing a quality product.

The Centre for Cold Ocean Resources Engineering, C-CORE, at Memorial University in Newfoundland is increasing its international component each year. Its international component is projected to be 50 per cent of its total projects within the next five years. At least a dozen Newfoundland high technology companies can trace their roots to C-CORE and many professionals who previously gained experience in the entrepreneurial driving forces in new businesses in all regions of Canada.

• (1730)

On the west coast a group of ocean entrepreneurs from all sectors have created a consortium, the Canadian ocean frontiers research initiative, to research and develop ocean technology projects in the specific exclusive economic zone. Marine transportation is vitally important to Canada's economic well-being. The marine sector handles 40 per cent of the freight shipped each year, a good chunk of the exports we sell. It generates over \$2.5 billion in revenue annually and directly employs some 47,000 Canadians.

Examples of innovations such as this will build Canada's future, and the oceans are the medium of opportunity. The Canada oceans act will ensure that we continue to look to the oceans as a source of economic wealth both in the traditional ways and in new ways. Innovation opens new opportunities for ocean resources.

Our oceans are a source of great pride to me and to the members of the government. Now Canadians will have an opportunity to share this pride through their involvement in the oceans management strategy contained in part II of this bill. To develop the oceans management strategy we will be talking with Canadians and we will be learning from each other about our great ocean territory. These discussions will serve a number of purposes. They will create a framework for the oceans of the future. They will articulate what our oceans mean to our national dream. They will raise awareness of what oceans have meant to the cultural history of this great nation of ours. Canadians will decide.

Ocean awareness will ensure that Canadians will make the right management decisions. Awareness creates understanding and

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understanding prompts stewardship. We have much to do to generate awareness, but there have been some good starts.

Cultural, heritage and conservation groups from across Canada have documented the influence and impact of the oceans on local history. The New Brunswick Conservation Council's *Voices of the Bay* tells us a history of the Bay of Fundy from the perspective of those who have lived on its tides. The Western Education Development Group's *The Beach Book* provides us with a glimpse of sea life on the Pacific.

Educational material that creates ocean awareness has been developed by organizations such as the Vancouver Aquarium, the Huntsman Marine Science Institute and the Canadian Wildlife Federation. Students all over Canada benefit from the material distributed to them by these organizations.

The oceans are an important subject to students. The planet earth is somewhat misnamed, as over 70 per cent of it is covered by oceans. Politically it is fairly simple to create boundaries on dry land, but global oceans defy political boundary. The oceans tie the fate of each nation to a common global fate. Stewardship of the ocean is at one time a regional, a national and an international responsibility. What better way to ensure sound stewardship in the future than to educate those future stewards today.

For Canadians our ocean geography is particularly unique.

• (1735)

No other country in the world can claim to include three distinct ocean ecosystems within its exclusive economic zone. The Arctic, the Atlantic and the Pacific are as unique and different in climate and life form as are the prairies, the Canadian shield and the tundra.

I look forward to the day when classrooms across Canada will be filled with ocean projects, students tracking icebergs and salmon, drawing the paths of circumpolar pollution and measuring the high tides of the Bay of Fundy. I look forward to the day when we describe the Canadian landscape with ocean references as well as with land references.

I want Canadian school children to be able to point out the Grand Banks and the archipelago on a map as easily as they can find the Rockies in the west or the Appalachian Mountains in the east.

I would certainly urge all of my colleagues in the House in join me in voting in favour of this legislation, not because of the importance of the legislation but because of the importance of the oceans to all Canadians.

[*Translation*]

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, I must say I am a little stunned. What I would like to hear from the hon. member relates to two issues.

Why could Canadian students not study Canada's marine geography before the introduction of Bill C-26, the legislation on ocean management? I think the main thrust of Bill C-26 is to define the management strategy. What is important in a so-called national strategy are the partners who will support this strategy.

I know the hon. member, but I do not remember whether he is in his first or second term. By the way he answers—

An hon. member: It is his last.

Mr. Bernier (Gaspé): Someone says it is his last, but we will see at the next election.

I would like the hon. member to tell me, in order to protect ourselves from the risk of a change of government—I know some will work very hard for a change of government, as there may be also changes in provincial government—is it not appropriate at this stage to properly define the rights and powers of the provinces and the federal government on this management issue, so that we do not revive the squabbles of the past?

When people leave, if things are ill defined, the imbroglgio starts again. We only have to remember the time where Brian Peckford was the Liberal premier of Newfoundland, and we had a Conservative Prime Minister in the House. They were like cats and dogs. At that time, Newfoundland could not make itself heard on the status of conservation of the resource that was at its door.

If these rights and powers are well specified now, we will indeed solve these problems and, no matter what parties are elected, those who follow will know what to do. In that sense, history will show Canadian students that the hon. member is greatly in favour of education. They will remember that the people who were here during the 35th Parliament took action to ensure there a well preserved resource will remain.

[*English*]

Mr. Culbert: Mr. Speaker, I thank my hon. colleague for his question and his points of concern.

Obviously we must encourage and develop our students in the future to have access to more information on our oceans because they are, as I said in my speech, going to be the stewards in future years both environmentally for our oceans and all other components on this earth.

Yes, the bill does acknowledge partnerships with various groups and organizations, be they provinces of this great country that border on our ocean territories, be they fishing communities or environmental organizations. That is what it is all about. It is listening to one another. What works in one area quite frankly may not work in another area.

• (1740)

Mr. John Cummins (Delta, Ref.): Mr. Speaker, in his intervention my friend, the hon. member from the Gaspé, noted the crux of Bill C-26 was to define management strategies for the oceans act. When the bill was before committee the main Inuit organization in the Nunavut territory advised the committee that certain sections of the bill were ultra vires given the Nunavut land claims agreement.

The organization suggested the bill be amended to acknowledge that the governor in council could not make regulations under the act unless they were approved by the Nunavut land claims authority.

Given that the response of the government was to acknowledge that federal authority in Arctic waters is limited by the land claims agreement, what guarantees can the member for Carleton—Charlotte give the people of Canada that their interests in the Arctic will be protected by this bill?

Mr. Culbert: Mr. Speaker, the bill provides the framework to discuss with groups in the Arctic, groups in the Atlantic, groups in the Pacific the future and the stewardship of oceans. With reference to the Arctic Ocean, our future there and the various interventions that may have been made in the past or may be made in the future, this is extremely important.

That is why consultation is so important. That is what the bill is all about. It provides that opportunity for consultation in the future.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I listened to the member's comments. I want to ask the hon. member the same question I asked one of his colleagues earlier for which I did not get an answer whatsoever.

When this bill was before the House at report stage, the Reform Party put forward seven specific amendments to better the bill. The thrust of what we were trying to accomplish with those amendments was to make the point that we feel it is crucial that any and all fees are implemented only after a full socioeconomic impact analysis has been carried out, that they reflect the level and cost of the specific service and are discussed and implemented in a fully transparent manner with fully ongoing consultation with affected resource users.

The hon. member mentioned the importance of consultation and that this bill will allow that. Why then would the hon. member's party vote against those amendments?

I asked this question of one of his colleagues earlier and I did not get an answer. I would ask how this member voted and if he knows why his party voted against those amendments which would allow for that consultation.

Mr. Culbert: Mr. Speaker, I do not have before me a copy of the amendments the member spoke of. I can certainly guess that

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judging from the past they were not seen to be complementary in improving the bill. That is why they were turned down and not supported in that case.

[*Translation*]

Mr. Réjean Lefebvre (Champlain, BQ): Mr. Speaker, before speaking on Bill C-26, I would like to congratulate the hon. member for Gaspé on the excellent job he is doing on this issue.

I am pleased to rise in this House to speak on Bill C-26, an act respecting the oceans of Canada. The bill is based essentially on three parts: first, the recognition of Canada's jurisdiction over its ocean areas; second, a legislative framework for a national oceans management strategy; and third, the granting of powers to the Minister of Fisheries and Oceans, including the power to fix fees, power over marine sciences and, of course, power over the coast guard.

• (1745)

Bill C-26 is a perfect example of how little respect the federal government has for the provinces. The Minister of Fisheries and Oceans is set to unilaterally impose a fee structure on the marine industry for the services provided by the coast guard, particularly navigational aids and icebreaking.

Not only does it impose a fee structure that is far from equitable, but Bill C-26 also encroaches upon provincial jurisdiction, which it totally ignores, granting the Minister of Fisheries and Oceans the power to act without first obtaining the consent of the provincial governments concerned.

The minister uses Bill C-26 as an excuse to legislate in areas that currently fall under provincial jurisdiction or in a grey area. It is clear that the minister is taking this opportunity to settle the situation in his favour by taking over areas where he would like to act alone. The most blatant evidence of this is the fact that the provinces were barely considered in the process.

The tactic is simple: the provinces are led to believe that consultations are being carried out in good faith, but the government then acts according to plan, without making any changes.

We now see the result. While the bill is not yet in force, the Canadian coast guard has already started charging the shipping industry for its services. It should be the other way around. The mess the minister will be plunging the shipping industry and the pleasure craft industry into will come as a surprise to no one.

Just look at the provisions of Bill C-26 and you will understand the meaning of chaos, a real mess.

I will now look at part I of Bill C-26 entitled "Canada's maritime zones". This part refers to the rights the government wishes to legislate. Since the law of the sea is covered under an

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international convention, jurisdiction over maritime zones is established accordingly.

This legislation is so much wishful thinking and fine principles. The problem is that the provincial jurisdiction over maritime zones is being totally ignored. Worse still, the government is using the preamble of Bill C-26 to claim sovereign rights over this jurisdiction. Bloc Quebecois members are not fooled by these tactics, and neither are the provinces.

Part II of Bill C-26 sets out the legislative framework for the establishment of a national oceans management strategy. As I said before, the government is trying to assume new powers by taking advantage of existing grey areas. The result is an inappropriate legislative framework and persisting doubts over federal responsibilities as far as oceans management is concerned.

This vague legislative framework is deliberate and suggests that the minister intends to interfere in areas which should come under provincial jurisdiction. As an example, Bill C-26 refers to provincial ministers as mere associates. It goes even further, and places interested persons and bodies on the same level.

The main element of this part of the legislation is without any doubt the environment to which it refers. Indeed, Bill C-26 gives the Minister of Fisheries and Oceans environmental powers which already belong to the Department of the Environment.

It is as though a sectoral environment department was being established within the Department of Fisheries and Oceans, a coastal environment department. Why not abolish the existing environment department and transfer the responsibility for environment protection and conservation to all the departments? This would make it a total mess.

Seriously, we know that the tendency in the environment sector is to centralize powers in Ottawa. With Bill C-26, and supposedly because of the national interest, as defined in the Constitution, and the global nature of environmental problems, the fisheries and oceans minister will assume all the powers, including some which are not his relating to the environment.

• (1750)

The best example of this is the definition of "sustainable development", which is found in the bill instead of in the Canadian Environmental Protection Act.

The fisheries and oceans minister will also have the right to develop and to implement a national strategy for the management of estuarine, coastal and marine ecosystems. In order to achieve all this, officials will first have to set up activity management plans, establish management and consultation organizations, develop multiple programs and environmental standards, as well as collect and analyze scientific data on these ecosystems.

All this implies that the fisheries and oceans minister will turn his department into a perfect model of duplication and waste of public moneys, since it will get involved in all these activities which, incidentally, are already being conducted by Environment Canada or the provinces. Since the minister will be under no obligation to work in co-operation with officials from the environment department or any other department, let alone with the provinces, it should come as no surprise that the marine sector cannot understand what is going on. All this is unacceptable.

Part III of Bill C-26 gives the minister powers regarding fees, marine sciences and the coast guard. It is to be noted that, while the bill has not been passed yet, the minister has already implemented the first stage of the fee structure for navigation aids, which will bring in \$20 million. Indeed, companies were billed during the summer, even though the impact study on such fees will only be completed in November. Anyway, we already know what the results will be: the fees will have a devastating impact on the job situation in the marine sector in Canada and in Quebec.

Also, the whole fee policy is unfair. The minister is using the user fee principle to justify the regional rates, which give him the opportunity, for instance, to help out his native province of Newfoundland by granting considerable reductions, which the regions of the St. Lawrence and the Great Lakes will have to make up for.

We already know that these fees will greatly undermine the competitiveness of the ports in the St. Lawrence and the Great Lakes areas. The minister also intends to implement charges for dredging ports and the St. Lawrence seaway as well as for ice breaking along waterways. These measures are putting the ports of Montreal, Trois-Rivières, Matane and Rimouski in jeopardy, and that is unacceptable.

Bill C-26 undermines the power of the provinces by granting the Minister of Fisheries and Oceans exclusive powers over the maritime areas, all in the so-called best interests of the country. The government will only succeed in creating a total administrative mess and costly duplication by setting up an unfair fee schedule and by granting the Department of Fisheries and Oceans powers in environmental matters, which are already dealt with by the Minister of Environment.

The proposed measures in Bill C-26 are a threat to the marine sector and this is unacceptable, since the current economic situation requires rational and stimulating action to help create and develop jobs.

[English]

Mr. Werner Schmidt (Okanagan Centre, Ref.): Mr. Speaker, a series of speakers this afternoon have given us science lessons on the value of the oceans, on the beauty of the oceans and of its inspirational value to various artists. We have now heard about the duplication of federal jurisdiction over provincial jurisdiction. There have been accusations of intrusion into the provincial

jurisdiction by the federal minister. And all this is subsumed under the bill presently before the House.

We have had all these pontifications about the science, the research and the development, the high tech science and technology that will be developed because of the ocean since after all it gave rise to the explorers from across the world, and this is what built Canada. The oceans apparently are the source of everything good and wonderful that has ever happened to this country. If it is so important, why is it that this bill is silent?

• (1755)

Could the hon. member tell us whether he has done any research into the area of the ocean management strategy and the Advisory Council on Science and Technology that is being outlined here? Exactly how is this going to fit in with a further development of science and the culture of science in the Canadian student body and the young people that are going to find jobs in the research and development of oceans in this Canada of ours?

[*Translation*]

Mr. Lefebvre: Mr. Speaker, I want to indicate to my colleague that I am not a member of the government. It is not up to me to find out all the answers. We are here in fact to protect the interests of the taxpayers. We can see today that duplication among departments really exists, even among federal departments.

Moreover, this infringes on the provincial jurisdiction over lakes and rivers. As you know, we have many outfitters in my riding of Champlain. We even have a lake and forest fair. My colleague mentioned earlier the issue of student jobs. Where my riding, which is so rich in lakes and rivers, will be hurt is in its outfitters and fairs. That is why I want to stress the fact that my riding's outfitters and fairs will be ruined.

This is where the student jobs come from. And now, the whole economy of the tourism industry will be destabilized.

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, I would like to congratulate my colleague from Champlain for the speech he just made on Bill C-26. He made a good analysis of this bill, dealing with each of its three parts separately. I took note of his remarks.

But before commenting on the speech made by the member for Champlain, I would also like to mention that the Reform member's question was very appropriate. It is true that my colleague, being an opposition member, does not have to prove the merits of this bill. It is also unfortunate that we do no Liberal member has risen in this House and said: "Yes, we are eager to get rid of this bill because we have other bills to study which will create jobs". In this sense, the Reform member was right to raise this question.

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I would now like to come back to the speech made by my colleague from Champlain. In the first part of his remarks, he mentioned that Canada was using the preamble to this bill to proclaim its sovereignty over its waters. This will not increase, and I am sure my colleague will confirm it, the quantity of fish in these waters.

I would like to add to the member's remarks that it is funny to hear that from the Liberals. When we say the word "sovereignty", they think it necessarily means separation. Should we expect a declaration of separation of Canada from the rest of the world? I do not think so. I take this opportunity, since the Liberals now use the word "sovereignty" in its true sense, to do a bit of teaching. Sovereignty means being able to enjoy the rights you are entitled to within your own territory. In a sense, that is what we mean in Quebec when we talk about sovereignty.

I noted that my colleague mentioned that there is no distinction between the rights of the Department of Environment and the Department of Fisheries and Oceans. It is a complete mess. The former fisheries minister has already admitted in committee that the two departments had become the Yin and the Yang. Once again, good marks for the member for Champlain who has understood everything.

• (1800)

The other point he raised deals with the power of the minister to set fees, and many other colleagues of mine will also raise that point. Without having those regulatory powers yet, the minister has already grabbed 20 millions dollars from the marine industry for aids to navigation.

Last summer, during consultations over the issue of pleasure craft, they tried to get an additional \$14 million. But because of our protest, and my colleague from Champlain had already begun to raise the issue in his own riding, people came in great number to those consultation hearings and the Canadian Coast Guard had to back down.

Imagine if the power to set fees had already been in place without the transparency process necessary to guaranty efficient services!

When the Coast Guard provides services those services must be efficient. Secondly, there has to be transparency in the establishment of fees. Like myself, numerous other members are wondering how we will improve security by requiring recreational boaters to pay five dollars or even 35 dollars to register their craft. That does not make any sense.

So I would ask my colleague to tell me if he believes that, in the riding of Champlain, thanks to this new legislation and the powers it provides, because it seems that the power to set fees is the only

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thing that interests the minister, safety on the lakes will be improved by requiring a fee of \$ 35 on a pedal boat, for example.

Mr. Lefebvre: Mr. Speaker, I thank the member for Gaspé for his question. Concerning the fees, we are now visiting our constituents in our ridings and we hear a lot of complaints.

As I said, these fees will ruin outfitting operations and fairs in our ridings, where there are lakes. In Sainte-Thècle, where the lake and forest fair takes place, these fees will reduce the flow of visitors in the nearby communities, affecting the tourism and fishing industries, as well as river canoeing and kayaking. If these municipalities must pay for the lake activities or infrastructures, I think we will see student summer jobs disappear, and this is really too bad. Summer jobs for students as well as every other paying job in our municipalities would be affected.

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, I am extremely pleased to speak again on this bill, which has been around since last spring. I do so as the member for Trois-Rivières, a port city, and as the critic for regional development. I can tell you that regional development gets it in the neck with this bill. I do so also as an associate member of the Standing Committee on Fisheries and Oceans, on which I have the privilege to sit and where I heard the complaints, claims and concerns of users, particularly of the St. Lawrence River and the seaway. They came to try to change the government's mind about this bill.

It seems to me that the federal government has for a long time been considering imposing fees on users of Canada's ports in general and of the St. Lawrence River in particular.

In fact, a few months ago, the government commissioned a study entitled IBI, pretending—according to the witnesses—to ask the users of St. Lawrence ports and of major Canadian port facilities for their opinion. These studies have been described as a farce, phoney consultation, pseudo-consultation and—to use the words of one witness—a study which is not worth the paper it is written on.

• (1805)

This gives you some idea of how well the users agree on this. The key concept in the government's intentions is user pay. Hearing witnesses such as these shows us just what collaboration there is between the two parties.

Clearly, the government has only one real objective: by the year 2000, to extract the tidy sum of \$100 million from the pockets of the users, the ship owners who use Canada's port facilities. This amount will be recovered in three stages. The first involves navigational aids, and that is the one that is involved at the moment. The second, coming this fall, involves ice breaking, that is the use of icebreaking vessels, particularly in eastern Canada, on

the St. Lawrence. The third will involve dredging the channel itself and whatever passages between the channel and the ports need dredging.

We have seen a great deal of arrogance, a great deal of arbitrariness, a great many decisions not necessarily based on true reflection and consultation. I would say that the Department of Fisheries and Oceans behaved badly in this connection. Not only did it not succeed in convincing the stakeholders that its position was justified, it did not even try.

It carried out no impact studies on the effect of charging user fees in future for services currently offered free of charge in the public interest. I must point out that some witnesses spoke of the devastating effects on the St. Lawrence and Great Lake ports' ability to compete with the American eastern seaboard, with Halifax—in the case of Montreal—and even with ports along the Mississippi in the U.S.

There has been no impact study demonstrating the risks or benefits of charging fees. There may be long term benefits, but there do not appear to be any short term ones. No one even took the trouble to see what the effects would be.

There was no obligation felt to describe the services actually provided by the coast guard to these users, in order to convince users of the need to charge fees. All that was said was that the coast guard does this, that, or the other thing, in this or that part of Canada, and that starting on such and such a date, users will have to pay for unspecified services rendered.

Contrary to what was immediately requested by users, those who deal with the coast guard, there has been no effort on the part of the coast guard to systematically reduce costs and make this fee setting scheme more palatable, potentially more acceptable. If at least it could be said that the coast guard has made an effort, has been trying to do its part to reduce the deficit by collecting \$180 million, has reduced its costs by X million of dollars, we would agree to join in. In no way has the coast guard tried to show its good faith or streamline its operations.

This is serious. But beyond the words, the speeches condemning this, there will be dire consequences. We have heard some troubling facts. I will give you a few examples. According to some users, and not the least of them, if I recall SODES made the following point.

SODES is made up of all the major users, namely the Canadian aluminum industry, the pulp and paper industry, the forest industry, the mining industry, the oil industry, everybody including St. Lawrence Cement, Irving Oil—that belongs to a famous family—and a lot of important people. Even the Canadian government, mainly through Industry Canada, belongs to this group. SODES

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found that this will result in an increase of one dollar a tonne for services on the St. Lawrence.

• (1810)

The coast guard said that it was not one dollar, but rather 10 cents a tonne. If SODES is right, one dollar a tonne would be a disaster in terms of international competition. SODES must be wrong, because if it is not, one cannot help thinking this is a machiavellian plot to weaken the Quebec economy, and it might very well be. As a matter of fact, it is an issue which would deserve more in-depth scrutiny because if it were to result in a one dollar a tonne increase, this would mean that the cost of services currently provided would double.

Another troubling fact concerns the way the fees were set, given the competition between the various ports in eastern Canada. You must know that Montreal is a destination for container carriers whereas Halifax, a direct competitor of Montreal, is a port of call.

They had a choice between two ways of setting fees. One is based on the actual size of the ships. A 30,000 tonne ship is always a 30,000 tonne ship whether it is at sea or in port, whether it is full or empty. According to this method, there is an objective fee applicable to all ships and the price is always the same, since it is based on the size of the ship.

The other method, which is also used, is based on the volume of cargo unloaded at a port of call. As we said, Montreal is a destination and Halifax is a port of call. What method do you think the coast guard chose? One discriminates in favour of Halifax and the other one would set all ports on an equal footing. What method was chosen? The one discriminating in favour of Halifax, of course.

So all those containers unloaded in Halifax are taken into account when the fees are set. A more objective method could have been used, one that would have pleased all those people using the St. Lawrence and, I am sure you have guessed it also, that would have been a great help to Montreal's economy which in any case is flourishing because of the constant help it receives from the federal government, which of course decided a long time ago to appoint a minister responsible for the Montreal area, as Quebec did.

There is another element of some concern in the way these fees will be implemented. While we rely on a principle called "coast to coast pricing"—that is to say a fee structure applicable from one end of Canada to the other—the need to reduce the deficit, the mood of the time, the decision to impose a fee, all of Canadian from coast to coast to that point, except that for obscure reasons, it has been decided that Canada should be divided in three large regions: the West, central Canada—that is Quebec, Ontario, the Great Lakes and the St. Lawrence—and the East. We then have three large regions with, as you might have thought, different fees.

We have three distinct societies each with its own fee structures for basically the same services.

An analysis has been done for Quebec, and the proposed fees, just for aids to navigation, will have "potentially devastating consequences", to use the expression of one of the witnesses. For a 25,000 tonne ship using the St. Lawrence Seaway and aids to navigation, the \$112,000 will be per year. Can you imagine, when you have a fleet of 25,000 tonne ships how much more this will cost for aids to navigation only.

Therefore, when we talk about devastating effects, this government will never be able to claim that it did not know, it will never be able to say that the opposition did not do its job of raising awareness. We are warning the public that what is going on right now is of immeasurable proportion and will have devastating mid- and long-term effects.

• (1815)

This may seem comical, but we are talking about \$112,000 each year for a ship that sails on the St. Lawrence, that goes to Montreal, for example, that uses a port on the St. Lawrence. The ship that sails on the St. Lawrence and goes directly to the United States without stopping in any Canadian port does not have to pay anything.

It will use navigational aids, ice breakers and so on. Until further notice, it does not have to pay a cent. It goes through Quebec and Canada and directly to the United States, and it pays not a cent. If there is any logic in this, it is in Canada's heavy dependency on its dear American neighbours. There is no other explanation for it. How can such an anomaly be justified? No user fees are imposed. This will, as you also understood, greatly increase competition between American and Canadian ports. American ports will not be penalized in any way, while Canadian and Quebec ports will be hit directly.

I would simply like to say, and I speak as the critic for regional development, we should be aware it is Quebec's regions that are affected. It is Sept-Îles and the area around it, Baie-Comeau, Port-Cartier, Quebec City, the Saguenay, Trois-Rivières—my region, Montreal, the south coast of Gaspé, Rimouski, Lauzon, Saint-Romuald, Sorel, the industrial park of Bécancour with its port in Quebec and, of course, Montreal. All these regions will be affected as 85 per cent of the Quebec population lives along the St. Lawrence. This bill and the proposed power to set fees would have a major impact on all the regions in Quebec.

That is why the people must be alerted. The media must examine this issue. As was pointed out earlier, they in no way tried to find out how much it would cost us to collect this \$20 million. If it cost 25, 30, 40 or 100 million dollars, should we still go ahead with this? Could we not say, as we have always said, that we will make our services even more efficient so that foreign shipowners want to come to Canada, to the St. Lawrence? We should pay attention to

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how we can compete with U.S. and other foreign ports, especially that of Philadelphia, which is very aggressive and very well positioned to compete with Montreal.

We should proceed very carefully in this area instead of barging in without any studies or analyses.

The second part of this fee implementation policy, as you heard from my colleagues earlier, deals with recreational craft. Registration will now be compulsory and owners will have to pay between \$5 and \$35 depending on the kind of boat. The government says it will consult with people but all it does is ask for their opinion and then forget about it the next day as it imposes measures that have nothing to do with the main purpose of this bill. The government's big excuse is public safety. How can the government argue that having to pay \$25 for a canoe or a pedal-boat will make the owner more careful?

What is the relationship? The government's demonstration is flawed. In fact, having to pay a fee in no way guarantees that the owner will be more careful.

As for the user pay principle, there is no evidence in this respect either since in Quebec the coast guard operates on the St. Lawrence, Saguenay, Richelieu and Ottawa rivers but the fees—which are in fact a hidden tax—will be paid by people who own pedal-boats on small lakes north of La Tuque or in the Laurentians, where the coast guard has no business. People will now have to pay for a license to own a canoe. This has nothing to do with the coast guard. Let us call a spade a spade. The government should at least have the decency, instead of talking about safety, to say that they need money, that the cutbacks are not enough.

• (1820)

They say that the Coast Guard has not been able to cut its services first, to rationalize its operations, and so once again they are dumping on the little guy, forgetting that ten horsepower engines have to be registered free of charge, neglecting to perhaps make them pay a bit more. Do you know what the rate is per foot for the luxury boats that use the locks here, not far from Parliament Hill? Do you know what it costs for a thirty foot boat? The charge is 50 cents a foot, 15 cents to open the locks, the staff required, the maintenance and so on. When you can afford that kind of a boat, you can afford all that goes with it and should not be asking those on welfare or unemployment or earning minimum wage, which is worse yet, to help you pay because 50 cents per foot is too high a fee. Why not charge the actual cost to these people so that they assume the full consequences of operating a boat that size.

Another thing bothers me and that is, in its press release, the department's talk about the benefits of imposing fees on boats. My hon. colleague from Bellechasse, who is a lawyer by profession, will understand what I mean. As a benefit of the fee structure, the

department lists, and I quote: "The establishment of a computerized system to store up-to-date information on boats allowing the organizations responsible for search and rescue operations and for implementing the act, to have quick access to reliable data, 24 hours a day. This system would greatly increase their effectiveness during investigations relating to theft and other offences, and to search and rescue operations. All those who use Quebec waters would benefit from this improvement".

No one, including myself, can be against virtue, but I think the government is coming up with some fine excuses to monitor people and find out where they are 24 hours a day, seven days a week. The same thing happened with firearms. I think this is a little too reminiscent of a quasi-police state in that there has been no debate. This is not necessarily wrong, but there has been no debate. The government makes its own little administrative rules and gives powers to ministers, deputy ministers, officials and police officers under the guise of controlling and getting information. Big brother was not invented by the official opposition, by the Bloc Québécois. These departments should be cautious and think twice before imposing so many controls on the population. This is dangerous and it does not appear that any such reflection took place within the department.

I now come to the last point. As regards the negative impact of this possible fee structure, we mentioned earlier that outfitting operations could be seriously affected. They have many boats. If an outfitter has 50 rowboats, a fee of \$5 to \$35 per boat will result in high costs in the end.

The same goes for summer camps who must have pedal boats, canoes, kayaks, windsurfers, etc. Who is going to pay for that? Once again, the father who is sending his kid to summer camp will be told: "It will cost you \$80 more because of the government's fees". We should not lose sight of that. That is what impact studies are for. When they are not made, bills are full of holes. One can wonder about the wisdom of this bill. But maybe they are so near sighted they cannot think of any other means. The impact on regional tourism development should also be considered. By increasing taxes all the time, Quebecers and Canadians who spend their holidays in their own country, Canada or Quebec, may very well feel like going on vacation elsewhere.

A person who has a cottage and consumes beer, grocery, bread, etc. and who buys gas in Canada and in Quebec deserves to be congratulated from time to time, instead of being encouraged to go to another country not too far away where prices are cheap.

Fortunately our dollar is low, but it could go up with such policies. What kind of strategy do we have to encourage tourists from Canada and Quebec to stay here? We find numerous ways of making life less pleasant and of reducing the purchasing power of tourists vacationing in Quebec and in Canada.

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• (1825)

This bill is particularly appalling, because it strikes at big and powerful users and jeopardizes the economy of Quebec and the whole St. Lawrence Valley. It strikes, underhandedly, at the consumer, at families and at institutions like outfitters and summer camps. It is very disturbing in security terms and it implies, as I said, a certain control over the population, which is worrying for me. That is why I will, of course, vote against this bill.

Mr. Yvan Bernier (Gaspé, BQ): Mr. Speaker, I would like to commend my hon. colleague from trois-Rivières for the presentation he just made as well as congratulate and thank him because he was an associate member of the fisheries and oceans committee at the time when the committee considered the proposed tariff structure for navigational aids that the coast guard imposed this year.

Thanks also because we had to go so quickly and hear many witnesses. I must praise the hon. member for Trois-Rivières for his regular attendance and say that his remarks were always to the point, just like today, in relation to the concerns he had, along with industry representatives.

That said, the focus of our colleague's remarks was part III of the bill, dealing with the minister's power to fix fees. Even though Bill C-26 has not yet been passed, a great deal of arm twisting has already taken place in the industry. Now, once Bill C-26 is in force, imagine how quick and easy it will be for the government to go around picking pockets, as required.

This may sound slightly exaggerated, but I think my colleague has clearly put the point across that people have had it with having their pockets picked all the time without any impact studies nor examination of the efficiency of the services offered by the coast guard.

At many hearings, people testified before the fisheries and oceans committee that they were prepared to do their share to lower the deficit. Coming from the industry, it does them credit to come out and say something like that. But they added this: "But we do want to be sure, for one thing, that the services are provided efficiently. Also, could there be a fee setting mechanism?"

This bill gives the minister the power to set fees but does not provide, in the name of transparency, for further consideration in this House. We did not ask for much in our proposed amendments, just for another three hours of debate. Why was this proposal rejected?

A feedback process should also be put in place. My colleague, who has very close ties to the industry, knows what a valuable contribution the industry can make. We will need the co-operation of the industry, of these taxpayers, in the future. They are quite

willing to do their share, but we must show them how transparent our actions are. We must also tell them how they could co-operate, tell them where cuts must be made, where concessions have to be made. We must do things like that.

One more point, before I complete my remarks. I would like to draw attention to the wisdom of what my colleague for Trois-Rivières said when he pointed out that the regulatory measure establishing the fees to be paid for Coast Guard services, for navigational aids, by ships sailing on Canadian waters, will not apply to ships bound for the United States sailing through Canadian waters. That is unfair.

After having established in the preamble of Bill C-26 that:

Parliament wishes to affirm in Canadian domestic law Canada's sovereign rights

how can a Canadian government do that? If we are sovereign, we should also take the means to enforce the law when those ships sail through our waters. Since I see that my colleague would like to add something to that, I yield to him.

• (1830)

Mr. Rocheleau: Mr. Speaker, I simply want to point out two things. As regards the fees for navigation aids, do you know how much users in the port of Trois-Rivières will have to pay because of these fees? It will cost them \$500,000 annually. They will have to pay this amount every year for navigation aids, and it appears this is the least costly part of the whole thing.

Soon they will also have to pay for the removal of the ice and then for dredging. Imagine the impact of these fees on the competitiveness of the port of Trois-Rivières, compared to other Quebec ports, but particularly American ports, given that Quebec ports will all be affected.

When no impact study is conducted because the government wants to immediately bring in \$20 or \$30 million, it could easily end up costing us \$50, \$60 or \$100 millions, in the medium and the long term.

I will conclude with my second point. I want those who are listening to realize that, in my opinion as a citizen and a member of Parliament, it is almost unthinkable that the Quebec government would consider something like this in the context of sovereignty. In a sovereign Quebec, the St. Lawrence River would, given its important role in Quebec's economy, be made even more attractive to foreign investors and shipowners.

This is an almost machiavellian operation that will have the effect of making the St. Lawrence River an option that is way too costly. I believe there is a real danger of this happening. In Europe and in Asia, people will look at the map and wonder why it has become so costly to go to Montreal, compared to previous years.

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It will be because a fee is charged for the ice breaker working up north. It will be because a fee is charged for navigation aids, buoys, beacons, telecommunication and other services. It will be because a fee is charged for everything, including dredging. When they see this, users from Greece, England, Australia, Taiwan or China may well decide to stop coming to Montreal, because it will cost too much. And it will cost too much because Ottawa will have decided so.

As a sovereigntist member of Parliament, I am convinced that such a decision is unthinkable in the context of a sovereign Quebec. This is yet another reason to encourage Quebecers to remember this episode at the next referendum.

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, when I went over this bill, I was flabbergasted. I met with industrialists from my riding, who told me that they have had raw material brought by boat from South America, among other places, and that the price difference per ton of using the St. Lawrence Seaway rather than a port in the eastern region of the United States, in Boston or New York, for example, and then the railway system was only about 1 cent.

Now, the fee schedule set by the minister will affect this fragile balance and cause these industrialists to rethink their transportation policies. Members will realize that, if other industrialists react the same way, some resources in the St. Lawrence seaway will have to be shut down, and this will lead to unemployment.

• (1835)

Earlier, my colleague from Trois-Rivières was right to say that we have yet to assess the impact of this decision. It looks like, in the very short term, the minister wants to quickly collect about \$20 million a year. But for what? So that his government does not have to cut elsewhere in order to still be able to deal with a deficit without having to take the consequences.

However, the real consequences, as my colleague from Trois-Rivières pointed out, are the medium and long term impacts, which will be much more considerable than the total amount of the expected savings. This could lead, for example, to increased unemployment. In fact, this is exactly what will happen. We are creating unemployment. This government across the way, which got itself elected on a job creation platform, is proposing a bill that will create unemployment. And where? In Quebec, among my fellow citizens, whose principal activity, from the time our ancestors arrived on this continent until now, has been shipping.

The St. Lawrence Seaway is a resource for Quebec. It is a resource that Ottawa, the federal government, has no right to control to the point where we can no longer use it economically. And that is exactly what is going to happen.

The minister does not understand the ramifications of what he is about to do with this bill. The minister does not realize that, as far as industry is concerned, all the ports on the St. Lawrence are going to be dealt a hard blow.

Jean-Marie Vignola, who was given the mandate of studying the economic impacts relating to the port of Quebec City, discovered that the economic contribution of the port of Quebec City, and I am only speaking of that port, over a seven year period, is equivalent to the impact of hosting the Olympic Games. Imagine, every seven years, the port of Quebec City alone generates the equivalent in economic spinoffs for the Quebec region of hosting the Olympic Games.

That is what the minister is monkeying around with, and not just in Quebec City, but in Montreal, Trois-Rivières, Bécancour, Saint-Romuald, in fact the length of the St. Lawrence. User pay is all very fine and well. But what is the user using and how much is he paying? Will there be a distinction made between the user who relies a little more heavily on telecommunications and the user who relies a little less so, between the user who uses a satellite navigation system and the user who relies on buoys and light-houses?

Earlier, my colleague, the member for Trois-Rivières, quite rightly pointed out that ships travelling the St. Lawrence Seaway to a final destination in the United States will not pay a cent. They will have used the resources to the same extent as any other ship destined for Montreal or Quebec City, but since their destination is the United States, they will not have to pay a cent. Who will pay the bill? It will be split among other users who use the services to reach destinations in Quebec or in Canada.

You realize that this bill is being presented to us under false pretences. The rationale behind it is faulty. And I have not mentioned the absolutely ridiculous provisions that would tax an ordinary citizen, small outfitting operations and holiday camps for their pleasure craft.

Honestly, will it get to the point where they slap a tax on the boats children play with in wading pools or the bathtub? Where will it all end? The coast guard claims that it will provide services. None of our viewers takes that seriously. The only person taking it seriously is the minister.

I see that my time is up and I will conclude as follows: the public cannot accept such a sorry excuse for a bill and I hope it will make its views known. It has the support of the Bloc Québécois.

• (1840)

The Deputy Speaker: The member for Portneuf will have eight minutes left next time if he wishes to use them.

ADJOURNMENT PROCEEDINGS

[*Translation*]

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

TELECOMMUNICATIONS

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, on a different subject, and not really a more pleasant one, I had the opportunity, a few days ago, to ask the industry minister what he intended to do to ensure that everybody had access to basic telephone services.

The problem is this: the industry minister, in the name of free competition, wants us to believe that the consumer is going to benefit from this competition. However, our telephone bill has already increased by \$4. And that is not all. There will be another \$2 increase and, on top of that, Bell Canada will soon be asking the CRTC to approve a rate increase that will affect mostly rural communities.

I met with people from Bell Canada and asked them what is going on. They said: "Look, we do not make the laws. The minister makes the laws". But from the moment he makes them, we have to live with them.

Here are the consequences: since there is free competition and since the cost of providing telephone services in urban centres is less, everybody is rushing to take its share of the urban market. Before, since there was a monopoly, part of the revenues from urban areas were used to pay for the additional costs in rural areas. There are more poles to install, more wires, etc. That will no longer be possible.

We will have a problem in rural areas because telephone companies will refuse to provide that service. If that is the message the minister wants to send Canadians, what he is indeed saying to the people and to small, medium and large businesses is that they should stay away from rural areas because they will pay more for telephone services, that they should be closer to the urban centres if they want to reduce their telecommunication costs.

It so happens that telecommunications are very important for a business in a world where information is the cornerstone of the economy. The minister's message contradicts reality. The consumer does not benefit from this kind of competition. The consumer pays increasingly more, and it is not over yet.

So, basically, what I am asking the minister is this: Will he take measures to eliminate or solve the problem? Will he follow the example of California and create a fund to allow isolated areas to reduce their phone bill and to allow the less well-off, people who cannot afford to pay higher phone bills, to have telephone services at an affordable price?

Adjournment Debate

To me, it seems to be fundamental. The minister can no longer wash his hands of it and leave everything to free competition. He has the social responsibility to protect rural communities and the less well-off. I am expecting an answer from the minister.

[*English*]

Mr. Morris Bodnar (Parliamentary Secretary to Minister of Industry, Minister for the Atlantic Canada Opportunities Agency and Minister of Western Economic Diversification, Lib.): Mr. Speaker, Canadians have one of the best and most advanced telecommunication systems in the world at prices that are among the lowest in the world. Canada has achieved one of the highest telephone penetration rates in the world, which is 99 per cent in 1995.

One of the objectives of the Telecommunications Act is to render reliable and affordable telecommunication services to all Canadians. Another objective is to foster competition in the provision of telecommunication services.

Since the late 1980s we have introduced competition in almost all telecommunication markets. As we move to more competitive markets, the government is committed to ensuring that all consumers, those living in rural and remote locations, those in low income groups and those with special needs, continue to have affordable access to central communication services.

Currently the CRTC is considering the need for specific means to ensure that local service continues to be universally accessible and affordable as we move to competition in this market. The government is monitoring these proceedings closely. Our goal is to have the most advanced and lowest cost telecommunications infrastructure in the world, one that offers consumers a broader range of innovative products, services and suppliers from which to choose.

● (1845)

JUSTICE

Mr. Chris Axworthy (Saskatoon—Clark's Crossing, NDP): Mr. Speaker, some time ago I raised with the Minister of Justice his handling of Patrick Kelly's section 690 application.

As the minister and the House know, Mr. Kelly, a former undercover RCMP officer, was convicted in 1984 of the murder of his wife three years earlier and has spent thirteen and a half years in jail, the last eight being at William Head Institution.

Patrick Kelly continues to languish in the bowels of the Canadian criminal justice system while the minister drags his feet about ordering a new trial for Mr. Kelly. From day one Mr. Kelly has proclaimed his innocence and from day one the Department of Justice has mishandled the investigation into Mr. Kelly's case.

Adjournment Debate

Three years ago Dawn Taber, the crown's key witness, recanted her original testimony in which she had claimed to have seen Mr. Kelly push his wife from their Toronto highrise balcony. "I did not see Patrick Kelly drop his wife off the balcony. That was a lie". She said this three years ago.

The Minister of Justice took one and a half years after this recantation to even both contacting Dawn Taber for an interview even though she has made herself available and has been a willing witness.

On many occasions, other members of Parliament and I have pressured the justice minister to release critical information from the police investigation that was originally withheld, information that Mr. Kelly's defence lawyers would need in order to properly represent him. But those police reports apparently fell into the chasm of bureaucracy for 13 years until some of them, and only some of them, were released in February 1996.

Why has the tape recording of the interview with Dawn Taber, the key witness, with the police and the psychiatrist mysteriously gone missing? What are the police, the psychiatrist and the Department of Justice hiding? Furthermore, the minister assigned the very officer accused of suborning Dawn Taber's evidence in the first place to take part in the reinvestigation. Clearly this represent a serious problem.

In June 1995 the minister ordered an independent scientific analysis of the evidence. However, to date the minister has failed to ensure that this analysis is completed and calls from Mr. Kelly's counsel for this analysis are going unanswered.

On more than one occasion the minister assured the House that he would prepare an investigative brief and personally assured members of Parliament that this would be done. Yet suddenly after three years of spending public money on this investigation, the minister refuses to supply that brief.

There are very serious questions about the minister's inaction in this case. Why has the report that was prepared by Michelle Feurst, the minister's independent counsel, not been made available to Patrick Kelly and his counsel and shown to the public who paid for it? Again, what kind of justice is this?

The Minister of Justice has mishandled Mr. Kelly's application and it is time that he accepted some responsibility and answered some questions. Is his staff incompetent or are they merely uninterested in pursuing the truth? What about the evidence which is being hidden from all of us, perhaps evidence that shows Mr. Kelly's innocence? What about concerns of wrongdoing by the metro Toronto police, the RCMP and, indeed, Department of Justice officials?

The minister has led an investigation that has acted with no sense of urgency, with a total lack of established rules of procedure and a total lack of disclosure. Why does the minister continue to conduct an investigation in darkness and secrecy?

When the crown's key witness admits to lying on the stand and when police documents show they have hidden information, then it is clear that justice has been violated, a fair trial denied and thus a new trial must be ordered. It is quite that simple.

The minister has repeatedly promised to review the case, to release a brief, to make a decision and yet the silence continues. That silence is the sign of a minister responsible for justice not ensuring that justice is done. This cannot go on any longer.

When will the Minister of Justice do the right thing by Mr. Kelly?

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, on May 8, 1996 the hon. member for Saskatoon—Clark's Crossing questioned the Minister of Justice in the House about the section 690 of the Criminal Code application of Mr. Patrick Kelly.

Section 690 of the Criminal Code provides a person convicted of an indictable offence with a last chance to correct a wrongful conviction. It authorizes the minister to grant a new trial or if circumstances warrant, the ordering of an appeal if the circumstances warrant.

The section 690 procedure allows for ministerial review of cases where, for example, new evidence or information provides a reasonable basis to conclude that a miscarriage of justice likely occurred in the conviction of the applicant. This section gives the Minister of Justice important powers so that each application is reviewed very conscientiously and thoroughly.

The hon. member for Saskatoon—Clark's Crossing has expressed concern at the department's handling of this application. Mr. Kelly's application has some extraordinary features. One of them relates to the request by the applicant's counsel for all the information gathered during the investigation and not merely a summary of it. An investigation brief only provides a summary of the relevant information and in this case, indeed, the department acceded to the counsel's request and provided the relevant information. Therefore there is no need to provide a summary of the same information.

On July 16, 1996 Mr. Kelly, by his counsel, submitted comments and additional materials which exceeded 500 pages. These submissions have been reviewed by department officials who have recently referred the application and the submissions to the Minister of Justice for his review.

In the circumstances, since the applicant has received the relevant information that was gathered, there is no need to provide a summary of the same information.

The Deputy Speaker: The motion to adjourn the House is deemed to have been adopted. The House stands adjourned until tomorrow at 10 a.m.

(The House adjourned at 6.49 p.m.)

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