



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, November 27, 1996**

**Speaker: The Honourable Gilbert Parent**

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## HOUSE OF COMMONS

Wednesday, November 27, 1996

The House met at 2 p.m.

[*Translation*]

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*Prayers*

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**The Speaker:** As is our practice on Wednesdays, we will now sing O Canada, which will be led by the hon. member for Swift Current—Maple Creek—Assiniboia.

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

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### STATEMENTS BY MEMBERS

[*English*]

#### CANADA WORLD YOUTH

**Mr. Ian Murray (Lanark—Carleton, Lib.):** Mr. Speaker, it gives me great pleasure to recognize a group of students who are with us today from Canada World Youth.

Seven Canadian and seven Russian youths are taking part in this exchange program. The students are spending three months in Smiths Falls and Brockville, Ontario and then will travel to Russia for three months.

Canada World Youth, founded in 1971, is a non-profit organization that co-ordinates international exchanges and non-formal education experiences for youth. This program creates unique cross-cultural learning experiences, develops leadership skills and provides opportunities for young people to become involved with international and community development issues.

The seven Russian students are billeted with seven Canadian families for the three-month period. Volunteer work placements are sought to allow participants to learn how small businesses and community service organizations function.

I commend the organizers for their hard work and dedication which have made this exchange so successful for the last 25 years.

#### EMPLOYMENT INSURANCE

**Mr. Gilles Bernier (Beauce, Ind.):** Mr. Speaker, part time workers, women for the most part, are penalized by the new employment insurance rules that require far too many hours of work for them to qualify. They will have to work 910 hours, or the equivalent of twenty-six 35-hour weeks.

Under the old legislation, anyone who worked 15 hours a week or more was covered, but now there are workers who, while paying premiums and theoretically being eligible for employment insurance, will in fact never qualify because the number of hours of work required is excessively high. Nor will they qualify for a rebate on their premiums. This is a grey area.

In a region like ours, in Beauce, requiring so many hours of work to qualify is tantamount to excluding part time workers from the program. I suggest that the legislation be made more flexible so that part time workers are not made poorer still.

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#### ARTS AND CULTURE

**Mr. René Canuel (Matapédia—Matane, BQ):** Mr. Speaker, I wish to congratulate Artqui Média on its 10th anniversary.

Indeed, Artqui Média has been promoting arts and culture for 10 years already. To mark this anniversary, a gala dinner under the theme "Une fête en art, couleur d'Agate" recently took place in Amqui, with 450 people in attendance, and Agate prizes were awarded on that occasion.

Since 1987, 129 people have been awarded these prestigious honours. We are not always aware of the contribution made by those who work very hard to brighten our daily lives and promote an awareness of beauty.

The 10 years of Artqui Média are evidence that, even in remote areas, the discovery, promotion and development of the arts is possible. I congratulate the artists who were awarded Agate prizes, and all the others as well. I also congratulate their big sister, Lise Bédard-Archambault, for her great success. Again, congratulations to all our artists.

*S. O. 31*

[English]

### VEGREVILLE

**Mr. Leon E. Benoit (Vegreville, Ref.):** Mr. Speaker, it has been a week since the media broke the story about a leaked report on the Vegreville Immigration Centre which slammed the people of the town and the centre as racist and sexist.

The minister of immigration still refuses to offer a simple apology for the actions of her department which unfairly damaged the reputation of the people of Vegreville. The mistake was commissioning a third party study to deal with isolated charges of racism and sexism when these charges should have been dealt with quickly and firmly by management.

By calling for a study, her department was indicating that there was a widespread problem when that was not the case. The report verifies that there were isolated incidents only.

The deputy minister should have anticipated that a study which was as widely circulated as this study was, would be leaked and it was. The immigration department is responsible for unfairly tarnishing the reputation of the good people of Vegreville.

Will the minister show enough consideration for these people to apologize for the damage that her department has done?

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### INFRASTRUCTURE PROGRAM

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, the auditor general's report confirms the Liberals have overstated the number of jobs created by the infrastructure program. These jobs were temporary, and as the auditor general states, did not amount to 100,000. The construction industry lost 51,000 jobs this year.

As well, he calls into question the Liberal definition of infrastructure and points out that golf courses and canoe museums do not fit the definition.

When I was mayor I sat on the Federation of Municipalities Infrastructure Committee. We described infrastructure as roads, sewers, streets, bridges and any project that was connected to the environment. It is irresponsible to spend millions of dollars without proper accountability, no controls and a definition of infrastructure broad enough to build a golf course.

The Liberals' promise of jobs, jobs, jobs is still in the same state as roads and sewers: in decay.

I urge the Liberal government to be honest with Canadians. They have not produced 750,000 jobs. It is another red book promise not kept.

### NATIONAL UNITY

**Mr. Janko Perić (Cambridge, Lib.):** Mr. Speaker, inspired by their vision of a united Canada, four artists from my riding of Cambridge, Gerald Barry, Carol Ann Cole, Terry Torra and Janet Young, worked together from August to September to complete their "Canadian Unity" painting. Just as Canada is made vibrant through our regional and cultural identities, these artists brought together their own special talents and unique approaches to create a vibrant and unified work of art.

It is my hope that the collaborative efforts of our four artists and their artistic creation will inspire all Canadians to take to heart the message of Canadian unity. The message is simple. While Canada contains within it distinct regional and cultural identities, we can all work in solidarity for a strong and united Canada.

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● (1405)

### EDUCATION

**Mr. Andrew Telegdi (Waterloo, Lib.):** Mr. Speaker, the sixth annual ranking of universities in Canada by *Maclean's* once again confirmed the excellence of the University of Waterloo and Wilfrid Laurier University. The University of Waterloo ranked first among all Canadian universities. It was judged the best overall university, the most innovative university and in producing the most leaders of tomorrow.

Wilfrid Laurier University finished first in the primarily undergraduate category in the proportion of students who entered university with an average of 75 per cent or better and in the proportion of students who graduate.

I congratulate the two universities in Waterloo, while being acutely aware that post-secondary institutions in Canada are under stress due mainly to diminishing financial resources. Funding for our post-secondary institutions has to be a national priority viewed as an investment in our collective future as a nation.

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### DR. EMOKE SZATHMARY

**Mr. Reg Alcock (Winnipeg South, Lib.):** Mr. Speaker, the University of Manitoba is a wonderful institution, populated by a large number of very smart researchers who create knowledge that enriches the lives of people throughout the world. They undertake world class research in medicine, agriculture, engineering, environmental sciences and a host of other areas.

Such a university deserves world class leadership. I am proud to say that we have found it in our new president, Dr. Eموke Szathmary. Dr. Szathmary was installed as the 10th president of the University of Manitoba at the fall convocation. Prior to this

appointment, Dr. Szathmary was provost and vice-president academic at McMaster University. She has also served as dean of social sciences at the University of Western Ontario.

In her brief tenure as president, she has proved to be an effective advocate for the university. She believes strongly in academic excellence and equally strongly in community involvement. I was proud to participate in her installation and I look forward to working with her as she strives to make the University of Manitoba one of the best universities in the world.

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[Translation]

#### DRUMMONDVILLE PERSONALITIES OF THE YEAR

**Mrs. Pauline Picard (Drummond, BQ):** Mr. Speaker, the highly coveted personality of the year title granted by the Drummond chamber of commerce at the 14th business gala was awarded to two young people from Drummondville.

Marie-France Bourgeois, the first Quebecer and Canadian to get a degree in international development from Long Island College, is now working in Africa, for the United Nations World Food Program. This young woman of 33 was mandated by the UN to co-ordinate food distribution to 670,000 Hutu refugees in Tanzania. Given the highly troubled political context, she must act with efficiency and diplomacy to alleviate the plight of these people.

I also wish to congratulate Jean Guilbeault, who was also named personality of the year. He is the first Drummondville resident to be a member of the famous Snowbirds, this select team of pilots.

To those two young people who make us proud, I wish a rewarding career and may all their dreams be fulfilled.

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[English]

#### YORK SOUTH—WESTON

**Mr. Ed Harper (Simcoe Centre, Ref.):** Mr. Speaker, today at 2 p.m., behind closed doors in a Toronto office building, the Liberal Party of Canada began proceedings to expel the executive of the Liberal York South—Weston Riding Association. Their only crime: supporting their MP. His only crime: trying to honour his party's promise.

I read to you a quote from the Liberal red book: "After nine years of Conservative rule, cynicism about public institutions, governments, politicians and the political process is at an all-time high. Integrity in our political institutions must be restored".

The Liberals have expelled an MP for keeping his word. They are now taking action to expel their own party members who choose to support their duly elected member of Parliament. So

*S. O. 31*

much for restoring integrity, another broken red book promise. It is now crystal clear: Liberal, Tory, same old story.

It is time for a fresh start. It is time to elect a Reform government that gives a guarantee with its promises.

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#### CANADIAN AIRLINES

**Mr. Bill Blaikie (Winnipeg Transcona, NDP):** Mr. Speaker, last week NDP leader Alexa McDonough called on the federal Liberal government to stand up for 16,000 western Canadian jobs by being a partner in the restructuring of Canadian Airlines, by working with rather than against Canadian employees, and by revising an air transport regime that causes wasteful and expensive duplication of flights, while eliminating service to outlying communities.

Put simply, the Liberals created this mess when they were in power in the early 1980s by uncritically and gullibly embracing deregulation as the great panacea, the be all and end all for Canadian air transport. I remember only too well the current Minister of Foreign Affairs gushing about all the benefits that deregulation would bring and Tory Mazankowski followed the Liberal lead.

• (1410)

It is time to face up to the fact that deregulation has not worked as it was supposed to and act accordingly.

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#### TAXATION

**Mr. John Maloney (Erie, Lib.):** Mr. Speaker, I am very concerned over the inequitable tax treatment of Canadian resident recipients of U.S. social security benefits. This is an important issue to many people in my riding of Erie and throughout the country.

It is imperative that the federal government find some way of giving relief to those lower income Canadians who are now subject to a 25.5 per cent withholding tax on their U.S. benefits but not entitled to a tax refund for overpayments.

This policy unfairly penalizes Canadian residents and most, as seniors, at a time in their lives when they can ill afford it. Indeed, many are trying to survive on less than subsistence incomes.

I appreciate that amendments to international treaties require lengthy and laborious negotiations. Nonetheless I implore the finance minister and the government to make every effort to bring needed change to this unfair U.S. tax policy.

The 1996 tax year is rapidly drawing to a close. It is imperative that affected Canadian residents receive confirmation of tax relief. They require this now.

*S. O. 31*

### CHILD POVERTY

**Ms. Bonnie Brown (Oakville—Milton, Lib.):** Mr. Speaker, if when we utter the words “children are our most precious resource” and then do not face the statistic that over 1.4 million Canadian children live in poverty, then our words become empty and meaningless.

It is not just a statistic. It is a tragic human reality with lasting repercussions. We know that the effects of poverty on children are significant and long term. We know that such children have more risk factors and fewer supports.

It is not a simple problem in need of a simple solution. It is a complex crisis that requires comprehensive intervention on a number of fronts with a wide range of initiatives. We need to listen to the suggestions of all the experts: academics, administrators and front line workers.

It is time that all members from all parties assumed a collective leadership role to move forward with concrete programs to eradicate child poverty. Let us give meaning to our words and let us build a path to a better way of life for our nation's future, our children.

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### LAND MINES

**Mrs. Carolyn Parrish (Mississauga West, Lib.):** Mr. Speaker, it has been estimated that there are 110 million uncleared anti-personnel land mines around the world. Each year two million to five million new mines are deployed, maiming 2,000 victims per month. Over the last 50 years land mines have probably inflicted more death and injury than nuclear and chemical weapons combined.

With only 23 nations supporting a global ban on the use of anti-personnel land mines, they have become the weapon of choice in guerrilla type operations. They are cheap, at \$3, easy to set and highly effective.

Land mines are indiscriminate in their action. The United Nations has estimated that land mines are ten times more likely to kill or injure a civilian, primarily women and children, after a conflict, rather than during combat situations.

Last week at a meeting of the North Atlantic Assembly I was named Special Rapporteur for the Science and Technology Committee to present a paper on anti-personnel land mines at their next session. I am very pleased to have been chosen to represent Canada in this forum and proud of Canada's lead role in the struggle to achieve a global ban on these weapons.

[Translation]

### POVERTY

**Mrs. Maud Debien (Laval East, BQ):** Mr. Speaker, there is no justification for child poverty in Canada. Among all industrialized countries, only the United States has a worse record than Canada.

In 1993, the red book stated, and I quote: “Since 1984, the Tories have systematically weakened the social support network—Not only have they taken billions of dollars from health care and from programs that support children, seniors and people who have lost their jobs, but they have set us on a path to becoming a polarized society, divided into rich and poor, educated and uneducated, with a shrinking middle class. This is not the kind of country where Canadians want to live in”.

This assessment can be applied word for word to the Liberals' performance in the fight against poverty. The situation is even worse than it was before.

If the government seriously wants to do something about poverty instead of making pompous speeches, it should first stop the cuts in social programs and transfer payments to the provinces.

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[English]

### EMPLOYMENT INSURANCE

**Mr. Herb Grubel (Capilano—Howe Sound, Ref.):** Mr. Speaker, the Reform Party supports the strong public demand for more substantial cuts in employment insurance premiums and for an end to the accumulation of the reserves beyond \$5 billion.

It makes no legal sense to let the independent employment insurance system finance general Liberal overspending. It makes no economic sense to let the premiums mask the need for more cuts in program spending. It makes no social sense to let premiums put the main burden of deficit fighting on workers. And it makes no commonsense to forgo the job creation benefits of lower premiums.

● (1415)

I once thought the Minister of Finance and his cabinet colleagues had sense enough to do what is right, legally, economically, socially and for Canada. I was wrong. They have no sense.

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[Translation]

### CREDIT CARDS

**Mr. Raymond Lavigne (Verdun—Saint-Paul, Lib.):** Mr. Speaker, it is a pleasure to announce in this House that yesterday,

members of the Quebec National Assembly passed a resolution urging banks and department stores to reduce credit card interest rates.

Last week, a group of more than 80 members, including myself, representing the majority of federal political parties, came together to put pressure on banks and department stores to bring down their interest rates.

At a time when interest rates are at their lowest level in 30 years, it is inconceivable that rates charged on credit cards are still at 16 per cent and 29 per cent.

Banks and department stores should also make a contribution to the economic renewal of our country, and we are confident that, with the support of the other provincial legislatures, we will convince them to do so.

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### BANK SERVICE CHARGES

**Mr. Denis Paradis (Brome—Missisquoi, Lib.):** Mr. Speaker, Canadian banks have announced record profits.

It is true that when, as lending institutions, they take advantage of fluctuations in interest rates and exchange rates and earn money in the process, it is all part of the rules of the game. But when we are talking about service charges for consumers and small businesses, that is something else. For instance, whether we are talking about \$1.10 for an automatic withdrawal, \$3 per month plus 25 cents per cheque cashed, and up to \$20 for a cheque that is refused or \$4.50 for a certified cheque, the charges are enormous.

The growing tendency for the banks to increase their service charges must be controlled if the Canadian public is to maintain its confidence in our Canadian banking system.

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## ORAL QUESTION PERIOD

[*Translation*]

### CLEANUP OF CONTAMINATED SITES

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, my question is for the Deputy Prime Minister.

Yesterday, the auditor general again pointed out that the federal government has still not identified all the contaminated federal sites, that it has no overall plan for doing so, and that the eventual costs to the public of decontaminating these sites are also not known. The auditor general is concerned because of the health, safety and environmental risks of such a situation, not to mention the potential impact on the public purse.

How can the government explain that it has still not found ways of listing, identifying and clarifying the degree of contamination of

federal sites, given the health and environmental risks associated with such a situation?

[*English*]

**Mrs. Karen Kraft Sloan (Parliamentary Secretary to Minister of the Environment, Lib.):** Mr. Speaker, the government is well aware of the auditor general's concerns. In fact, we have already been working to deal with contaminated sites in Canada.

We have established an interdepartmental committee which is looking at contaminated sites and we are developing a template to deal with this issue in Canada.

[*Translation*]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** I was almost convinced, Mr. Speaker.

Given that certain contaminated federal sites are dangerous and even pose a threat to citizens living nearby, when is the federal government going to table a plan of appropriate action for eliminating these dangerous sites?

[*English*]

**Mrs. Karen Kraft Sloan (Parliamentary Secretary to Minister of the Environment, Lib.):** Mr. Speaker, as I said earlier, a committee is looking into it. This has been a problem in Canada since World War II. Each federal department has responsibility for dealing with contaminated sites.

We recognize that there is a need for a comprehensive way of dealing with it, and it is being dealt with.

[*Translation*]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, there has been a problem since World War II and now we hear that a committee has been established. That is just wonderful.

It is very expensive to clean up contaminated sites and the longer it is put off, the more expensive it gets. We had a very good example of this with part of the decontamination of the military base at Longue Pointe, in Montreal.

• (1420)

Can the minister or the Deputy Prime Minister confirm the auditor general's observation that the government's estimate of \$2 billion to decontaminate the sites is based on incomplete studies, and that in reality the costs may go much higher, skewing the government's financial report card?

[*English*]

**Mrs. Karen Kraft Sloan (Parliamentary Secretary to Minister of the Environment, Lib.):** Mr. Speaker, the hon. member laughs about a very serious problem that affects all Canadians.

I would like to point out that it was the leader of his party who was the minister of the environment, Lucien Bouchard, who did nothing about this problem. We are acting on it.

*Oral Questions*

[Translation]

**GOVERNMENT EXPENDITURES**

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

Yesterday, among the horror stories revealed by the auditor general, we learned that, in order to save \$71 on a repair contract for a ship moored in Nova Scotia, the government spent \$30,000 to move it to Newfoundland, \$30,000 in taxpayers' money wasted to save \$71. Unbelievable!

Is the Deputy Prime Minister in a position to explain to us how this could be, what twisted logic was used to justify the decision by someone, somewhere, that it was normal to spend \$30,000 in order to save \$71?

**Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, as I said yesterday, the auditor general will surely find, among a total of \$120 billion in expenditures, a few projects that have not been very successful.

We agree, and we take the findings of the auditor general to heart. We wish to provide far more efficient government, and we are, moreover, the first government in 50 years to have really reduced government expenditures in absolute terms. We want to see Canadians drawing the full benefit of their tax dollars. This is why we always give the utmost attention to the auditor general's recommendations and correct our mistakes.

**Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ):** Mr. Speaker, I fail to understand how the minister can pass off these little failed projects as trifles, when the auditor general has identified \$2.5 billion in waste in his report for 1996.

The minister tells us that he wants to tighten up controls. He makes it sound very simple, but what about the senior public servant who has made an error in judgement? What will happen to him? What will happen to the person responsible for making such an irresponsible decision?

**Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, if someone had the authority to punish all of the errors committed by the opposition party, there would not be one of them left.

What is important is that we have markedly reduced expenditures that were not in the public interest. We have cut government expenditures by \$15 billion. We have reformed the public service and the various departments.

I believe that, with the recommendations of the auditor general, we can continue to properly serve the Canadian public, including Quebecers, who want good value for their money.

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[English]

**AVIATION FUEL TAX**

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, yesterday the Government of Alberta took a very positive step toward assisting Canadian Airlines in the securing of the jobs of 16,000 people. Alberta cut its aviation fuel tax in half, a move that will save the airline over \$8 million a year.

The transport minister said last week that he was open to a lowering of the federal aviation fuel tax and that he had discussed it with the finance minister.

● (1425)

However, the parliamentary secretary was unclear yesterday as to what the result was.

My question is for the parliamentary secretary. Will this government follow Alberta's lead and reduce the federal aviation fuel tax?

**Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.):** Mr. Speaker, we agree wholeheartedly with the hon. member's position that Canadian Airlines is a very important company for this country.

The Minister of Transport wants it to survive and succeed and so does this government. He is meeting with all the people necessary to meet with in order to make that happen.

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, taxes kill jobs and this particular tax is capable of killing many jobs. The aviation fuel tax is an excellent example. It puts our airlines at a competitive disadvantage.

The old way of dealing with economic sectors that are in trouble has been grants and handouts. The new way of dealing with that is tax relief. If Canadian employees are willing to make sacrifices to save their jobs, surely the federal tax collector would make some sacrifice as well.

Again, we are asking the parliamentary secretary for an answer to this, not a general comment. Will the federal government offer to reduce the federal aviation tax as a means of saving these 16,000 jobs at Canadian?

**Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.):** Mr. Speaker, the hon. leader of the third party is again right. There have been sacrifices, many of them made by the employees of Canadian Airlines. However, I remind the hon. member that there have been many sacrifices made by the Canadian taxpayer for Canadian Airlines as well. Therefore we have to act responsibly and act in their best interests.



*Oral Questions*

The minister went out to British Columbia. He has been working hard at facilitating discussions. He has met with Mr. Kevin Benson, the president of Canadian Airlines. That meeting has been successful. He has met with six of the unions. Four of those unions have come on board, including the largest union, the machinists union, led by Mr. David Ritchie.

We can say that those discussions have been fruitful. There have been some serious proposals put on the table and they are now under active consideration.

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, we understand all that and have understood it for a long time. Our question is very simple. These workers are going to have to make a final decision this weekend as to whether to accept this restructuring package. It includes proposals for reducing the overhead and operating costs of the airlines. However, if they know there is going to be a reduction in the federal aviation tax that makes a difference with respect to the acceptability of the entire package.

I simply ask the parliamentary secretary, who seems to be moving in the right direction, can he go the whole way and just tell the House and tell those workers that the federal government is offering a reduction in the federal aviation fuel tax?

**Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.):** Mr. Speaker, sometimes the answer cannot be as simple as the question. We have to do the appropriate thing in the best interests of Canadians. We have to meet with the appropriate individuals, the president of the company and the union officials. Four of the six unions have all come on board. They have been very active.

Yes, Canadian Airline employees have made their sacrifices but so have Canadian taxpayers. We have to ensure that the Canadian taxpayer is also protected.

As I said before, all those serious proposals have been made to the Minister of Transport. He has been there since last Sunday facilitating these discussions. All those proposals are under active consideration at this very moment.

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[Translation]

### ZAIRE

**Mr. Stéphane Bergeron (Verchères, BQ):** Mr. Speaker, my question is for the Minister of Foreign Affairs.

Most regrettably, the negotiations of recent days to send a multinational force to the great lakes region of Africa are still stalled. The indecision of the international community angers us and makes us wonder about its effects on possible future conflicts

in that region of Africa. Despite continued opposition in Kigali, the Minister of Foreign Affairs suggested yesterday that one possible intervention might involve dropping food by parachute for subsequent distribution by humanitarian organizations.

• (1430)

Has the minister obtained a consensus, and, if so, when would this operation begin and how would it work?

**Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.):** Mr. Speaker, following the meetings in Stuttgart, we looked very closely with our colleagues at actions we might take. We concluded it would be quite possible to establish headquarters in Uganda, to undertake certain reconnaissance operations in Zaire and especially to parachute in aid for the refugees.

We made this recommendation yesterday to the other partners, and I expect to receive a response tonight or tomorrow morning. Afterwards, things should go very quickly. We need the co-operation of the other partners to ensure all resources are mobilized for this vital operation in Zaire.

**Mr. Stéphane Bergeron (Verchères, BQ):** Mr. Speaker, nobody understands why the international community is becoming increasingly bogged down in this matter. Why is it so slow to react?

Would the minister explain to all Canadians why the international community seems totally incapable of acting? Is there any real political will here? If not, this should be made clear.

[English]

**Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.):** Mr. Speaker, in case the hon. member did not notice, about 10 days ago over .5 million refugees returned to Rwanda, which was the original purpose of the mission. That part of it has been extraordinarily successful. The original mission was established to have the refugees return to Rwanda. Most of them have now returned.

It may stretch the imagination of the hon. member but frankly if that was the objective of the mission and most of it has now been achieved, the question is what do we do to ensure that it is completed. That has been the cause of some of the uncertainty by other members of the coalition.

There is no lack of political will. I will be glad to table my telephone bill in the House of Commons to show how much will we have been exercising in the last several days.

The reaction is, as I said, we must work in co-operation with the other potential partners so that we can have a full mobilization of this effort, so we can complete the task that was started by the initiative two weeks ago of Canada, where we have had enormous success with the refugees going back. But we want to make sure the job is fully and effectively completed.

*Oral Questions***AVIATION FUEL TAX**

**Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.):** Mr. Speaker, during question period yesterday the Parliamentary Secretary to the Minister of the Transport said that Canadian Airlines lost \$1.2 billion over the last 10 years.

That is true, but it did not stop the government from taking \$32 million a year in fuel taxes from the financially troubled airline. Maybe that is because the government is in worse financial shape than the airline is.

The government's insensitivity to Canadian's employees is deplorable but perhaps it is understandable given that the average Liberal pension is higher than the average working wage of Canadian's employees.

The employees are not looking for handouts. They are looking for fairness. When is this government going to do the fair thing and end its unfair aviation fuel tax, a tax that is destroying Canadian jobs and Canadian companies?

**Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.):** Mr. Speaker, I am a little amazed at the question put by the hon. member only because we know that the hon. member is an active member of the transport committee who has always been very facilitating and very helpful in situations on bills and so on.

Today he chooses this very difficult time that is taking place between a company and its employees in trying to restructure an airline, the goodwill that is being demonstrated by three different levels of government in the facilitation, the team work being put forward by not only the federal government but the Government of Alberta, the Government of British Columbia. It is a team approach that will see this airline survive and be prosperous. The hon. member's intervention and political gainsmanship are not helping one bit.

• (1435)

**Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.):** Mr. Speaker, the Government of Alberta does not have any trouble figuring out what the right thing is. Why does this government?

Thus far the Canadian auto workers and CUPE have not agreed to the democratic process of allowing their members to vote on Canadian's restructuring process. The parliamentary secretary says four out of six. These were the other two.

Buzz Hargrove, the head of the CAW, is actually in a conflict position. He has members in Canadian facing a salary reduction while he is trying to negotiate a raise for those same members in Air Canada. Faced with this dilemma, there is no way he can act in the best interests of both parties simultaneously. Canadian's employees are rallying today, asking for the right to vote.

Parliament is the final court of appeal. Is it listening? Is it going to act?

**Mr. Stan Keyes (Parliamentary Secretary to Minister of Transport, Lib.):** Yes, Mr. Speaker, this government is in the process of doing its job and trying to help Canadian get back on its feet.

The hon. member speaks of the union between the leadership and its employees. It was three weeks ago that the Minister of Transport brought this issue to the floor of this House, on November 8, when he said that he completely agreed the employees of Canadian should have the right to vote on their future and on the restructuring program that has been proposed by Mr. Benson, CEO of Canadian Airlines.

We are on side with the company. We are trying to work with the company and its employees. We want to see Canadian Airlines survive.

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[*Translation*]

**COAST GUARD**

**Mr. Yvan Bernier (Gaspé, BQ):** Mr. Speaker, my question is for the Minister of Fisheries and Oceans.

The Canadian Coast Guard was to release last Thursday the impact study on its new fee structure for commercial traffic, but the tabling of this study was cancelled at the last minute. Yet everyone knows that the study has been completed. The consultants' contract ended two weeks ago.

Will the minister admit that he is refusing to release his bogus study at this time because most of the findings are being strongly disputed by all stakeholders in the St. Lawrence shipping community, including almost every business analyzed in the study?

[*English*]

**Hon. Fred Mifflin (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, the report the hon. member talks about is a report on the impact study of the marine service fees. I want to make sure the house understands the question.

The impact study, as I have promised time and time again to this member, uses seven initiatives to look at 1,400 traffic flows and 15 commodities. This is a very complex study that examines the impact of the \$60 million marine service fees which represent a very small portion of what it costs this government to provide.

The hon. member knows it is user pay, user say. The report is in the final stages but despite what the hon. member may surmise and suggest, the truth is the report has not yet been completed. It is not put together. I have not seen the final report.

*Oral Questions*

I am not in the habit of tabling in this House or to anybody else reports that have not been completed, and I will wait until the report is complete before I do so.

[*Translation*]

**Mr. Yvan Bernier (Gaspé, BQ):** Mr. Speaker, from what I hear the industry saying, I would be inclined to believe that perhaps the minister is not tabling his study because he is embarrassed.

Does the minister recognize that he cannot go ahead with his plans to raise an additional \$20 million in fees in 1997, since such action could obviously have serious consequences on the businesses and jobs affected by this fee hike?

[*English*]

**Hon. Fred Mifflin (Minister of Fisheries and Oceans, Lib.):** Mr. Speaker, I think the hon. member has missed the whole point of the impact study. The point of the study was to find out what the impact would be at \$60 million. But it also examines what the impact is in a general sense.

The hon. member is suggesting that I should go ahead with the impact study, release it and then go ahead with increased fees. I do not think I want to do that.

• (1440)

The purpose of the study is to find out what the future moves should be. Before I table any study, I have to look at what the impacts are, which is the purpose of the study, before we go ahead with the next move. And for the information of the hon. member, it is not another \$20 million because in effect we are collecting \$26 million now. We will move when we are ready and when we have studied the impacts on the overall industry to make sure that we are being fair, decent, balanced and reasonable.

\* \* \*

**KREVER INQUIRY**

**Mr. Grant Hill (MacLeod, Ref.):** Mr. Speaker, secret cabinet documents from 1984 that the Krever commission needs can be released with the former prime ministers' permission.

My question for the justice minister is: Has that permission been sought?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.):** No, Mr. Speaker.

**Mr. Grant Hill (MacLeod, Ref.):** Mr. Speaker, there is no cabinet nor partisan consideration that would take precedence over the health and safety of Canadians.

Since Pierre Trudeau, John Turner and Brian Mulroney will want to get to the bottom of the tainted blood scandal, I ask very plainly, will the justice minister seek the permission of those prime

ministers to release the documents? Will he table his letter in the House of Commons forthwith?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.):** Mr. Speaker, the answer to that question is the same answer that was given yesterday.

\* \* \*

[*Translation*]

**CHEMICAL PRODUCT INDUSTRY**

**Mr. Jean-Guy Chrétien (Frontenac, BQ):** Mr. Speaker, my question is for the Minister of Agriculture.

The government is about to expand, under the framework of a federal agency, current pest management regulatory services. It will take this opportunity to have the chemical product industry pay for part of the costs of this monitoring activity.

Will the minister confirm that, as regards its agency project, the Canadian government wants to recover 60 per cent of the costs from the chemical product industry, while the American government only imposes a 15 per cent recovery cost for the same services?

[*English*]

**Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, I presume the question refers to the Pest Management Regulatory Agency which is under the jurisdiction of the Minister of Health.

On the minister's behalf I want to assure the hon. gentleman that the government has been in very close dialogue with all of the stakeholders that may be potentially affected by the new Pest Management Regulatory Agency. Every effort is being made to incorporate their very helpful advice into the administration of the agency to make sure that it can be operated on the most economical basis possible. Provision is being made for an economic stakeholders advisory committee so that those stakeholders who will be affected by this regulatory system can have ongoing input into the future. The objective is to make this system efficient so that the cost savings can accrue back to the industry which would be subject to that regulation.

[*Translation*]

**Mr. Jean-Guy Chrétien (Frontenac, BQ):** Mr. Speaker, there will be a problem. Given this gap of 45 per cent, will the minister agree that imposing such high recovery costs will make it more costly for companies to develop their products in Canada and that, consequently, these companies will pass on the bill to farmers, who will also become less competitive, unless they buy directly from the United States?

[*English*]

**Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the hon. gentleman is touching upon an issue that he, this government and I regard to be very important.

*Oral Questions*

That is the harmonization of our regulatory systems in relation to our trading partners around the world, and of course in the North American context most particularly with the United States and Mexico.

When I say harmonization, I want to make the point very clear that we are not in any way talking about lowering Canadian standards. Our standards are the best in the world. We will continue to ensure that Canada's food system is the safest and highest quality in the world.

• (1445)

There are ways in which we can make savings through harmonization. I would advise that those discussions with our NAFTA partners are already under way and are already making progress. We are developing a pilot project for the joint review of applications for new products in the future.

\* \* \*

**EMPLOYMENT**

**Mrs. Dianne Brushett (Cumberland—Colchester, Lib.):** Mr. Speaker, my question is for the Minister of Industry.

In Canada today firms led by women are creating jobs at four times the rate of all other firms. In Atlantic Canada the number of women owned businesses employing five or more people has increased from 16 to 28 per cent in less than six years.

Can the minister explain why women are having this extraordinary success as entrepreneurs? What is the government doing to enhance this opportunity for job creation?

**Hon. John Manley (Minister of Industry, Minister for the Atlantic Canada Opportunities Agency, Minister of Western Economic Diversification and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, I do not know whether we can identify any inherent strengths in the female gender that make them successful as entrepreneurs but I can say that the statistics are correct.

Women have demonstrated extraordinary success as entrepreneurs. They are appearing as entrepreneurs and are starting businesses in record numbers. As recently as this past January, Statistics Canada reported that the percentage of women who are members of Canada's entrepreneurial class has increased significantly. At the same time 11 per cent of Canadian employed women are now self-employed as entrepreneurs.

We have tried to overcome some of the obstacles that continue to inhibit the ability of women to succeed as entrepreneurs largely through mentoring programs, assistance programs, ACOA, the Business Development Bank of Canada and western economic diversification. These are attempts to give women the tools they

need to create jobs for themselves and others and they have proven they can succeed at it.

\* \* \*

**KREVER INQUIRY**

**Mr. Grant Hill (Macleod, Ref.):** Mr. Speaker, back to Krever.

Former prime ministers can divulge information with their permission. This is an issue of Canadian health and safety. There is no one in this government who can hide from the fact that the information is important and necessary.

Once again, if the Deputy Prime Minister will not seek this permission, will she tell the House of Commons why not?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.):** Mr. Speaker, section 39 of the Canada Evidence Act makes it quite clear that it is the responsibility of every government to protect cabinet confidences. The only time that has ever been referred back is when a minister has been charged with a criminal offence.

**Mr. Grant Hill (Macleod, Ref.):** Mr. Speaker, this is criminal. It is nonsense. Nonsense.

The health and safety of Canadians is paramount. No excuse will allow the government to escape from this issue. One of my campaign workers got hepatitis C from a tooth transfusion. She deserves the plain, straight answer from Krever. We want that answer and we will not rest until those documents are tabled.

**Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.):** Mr. Speaker, I think every Canadian is anxiously awaiting the results of the Krever commission.

I would hope that all Canadians, including the members of the opposition, understand that the government has absolutely no interest in protecting the government of Brian Mulroney. This government however does respect the fact that under section 39 of the Canada Evidence Act previous cabinets do have the right to cabinet confidentiality. The only time that right under section 39 has been set aside has been in the specific case of a minister who is facing criminal charges.

\* \* \*

• (1450)

[Translation]

**TRAN TRIEU QUAN**

**Mr. Philippe Paré (Louis-Hébert, BQ):** Mr. Speaker, my question is for the Minister of Foreign Affairs.

Last week, during a meeting with government representatives, the group seeking the release of Tran Trieu Quan was informed by officials that the government no longer knew what to do in this case, and that the special adviser to the Minister of Foreign Affairs

who had been given responsibility for Tran Trieu Quan's case no longer worked for the minister.

Will the minister tell us whether this information is correct and, if so, will he tell us whether the position will eventually be filled, and who in his department is in charge of the Tran Trieu Quan file in the meantime?

**Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.):** Mr. Speaker, we certainly share the member's concern about Mr. Tran's situation. But as the member knows, we have worked very hard at making representations to the Vietnamese government.

Just recently, for example, my colleague, the Minister for International Cooperation, attended a meeting in Vietnam. He had several meetings, in person, with ministers in that government, and asked that pressure be brought to bear on the government. At the same time, the consular service of the Department of Foreign Affairs are ensuring that all conditions are being respected by the government in Mr. Tran's case. And we will continue to do everything necessary to ensure that Mr. Tran's rights are respected.

**Mr. Philippe Paré (Louis-Hébert, BQ):** Mr. Speaker, I would like to come back to my original question.

Officials are telling us that the department no longer knows what to do. We have also been told that the special adviser no longer works for the department. Is anyone in the department still working on behalf of Tran Trieu Quan?

[English]

**Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.):** Mr. Speaker, I would point out that the ministers of this department are working directly in this case. The Minister for International Cooperation, this minister, the former Minister of International Cooperation, myself, the ambassador in Vietnam and members of our consular service are all directly engaged in ensuring that the rights of Mr. Tran are respected.

We are continuing to make all representations that we can, but we are dealing with a country that has its own rules, its own laws and is sovereign. All we can do is make every effort possible for them to change their position, which we will continue to do. We cannot force them to do it but we will continue to do everything in our power to make that happen.

I have one specific example. When I was in Ukraine a month ago, I made specific representations to that government to ensure that it would provide direct evidence dealing with the case of Mr. Morgan who is an alleged accomplice in this case. We are establishing a worldwide net to try to come to grips with ways in which we can assist Mr. Tran in his very serious circumstances.

### Oral Questions

#### KREVER INQUIRY

**Miss Deborah Grey (Beaver River, Ref.):** Mr. Speaker, in August 1984 John Turner was the Prime Minister of this country. He came forward with draft legislation on tainted blood.

The Deputy Prime Minister has said time and time again that she wants nothing to do with Mulroney. We are not asking her to get involved with Mulroney. He came in in September 1984.

What we are asking is not for the Deputy Prime Minister to divulge any secret cabinet information. All we are asking the Deputy Prime Minister and the government to do is to ask permission of former prime ministers. Will she ask for their permission to go ahead with this information?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.):** Mr. Speaker, the documents that were certified as cabinet confidences do not include any documents from the government of John Turner.

**Miss Deborah Grey (Beaver River, Ref.):** Mr. Speaker, something here is starting to smell of a cover-up and we will get to the bottom of this for the people who have lost their lives.

It is one thing to talk glibly, that there is no problem here whatsoever. However, if the Deputy Prime Minister and the government are serious about getting to the bottom of this issue and letting the Krever inquiry get to its work, will she commit to simply asking former prime ministers, which is within her right and her obligation, for their permission to allow these documents and information to be released? Yes or no?

**Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.):** Mr. Speaker, section 39 of the Canada Evidence Act requires the Prime Minister to respect cabinet confidentiality. There is however nothing preventing the commission itself from inquiring upon anyone it would like to subpoena to have testify.

\* \* \*

• (1455)

[Translation]

#### CANDU REACTORS

**Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.):** Mr. Speaker, the Prime Minister's efforts during Team Canada's Asian trip in 1994 have finally enabled Canada to sell two Candu nuclear reactors to China.

Would the Secretary of State responsible for the Federal Office of Regional Development—Quebec tell us what economic benefits Quebec can expect from the signing of this major contract?

*Oral Questions*

**Hon. Martin Cauchon (Secretary of State (Federal Office of Regional Development—Quebec), Lib.):** Mr. Speaker, I thank my colleague for his excellent question.

We have indeed announced the sale of two Candu reactors to China. This is excellent news, because the contract is worth \$4 billion. Canada's share in the financing, in other words, its financial contribution, is \$1.5 billion. This means economic benefits worth \$275 million for the Province of Quebec. In terms of job creation, it means 8,000 person years. The two reactors will take some six and a half years to build—a substantial contribution to the economy.

This announcement is proof of the Government of Canada's ability to help businesses export and develop new markets, an important consideration in this time of globalization. It also shows that the Canadian government is bringing jobs home, which is vital.

\* \* \*

**SECURITY OFFICERS**

**Mr. Bernard St-Laurent (Manicouagan, BQ):** Mr. Speaker, my question is for the Minister of Labour.

On October 24, Bradson Mercantile Inc. locked out its 365 security officers and immediately replaced them with scabs. The security officers employed by Bradson are assigned to supply protection at several sites in the Ottawa-Carleton region.

Does the minister think it is acceptable that approximately 273 scabs provide protection at 32 federal government buildings in the Ottawa-Carleton region, including 2 at Elections Canada, 20 at the Museum of Nature and no fewer than 50 at Statistics Canada?

**Hon. Diane Marleau (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, the company has a contractual obligation to provide continuous protection, and that is what it is doing.

\* \* \*

*[English]***CITIZENSHIP AND IMMIGRATION**

**Mr. Leon E. Benoit (Vegreville, Ref.):** Mr. Speaker, my question is for the minister of immigration.

The review of the immigration centre has clearly hurt the people of Vegreville by unfairly tarnishing their reputation. This \$42,000 government commissioned study should never have been done. This issue should have been dealt with quickly and decisively by competent management.

Will the minister simply apologize for the damage done by her department and show some concern and consideration for the people of Vegreville?

*[Translation]*

**Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, I stated previously in this House that the study conducted at the centre in Vegreville was on the operations of the centre, not on the community of Vegreville per se, particularly since the study showed problems at the centre. The people of Vegreville themselves are not being judged.

The mayor of Vegreville himself, who took the time to read the report, concluded it was an internal review of the operations at the centre.

\* \* \*

*[English]***INTEREST RATES**

**Mr. John Solomon (Regina—Lumsden, NDP):** Mr. Speaker, my question is for the Minister of Finance.

Bank profits are soaring over last year's record profits while consumer credit card debt has soared to 20 per cent of personal debt. Some credit card holders are paying up to 25 per cent over the prime rate while interest on savings accounts is paid at 3 per cent below prime.

Last week when I asked the minister if he would consider bringing back the Usury Act to outlaw interest rate gouging by banks, oil companies and retail stores on credit card accounts, he said that he would look into it.

• (1500 )

In view of these record bank profits and in view of record low interest rates will the government now take action to protect consumers from this outrageous interest rate rip-off and bring the credit card interest rates and interest paid on savings accounts more in line with the Canada prime rates?

**Hon. Douglas Peters (Secretary of State (International Financial Institutions), Lib.):** Mr. Speaker, I would like to mention to the hon. member that every one of the large Canadian banks has a low interest rate credit card which is available to consumers. Indeed, I might also mention that in the past few days two of the major banks have lowered their interest rates on their low interest rate cards and they are below 10 per cent.

As far as the other issue of bank profits is concerned, we make sure that the banks pay considerable taxes to the federal government. I might add that a conference board study a few years back indicated that the banks paid taxes to federal, provincial and municipal governments amounting to \$6 billion annually. This year, with higher profits, they will pay more taxes to the federal government.

## AGRICULTURE AND AGRI-FOOD CANADA

**Mr. Roger Gallaway (Sarnia—Lambton, Lib.):** Mr. Speaker, Canadians sometimes purchase excess amounts of frozen food such as poultry while in the United States. Upon entry to Canada these are taken from them if the individual refuses to pay the excess duty in accordance with agriculture Canada regulations.

My question is for the Minister of Agriculture and Agri-food. Why is the department insisting on filling our Canadian landfill sites with frozen American turkeys while it steadfastly refuses to allow them to be donated immediately to community food banks and kitchens?

**Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the hon. gentleman raises a point which I will be happy to investigate further.

The critical issue that we must be very careful about is food safety. We had an issue arise a number of years ago with respect to surplus food being brought into Canada and used by certain British troops who were training at the Suffield station in Alberta. They brought their own rations with them. There were surplus rations. We were asked if we would allow those rations to be donated to a food bank. It seemed like a good idea. However, upon reflection we refused to give that permission because of the risk of contaminated food being transferred. As it turned out, that judgment in that case was absolutely correct because of the subsequent BST fiasco in the United Kingdom.

While I do not mean to link that case to the one referred to by the hon. gentleman, I use it as an example to illustrate the very high standards of food quality we maintain in Canada, not only in the commercial sector but also in the food bank sector.

\* \* \*

• (1505)

## PRIVILEGE

### MINISTER OF FISHERIES AND OCEANS MEMORANDUM

**Mr. John Cummins (Delta, Ref.):** Mr. Speaker, I rise on a question of privilege with regard to a very grave matter relating to a deliberate attempt by the minister of fisheries to deny me information. I refer you to Beauchesne's sixth edition, page 25, citation 97:

—"While it is correct to say that the government is not required by our rules to answer written or oral questions, it would be bold to suggest that no circumstances would ever exist for a prima facie case of privilege to be made where there was a deliberate attempt to deny answers to an Hon. Member—.

I also refer you to citation 24:

## Privilege

The privileges of Parliament are rights which are "absolutely necessary for the execution of its powers".

I have a copy of a directive from the minister of fisheries that involves my personal privileges as a member of Parliament and the privileges of all members of Parliament from British Columbia. The directive states:

We have been instructed by the Minister's office to report to them all telephone calls from MPs and Senators. The report is to include the name of the individual, the office they are associated with, phone number and the issue along with a summary of what information was given to the caller.

The messages are to be e-mailed or faxed to me within 24 hours of the call having been received. Attached is a form which is to be used.

Please ensure all your staff are advised to report all such calls to you immediately.

This directive went to all regional directors in the Pacific region of the department of fisheries. As the fisheries critic for the Reform Party in this House, there can be no doubt this directive was aimed to discourage public civil servants from talking to me as a member of Parliament.

As a member of Parliament I will have less access to public information than a member of the general public. How can I work on its behalf? How can I carry out my job of representing my constituents if public servants are discouraged from speaking with me?

This is an obvious attempt to stifle the work of a member of Parliament. If a general member of the public makes an inquiry to the department of fisheries, they are normally given a courteous reply. Public servants are paid with taxpayer money. They are public servants, not political servants of this government. It is not their job to spy on members of Parliament.

If public servants at the department of fisheries in the Pacific region, that is British Columbia, are required to record the nature of the conversation with a member of this House within 24 hours it will discourage public servants from speaking with members. If public servants at fisheries speak, they will have to explain to the minister what they said and be prepared to explain why they said it. Why would a public servant risk the wrath of the minister by even having a conversation with a member of Parliament?

This directive by the minister of fisheries will have a chilling effect on the normal flow of public information to members of Parliament. The public service is not the military or the police. I recognize that members of the military may not be able to respond to questions from members of the House. But is the minister of fisheries turning public servants into his own regiment that is required to snitch on conversations with members?

Should members of this House be named on such an enemy's list? Are public servants required to inform the minister of their conversations with representatives of foreign governments within

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24 hours? Are members of this House being treated worse than possible foreign spies and possible enemies of the country?

The actions of the minister of fisheries have impaired my privileges as a member of this House. The minister's action prevents me from doing my job. Members of Parliament should never be treated as enemies.

Mr. Speaker, I ask that you investigate this matter and give me your ruling.

**The Speaker:** Colleagues, any question of privilege is listened to with great attention by your Speaker. As the hon. member knows, I was given notice. I was given a newspaper report.

The hon. member refers to a communique of some kind that came directly from the minister.

• (1510)

The minister is not in the House today. I wonder if the honourable member could wait until the minister is here. Perhaps there is a clarification but I would like to hear a little more information before I make a ruling on this.

I would prefer to hear directly from the minister before I hear additional evidence, keeping in mind that I will hear additional evidence after I hear from the minister.

Would that be acceptable to you, my colleague?

**Mr. Cummins:** Certainly, Mr. Speaker. I would be happy to make a copy of the directive which I quoted from available to you.

**The Speaker:** I would appreciate a copy of the directive but I hold everything in abeyance until the hon. minister of fisheries is here so that I can get something to go by. Perhaps there is an explanation to this. We will return to this when the hon. minister returns to the House.

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## 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 responses to six petitions.

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### GUN CONTROL

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, the key elements of this government's gun control policy are now well known. Last December 5

legislation was adopted and given royal assent, which acts on those elements.

That law imposed tough criminal penalties on those who choose to use firearms in the commission of crimes. It banned several military type assault weapons. It banned most handguns. We have taken strong measures to deter the smuggling and illegal movement of firearms, and all of this while respecting the legitimate interests of law-abiding firearms owners who use their guns for hunting, sport shooting or collecting.

We have introduced a process by which everyone with firearms will be licensed and all firearms in Canada will be registered to their owners.

In the period since the adoption of Bill C-68, the government has been at work in preparing regulations to give effect to its framework.

[Translation]

The process of preparing those regulations has involved the broadest consultation with interested groups and parties, particularly with aboriginal people and other firearms users.

Today, in tabling the regulations under the Firearms Act, the government marks another critical milestone. It is determined to advance toward achieving tough, sensible and effective gun control in Canada.

[English]

I should mention that among those with whom we have consulted are members of the User's Group on Firearms, 15 persons from across Canada representing firearms owners, sport shooters, sustenance hunters, recreational hunters, dealers, collectors, police chiefs and police officers.

The User's Group on Firearms has brought to my attention some unintended consequences arising from Bill C-68 for a small group of firearms owners and dealers. I am looking into possible solutions and soon hope to announce a plan to deal with those unintended consequences.

I would like to take a moment in tabling these regulations today to acknowledge and to express gratitude for the remarkable work done by the dedicated professionals within the Department of Justice. The excellence of their work, the depth of their commitment and, frankly, the extent of their patience has really been quite extraordinary. On behalf of the government I express both gratitude and admiration for their efforts.

Let me deal in a summary way with certain of the subjects dealt with in the regulations that I am tabling today. First, licensing for firearms owners will begin early in 1998. Individuals will have until January 2001 to obtain a licence.

A major goal of this legislation is to prevent an escalation of violence in already difficult or abusive domestic situations. Before someone is issued a licence to acquire a gun any current or former spouse or common law partners, within the last two years, will be



notified. This will ensure that those persons have the opportunity to voice any concerns about their own safety or the safety of other persons. This provision responds to a key recommendation from the Vernon inquest, people who sat and looked at the evidence as opposed to sitting in a political seat and judging which way the wind is blowing.

• (1515)

In terms of registration we remembered that the guns most commonly used in crime in Canada are non-restricted rifles and shotguns. That is a fact. Many are illegally obtained from the rightful owners. And that is a fact. The registration system is the foundation of the government's efforts against gun theft and trafficking. Registration will help police track stolen guns and will act as an incentive for owners to store them properly in accordance with laws already on the books. It will also be an additional tool to ensure the safety of police officers responding to domestic violence or other potentially dangerous calls.

The recent and very tragic events in Winnipeg on the weekend, and in Courtenay, B.C. some weeks ago, demonstrated once again, as though more evidence were required, the importance of complying with safe storage if tragedies and random crimes are to be prevented.

Registration of firearms will begin at the same time as the licensing of owners, resulting in a simpler process for firearms users. Individuals will have until January 1, 2003 to register all their firearms.

With these regulations, the government has confirmed its commitment for reasonable fees for firearms users, business owners and industry. For example, the fees for a five-year possession licence in 1998 will be \$10 rising to \$60 in the year 2000. That is \$10 for a five-year licence.

As previously announced, in 1998, individuals will pay \$10 to register all of the rifles and shotguns they own as long as they are registered at the same time. By the year 2001 that fee will rise to \$18 to register as many rifles and shotguns as they own, provided they are registered all at the same time. Those are more than reasonable fees.

[Translation]

Commencing on January 1, 2001, every individual will be required to have a firearms licence in order to buy ammunition. Until that date, the proposed regulation will allow individuals who do not have a licence to use another approved form of identification. This change will make it more difficult for people who have stolen guns to get ammunition.

[English]

For example, this change will make it more difficult for people with stolen guns to get ammunition, such as those convicted in the tragic Battersby murder here in Ottawa a few years ago.

### *Routine Proceedings*

Let me briefly touch on the way these regulations apply to the aboriginal peoples of Canada. First of all, the principles in the Firearms Act apply to all Canadians. Everyone, including the aboriginal peoples of Canada, will be required to licence themselves and register their firearms. But the regulations, as we have always committed, adapt those principles to the reality of the aboriginal way of life and the traditional rights that aboriginal people possess.

These adaptations respect existing aboriginal and treaty rights under section 35 of the 1982 Constitution Act. Sustenance hunters and trappers, both aboriginal and non-aboriginal, will be exempt from registration and licensing fees.

In addition, the regulations will reflect the reality in the aboriginal communities of communal ownership of firearms, of the lending of firearms, the use of firearms by children below the age of 12, of the sometimes great difficulty that aboriginal people have in taking proficiency tests, particularly if it is in a language which they do not speak, and the particular challenges that aboriginal people sometimes face in terms of safe storage if they are using their firearms in remote locations in the exercise of aboriginal hunting rights.

We have learned also during consultations with aboriginal people that aboriginal communities are anxious to administer the Firearms Act locally within their own communities. Therefore we are embarking on discussions on community administration of the Firearms Act by aboriginal communities.

• (1520)

Let me touch on one other matter before I conclude. Members of the House will know that three provinces and two territories have chosen to opt out of the administration of gun control as it now stands. Others have chosen to join with those provinces and territories in challenging the constitutionality of the new law.

The decision by these provinces and territories to abandon their role in the administration of gun control is nothing less than a shocking abdication of their responsibility. The governments of those provinces and territories pretend that their objection is to the registration of all firearms. The reality is that they have abandoned their role not only with respect to registration but with respect to gun control as a whole. They have shown that they oppose gun control. They will not take any further part in the issuance of FAC, they will take no further part in the administration of safety courses. They have walked away from their responsibility in relation to gun control.

Up to the present time the responsibility for ensuring community safety through gun control, especially in those provinces and territories, was the joint responsibility of the federal, provincial and territorial governments. As of the moment when they walk

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away from those responsibilities, the Government of Canada is going to take up the responsibilities that they are abandoning.

I look across the way and I see fellow travellers, I see the Reform Party and the NDP who voted against gun control, people who are in the grip of the gun lobby, people who have riding associations, such as the Reform Party, where the president is David Tomlinson, the national executive officer of the National Firearms Association; hardly a source of objective views.

I want to assure Canadians, and particularly Canadians in Alberta, Manitoba and Saskatchewan and the two territories, that despite the irresponsible decision of their provincial and territorial governments, this government takes its responsibility seriously. We will stand up to the gun lobby. We will stand up for Canadians.

Let the New Democratic Party kneel before the gun lobby. Let it betray its principles of decades. Let it walk away from its former reputation as the party of principle. Let the Reform Party solidify its position as the party of the extreme, the party in the grip of the gun lobby, the party incapable of taking a position in favour of community safety if it means that they have to offend Mr. Tomlinson and his National Firearms Association.

We shall meet in court the arguments put by those provincial and territorial governments. We have every confidence that we shall prevail. We shall stand up for gun control in those provinces and throughout the country for the safety of Canadians in large urban centres but particularly in the rural communities where most of the guns are found.

[*Translation*]

In closing, let me say that the regulations that are tabled today, and the gun control law itself, illustrate this government's commitment to do everything possible to keep homes and streets in Canada safe. We believe that the laws of this land should reflect the peaceful, civil and tolerant heritage that is so much of what Canada is all about.

[*English*]

The government rejects absolutely the vision of the gun lobby for the future of this country. Canadians have made clear by their overwhelming support for this law in Saskatchewan, in Alberta, in British Columbia and throughout this country that they want the government to choose a path different from the one the Americans have chosen so that our children can inherit a Canada which is peaceful and civil.

• (1525)

[*Translation*]

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, as we are seeing today, the firearms issue has stirred up a

lot of emotion and animosity between hardliners and those who want no controls.

Much was heard from the latter group, but also from the federal government, the Liberal government before me, whose caucus is divided on this issue.

The Bloc Québécois, however, has always taken a realistic approach, avoiding exaggeration and theatrics. Our sole goal is to defend the legal rights and obligations of Quebecers in this regard. As a result, all of English Canada has benefited.

We were, and we still are, in agreement with the principle that all owners of firearms should obtain a permit and that all firearms should be registered in the name of their owners. We support this principle, but not at any price, and certainly not in the face of intolerance and arrogance and threats to constitutional jurisdictions.

The Bloc Québécois has succeeded in getting the government to make a number of amendments to its gun control legislation, and we are proud to have done so. These amendments in no way alter the purpose of the bill, which was and still is to protect the public.

This bill and the regulations tabled today in the House will not prevent all tragedies. There will always be negligence in this area of jurisdiction regarding the use of firearms. But the purpose of the regulations and the legislation is to at least try to reduce the number of unfortunate incidents.

I would like to take this opportunity to thank the members of the Bloc Québécois who, through their solidarity, succeeded, where the Reform Party failed, in getting the government to take a more moderate approach, in accordance with the wishes expressed by a great many Quebecers. We would, however, have liked the minister to be more receptive to the amendments we proposed. But we understand.

We understand that the firearms lobby is extremely powerful. We understand that there were certain difficulties within his caucus, and, in the circumstances, we are still very pleased at what we have achieved with respect to this legislation.

Today, in tabling the gun control regulations, which we shall examine with the same serious and professional approach as we did the bill, we can boast from now on that the Bloc Québécois has made some considerable progress. I must take this opportunity to thank the minister for this. He has responded to some of the demands made by us in this House.

Firearms owners will have three years to obtain a permit, that is from January 1, 1998 to January 1, 2001. The cost of this five-year gun ownership permit will be \$10 in 1998 and \$60 in the year 2000, very reasonable amounts which we ourselves proposed to the minister during his appearance before the standing committee on justice and during discussions in committee or in this House.

*Routine Proceedings*

The Bloc Québécois made sure that the government set fees that were reasonable, and that took regional realities into particular consideration.

Another point we have gained is the individual registration of firearms. Owners have until January 1, 2003 to register all of their firearms. The charge in 1998 will be \$10 for all firearms belonging to the same person, without restriction, provided they are all registered at the same time. Starting January 1, 2001, the fee will be \$18.

This is a great victory for all hunters, trappers, collectors and sports enthusiasts in Canada and Quebec. There was a great deal of insecurity and ambiguity in this area. Now, with these regulations, we know that the minister made a wise decision. But this is not the only victory we have won for these hunters, these trappers, these collectors, these sports enthusiasts, with respect to the regulations.

The government is bowing to our demand for recognition of the Quebec and even Manitoba firearms handling certificates and courses for provinces with such courses and certification. This is a very considerable gain because, here again, there was no certainty. We made these gains through the Bloc Québécois' perseverance and insistent questioning.

• (1530)

The regulations will apply equally to all, both aboriginal and non-aboriginal citizens. Public safety makes no distinction, and there was no need to make a distinction in the regulations. I am glad this was changed.

Sustenance hunters and trappers, both aboriginal and non-aboriginal, will have to obtain a licence and register their firearms but will be exempted from registration and licensing fees. The safety objective has been achieved, but there is also a recognition of the rights of sustenance hunters and trappers—both aboriginal and non-aboriginal—in the way registration is handled. We insisted on this point, and we got what we wanted.

The Bloc Québécois will remain vigilant in its analysis of the regulations as regards the storage, display, handling, transportation, possession and sale of firearms, to ensure the regulations are fair, applicable and, whenever possible, reflect local circumstances.

However, there are not just positive points in this ministerial statement. There are also negative elements. I feel I must point out certain discrepancies between what the Minister of Justice said in his statement this afternoon and his government's throne speech.

In the throne speech, there was talk of flexibility, withdrawal from areas under provincial jurisdiction, and the federal government showing some understanding of the powers of the provinces. Today, in his statement, the minister made it clear that in this

respect at least, the throne speech was meaningless, because the minister has unilaterally taken on the responsibilities of the legislatures of Alberta, Manitoba, Saskatchewan and the two territories which refuse to accept the legislation on gun control.

On the other hand, I deplore the refusal of these provinces and territories to implement the legislation, but I cannot tolerate that our federal big brother should style himself the great protector of the citizenry, at the expense of the legislatures.

In fact, gun control comes under the administration of justice and is therefore exclusively a matter of provincial jurisdiction. The federal government has no business taking on this constitutional authority which belongs to the provinces. I urge the government to keep its word, respect its own Constitution and initiate discussions with the provinces and convince them to act responsibly.

Furthermore, there is some ambiguity as to how the federal government will apply the regulations with respect to costs. Will this be one more instance where Quebec is disadvantaged because it immediately agreed to implement the regulations with respect to costs? Quebec will pay the initial administration cost for its own territory. Am I to understand that, as a result of the federal government's action vis-à-vis the provinces which refuse to implement the gun control legislation, Quebec and the other provinces which were willing to implement the legislation will be charged part of these administration costs a second time? I wonder.

The minister will have to answer these questions in the course of our analysis of the regulations. Instead of taking on powers that are not his, the minister should use his powers of persuasion to convince the dissenting provinces and territories.

Quebecers may rest assured that we will stay the course on the regulations and the legislation. We will, of course, be guided by a concern for public safety, common sense, fairness and respect for regional differences. We will be extremely vigilant.

In concluding, I would like to announce to the House that my colleague from Portneuf will take part in the consideration in committee of these regulations. I am confident he will be as vigilant as the caucus has always been.

[English]

**Mr. Jack Ramsay (Crowfoot, Ref.):** Mr. Speaker, we finally have the regulations. They were tabled once, they were withdrawn and now they are back.

• (1535)

I will pick up on the comments the justice minister made with regard to his shock and alarm over the provinces that are opposing the bill and refusing to administer various aspects of the bill. What I find shocking and alarming is the fact that the minister would bring forward a bill that he expects the provinces to administer without first gaining their approval for the bill's contents, approval

*Routine Proceedings*

for their duties and responsibilities. Why did the minister not first gain their approval?

The minister told this House that he was in continuous consultation with the attorneys general of the provinces. Yet when three of them appeared before the standing committee, they told us there was minimal consultation. That is an explanation as to why he is now in this position.

The aboriginal justice minister from the Northwest Territories appeared before the committee. He told us very clearly that it was impractical to enforce the FAC requirements because there is no access to facilities to get things, such as passport photos, which are required to obtain an FAC. Therefore that regulation was not being abided by.

The minister speaks about gun control. This is not gun control. This is the registration of firearms. There is no one in this country who is not in support of reasonable, common sense control of firearms. In fact, we hear this expressed all across the country. The fact of the matter is the bill does not do that. There are portions of Kim Campbell's Bill C-17 that are not being enforced or at least if they are, they are not protecting people's lives.

The examples the justice minister gave of the incident in B.C. and the incident in Winnipeg have nothing whatever to do with this bill. They have to do with safe storage which was contained in Bill C-17.

Neither the justice minister nor the member from the Bloc nor anyone from the government has explained how the registration of a rifle or a shotgun is going to reduce the criminal use of firearms. We asked the police chiefs and the representatives of the Canadian Police Association how this is to be done. None of them could tell us how this was going to be done. In fact, one of the criminologists who appeared before the committee said that we would not see any results from this bill in terms of safety for 15 years. Is that not wonderful. And this is being touted as a safe tool by the justice minister.

The minister is in the grip of the coalition for gun control. He is in the grip of those who would support a lack of common sense in the expression of legislation.

The justice minister claims the majority of Canadians support this bill. If that is the case, then why is that in the last three provincial elections, those in Manitoba, Saskatchewan and Ontario, all three parties which made this the central issue in their campaigns and opposed the registration and licensing portion of the bill returned to power? In fact in Ontario it was the third place party that formed the government.

Do not give us this nonsense that the bill has a high percentage of support. The best poll we can have is an open election wherein the matter is an issue and the people have an opportunity to vote on it.

We have what may be a constitutional crisis. It is certainly a crisis in federal-provincial relations because the minister failed in his duty and responsibility to consult with the elected representatives of all the provinces and the territories in order to gain their support. He did not gain their support. He ploughed on with a piece of legislation that they are not prepared to support. The people of those provinces are not prepared to support it as well.

• (1540)

Politicians are not foolish. They are not going to oppose something that has 75 per cent or 80 per cent support of the people. They are not going to oppose it as the justice minister would suggest. This is nonsense. There is not a single individual I know who will buck the safe, proper and wise control of firearms. This is not control of firearms. This bill is simply an imposition upon the law-abiding people of society who happen to own, collect or use firearms in recreational activities. This bill is directed at them.

There are other matters. What about the smuggling problem? The MacKenzie Institute submitted a report indicating that if the bill went through there would be an explosion of smuggling into this country. What has the justice minister done about the smuggling problem? What actions has he taken and what are the results of those actions? We have heard nothing from the justice minister on that issue.

The government talks about making society safer yet it introduces bills like Bill C-41 which allows violent offenders access to alternative measures. It invites the courts to use matters such as conditional sentences where violent offenders do not see the inside of a prison after committing rapes and other serious personal attacks upon individuals.

We saw where the minister stood in relation to section 745 of the Criminal Code. We saw whom he voted for. Did he vote for the safety of society or the safety of individuals? Did he vote against putting people like Debbie Mahaffy and other victims of crime through hell one more time? No, he did not. No, he did not. He voted in favour of the criminal. Certainly he did.

When we look at what the minister has done with what he calls gun control legislation, I am concerned about certain aspects of his exemption. He says now that sustenance hunters will be exempted. What does that mean? Does it mean only aboriginal people can hunt all year round, or does it mean anybody? If that is the case, then how do we interpret Assistant Deputy Minister Mosley's comments to the Senate committee when he said that the regulations cannot exempt anyone from the bill? How do we explain that? He said that the regulations cannot override the contents of the bill which requires all Canadians to register their firearms.

*Routine Proceedings*

I wonder if the justice minister is now taking on the additional responsibility of administering these regulations and the act in the three provinces and two territories. What is the additional cost going to be? That was not contained in the proclamation that attended as he tabled the bill. How much is the cost going to be? How much is it going to cost the federal government to fill the role of administering this bill in the three provinces and the two territories as he said today he would do? What is the cost going to be?

Would that money not be better used in other areas? There is no question in the minds of thousands of Canadians that it would be. We need to strengthen our police forces. We need to strengthen the law enforcement agencies and place more of their members on the street to protect our society from the kinds of people that the minister's Bill C-41 allows to walk free after committing very personal and serious crimes against individuals.

I listened to my Bloc colleague talk about a bill which he does not seem to know very much about. Under section 103 or 104 at least there is the appearance of an imposition or encroachment upon the provincial jurisdiction to enforce the Criminal Code or at least enforce this bill. The onus is still on the justice minister and the government to tell all Canadians, gun owners and non-gun owners, how the registration of a rifle and shotgun is going to reduce the criminal use of those firearms.

• (1545)

The government has not told us. We have asked them repeatedly. The gun coalition could not do it, the chiefs of police could not do it. When talking to frontline police officers they will tell you they are the ones who have to knock on the doors and answer complaints. They are the ones who will tell you whether this bill is going to be of benefit to them. We have talked to them and they have told us why in their opinion this is a bunch of nonsense. That is different from their chiefs. We got their answers, we heard what they had to say.

My time is up. We will examine these regulations in depth. Again we wonder why the justice minister had to pull the regulations back in June. The stories we have heard is the minister pulled them back because he got trampled in a stampede by his own backbenchers when they had a look at them. We will see whether there is another stampede coming from his backbenchers.

I do know this, in the next election there will be a stampede and it is going to be over some of the Liberal backbenchers who have fought hard to have common sense entered into this bill. I hope all hon. members and the people of this country will take a serious look at these regulations.

**An hon. member:** Including the justice minister.

**Mr. Ramsay:** Including the justice minister, of course. It is a bad bill and regardless of the regulations that are passed it cannot make a bad bill a good bill.

**Mr. John Solomon (Regina—Lumsden, NDP):** Mr. Speaker, the Minister of Justice knows that when the bill was first introduced in the House many police officers in this country were very—

**The Deputy Speaker:** The hon. member is perhaps not aware of the fact that in the present circumstances he has to have unanimous consent of members to speak on behalf of his party. Perhaps he would wish to ask for that consent before or if we hear from him.

**Mr. Solomon:** Mr. Speaker, I would request unanimous consent to say a few words with respect to these regulations.

**The Deputy Speaker:** Colleagues, is their unanimous consent to permit the hon. member to speak on behalf of his party?

**Some hon. members:** No.

**The Deputy Speaker:** There is not unanimous consent. Accordingly, the hon. member will not be able to speak on this matter.

**Some hon. members:** Shame, shame.

\* \* \*

**BROADCASTING ACT**

**Mr. Raymond Bonin (Nickel Belt, Lib.)** moved for leave to introduce Bill C-355, an act to amend the Broadcasting Act and the Canadian Radio-television and Telecommunications Commission Act (protection of community interests in programming) He said: Mr. Speaker, I am pleased to present an act to amend the Broadcasting Act and the Canadian Radio-television and Telecommunications Commission Act. The intent of this bill is to enshrine the principle that broadcast licences belong to the community—

**The Deputy Speaker:** Order. The hon. member for Regina—Lumsden.

**Mr. Solomon:** Mr. Speaker, on a point of order. I think I heard the Speaker say with permission we will have this member introduce his bill. I am not giving permission because he declined permission for me to speak on the regulations of the minister.

**The Deputy Speaker:** Unfortunately the hon. member did not hear correctly. The Speaker did not say that. There is no permission required for any member to introduce a private member's bill in the House.

**Mr. Bonin:** Mr. Speaker, the intent of this bill is to enshrine the principle that broadcast licences belong to the communities they serve and not to the CRTC. It makes the CRTC more accountable to the elected members of this House and it increases community input in CRTC decisions that affect them. Public accountability for the CRTC is at the heart of this bill and I thank my hon. colleague from Scarborough Centre for seconding this bill.

*Routine Proceedings*

● (1550)

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

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**COMMITTEES OF THE HOUSE**

## JUSTICE AND LEGAL AFFAIRS

**Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I believe there were consultations with the parties regarding the Standing Committee on Justice and Legal Affairs. I therefore move:

That the Standing Committee on Justice and Legal Affairs be the committee designated for the purposes of section 232 of the Corrections and Conditional Release Act.

**The Speaker:** Is there unanimous consent?

**Some hon. members:** Agreed.

**Mr. Solomon:** No goddamn way.

\* \* \*

**PETITIONS**

## PUBLIC SAFETY OFFICERS COMPENSATION FUND

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I have two petitions today. The first comes from Abbotsford, British Columbia.

The petitioners would like to draw to the attention of the House that our police and firefighters place their lives at risk on a daily basis as they serve the emergency needs of all Canadians. They also state that in many cases the families of officers who are killed in the line of duty are left without sufficient means to meet their obligations.

The petitioners therefore pray and call on Parliament to establish a public safety officers compensation fund to receive gifts and bequests for the benefit of families of police officers and firefighters who are killed in the line of duty.

## TAXATION

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

The petitioners therefore pray and call on Parliament to pursue initiatives to assist families that choose to provide care in the home for preschool children, the chronically ill, the aged or the disabled.

## HUMAN RIGHTS

**Mr. Ed Harper (Simcoe Centre, Ref.):** Mr. Speaker, I would like to present two petitions today on behalf of the residents of Simcoe Centre.

The first group of petitioners request that the Government of Canada not amend federal legislation to include the undefined phrase sexual orientation. The petitioners are troubled about the lack of definition of the phrase sexual orientation. They have a legitimate concern that such a broad term could include all kinds of sexual behaviour.

## AGE OF CONSENT

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

## GAS PIPELINE

**Mr. Randy White (Fraser Valley West, Ref.):** Mr. Speaker, I have yet another petition from concerned residents of the province of Nova Scotia.

They note that in June 1996 the Prime Minister of Canada announced that he would work toward diverting the Sable Island gas pipeline to Quebec City. They further state it is unacceptable for the Prime Minister to decide the destination of Nova Scotia natural gas without consulting Nova Scotians, and that Nova Scotians assert their right to control the destination of Sable Island gas and demand the federal government cease tampering in this issue.

**Mr. Zed:** Mr. Speaker, I rise on a point of order. Could we seek unanimous consent to revert to Statements by Ministers so we could have a reply by my colleague from Regina—Lumsden?

**The Deputy Speaker:** Is there unanimous consent?

**Some hon. members:** Agreed.

**Mr. Solomon:** Mr. Speaker, a point of order, I request the unanimous consent of the House to participate in the response to the minister's statement on behalf of the NDP.

**The Deputy Speaker:** Is there unanimous consent?

**Some hon. members:** Agreed.

● (1555)

**The Deputy Speaker:** The member might wish at the beginning of his statement to retract part of the statement he made earlier which I do not think was parliamentary language.

\* \* \*

**GUN CONTROL**

**Mr. John Solomon (Regina—Lumsden, NDP):** Mr. Speaker, I retract what I said. Thank you for allowing me to respond very

briefly on behalf of the NDP with respect to the minister's statement on regulations tabled in the House earlier.

The government and the Minister of Justice will recall very clearly that when this legislation was introduced it was not supported by the vast majority of law enforcement agencies to which he refers. In fact the legislation that has given birth to these regulations was something that in my view and in the view of many Canadians was not a direct or a very positive response to dealing with the rising amount of crime in Canada but in fact was a feel good piece of legislation, something that the Liberals are very famous for in this country.

I want to draw a comparison. Members will recall and so will other Canadians when a great deal of smuggling of tobacco from the U.S.A. was going on, rather than deal directly with increasing resources to support our customs officers and to enforce laws which existed to stop smuggling, the Liberals passed feel good legislation which reduced the tax on tobacco to eliminate the smuggling. While that eliminated the smuggling of tobacco in Quebec and Ontario it cost the taxpayers of Canada \$2 billion. The smugglers turned to smuggling firearms and other items.

The Liberals responded to the increase in the smuggling of firearms not by providing resources and money for enforcement so that smugglers could be stopped but by passing yet another piece of feel good legislation which does not solve the problem.

I say that because when the legislation which has given birth to the regulations was before the House, I spoke to many police officers, the chief of police and others in Regina and they said that they would prefer, if they had an option, to have more resources committed to enforcement.

Many of these police officers also said that the problem would not necessarily be cleared up by more money thrown at enforcement. It would help a great deal but what needed to be looked at is what the NDP has been saying all along and that is the roots of the increase in crime are unemployment and poverty. The other thing that is driving crime are the great inequities in our society.

Rather than address these inequities and try to beef up initiatives to eliminate poverty, especially child poverty, to create more jobs, to create more equality in society, the government has done the opposite. We can recall in the last few budgets cuts to health care, cuts to education, cuts to all kinds of transfer payments to provinces. We have seen as well a knee-jerk reaction with respect to these regulations, tax increases for working and middle class Canadian families, yet huge tax cuts for the very wealthy.

I remind members of Bill S-9 which provides wealthy Canadians with tax deductions for making contributions to American universities while the government cuts funding for our own universities.

With respect to these regulations, these are again feel good efforts on behalf of the government. They are not dealing with the real problems in our society.

### *Routine Proceedings*

There were a number of questions that we wanted to ask the government that it would not answer today. Why did the federal government and Minister of Justice not consult with all of the attorneys general with respect to some of the implications of the act? If the minister did consult, why did he not take some of the advice of three or four of them who are quite concerned about it?

Our view is that this bill and these regulations will not control guns but will increase the red tape and bureaucracy of law enforcement agencies. It will initiate a massive registration program that will not be effective because if it was such an effective tool, why is the government waiting three to five years to register all the guns in the country? I cannot see why these sorts of things are that pertinent at this time.

I will summarize by saying that this regulation initiative on behalf of the government is a knee jerk reaction, it is feel good legislation that does nothing to address the roots of crime in this country and that is good government.

\* \* \*

• (1600)

## COMMITTEES OF THE HOUSE

### JUSTICE AND LEGAL AFFAIRS

**Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I wonder if I might now seek unanimous consent to move a motion which was previously discussed by House leaders earlier in the week regarding the designation of the Standing Committee on Justice and Legal Affairs.

If there is unanimous consent, I move:

That the Standing Committee on Justice and Legal Affairs be the committee designated for the purposes of section 232 of the Corrections and Conditional Release Act.

**The Deputy Speaker:** Is there unanimous consent?

**Some hon. members:** Agreed.

(Motion agreed to.)

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## QUESTIONS ON THE ORDER PAPER

**Mr. Garry Breitkreuz (Yorkton—Melville, Ref.):** Mr. Speaker, I rise on a point of order. I believe it is ironic that the regulations for the new firearms act were tabled today because the question

*Routine Proceedings*

that I have had on the Order Paper for exactly one year concerns that very matter.

On November 27, 1995, I placed Question No. 252 on the Order Paper and, in accordance with Standing Order 39(5)(a), I requested an answer within 45 days.

After 71 days Question No. 252 died on the Order Paper when the government prorogued the House.

I placed the same question on the Order Paper again when the new session opened on February 27, 1996. It was renumbered as question No. 4. Once again I asked for a response from the government within 45 days. As of today Question No. 4 has been outstanding for 274 days. The question has been on the Order Paper for one year.

Why is it so imperative that we have an answer? The firearms regulations have been tabled. The government is pretending that they are a matter of public safety. The question that I asked was fundamental to that. It is Question No. 4 on the Order Paper. Anybody can look at it. It wants to get from the government information with regard to stolen firearms from the police and from the military. It is really fundamental to all that we are discussing here.

If they cannot safely store their firearms, if they are at risk because criminals know where to access those firearms, the very regulations which the minister is putting forth now will create that same situation but nationwide. Criminals will then know where to access those firearms. If we as common citizens place that information in the public domain, how can we possibly store them any better than the police or the military? That is why my question is so important.

In a democracy, in government as we have it in Canada today, if that information is not readily available and accurate for the public to examine, how can we possibly put forth laws which will improve public safety? How do we know those are the best laws we can have in this country?

That is why it is so imperative that I get an answer to my question. It is not a complicated question. I realize that my frustration shows by the fact that I cannot get an answer. We have to have open and accountable government. That is why I am asking for the government, as quickly as possible, to answer that question. I would even settle for a partial answer. I have appealed to the government to give me any information it has on this matter.

**Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I appreciate the comments which have been made by my hon. colleague, but oftentimes when members put questions they think that we can press a button and give them an answer.

Since the hon. member has raised this matter a number of times, it is important that I spend a bit of House time to review exactly what he has asked for and draw his attention to the fact that the question he has put, as he created the question, is very broad. In fact, it is so broad that it is taking, I would suggest, probably hundreds of hours of work by civil servants throughout the country to collect the information he has asked for. It is not that he should not want to get the information. I do not impugn his motives.

● (1605 )

I know the hon. member has expressed an interest in receiving the information, but when one looks at the broadness of the question it asks not only about the information being stolen from the RCMP but also from provincial police forces, municipal police forces, individual police forces and military establishments. One can see very quickly that it is such a broad question that the answer obviously has to be as comprehensive. I would suggest that it is going to cost literally thousands and thousands of dollars to get this information.

I am happy to hear for the first time my hon. colleague suggest that he acknowledges that this is a very broad question and that maybe he would like some partial information or a bit of information that might be available based on the breadth of his question. On that basis I would be happy to see if there is a possibility of getting some information.

While I am on my feet, the other question the member referred to is Question No. 52. I am also happy to hear that he is interested in some partial information. However, I would draw his attention to the fact that Question No. 52 asks to go back 10 years. Unfortunately, that information, as my hon. colleague would know, is not readily available. There is no computerized compilation of that kind of information.

Therefore while I understand his frustration, I think he should also appreciate the cost of getting this information and the hundreds of hours of civil servant time involved. Perhaps if he would craft his question a little differently we would be able to accommodate.

**Mr. Breitzkreuz (Yorkton—Melville):** Mr. Speaker, the member knows this information should have been in the public domain and the government should have had this information before it even brought the legislation. It begs the question whether it is costing thousands and then could save millions because it could save us millions if we had this information. I really think the minister should seriously reconsider the argument he is putting forth.

**Mr. Jack Ramsay (Crowfoot, Ref.):** Mr. Speaker, I will be quick. I do not understand. If the question is simply to institutions of this country such as police forces and the military, why is this information not available after almost a year? The question obviously to the government member is has the request gone forward to these institutions. If it has and there is some problem, that is a



justification. However, if they have not made that request then there is no justification for the delay and there is a dereliction of duty here.

**Mr. Zed:** Mr. Speaker, I ask that all questions be allowed to stand.

**The Deputy Speaker:** Is it agreed?

**Some hon. members:** Agreed.

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### MOTIONS FOR PAPERS

**Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I ask the all Notices of Motions for the Production of Papers be allowed to stand.

**The Deputy Speaker:** Is it agreed.

**Some hon. members:** Agreed.

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## GOVERNMENT ORDERS

[English]

### JUDGES ACT

The House resumed from November 20 consideration of the motion in relation to the amendments made by the Senate to Bill C-42, an act to amend the Judges Act and to make consequential amendments to another act.

**Mr. Jack Ramsay (Crowfoot, Ref.):** Mr. Speaker, this bill was brought forward by the government as a very simple and straightforward bill, a bill that we were advised was housekeeping and a kind of innocuous bill. However, the more we look at it and the more I hear about it from people trained in the legal field, the more concern I have about it.

Some of the concerns I have are of course justified by what the justice minister has said.

• (1610)

I would just like to quote what the justice minister told the Senate committee when he appeared before that committee earlier this year: "There is no provision in the Judges Act for a federally appointed judge such as Madam Justice Arbour to be granted a leave of absence without pay to work for an international organization such as the UN. Nor does the act permit the salary and expenses of a judge during a period of leave to be paid by any organization or entity other than the Government of Canada or, in the case of expenses, by the government of a province.

### Government Orders

"The amendments to the bill now before this committee have the full support of the Chief Justice of Canada and the Canadian Judicial Council. They would permit this type of arrangement to be entered into by Madam Justice Arbour and, in exception cases, by other judges. The provision contained in the bill's proposed new section 56.1 would be a narrow exception to the general prohibition set out in section 55 of the Judges Act against the judge engaging in any occupation or business other than her or his judicial duty".

If that is accurate, if the purpose of section 56.1 would be a narrow exception to the general prohibition set out in section 55 of the existing Judges Act against any judge engaging in any occupation or business other than her or his judicial business, it seems very clear that this act should have been passed before Judge Arbour accepted the appointment to her position with the UN on August 1.

What is the situation today? This bill went before the Senate and it came back with an amendment that I have some concerns about and which I will be offering an amendment to.

The question is very clear and of great concern. Is Judge Arbour now in violation of section 55 of the Judges Act? If she is not, what is the purpose of this particular amendment, section 56.1, which would exempt her from section 55, which creates a prohibition for her or other judges to accept employment in any other form?

We now have an Ontario federal court justice who has now accepted a position with the UN, a prestigious position, there is no question. However, there are at least three learned individuals who have expressed concerns about Bill C-42. Professor Morton appeared before the committee. In another debate on another amendment to the bill, I spoke to the comments he made before the committee. Professor Russell and Professor Manfredi also expressed grave concerns about the legality of what is happening here.

I am not going to belabour the House at this time on this bill. I am simply going to move the following motion:

• (1615)

I move:

That the motion be amended by deleting all the words after the word "that" and substituting the following therefor: "a Message be sent to the Senate to acquaint their Honours that this House disagrees with amendment 1 made by the Senate to Bill C-42, an act to amend the Judges Act and to make consequential amendments to another act, and that this House agrees with the principles set out in amendment 2, but would propose the following amendments:

Insert the words "for a period not to exceed three years" after the words "judicial duties" in section 56.1(1); and

Strike out all the lines in section 56.1(2) and substitute the following: "If Madam Justice Arbour elects to take leave pursuant to section 56.1(1) she may receive moving or transportation expenses and reasonable travel and other expenses, in connection with her services as Prosecutor, from the United Nations"; and

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That the following words be added to section 56.1(3): “notwithstanding any prohibition against accepting any salary, fee, remuneration or other emolument described in section 57”; and

That the following words be added to section 56.1(5): “and that benefits payable under these sections will be paid or will commence to be paid at the expiration of the leave of absence without pay”.

**The Deputy Speaker:** The motion has just been handed to the Chair. If the hon. member will give the Chair a little time to rule on whether it is receivable, I will get back to him as soon as it can be done.

Resuming debate, the hon. member for St. Albert.

**Mr. John Williams (St. Albert, Ref.):** Mr. Speaker, I am pleased to speak to the amendment to the motion that has been put forward by my colleague from Crowfoot.

We have talked about this particular motion before, which is in essence a message from the Senate that it does not feel comfortable with Bill C-42 as passed in this House and sent over to it back in June of this year.

The Senate had serious concerns with several sections of the act. The government amended the act in the Senate. It was not the deliberations within the Senate which led to the amendments. The government realized that the bill was in trouble in the Senate and put forth these amendments in the other place. The government realized that the bill was in trouble in the other place—

**The Deputy Speaker:** The amendment has not yet been ruled receivable. Accordingly, since the hon. member for St. Albert has spoken to the main motion, the only solution the Chair can see is to permit the member to speak on the understanding that shortly we will have a ruling that the motion is receivable, as long as all members understand what is happening.

**Mr. Williams:** I am speaking to the amendment, Mr. Speaker. We did ask the Clerk if he felt that the amendment was in order and he gave an initial presumption that it appeared superficially to be in order. I hope that once there has been a chance to read it in detail that it is found that the motion is in order. Therefore I am speaking to the amendment that has been tabled by my colleague from Crowfoot.

As I was saying, Bill C-42 which was passed in this House and referred to the other place ran into serious opposition in the other place. The government realized that it had serious problems in the other place and therefore put forth the amendment we are now talking on today which the other place has sent back to us for our consideration.

Not only did the bill run into serious opposition in the other place but the government realized it was somewhat out on a limb, if I may use that terminology. The government wanted to legitimize the appointment of Madam Justice Arbour to the position of

prosecutor working in The Hague for the United Nations. Of course as we know, the Judges Act as it stands today does not allow for that, yet she is over there. Therefore the government wants to get this through as quickly as possible to save the embarrassment of her being, if I may euphemistically say, in legal limbo. I think one could actually argue it is far beyond legal limbo, but let us stay there at the moment.

• (1620)

I refer to my speech of last week. I talked about the preamble, the perception of conflict of interest and the perception of impartiality being compromised. My remarks of last week stand regarding the preamble.

Dealing with the amendments proposed in the message we received from the other place which has been amended by my hon. colleague from Crowfoot, I do want to speak to these and several issues.

The first one deals with the amendment to the act which would allow Madam Justice Arbour to apply for a leave of absence without term. It is an open-ended authorization. She could be gone for five years, she could be gone for ten years or she need not even come back. There is no requirement for her to come back in this authorization. It is an absolutely open-ended authorization for her to apply for a leave of absence without term.

Section 99(1) of the Constitution states that Parliament and only Parliament has the authority to remove people from the bench. That has been put right into our Constitution. It is not part of the Judges Act, it is part of our Constitution. It says that only Parliament can remove someone from the bench. We almost had to deliberate on that particular situation two or three months ago.

The reason that only Parliament and not the government can remove a judge from the bench is written in the Constitution is that we want to ensure there is absolutely no opportunity for government interference in the judiciary. That is a clear and simple fact which has been around as long as Canada has been around: the government cannot interfere with the judiciary.

The amendment by the other place gives a specific exemption to a specific member of the bench for her to apply for an open-ended leave of absence that theoretically does not require her to return to the bench. My point is: If the government approves that leave of absence, has the government removed Madam Justice Louise Arbour from the bench which is the prerogative of Parliament and no one else? That is why we amended the motion to make that leave of absence term certain. We said that it is not to exceed three years.

The testimony that I read before the committee of the other place suggested that she be gone for about two years. We have given ample time for her to return yet we have made the leave of absence term certain. This government cannot understand that we want to

ensure the government cannot, should not and does not interfere with the impartiality, integrity and the independence of the judiciary.

We have said that if this has to be—and we do not like that it has gone this way, and I have argued this before in this House—but if it has to go this way, then surely they should do their homework properly and put in a term certain. Then we can be assured that Madam Justice Louise Arbour will return to the bench and that Parliament's prerogative, that which is only given to Parliament, is preserved. Parliament and Parliament alone has the right to remove people from the bench. It does not rest with the Minister of Justice who could grant this leave of absence and then prevent her from returning which would usurp Parliament's roles and responsibilities.

On the second one, we know that this legislation was drafted in a rush. When legislation is drafted in a rush, we usually end up with bad legislation. This was bad legislation right from the beginning. I have talked about that before. Then when they had to come up with an amendment in a hurry, I think it also was poorly drafted.

• (1625)

To briefly go through the amendment which has been referred to us by the other House, the first paragraph gives the judge authorization to apply for a leave of absence. The second one gives her the right to moving expenses. The third one says that if she accepts the appointment she will not get paid. The fourth one deals with her pension benefits and so on.

When we look at the text of the second paragraph which deals with moving expenses, we find that it is poorly worded. It says that she is entitled to moving expenses regardless of the situation. I would have thought that she would only be entitled to moving expenses if she elected to take a leave of absence. If she does not elect to take a leave of absence, then surely she would not be entitled to moving expenses. However, the clause is drafted to say that she is entitled to moving expenses. I do not know where she is going if she does not take a leave of absence, but she is entitled to moving expenses whether or not she takes a leave of absence. That is a poorly drafted clause which requires amendment.

It is simple. When things are done in a rush they can be done wrong. The government has to look carefully at the amendment which has been put forward.

The amendment deals with the fact that if she takes a leave of absence to work for the United Nations, she is not entitled to be paid by the Government of Canada. The Minister of Justice has told us that the UN must give an appearance of impartiality, integrity and independence from any country, because she will be working on behalf of all countries, for all of humanity. I would go along with that. However, if she takes the appointment she cannot be paid by the Government of Canada and she must be paid by the United Nations.

### *Government Orders*

The minister has said that the Judges Act requires that she be paid by the Government of Canada. He is asking for a special exemption for Madam Justice Louise Arbour in order for her to be paid by someone else, presumably by the United Nations.

Section 57 of the Judges Act deals specifically with the fact that only the Government of Canada can pay judges on the bench. Section 56 has been amended to grant a special exemption which will allow her to be paid by someone else, but section 57 says that she cannot be paid by someone else. There is a conflict. I am sure the minister thought that it was drafted well enough to allow Madam Justice Louise Arbour not to be paid by the Government of Canada but to be paid by someone else; however, we must remember that section 57 was written long before anyone contemplated a specific exemption being allowed for one specific member of the bench.

I have argued against that, but nonetheless the government has pursued and insisted that this motion go forward. If we are going to be dragged into this against our will, then surely the government should write the legislation properly. That is why we have said “notwithstanding any prohibition against accepting any salary, fee, remuneration or other emolument described in section 57” she is entitled to be paid under section 56.1(3).

We on this side are doing the minister's work by cleaning up his legislation when in fact we do not even agree with his intent. However, if we are going to be dragged into it, then surely it should be done right.

We are dealing with members of the bench. We are dealing with people of integrity. We are dealing with people whose integrity has been compromised, in my opinion, by the minister. We are dealing with people whose integrity should be beyond question, whose independence should be beyond question. I am quite comfortable with the fact that these people exercise great diligence in ensuring that they are not compromised in any way and lo and behold the minister has stepped right in and muddied the waters to a great degree.

• (1630)

The last amendment moved by my hon. colleague is that under section 56.1(5) the benefits payable under these sections will commence to be paid at the expiration of the leave of absence without pay. This gets back to my earlier point. She is gone and we do not know when she is coming back. Perhaps she is gone until retirement. Perhaps she is gone with no intention of returning. We have no idea when she will return or if she will return. Can she return? Does she have any desire to return? We do not know.

My hon. colleague has said that until we know that point, perhaps any benefits that are payable to her through her service on the bench here, or to other members of the bench, should be held in abeyance until she returns. The amendment he put forward is reasonable but it may be a little too draconian. That is why I

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suggest we make an amendment to the amendment by my colleague from Crowfoot.

I move:

That the amendment be amended by deleting all the words after and including the words "and that the following words be added to section 56.1(5)".

**The Deputy Speaker:** The amendment of the hon. member for Crowfoot has been found to be receivable, and the Chair so rules. The subamendment will have to go through the same rigorous process and the Chair will rule as quickly as possible.

Debate.

**Mr. Williams:** Mr. Speaker, on a point of order. You have ruled that the amendment by my hon. colleague from Crowfoot is in order. My subamendment is strictly to delete the last paragraph of the member for Crowfoot's amendment. Therefore I would expect the Chair to find the subamendment in order.

**Mr. Kilger:** Mr. Speaker, would members consider suspending the House, if the Chair so desires, while the ruling is made on the subamendment? The understanding is that there are no other speakers on this matter, because we are prepared for the question. You asked for debate and no one rose.

**The Deputy Speaker:** I appreciate the courtesy members are extending. The subamendment is receivable and therefore that issue is dispensed with. Is there further debate?

**Mr. White (North Vancouver):** Mr. Speaker, on a point of order. I have an inquiry. Questions and comments zoomed by there. I was going to get up and ask a question of the member. Did I miss the opportunity to do that?

**The Deputy Speaker:** This is Wednesday afternoon indeed. There is a questions and answers period and the Chair omitted them. I thank the hon. member for North Vancouver who has the right to ask questions or comments.

**Mr. Ted White (North Vancouver, Ref.):** Mr. Speaker, thank you. I listened carefully to the speech of the hon. member. I have a couple of questions based on things that happened in the discussions during question period in the House on this issue over the last couple of days.

I remember that the member was accused of being meanspirited a number of times in the House over the issue of the appointment of the judge.

• (1635)

Therefore I would really like to ask the member whether he can really answer that charge and explain why he is not meanspirited in this particular case. I would also like to ask him why he is

concerned about the impartiality of this judge when she comes back, if she does, to the country.

Finally, in fairness to the government, does the member feel that its motives are well intentioned or does he feel there is really something more behind this?

**The Deputy Speaker:** I might indicate to the House that we are not to impute motives. We are not to get into questions of motives in the House.

**Mr. Williams:** Mr. Speaker, I am glad you have pointed out that we do not get into motives, because the member for North Vancouver is perfectly correct when he quoted the Minister of Justice. Perhaps that was imputing motives but we will let that go by because, as you know, I am not that kind of person.

However, the point is while the accusations may have been made in this House, the reason I have objected to this particular bill and to the amendments that have come back from the other House has nothing to do with being meanspirited or being motivated by anything other than upholding the independence and integrity of the judicial system and the bench.

We have, unfortunately, a situation where an individual exception to the law has been granted to one particular judge. I have argued in the House that the particular exception should be introduced by way of a private bill rather than a public bill. I feel the Minister of Justice has used the rules of this House in such a way that we have less scrutiny in this particular private business than more scrutiny on this particular piece of private business.

There was a quote by a previous speaker, which I cannot give off the top of my head, but he said that the reason we have private bills in this House is to ensure that they receive more vigorous scrutiny because they are exceptions to the rules than what public bills receive because they are a matter of public policy. Private business should require even more scrutiny.

This exemption to the act for one particular person went through here as a public bill, went over to the other House and has been returned with amendments from the other House. It is now back here as a private bill, in essence as a hybrid public-private bill, which is disallowed by the rules of this House. We have even seen the rules of this House being used to the advantage of the Minister of Justice rather than to the advantage of all members of this House so that we can provide even more vigorous scrutiny to the exemption being granted.

As far as the impartiality of the bench, I take great exception to the way it is being used and abused. We now have a member of our bench who is supposed to be impartial. I have not question whatsoever about her integrity, but she is now going to be a prosecutor and is no longer sitting in judgment. She is taking sides.

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Can one imagine the hypocrisy of a situation where the United Nations came back to Canada and reached into our bench and said it would like to have this judge on the defence? We have two members of the bench from Canada, one prosecuting and one defending war criminals in The Hague. How ludicrous, how partial and how totally un-independent that would be. Yet half of that transaction is what is being contemplated, approved and passed in this House.

If it is ludicrous to have a member of the defence and prosecution working on these cases in the United Nations then surely it is just as ludicrous to have one member of the bench on the prosecutor's side.

I will also come back to the last point the member made. We are dealing with crimes against humanity. We are dealing with horrific crimes that were committed in Bosnia, the former Yugoslavia and Rwanda. In the news today are the hundreds of thousands of people who are starving and the hundreds who are being slaughtered, massacred every day. These are crimes of great human tragedy no matter where they happen in the world.

• (1640)

Is a member of the Canadian bench the only person in the world who can act as a prosecutor? Is that the only person who could be found to uphold justice in the world, who can act as a prosecutor against these crimes? I ask that question. I do not in any way take away from the seriousness of these crimes and the fact that the criminals must be prosecuted. However, I seriously do question if she is the only person who could be found to do the job. That is the point I wanted to make.

Finally, I presume she will return to the bench. Remember she and she alone has been granted special dispensation by the Government of Canada. She has to decide on a case that involves the Government of Canada against someone else.

The defence counsel could will ask: "Madam Justice Louise Arbour, how can you be independent here when you are deciding between the Government of Canada as the defendant and someone else and you have been granted special dispensation by the government?" The appearance of impartiality, of integrity, of independence goes right out the window. That is an important principle which is being seriously undermined and eroded, aided and abetted by the Minister of Justice.

I find that repulsive and quite odious. I certainly hope the Minister of Justice will see the sense of the whole thing and withdraw this concurrence.

[*Translation*]

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, I find it rather odd that the Reform Party has latched onto

such a question. I would consider it an honour for all Canadians to be represented abroad by a fellow Canadian. You might find this particularly odd out of the mouth of a Bloc member, but it is true.

It is deplorable that the Reform Party has latched onto such a case as this to make political hay, to make the newspapers, or for whatever reason, and is using every means possible to put other cases before the House of Commons, when the matter could be resolved once and for all with Bill C-42.

I have already spoken to Bill C-42 and criticized the work done by the Senate on certain amendments. I criticized the Senate's meddling in a matter of this sort and its forcing the House to some extent to decide on each case individually, to come back with a specific bill for each judge wishing to do any sort of work internationally.

The Reformers are doing much the same thing. They introduce an amendment and then an amendment to an amendment. They will try every means to delay the work of the House on this bill, whose objective is clear: to permit judges with the experience or certain abilities, who have a vision of things international, to provide assistance, as other countries are entitled to expect from Canada, from a democratic country with a lot of experienced judges.

• (1645)

It is Justice Arbour in this case, but it could be Justice Bellehumeur or any other judge looking for an opportunity to fulfil a specific international mandate. All kinds of reasons are being put forward to delay passage of this bill. They are going to great lengths to deter judges who might want to fulfil specific international functions.

We have before us a Reform amendment adding yet more requirements. The Reform Party wants to make it quite clear that Canada will not pay moving, transport and other costs, although this is already provided for in Bill C-42.

Section 56.1, as proposed in Bill C-42, gives the government discretion. Of course, I am not 100 per cent behind everything the people across the way do, but we must realize that voters have given the Liberal government opposite a mandate to manage public funds. We must at least trust our friends in this regard. There is a time to condemn, but there are times also when we must realize that it is pointless to protest, and I think this is a case in point.

I will take a moment to read section 56.1, so that you and the people listening to us can see the risk of going too far in making changes and waging procedural battles in the House for the sake of it.

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Section 56.1 states:

(1) Notwithstanding section 55, a judge may, with the authorization of the Government of Canada, participate in international activities or international technical assistance programs or in the work of an international organization of states or an institution of such an organization, and may, if the participation is so authorized, receive moving or transportation expenses and reasonable travel and other expenses either from the Government of Canada or from an international organization or an institution of such an organization.

Could it be any clearer? The government may provide financial assistance at the time of approving participation. Take Justice Arbour for example. Upon receiving a request from her, the government may authorize Justice Arbour to participate in international activities and specify in this authorization that it will be up to the judge to have her expenses reimbursed either by the UN, or whatever organization hires her, or by Canada. Canada can contribute by paying these costs.

At present, Canada gives money to the UN every time it participates in an international aid mission. Shall we stop at paying a judge's moving expenses if that is the kind of contribution Canada wants to make? Section 56.1 very clearly provides that the government may, in authorizing participation, confirm with the international organization or an institution of such organization who will pay the moving and transportation expenses or any other expense associated with the function the judge has applied for and been selected.

I cannot understand why we have a Reform amendment on this today. Let us stop playing this little game, for which a number of us, including myself, were condemning the Senate a few days ago. My point was that the Senate was wasting its time on insignificant changes. This bill had already been passed here, and moved on to the Senate. After great philosophical discussions, after consulting such eminent publications as *Frank*, a highly serious newspaper on which the senators based their demands for amendments, after this most serious work, the Senate sends us back the bill, and the Reform jumps on the bandwagon to call for other amendments, whereas they had every opportunity to question the witnesses and to propose amendments at the appropriate time.

• (1650)

The first time this bill came before the House, they did nothing, because they did not believe it was a serious bill, or so I heard in the House. Now, today, they realize that it is fairly significant, for the senators have said so—and they are such a reliable source.

Today, amendments are being presented, and for some reason they are attempting to make political hay with this bill.

I wish it to be known that we in the Bloc Québécois are totally against the proposed amendment to clause 56.1(2) of Bill C-42. I would invite the Reform Party members to look at this bill a little more seriously so we can move on to something else.

[English]

**Mr. John Williams (St. Albert, Ref.):** Mr. Speaker, I was listening to the speech by the member. I wonder why Bloc members feel they can oppose this motion but at the same time they want to vote in favour of the bill as a whole as it went through this House.

He says that a specific exemption for one person is not possible, and they would not want to do that, but that the bill as a whole seems to be in order. I wonder if he would give us a quick synopsis of why he would agree that the entire bill is actually in order compared to this amendment.

[Translation]

**Mr. Bellehumeur:** Mr. Speaker, our position is quite clear. When Bill C-42 was passed, we supported the bill. We still do today.

What the Bloc Québécois, the official opposition objects to is the amendments made by the Senate. We said so openly, we said it in debate, I said so myself and I say it again today, that we should not even be looking at all the changes, all the amendments proposed by the Senate because they are not well founded, they are frivolous and useless. What the Senate has done hardly justifies the \$42 million or \$43 million it is given annually to do a job that has already been done in the House.

Today I will say again that Bill C-42 provides for all kinds of cases. It was not intended to deal with one specific case. The Senate wanted to do just that. The Reform Party is doing the same, by amending this bill so that every time a judge wants to take on international responsibilities, it would be necessary to go back to Parliament to pass specific legislation.

I say this is useless. We passed Bill C-42 in this House, heard witnesses, worked on this bill in committee and passed it at first, second and third reading. We went through all the different stages. The Reform Party was there, and its members did not propose any changes.

The legislation we adopted at the time could be applied to anyone, not just Judge Arbour or Justice Lamer or other judges, but to all judges throughout Canada and Quebec.

The amendments before the House today are an attempt to narrow the scope of this bill so that it will apply only to one particular judge, Judge Arbour. I say that the legislator should not use his legislative power to pass this kind of legislation.

That is why we are against this amendment, as we were against similar amendments proposed by the Senate.

[English]

**Mr. Ted White (North Vancouver, Ref.):** Mr. Speaker, I listened to the response given by the hon. member and I can understand his frustration with the Senate. Reform has long

proposed an equal, elected and effective Senate. It is supposed to be the House of sober second thought.

Does the member not think it is actually a good sign when the Senate does something? It has returned a bill to the House and indicated it has given consideration to it. Is that not a very important signal that the Senate is prepared to give sober second thought to something? The bill has been sent back here and the Senate has said: "Take another look at this. Is this really what you want?"

• (1655)

Does the member not think that is quite a good thing to happen?

[*Translation*]

**Mr. Bellehumeur:** Mr. Speaker, I have to say right off that the Bloc Quebecois and the Reform Party are a thousand leagues apart on this matter. They want an elected Senate with greater powers; we say the Senate is useless.

We are already overgoverned in Canada. We have a federal government, provincial and municipal governments, school boards, and we could add parishes, church authorities, and that means even more people. Canada is overgoverned. We do not need a Senate, whether its members are appointed, as is now the case, or elected.

Is it good to have the Senate propose amendments to a bill? I say that once a bill is introduced to 295 members elected to represent the people, broken down, studied, analyzed and discussed in committees where experts and witnesses of all sorts are heard and briefs are submitted, there is no point in a Senate—appointed or elected—making other changes.

[*English*]

**Mr. Bob Kilger (Stormont—Dundas, Lib.):** Mr. Speaker, pursuant to Standing Order No. 26, I move:

That the House continue to sit beyond the ordinary hour of adjournment for the purpose of considering the Senate amendments stage of Bill C-42.

[*Translation*]

**The Deputy Speaker:** Would those members who object to the motion please rise in their places.

And fewer than 15 members having risen.

**The Deputy Speaker:** Since fewer than 15 members are opposed, I declare the motion carried.

(Motion agreed to.)

[*English*]

**The Deputy Speaker:** It is my duty, pursuant to Standing Order 38, to inform the House that the question to be raised tonight at the

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time of adjournment is as follows: the hon. member for Bourassa—Immigration.

Is the House ready for the question?

**Some hon. members:** Question.

**The Deputy Speaker:** The question is on the amendment to the amendment. Is it the pleasure of the House to adopt the amendment to the amendment?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Deputy Speaker:** All those in favour of the amendment to the amendment will please say yea.

**Some hon. members:** Yea.

**The Deputy Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Deputy Speaker:** In my opinion the nays have it.

*And more than five members having risen:*

**The Deputy Speaker:** Call in the members.

• (1715)

*And the bells having rung:*

\* \* \*

### FISHERIES ACT

The House resumed from November 19 consideration of the motion that Bill C-62, an act respecting fisheries, be read the second time and referred to a committee; and of the amendment.

**The Acting Speaker (Mr. Milliken):** When this bill was last before the House, a subamendment was moved. I wish to indicate to hon. members that in the view of the Chair the subamendment is in order and accordingly I wish to put the subamendment to the House. It is moved by the hon. member for Port Moody—Coquitlam that:

That the amendment be amended by adding the following:

"and that the committee report back to the House no later than June 19, 1997.

The debate is on the subamendment.

[*Translation*]

**Mr. Bernier (Gaspé):** On a point of order, Mr. Speaker.

Before we start debate on Bill C-62, I would like some clarification about what happened when members were called to the House to vote. Our television screens showed 20 minutes remaining before the vote. Then the bells suddenly stopped ringing and the House resumed debate on Bill C-62 without giving members any notice. What is happening exactly? I would like to understand. How is this government being run?

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**The Acting Speaker (Mr. Milliken):** Order, please. During the sounding of the bells, the hon. Chief Government Whip asked the Chair to defer the division until 5.45 p.m., which is what happened.

We then resumed debate on Bill C-62 now before the House. We can now resume debate if an hon. member wishes to speak.

**Mr. Bellehumeur:** Mr. Speaker, I rise on a point of order concerning the extension of the sitting. The government did request an extension, but our Standing Orders state that such a request must be made during the last hour, which was not the case. I would appreciate it if the Chair could rule on this point.

I brought the matter to the attention of the Table earlier and I thought we had an understanding with the government. It looks like the government attempted to destabilize us and proceed anyway. I would like the Chair to rule on this point. I think the government's request was not made in accordance with the Standing Orders of this House.

I was extremely vigilant in immediately making my request to the Table.

• (1720)

[English]

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Mr. Speaker, I rise on the same point of order. I would like to concur with with remarks of the member who brought forward that point.

As I understand it, a motion to extend the sitting hours can only occur in the last hour that the House is sitting. Government Orders were extended because of Statements by Ministers and that last hour did not occur, according to the Table, until 5.06 p.m. The order to extend the hours was brought in before five o'clock, which meant that opposition parties could not be ready for that particular extension or prepared to oppose the extension of hours because we were not in the last hour yet.

We tried to rise on a point of order, but the bells had already begun to ring. I do not know how we could have protested this. However, I would agree with the Bloc member that the motion for the extension of hours was inappropriate and outside the standing orders, and opposition parties were not able to respond because of the timing of the motion.

The motion should not have been accepted by the Chair. It was out of order and it should have been ruled out of order at that time.

**Mr. John Williams (St. Albert, Ref.):** Mr. Speaker, I rise on the same point of order. Further to the comments made by the Reform Party whip, I wish to point out that I drew this matter to the attention of the Deputy Speaker who was in the chair at that time,

prior to 5.06 this evening. Therefore, we recorded our objection prior to the last hour even commencing. Standing Order 26(1)(b) was not complied with.

[Translation]

**Mr. Bellehumeur:** Mr. Speaker, earlier, I spoke without notes. I had written notes and, with your permission, I will be more explicit in my approach.

Pursuant to Standing Order 26(1)(b), the motion to extend sitting must be proposed in the last hour of government orders. However, the ministerial statement made by the Minister of Justice pushed everything back. The government had to table its motion after 5.04 p.m. Unfortunately, it tabled it at 4.58 p.m., a few minutes before the end.

Mr. Speaker, you should not have allowed the government's motion. This is the issue on which I am asking you to rule, that is whether Standing Order 26(1)(b) was complied with. Personally, I come to the conclusion that the answer is no, and that you should not agree to the government's request to extend the sitting.

[English]

**The Acting Speaker (Mr. Milliken):** The Chair thanks the hon. member for Berthier—Montcalm, the Reform Party whip and the hon. member for St. Albert for their interventions in respect of this matter.

Standing Order 26(1) provides that except during Private Members' Business when the Speaker is in the chair, a member may propose a motion without notice to continue a sitting. I do not need to go into all the details. However, the motion must be proposed under Standing Order 26(1)(b), as the hon. member has pointed out, in the hour preceding the time at which the business under consideration should be interrupted by dinner hour, private members' hour or the ordinary hour of daily adjournment.

The question that arises here is whether the motion was proposed within the hour prior to the ordinary hour of daily adjournment.

As the hon. member pointed out, the proceedings today were extended by reason of ministerial statements. It appears that the motion made by the chief government whip which resulted in the extension of time was made six minutes before the last hour before the ordinary hour of daily adjournment. The motion at the time was accepted by the Chair and was put to the House. Fewer than the requisite number of members rose to object and the motion was deemed carried.

In view of the fact that the matter was a procedural motion and that it was proposed at a time contrary to the standing orders, the Chair is of the view that the motion is indeed out of order and has not been adopted.



*Government Orders*

• (1725)

**MANGANESE-BASED FUEL ADDITIVES ACT**

BILL C-29—TIME ALLOCATION MOTION

**Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.)** moved:

That in relation to Bill C-29, an act to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances, not more than one further sitting day shall be allotted to the consideration of the third reading stage of the bill, and 15 minutes before the expiry of the time provided for government business on the allotted day of the third reading consideration of the said bill, any proceedings before the House shall be interrupted, if required for the purpose of this Order, and in turn every question necessary for the disposal of the third reading stage of the bill shall be put forthwith and successively without further debate or amendment.

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Mr. Speaker, it is my understanding of Standing Order 78 that the government must give one full day's notice of a time allocation motion. I believe that notice was just given a few minute's ago and here we have moved to the motion itself which is to limit debate to only one more day.

I would ask the Speaker to look at that. It seems there needs to be a day's notice and I do not think that has been given.

**Mr. Bob Kilger (Stormont—Dundas, Lib.):** Mr. Speaker, the proper notice was given last Tuesday for the next sitting which means any future sitting so the motion is in order.

**Mr. Strahl:** Mr. Speaker, as I understand it, there needs to be one full day of debate on this. Could you explain this? It seems this is being rushed through. Time allocation is being rushed through as well as the time allocation motion, which is inappropriate. I think they are out of line here.

• (1730)

**The Acting Speaker (Mr. Milliken):** The Chair is ready to rule on the point of order raised by the hon. whip for the Reform Party.

I draw his attention and the attention of the House to Standing Order 78(3)(a). The notice, as indicated by the chief government whip, was given last week. The motion is in accordance with the notice that was given and under paragraph (3)(a) in the last sentence:

Any proceedings interrupted pursuant to this section of this Standing Order shall be deemed adjourned.

The House was debating Bill C-62. Accordingly, the debate on Bill C-62 is deemed adjourned. There has been an interruption in the proceedings by reason of moving the motion. I now propose to put the motion proposed by the Minister of Labour to the House.

**Mr. Strahl:** Mr. Speaker, perhaps you could inform me on Standing Order 78, which deals with time allocation. Is there any

limit to the number of times the government can bring in time allocation?

**The Acting Speaker (Mr. Milliken):** The question is on the motion of the Minister of Labour and Deputy Leader of the Government in the House of Commons. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Milliken):** All those in favour of the motion will please say yea.

**Some hon. members:** Yes.

**The Acting Speaker (Mr. Milliken):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Milliken):** In my opinion the yeas have it.

*And more than five members having risen:*

**The Acting Speaker (Mr. Milliken):** Call in the members.

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

(Division No. 185)

**YEAS**

## Members

Alcock	Allmand
Arseneault	Assadourian
Augustine	Baker
Bakopanos	Barnes
Beaumier	Bélair
Belanger	Bellemare
Bertrand	Bethel
Bevilacqua	Blondin-Andrew
Bodnar	Bonin
Boudria	Brown (Oakville—Milton)
Brushett	Bryden
Byrne	Caccia
Calder	Campbell
Cannis	Catterall
Cauchon	Chamberlain
Cohen	Collenette
Collins	Copps
Cowling	Crawford
Culbert	Cullen
DeVillers	Dhaliwal
Discepola	Dromisky
Duhamel	Easter
English	Finestone
Flis	Fontana
Gaffney	Gagliano
Gagnon (Bonaventure—Îles-de-la-Madeleine)	Gerrard
Godfrey	Goodale
Graham	Grose
Harb	Hopkins
Hubbard	Jackson
Keys	Kilger (Stormont—Dundas)
Kirkby	Knutson
Kraft Sloan	Lastewka
Lee	Lincoln
MacAulay	MacLellan (Cape/Cap-Breton—The Sydneys)
Malhi	Maloney
Manley	Marleau
Massé	McCormick
McGuire	McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)	McTeague
Mifflin	Minna

*Government Orders*

Mitchell	Murphy
Murray	Nault
O'Brien (London—Middlesex)	O'Reilly
Pagtakhan	Paradis
Parrish	Patry
Payne	Peric
Peters	Peterson
Phinney	Pickard (Essex—Kent)
Proud	Reed
Regan	Richardson
Rideout	Ringuette-Maltais
Robichaud	Robillard
Rock	Scott (Fredericton—York—Sunbury)
Serré	Shepherd
Simmons	St. Denis
Steckle	Stewart (Brant)
Szabo	Telegdi
Terrana	Torsney
Ur	Verran
Volpe	Walker
Wells	Whelan
Wood	Zed—126

## NAYS

## Members

Abbott	Ablonczy
Asselin	Bachand
Bélisle	Bellehumeur
Bergeron	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Blaikie
Brien	Brown (Calgary Southeast/Sud-Est)
Chatters	Chrétien (Frontenac)
Crête	Cummins
Dalphond-Guiral	Daviault
de Jong	de Savoye
Debien	Deshaies
Dubé	Duceppe
Dumas	Duncan
Epp	Forseth
Frazer	Gagnon (Québec)
Gauthier	Godin
Grey (Beaver River)	Grubel
Guimond	Hanger
Harper (Calgary West/Ouest)	Harper (Simcoe Centre)
Hayes	Hermanson
Hill (Macleod)	Hill (Prince George—Peace River)
Jacob	Johnston
Kerpan	Landry
Langlois	Laurin
Lavigne (Beauharnois—Salaberry)	Lebel
Leblanc (Longueuil)	Lefebvre
Leroux (Richmond—Wolfe)	Loubier
Marchand	Martin (Esquimalt—Juan de Fuca)
Ménard	Mercier
Meredith	Mills (Red Deer)
Morrison	Nunez
Paré	Penson
Picard (Drummond)	Ramsay
Rocheleau	Solberg
Solomon	Speaker
Strahl	Taylor
Thompson	Tremblay (Rosemont)
White (Fraser Valley West/Ouest)	White (North Vancouver)
Williams—77	

## PAIRED MEMBERS

Anderson	Caron
Chan	Clancy
Copps	Eggleton
Fillion	Guay
Irwin	Lalonde
Leroux (Shefford)	MacDonald
Marchi	Martin (LaSalle—Émard)
Pomerleau	Sauvageau
Tremblay (Lac-Saint-Jean)	Venne

● (1810)

[Translation]

**The Acting Speaker (Mr. Milliken):** I declare the motion carried.

\* \* \*

[English]

## JUDGES ACT

The House resumed consideration of the motion in relation the amendments made by the Senate to Bill C-42, an act to amend the Judges Act and to make consequential amendments to another act; and of the amendment, and of the amendment to the amendment.

**The Acting Speaker (Mr. Milliken):** The question is on the subamendment.

**Mr. Kilger:** Mr. Speaker, if the House would agree, I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay.

**The Acting Speaker (Mr. Milliken):** Is there consent for the proposal of the chief government whip?

[Translation]

**Mrs. Dalphond-Guiral:** Members of the official opposition will be voting no, Mr. Speaker.

[English]

**Mr. Strahl:** Mr. Speaker, Reform Party members present will be voting yes, unless instructed otherwise by their constituents.

**Mr. Solomon:** Mr. Speaker, members of the NDP in the House this evening will vote no on this matter.

**Mrs. Brown (Calgary Southeast):** Mr. Speaker, I will be voting yes on this amendment.

**Mr. Wappel:** Mr. Speaker, I was not here for the previous vote. I would like to be recorded as voting nay with my party.

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

(Division No. 186)

## YEAS

## Members

Abbott	Ablonczy
Brown (Calgary Southeast/Sud-Est)	Chatters
Cummins	Duncan
Epp	Forseth
Frazer	Grey (Beaver River)
Grubel	Hanger
Harper (Calgary West/Ouest)	Harper (Simcoe Centre)
Hayes	Hermanson
Hill (Macleod)	Hill (Prince George—Peace River)
Johnston	Kerpan

Martin (Esquimalt—Juan de Fuca)  
Mills (Red Deer)  
Penson  
Solberg  
Strahl  
White (Fraser Valley West/Ouest)  
Williams—33

Meredith  
Morrison  
Ramsay  
Speaker  
Thompson  
White (North Vancouver)

## NAYS

### Members

Alcock  
Arseneault  
Asselin  
Bachand  
Bakopanos  
Beaumier  
Bélanger  
Bellehumeur  
Bergeron  
Bernier (Mégantic—Compton—Stanstead)  
Bethel  
Blaikie  
Bodnar  
Boudria  
Brown (Oakville—Milton)  
Bryden  
Caccia  
Campbell  
Catterall  
Chamberlain  
Cohen  
Collins  
Cowling  
Crête  
Cullen  
Daviault  
de Savoye  
Deshaies  
Dhaliwal  
Dromisky  
Duceppe  
Dumas  
English  
Flis  
Gaffney  
Gagnon (Bonaventure—Îles-de-la-Madeleine)  
Gauthier  
Godfrey  
Goodale  
Grose  
Harb  
Hubbard  
Jacob  
Kilger (Stormont—Dundas)  
Knutson  
Landry  
Lastewka  
Lavigne (Beauharnois—Salaberry)  
Leblanc (Longueuil)  
Lefebvre  
Lincoln  
MacAulay  
Malhi  
Manley  
Marleau  
McCormick  
McKinnon  
McTeague  
Mercier  
Minna  
Murphy  
Nault  
O'Brien (London—Middlesex)  
Pagtakhan  
Paré  
Patry  
Peric  
Peterson  
Picard (Drummond)  
Proud  
Regan  
Rideout

Allmand  
Assadourian  
Augustine  
Baker  
Barnes  
Bélair  
Bélisle  
Bellemare  
Bernier (Gaspé)  
Bertrand  
Bevilacqua  
Blondin-Andrew  
Bonin  
Brien  
Bruslett  
Byrne  
Calder  
Cannis  
Cauchon  
Chrétien (Frontenac)  
Collenette  
Copps  
Crawford  
Culbert  
Dalphond-Guiral  
de Jong  
Debien  
DeVillers  
Discepola  
Dubé  
Duhamel  
Easter  
Finestone  
Fontana  
Gagliano  
Gagnon (Québec)  
Gerrard  
Godin  
Graham  
Guimond  
Hopkins  
Jackson  
Keyes  
Kirkby  
Kraft Sloan  
Langlois  
Laurin  
Lebel  
Lee  
Leroux (Richmond—Wolfe)  
Loubier  
MacLellan (Cape/Cap-Breton—The Sydneys)  
Maloney  
Marchand  
Massé  
McGuire  
McLellan (Edmonton Northwest/Nord-Ouest)  
Ménard  
Mifflin  
Mitchell  
Murray  
Nunez  
O'Reilly  
Paradis  
Parrish  
Payne  
Peters  
Phinney  
Pickard (Essex—Kent)  
Reed  
Richardson  
Ringuette-Maltais

## Government Orders

Robichaud  
Rocheleau  
Scott (Fredericton—York—Sunbury)  
Shepherd  
Solomon  
Steckle  
Szabo  
Telegdi  
Torsney  
Ur  
Volpe  
Wappel  
Whelan  
Zed—171

Robillard  
Rock  
Serré  
Simmons  
St. Denis  
Stewart (Brant)  
Taylor  
Terrana  
Tremblay (Rosemont)  
Verran  
Walker  
Wells  
Wood

## PAIRED MEMBERS

Anderson	Caron
Chan	Clancy
Copps	Eggleton
Fillion	Guay
Irwin	Lalonde
Leroux (Sheffield)	MacDonald
Marchi	Martin (LaSalle—Émard)
Pomerleau	Sauvageau
Tremblay (Lac-Saint-Jean)	Venne

**The Acting Speaker (Mr. Milliken):** I declare the amendment to the amendment defeated.

It being 6.15 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's order paper.

\* \* \*

[*Translation*]

## JUDGES ACT

### BILL C-42—NOTICE OF MOTION FOR TIME ALLOCATION

**Hon. Alfonso Gagliano (Minister of Labour and Deputy Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it has been impossible to reach an agreement pursuant to Standing Orders 78(1), 78(2) or 78(3) regarding the proceedings on amendments by the Senate to Bill C-42, an act to amend the Judges Act and to make consequential amendments to another act.

Pursuant to Standing Order 78(3), I give notice of my intention to propose a motion of time allocation at the next sitting of the House, for the purpose of allotting a specified number of days and hours for the consideration and disposal of proceedings at that stage.

[*English*]

**Mr. Williams:** Mr. Speaker, I rise on a point of order. Standing Order 78 calls for the introduction, if any, of a notice of time allocation to be given during the orders of the day. We are now in Private Members' Business because you have already called for Private Members' Business. Therefore, I think the time allocation notice is out of order.

*Private Members' Business*

**The Acting Speaker (Mr. Milliken):** The hon. member for St. Albert has raised a point of order with respect to the validity of the notice given by the Minister of Labour pursuant to Standing Order 78(3) of the Standing Orders of the House. I would point out to him that the wording of the standing order says:

A Minister of the Crown who from his or her place in the House, at a previous sitting, has stated that an agreement could not be reached—

There is no reference to the fact that the notice must be given during the time for Government Orders, although it is clear that the motion that is subsequently made based on the notice must be made during the time for the consideration of Government Orders. Accordingly, I believe the notice given by the Minister of Labour is valid.

• (1820)

**Mr. Strahl:** Mr. Speaker, just for clarification, can the government House leader or a minister rise on a point of order to bring that in or does he have to rise during debate?

**The Acting Speaker (Mr. Milliken):** The minister did it on a point of order. It has been done in the past on a point of order, I am apprised, and from my own experience I can confirm that is the case. I am sure the hon. member, had he been here in the last Parliament, would have seen it done that way on numerous occasions.

I believe that the notice which was given by the Minister of Labour is in order, as I have indicated.

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## PRIVATE MEMBERS' BUSINESS

[English]

### PARLIAMENT OF CANADA ACT

**Mr. Eugène Bellemare (Carleton—Gloucester, Lib.)** moved that Bill C-316, an act to amend the Parliament of Canada Act (oath or solemn affirmation), be read the second time and referred to a committee.

He said: Mr. Speaker, like all my colleagues in the House from whichever political party, I was honoured and proud to be elected to the Parliament of Canada on October 25, 1993.

On November 9, 1993 at my swearing in ceremony, I had the honour as a re-elected member of the Canadian Parliament to pledge allegiance to the Queen of Canada, as required by the Parliament of Canada Act. This meant more to me than simply swearing allegiance to the Queen as a person; it meant swearing allegiance to everything the monarchy represents, which includes the Canadian Constitution, Canadian citizens, all our Canadian institutions, laws and customs.

Having been re-elected to Parliament by the electors of the Carleton—Gloucester riding by a record 46,800 votes in my favour, about 35,000 votes more than my nearest challenger, I felt proud and honoured but above all I felt duty bound not only to my electors but to all my constituents and all Canadians no matter what their political beliefs. I felt duty bound to protect and serve all of them. For this reason I wanted to clarify our parliamentary oath by adding to the present oath of office to the Queen a pledge of allegiance to Canada and its Constitution.

Since I first introduced this bill in 1993, I have had many conversations with Canadians and have received many letters from my constituents and from Canadians from various regions of the country as well as from my colleagues applauding this initiative.

The point was well made when someone close to me once asked: "Are we the only country in the world where politicians do not swear allegiance to the country?"

A local radio station recently held an open line show commenting on my private member's bill.

A Canada-wide citizens association launched a campaign supporting my bill. I would like to read a letter which I received recently from the association:

Dear Mr. Bellemare:

I can assure you that Canada First and its more than 1,500 members support you wholeheartedly in your attempt to make MPs swear an oath of allegiance to the country and the Constitution as well as the Queen of England.

For your information, we are immediately launching a Canada-wide campaign to obtain support for your proposal. You can expect anywhere from upwards of a thousand letters of support over the next few weeks from our members.

Yours truly,

Lowell Green,  
President, Canada First.

I have also been interviewed by the media across Canada on the same subject. All of my colleagues in the Liberal Party are also supporting me in my initiative. It is with this support that I present it today.

Our allegiance to the Queen is in no way questioned in my private member's bill. She is the embodiment of our parliamentary system and part of our historical heritage.

[Translation]

There are those who think that the bill I am presenting is redundant, that the oath of allegiance to the Queen already implies an oath of allegiance to Canada and to Canadians, and that it would be pointless to add an oath of allegiance to Canada and to the Constitution.

• (1825)

I know from experience that things that are not spelled out are often interpreted differently by different people.

That is why I think it important to affirm what one believes when making an affirmation of loyalty, and in this case I proudly affirm my loyalty to Canada and to Canadians.

[English]

Canada is a country which is part of the Commonwealth and as a member country of the Commonwealth we are headed by the Queen. The existing oath made by members of Parliament is a swearing of allegiance to the Queen. However, the oath of allegiance pledged by all members of the House is almost identical to the oaths pledged in all the Commonwealth countries which may lead to confusion or discussion.

[Translation]

I would like to point out that we have all been elected by Canadians, by citizens of Canada, and I trust that we represent all Canadians, and not people living in other Commonwealth countries such as Australia, Bangladesh, Ghana, India, Pakistan or Nigeria.

As an elected representative, each member sitting in the House of Commons, including members of the opposition, represents not just those who voted for him or her, but also all the inhabitants of his or her riding, without exception and regardless of their political affiliation.

Members of the Bloc Québécois, members of the official opposition, in accordance with the system of government established under the Canadian Constitution, say they represent Canadians living in Quebec. They even swore an oath of allegiance to the Queen when they were sworn in to the House of Commons. Why did they not want to support my bill the first time I tabled it, two years ago?

The official opposition has a duty to keep a careful eye on the government, on behalf of all Canadians, in order to ensure that the party in power does not take unfair advantage of that power, that the government fulfils its duties for the common good of all Canadians, as provided for in the Constitution.

The Constitution is what enables Bloc Québécois members to present their views in the House of Commons, with all the freedom it gives them. It is a source of pride and a privilege to be able to take part in the creation of legislation, as we do in Parliament, under the Constitution. Bloc Québécois members are, I trust, fully and sincerely involved in that process, I also trust that they respect the parliamentary system, the rights of the citizens of Canada, as well as their role as the official opposition on behalf of all of the people of Canada.

In all good conscience, do their votes on each bill, motion or amendment count for something? I wonder, are their votes in the House a deception? If not, let them admit that they respect the rules

### *Private Members' Business*

which allow them to express their opinions in this House, that is to say the rules set out in the Constitution.

If a member of Parliament takes an oath and considers it a mere formality, what credibility does that member, and the party he represents, have when performing his duties? Do Bloc Québécois votes count for anything in the House of Commons?

[English]

If "a pledge to the Queen is a pledge to the collectivity, and that is still very important" as Lucien Bouchard noted in the *Ottawa Citizen* on September 24, 1993, then is Canada not that collectivity as embodied in our Constitution? If the present oath is an oath to the Canadian community, then let us say it outright.

[Translation]

The Constitution represents the rights, duties and freedoms of the people of this country. When we take an oath of allegiance to the Queen, we pledge allegiance to the British parliamentary system whose cornerstone is the Constitution. The Queen, the monarchy, represents all our democratic institutions.

I would like to point out that taking an oath of allegiance only to the Queen is rather ambiguous. To many people, she is a person who has very few connections with Canada.

• (1830)

In fact, every country in the Commonwealth has become independent. However, we must realize the Queen represents more than just herself. She represents institutions that guarantee respect for the fundamental rights of all Canadians. She personifies the rule of law under which we live.

This oath of allegiance is important for Canada as a nation. Members elected to the House of Commons must take this oath to affirm, loud and clear, their loyalty to the country and to the citizens they have a duty to represent.

The Constitution represents different things to different people. To a legal expert, it is the constitutional documents by which a nation is governed. To others, it is the ideology that presided over the creation of a country. To others again, it is a symbol of the rule of law, of fair and equitable government for all citizens.

In the spirit of the Constitution, it is entirely acceptable to want to criticize, change and improve it to make it reflect the new realities of life in Canada. But I hope we all agree that the Constitution is essential to the responsible governance of this country and that it is thanks to the Constitution that we are all here, on behalf of all Canadians, to promote their well-being in a free and democratic society.

The primary function of a Constitution is to protect the fundamental rights and freedoms of citizens against possible abuse by their government. A country where there is no respect for the

*Private Members' Business*

Constitution is a country where citizens are exposed to severe abuse by their politicians.

[English]

A member of Parliament who would refuse to swear solemnly to respect and defend the constitutional laws which are the essence of our society would be a member we could not trust to defend his or her constituents against abuses of power and despotism.

If the official opposition takes its role seriously as the watchdog of the government, as it says it does, its members should therefore be the first to applaud and support this addition to the oath of allegiance.

This oath to Canada and the Constitution should be the first essential commitment taken by a member of Parliament on behalf of his constituents if democracy and the respect of human rights are indeed valuable to this person.

That some may not agree with all the clauses of the Constitution is perhaps understandable. However, it would be immoral and reprehensible if politicians refused to uphold the constitutional clauses that protect the fundamental rights and liberties of Canadian citizens.

If human rights and democracy have evolved and progressed through history, it is in great part due to the fact that we have realized our leaders need to be reined in by the rules of law as specified in the Constitution in order to hinder any abuses of power they may feel the urge to commit.

[Translation]

The most developed countries, with the highest quality of life, are those whose constitutional rules are taken seriously and really respected by those in government so as to protect those most vulnerable and to ensure that those in power govern for the good of the people.

Simple laws may be amended. Here and elsewhere the Constitution is amended, but one thing must remain sacrosanct: the primacy of the constitutional rules protecting the fundamental rights of our society.

Of course the matter of the distribution of powers among various governments is important. However, politicians' quarrels must not overshadow the matter of priority—our commitment to the people and the protection of their fundamental rights.

One thing is clear: in the history of the most democratic countries, one factor vital to their progress was respect for the constitutional rules ensuring everyone equal representation and fair government. These rules enable dissenters to speak out freely in our society and Canadians to express their approval or disapproval of government action.

Canada differs from the other members of the Commonwealth. The oath, which I changed and which I made with respect to my constituents, indicates clearly that I represent Canadians and not the people of the Commonwealth as a whole.

• (1835)

The change to the oath of allegiance is part of a series of other measures Canada has taken since the second world war as an expression of its national identity and its maturity.

Unfortunately, the bill I put before the House today is not a votable item. Therefore my colleagues will not have an opportunity to decide on this expression of attachment to our country and our Constitution.

[English]

I would hope that each of my colleagues sitting in the House today would like a chance to go on record and officially tell their constituents that they are not only proud to represent them but they would swear in the House of Commons to uphold their rights and defend their liberties.

**Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, it is with great pleasure that I speak on Bill C-316 today. I congratulate the member for Carleton—Gloucester for his determination and his conviction in bringing this matter forward. Members will recall that this is the second time he has brought this issue to our attention.

In the first session of this Parliament he brought us Bill C-201. That bill was considered by this House and several members spoke in favour of it but ultimately it did not proceed.

The member, who obviously believes passionately in his idea, was not deterred and rather than abandon this project he has steadfastly introduced this bill again in this new session. When his name was drawn he proceeded anew.

This member is neither the first to recognize the importance of oaths and affirmations nor is he alone in proposing changes with respect to oaths in use in Canada today.

In the previous Parliament the member for Hamilton West, today the Parliamentary Secretary to the Minister of Transport, proposed a bill with similar objectives. The member for Parkdale—High Park spoke eloquently in favour of that bill. Recently our colleague, the member for Notre-Dame-de-Grâce, sponsored Bill C-223 which, like the bill before us today, proposed amendments to an oath, namely the one found in the Citizenship Act to provide for an oath or solemn affirmation of allegiance to Canada and the Constitution.

*Private Members' Business*

What is it that these members are trying to capture in their bills? Obviously something is happening, a desire I would suggest to express patriotism and pride in a place that we can all share.

I have no polls or focus groups results to back me up but I suspect that these bills reflect the strong beliefs of a great many of our constituents. Those beliefs are overwhelmingly positive. They speak of the quality of life Canadians enjoy, the rights and freedoms they exercise. They speak also of nation building and the future we possess collectively.

Despite its positive tone and motivation some members may be reluctant to share in the enthusiasm that the member for Carleton—Gloucester has in this bill.

The technicians among them may argue that this bill is flawed. Others may claim that it is redundant because the Constitution already requires that a member take an oath before taking his or her seat in the House and ask what is the point of two oaths.

I would respectfully suggest that is not what today's debate is about. Rather, this debate invites all of us to speak with greater clarity on our roles and responsibilities in this place and our commitment to a Parliament and a country which can welcome debate on the wide range of views which membership of this House represents.

I have no problem with the principles expressed in the member's bill. I congratulate him for bringing this matter forward. It rekindles the pride I have in the work we do here, our Parliament and this country. I think it does us all good to pause and reflect on our reasons for being here and the solemn oath and affirmation we each made before being seated in our places.

For this I thank and salute the member. I know he was disappointed when his bill was not made votable but as a fellow member I want to offer him some congratulations and encouragement. The desire and pride which this bill expresses will continue to grow. It is one of Canada's and Canadian's greatest strengths. Members and Canadians from all walks of life are shedding their traditional reluctance to acknowledge their patriotism and commitment to Canada. Today's debate is but one step in that process and I invite the hon. member to carry on. He is among good company. Congratulations.

• (1840)

[*Translation*]

**Mr. François Langlois (Bellechasse, BQ):** Mr. Speaker, I am pleased to speak to Bill C-316 presented by the hon. member for Carleton—Gloucester.

Like my colleague from Fundy—Royal, I would like to congratulate the member for Carleton—Gloucester for the energy with which he has defended the principles underlying Bill C-316, the

purpose of which is to have members of the House of Commons or the Senate swear an additional oath before occupying their seats.

It cannot be said that the member is not persistent, because he presented Bill C-201 during the first session of the 35th Parliament, at which time I expressed the official opposition's point of view, although in the case of private members' business we are more likely to express our own personal views.

Shortly after the October 25, 1970 election, I swore the following oath in the presence of Robert Marleau, the House clerk: "I, François Langlois, do swear, that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II".

This oath takes four seconds to pronounce. The hon. member for Carleton—Gloucester has taken 20 minutes to explain what his oath means. I do not need additional explanations regarding the oath I swore other than to do my work as a parliamentarian as conscientiously as possible, to carry out my duties in the House, in committee and as a representative throughout Canada to the best of my abilities and, when the time comes, to be accountable to those who elected me in Bellechasse. I do not need to swear an oath other than to the established authority.

Mr. Speaker, I am pleased to turn to you as a constitutional expert. You are well aware that in a monarchist system such as the one we know, which is probably held in high esteem by many in the House, the government is embodied in the person of the monarch, not in other institutions, but in the monarch, who is, of course, much more a symbol than a daily reality. It has been at least 200 years since we saw a monarch exercise any real power, the right of veto in particular. But we do have a symbol.

Like the hon. member for Notre-Dame-de-Grâce, who last week wanted to replace the oath of allegiance to Her Majesty with a different kind of oath to be taken by new Canadian citizens, that is immigrants to this country, what the hon. member for Carleton—Gloucester is proposing today is basically to push the monarchy slowly, little by little, ever so quietly, out the back door, so as not to generate any debate.

My position as a Quebecer is clear. In a sovereign Quebec, the matter of the monarchy will be settled very quickly. We have always said that we wanted a republican state in which the president would be selected in the manner we deemed most appropriate. Some might prefer election by universal suffrage, while others might favour election by the members of the National Assembly, or by an electoral college. That will be something to be debated. We have taken a position on this.

If I were in English Canada, however, I would be worried. It would worry me that, by gradually doing away with the symbols, the question of the institution of the monarchy in Canada is being challenged. I would invite the monarchist leagues, the loyalist

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leagues, to be on their guard, to write to the hon. member for Carleton—Gloucester, to the hon. member for Notre-Dame-de-Grâce, and to other members from English Canada in this House, to make their views known.

If there is to be a debate on the monarchy in Canada, it is not going to be settled through minor bills here and there. Instead, it needs to be settled by an open debate, by a referendum in English Canada.

• (1845)

You know as well as I do that the Constitution of 1982 requires the consent of each and every province of Canada to change the status of the monarchy in this country. Some of the people listening to us still believe in the monarchy, in Queen Elizabeth II, who is doing an exceptional job of keeping the monarchy afloat, and I think everyone can see that for themselves.

I think it is rather misplaced to challenge the status of the monarchy through the back door, so to speak, at a time when Her Majesty is doing her best to maintain this tradition in what remains of the empire and in the very heart of the empire.

The loyal subjects of this Dominion should be concerned about these rather sneaky attacks against the institution. I hope people in English Canada will wake up to this fact. If they do not, it may be an indication that people want to change Canada's constitutional status, especially that of English Canada, from a monarchy to a republic. If that is what people want, let them write to their member of Parliament. Otherwise, if nothing is done about it, bills like these will be passed.

As long as Canada is what it is today, these bills do not mean a thing. To adopt the principle of the bill would mean that the oath we all took here in this House, the oath I recited earlier and which was taken by everyone who ever sat in this House since 1791, since the Constitution Act was passed—the oath is the same; only the name of the sovereign has changed over the years—no longer has any value.

So if this oath had no value for those who were here in the past, why should it have any for those members who are here today? Why bother to add another one? Does the hon. member who moved this motion not believe in the value of the oath which he took?

As far as we are concerned, we have an additional argument. On the face of it, this bill constitutes an addition which is not compatible with the Constitution of Canada, in that section 128 of the *Constitutional Act, 1867*, the British North America Act, already provides for the oath to be taken by members of the House of Commons, the Senate or a provincial legislative assembly, and it is the one I recited earlier.

If we want to change section 128 in order to add another oath, what we need is not an ordinary bill but a constitutional resolution. The hon. member for Carleton—Gloucester, who knows this Parliament, should have known that he had to introduce a constitutional resolution in order to change the oath.

He knew, though, that in so doing he would reopen the fundamental debate facing English Canada. Does English Canada still want a monarchy for its Canada? The debate will not be resolved by a private member's bill. It is a national debate for English Canada that extends from the Atlantic to the borders of Ontario and from Ontario to the west and north of Canada, because, in Quebec, I think the question is already resolved.

Except that, obviously, the monarchy is not mentioned in any of our policies, because our aim is not to criticize Canada's head of state, but simply to carry out our plan to create what this country lacks. And what this country lacks is another country, which is our country of Quebec, a sovereign republic of Quebec.

Therefore, I cannot support the motion and the bill of the hon. member for Carleton—Gloucester.

**Mr. Bellemare:** Mr. Speaker, I would like to ask two questions. First of all, I would like the consent of the House to ask questions or to comment on the speech by the member for Bellechasse.

**The Acting Speaker (Mr. Milliken):** Is there unanimous consent in the House for the hon. member to ask questions?

**Some hon. members:** No.

[English]

**The Acting Speaker (Mr. Milliken):** No. The hon. member may have a chance to make comments at the conclusion of the debate if there is time left in the hour. I would remind him of that fact which may be helpful to him.

• (1850)

**Mr. Ted White (North Vancouver, Ref.):** Mr. Speaker, in rising today to speak on Bill C-316, I would like to make mention that when the parliamentary secretary on the government side rose he congratulated the member for bringing the issue forward for a second time. I guess that really means that Reform can take that as a major compliment, because it has been Reform policy since 1987 that this oath needed to be changed.

In fact if I read from the blue sheet it says: "The Reform Party supports amending the MP's oath of office, such that they swear or affirm allegiance to their Queen, their constituents and to Canada". We have long had that in our policy position.

The difference between the Liberals and Reform is that we would make it happen. It is part of our policy. The Liberals have the



power to pass the bill brought forward by this member. They have the power, but for some reason they have chosen not to do it.

The first thing I would like to do is ask for unanimous consent of the House to make the bill votable.

**The Acting Speaker (Mr. Milliken):** Is there unanimous consent of the House that the bill proposed by the hon. member for Carleton—Gloucester be made a votable item?

**An hon. member:** No.

**The Acting Speaker (Mr. Milliken):** I hear a no. There is not unanimous consent.

**Mr. White (North Vancouver):** Mr. Speaker, it was worth one more try. I have tried this on all of the non-votable private members' bills, but democracy did not prevail.

As I mentioned, this is an interesting bill from the Reform perspective because it has been the Reform position for at least eight years that this needed to be done. However, the Reform position was not driven by the presence of a separatist party in the House. It was driven by the recognition that MPs, in swearing only their allegiance to the Queen, were placed in the position of ignoring any allegiance to their constituents. They are forced to ignore any allegiance to the people of Canada, the people who pay their salaries. And in the case of Liberal MPs, the people who pay their gold plated, extreme pension plans.

I noticed that the Deputy Prime Minister did not even flinch in her seat, so I can tell that she is not the least bit embarrassed about those pension plans but most Canadians are quite outraged about them.

As I said, Reformers have long wanted to see MPs swearing allegiance to their constituents so they focus exactly where their allegiance should be.

I want to mention that the Reform caucus shortly after becoming elected in 1993, most of us and perhaps all of us, took a separate oath of allegiance in our constituencies. In my riding office in North Vancouver on January 7, 1994 I took an oath of allegiance to my constituents. I would like to read the preamble as well as the oath because it relates directly to the topic we are discussing.

A copy of this oath of allegiance to my constituents is hanging on the wall of my office. This is a statement of principles and a pledge of commitment by me as the Reform Party member to my constituents.

I, Ted White, having been elected by the voters of the Federal Constituency of North Vancouver to represent you in the 35th Parliament of Canada, do hereby sincerely pledge that I am committed to the following principles as I carry out my duties on your behalf:

I am committed to the development of a new and stronger united Canada: a balanced democratic federation of provinces, distinguished by the acceptance of our social

responsibilities, and the recognition of the equality and uniqueness of all our provinces and citizens.

I am committed to equality for all Canadians, regardless of race, language, culture, religion or gender; and will give true and faithful representation to all my constituents.

I am committed to being your democratic and fiscal conscience in the 35th Parliament and I am prepared to demonstrate this commitment by showing leadership by example.

I believe you have sent me to the House of Commons to present your views in that forum, not to represent Ottawa's views to you. I believe that the House of Commons must be the house of the people, not the house of the parties. The word "politician" must mean a representative of the people, not a servant of the party. To that end, I shall not only encourage you to communicate with me, but I am committed to consulting your views at every opportunity, and shall make myself available to you regularly, within our constituency. I need your advice and guidance.

I believe that when decisions are to be made on contentious issues of major or national importance, it is my duty to seek the consensus view of my constituents, and to represent that consensus in Parliament, even if it conflicts with my own personal view.

I believe you have placed me in a position of great trust. I shall therefore conduct my personal and public life with honour and integrity—

I further pledge that I shall honour, to the utmost of my ability, all of the commitments made in this statement.

● (1855)

It finishes with the final part of the pledge:

I, Ted White, your member of Parliament, do pledge, that I will be faithful and bear true allegiance to the Canadian federation and to Her Majesty Queen Elizabeth, and that I will faithfully represent the people of the Electoral District of North Vancouver in the Canadian House of Commons.

It is dated in North Vancouver on January 7, 1994.

Members can tell from this that Reform has long had a commitment to have the oath changed to really represent the way we feel about Parliament and what we should be doing here as MPs.

Members can also tell from that oath that, unlike the Liberals and the old line parties, I do not believe this desk and this chair belong to my party. They belong to my constituents. They do not belong to me. This seat and this desk belong to my constituents and I am pledged to represent them from this position.

When the hon. member for Carleton—Gloucester introduced the bill, he mentioned that he respects the views of people of all political beliefs, and yet in this House he has made mean-spirited attacks on Reformers on regular occasions. In fact, the whole thrust of his bill seems to be couched in the form of an attack on another group of representatives in this Parliament. It is true that most of us do not agree with the position that group is espousing. However, the reason for bringing forward this change to the oath should not be based on attacking another group for its beliefs, it should be

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based on the feeling that there is a real need to change the oath for good reasons.

However, as I said earlier, the general thrust of the bill is good. It is exactly in line with what Reformers have wanted to do, even if our reasons for wanting to do so are somewhat different.

I would like to mention once again the section from the blue sheet, just to remind members that this has long been Reform policy. It was put in our material in 1987. I am sure the member has never taken the time to read the blue sheet. If he had he would have found a whole slew of policies that he would be very pleased with.

This particular policy reads:

The Reform Party supports amending the M.P.s' oath of office such that they swear or affirm allegiance to their Queen, their constituents and to Canada.

We are obviously going to be supportive of Bill C-316. I am very sorry that there was not unanimous consent to make it votable. Despite other differences between us as members, I sincerely support the member's right to have a votable bill and I am truly sorry that did not happen.

In conclusion, Reform is supportive of this bill and would have voted in favour of it had it been a votable.

**Mrs. Brenda Chamberlain (Guelph—Wellington, Lib.):** Mr. Speaker, I thank the hon. member for Carleton—Gloucester for introducing Bill C-316, for his love of Canada and for his love of Parliament. He has spent a lot of years here.

While not votable, I believe that this legislation allows us to debate an important issue for us as parliamentarians and for all Canadians.

The bill proposes to amend the oath for members of Parliament. It changes the wording so that we as members of the House of Commons would swear or affirm that we will be loyal to Canada, rather than to the Queen. Given that a number of members of Parliament want to break up Canada, this is an important distinction.

Regional interests have always been represented in this House and in the British House of Commons. In fact, Welsh, Scottish and Irish separatists have sat and continue to sit in the House of Commons in Great Britain. Unlike Canada, they do not have the numbers to make up the official opposition.

A great number of my constituents, and I am sure the constituents of the hon. member for Carleton—Gloucester, are troubled by the presence of the Bloc Québécois in this Parliament. While recognizing that Bloc members were freely elected, the fact that they sit in the national Parliament to represent regional issues is difficult to accept.

• (1900 )

The Bloc members argue that they are here to represent the many Quebecers who support the break-up of Canada; that is of course when they wish to discuss separation. Many seem to be unsure of whether they want their own country, a partnership or some sort of association with Canada. None seems to be able to convince anyone outside of their own caucus of how this would benefit Quebec and Canada.

However, despite the fact that on two separate occasions Quebecers have rejected the idea of whatever it is the separatists are trying to sell, they remain in this House.

Members of the Bloc are Canadians. They benefit from Canada like everyone else in this House. They are supported by the Canadian government. They were elected by Canadians to serve Canadians and they are paid through the taxes remitted by Canadians. Each and every one of them is allowed to sit in Parliament because they have affirmed their loyalty to the Queen.

Bill C-316 makes an important distinction. Certainly there are a number of Canadians who feel a strong attachment to Queen Elizabeth II. For example, Guelph is known as the royal city because Guelph was the name of the royal family at the time of our founding in 1827. I see you are surprised by that, Mr. Speaker. Like most municipalities, our coat of arms includes the crown.

Some may find discomfort with the change in the oath of affirmation. I understand and appreciate that. They do not want us to ignore Canadian traditions. However, elected officials' affirming their loyalty to Canada also acknowledges the traditions that make us unique and that have helped to make us the greatest nation on this earth.

The current oath used by members of Parliament is similar to that used in Great Britain. In Great Britain members say: "I", and give their name, "do solemnly, sincerely and truly declare and affirm that I will be faithful and be true allegiance to Her Majesty Queen Elizabeth, her heirs and successors according to law".

It is interesting that refusing to state this oath prohibits members of the House of Commons from voting and taking part in debate. When a member breaks the rule he or she is subject to a fine of 500 pounds and their seat is declared vacant. Members cannot draw a parliamentary salary or expenses unless he or she has taken the oath of affirmation.

In the United States, article 6 of the constitution states that senators and representatives shall be bound by oath or affirmation to support this constitution. Their oath, sworn in public in either the House of Representatives or the Senate, states: "I do solemnly swear and affirm that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same, that I take this

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obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office in which I am about to enter, so help me God". This oath is said in public together before each new Congress.

There are some who believe that changing the oath or solemn affirmation will mean that the separatists will disappear from this Chamber. This is probably not true. As I have said earlier, nationalist separatists sit in the British House of Commons. Members of the Bloc Québécois claim they can affirm loyalty to the Queen, head of state of Canada, while they attempt to destroy this country. Unfortunately, swearing an oath of allegiance to our country will probably not change that position.

Does this bill deal with mere symbolism? In a press release issued following the introduction of the bill, the hon. member for Carleton—Gloucester said: "If this bill were to pass I acknowledge that it would create a certain dilemma for people who want to be elected to destroy or separate our country. However, I think that an oath of allegiance to our country will strengthen the sentiment of pride which the majority of members feel when they arrive in the House of Commons".

The member also spoke about the loyalty that we as members of Parliament must carry out to the country and the tradition of tolerance and compromise.

• (1905)

The presence of separatists in the House of Commons is perhaps the greatest example of our tolerance and understanding as a nation. We are fortunate to have in this Parliament representatives from a variety of ethnic groups, women, unilingual francophones, unilingual anglophones and a number of members who were born outside Canada. We bring together a variety of tradition, history and culture.

Each of us in our very own way contributes through our talents, our experiences and our hopes for a better Canada to serve our constituents in a national forum. We are here because we want to help address problems and make the future better for our children and our grandchildren. Perhaps the fact that the separatists are here and are in such a prominent position really shows how great our country really is.

We are so tolerant and we are so democratic that we allow a party which is determined to break up the country to sit in this House of Commons as the official opposition. We are here to solve problems, not to create them.

I remain hopeful that Canada will remain strong and united. Perhaps pondering our roles as elected representatives, pausing to affirm our loyalty to Canada, will remind us that Canada has served us well. We owe it to our history and to our future to work to better this great country.

I doubt this bill will mean that the separatists will leave. I doubt it will mean that their narrow and negative vision of our country will change. However, I do think that any reminder that we are here to serve Canada should be supported, and I congratulate my colleague and my friend for bringing forth this piece of legislation.

**The Acting Speaker (Mr. Milliken):** Resuming debate. If the hon. member for Carleton—Gloucester speaks now he will close the debate.

[*Translation*]

**Mr. Eugène Bellemare (Carleton—Gloucester, Lib.):** Mr. Speaker, again, I would like to see a vote on this bill. If Bloc members are really convinced that my bill should not be passed, they should have the courage to rise in the House and vote before the public, before the voters, to indicate how they want to deal with this bill. They should tell their constituents that they do not stand behind the fact that a member should protect the rights and freedoms of his constituents.

The hon. member for Bellechasse told us that he took an oath of allegiance to the Queen, not to Canada or the Constitution. He went on to say that the case of the monarchy will be settled according to the position of the sovereignists. The hon. member for Bellechasse said a lot when he said that I rose in the House to challenge the monarchy through the back door. I am sure the hon. member for Bellechasse was not listening to my speech.

I would like to send him a copy of my speech so he will realize I said that in addition to the oath of allegiance to the Queen we also took an oath of allegiance to our constituents regarding their rights and freedoms.

I want to ask the hon. member for Bellechasse and the other members of the Bloc Québécois whether they are going against what was said by their own leader, Lucien Bouchard. When asked whether he took an oath of allegiance to the Queen as a person, Mr. Bouchard answered that he took an oath of allegiance to the community. What community was he talking about, since he had been elected to the Parliament of Canada, not to the Parliament of Quebec where he is now?

• (1910)

The hon. member for Bellechasse noted that my bill would require an amendment to the Constitution. I have great respect for his legal background, but I may point out that we are talking about an act of Parliament, not about the Constitution.

I wonder whether he would take an oath that he would defend the rights and freedoms of his constituents. That is the basis for my bill. He said that someday Quebec will be sovereign, which I very much doubt. I am convinced that Quebec will never separate from Canada.

During the last referendum, his colleagues in the Parti Québécois as well as sovereignists and separatists in Quebec mentioned keeping the Canadian passport and the Canadian dollar. If they want to keep the Canadian passport, why do they not want to pledge

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allegiance to Canada? What does the Canadian passport mean? They want to keep the Canadian dollar. Do they want to keep it so they can have the portrait of the Queen on their bills or the faces of various Conservative or Liberal Prime Ministers? I wonder.

And what an ambiguous question they asked in the October 1995 referendum. Quebecers did not realize it really meant they wanted to separate from Canada. That is the whole point today, and that is why the Bloc Quebecois obstructed my bill.

In conclusion, I would like to say to the member for Bellechasse and to all his colleagues in the Bloc Quebecois that when members of the Quebec National Assembly are elected, they swear an oath to the Constitution and to Quebec, to the Constitution of Quebec, and to Quebecers.

We are here in the Parliament of Canada, where all members, regardless of their political affiliation, may offer criticism whenever they wish in order to improve the lot of all Canadians and to improve the Constitution and our laws.

Why, when they are elected in Quebec, do they swear an oath to the Province of Quebec and to the citizens of the Province of Quebec, but when they are elected to the Parliament of Canada in Ottawa, they refuse to swear an oath to the Constitution and to Canada? That is the question, and it is still the key point in my bill.

My bill requires that a member respect his constituents, regardless of their political affiliation, their race, their language or their religious beliefs. We are here to protect the rights and freedoms of those who elected us.

If a member refuses to do that, what does that suggest about him as an MP? It suggests that he does not wish to respect the two principles I have mentioned, and I accuse Bloc Quebecois members of betraying their own constituents.

**The Acting Speaker (Mr. Milliken):** The hour provided for consideration of Private Members' Business has now expired and the item is dropped from the Order Paper.

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## ADJOURNMENT PROCEEDINGS

• (1915)

[*Translation*]

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

## IMMIGRATION

**Mr. Osvaldo Nunez (Bourassa, BQ):** Mr. Speaker, on October 8, I asked a question of the Minister of Citizenship and Immigration concerning the imposition of a visa requirement for Portuguese visitors to Canada.

Portugal is the only country in the European Union for which such a thing is required, and this is profoundly unfair and discriminatory. This country is, moreover, an ally and a friend, as well as a fellow member of NATO. The population of Portuguese origin living here numbers close to half a million, which makes it one of the largest ethnic communities in Canada and in Quebec.

This measure, which the immigration minister of the day described as temporary, was taken by the Mulroney government in 1986, as the result of certain immigration irregularities involving Portugal. The Liberals, who were then in opposition, were vehemently opposed to this decision. At that time, the hon. member for York West, who was the Liberal critic in this area, denounced this measure by saying: "That action would be unwarranted and unfair and I have asked the minister to abandon the proposal and to avoid needlessly penalizing the Canadian Portuguese community, and a European friend and ally".

This unjustified requirement generates enormous problems for family members wishing to visit relatives here.

I have asked a number of questions of the minister and her predecessor. I have prepared press releases, so far to no avail. The Bloc Quebecois supports this campaign.

I am therefore again condemning this measure, because visa applicants are being subjected to unacceptable interrogation and red tape at the Canadian embassy in Portugal. They are also being required to pay a fee which keeps going up. Sometimes, as well, they have to cope with either refusals or intolerable delays. While this is going on, the event they were invited to, such as a marriage or a baptism, has often come and gone.

In her response to my question in the House on October 8, the minister said she was, and I quote: "quite prepared to reopen discussions with the Portuguese authorities on this question". The next day, she met José Lello, the secretary of state for Portuguese communities abroad, during his visit to Ottawa. Why did the minister not take advantage of this excellent opportunity to put an end to this discriminatory and totally unjustified requirement?

I can understand the Portuguese community's anger and annoyance at the attitude of the Canadian government. Canadians and Quebecers of Portuguese origin make a significant contribution to our society. They are exceptionally hard workers. I know the

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community well, especially in Montreal and the Outaouais. I know that all members of the community want to see the end of the visa.

Various Portuguese-Canadian organizations are circulating a petition in Canada on this issue. It will be tabled in the House shortly. Those signing it state that the visa hinders the development of bilateral relations in the areas of culture, education, job training and trade. Furthermore, it prevents Portuguese citizens from regularly visiting their relatives for various family events when their presence is required.

I would like to conclude by again requesting the Minister of Citizenship and Immigration to immediately remove the visa requirement for Portuguese visitors. Canada must implement a policy of reciprocity with Portugal, which does not require a visa from Canadians.

I take this opportunity to salute my many friends in the Portuguese community in Canada and Quebec.

[*English*]

**Ms. Maria Minna (Parliamentary Secretary to Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, I must admit I am unclear as to why the hon. member for Bourassa has asked that this particular response be clarified. The Minister of Citizenship and Immigration was straightforward and unambiguous in her original answer. I am puzzled that he did not understand the answer the first time around. Nevertheless, let me try to explain this issue in simple terms yet again.

Canada values its warm relations with Portugal. Our two countries have had a tradition of strong economic and cultural links. I know that both countries are anxious that this friendship continue. The hon. member has asked why we impose a visitor visa on Portugal. He has implied that there is something arbitrary in our decision. Let me assure him that it is simply not the case.

Citizenship and Immigration Canada has a responsibility to protect the integrity of our borders and our immigration program. It is a job that the department takes very seriously. Last year, 39 million visitors came to this country. This movement of people presents this country with both opportunities and challenges. Visitor visa requirements are an important tool which allow us to manage this flow of people effectively and efficiently.

The decision to impose or remove a visitor visa is not an arbitrary decision, far from it. Such a decision is taken only after thoughtful consideration of all alternative measures. The benefits of removing the visa requirement must be weighed against the potential for abuse.

When we look at removing a visitor visa requirement, we have to take many different factors into consideration. Does the country that the person is coming from have effective passport controls? Is there potential for forgery and abuse? Are there a large percentage of visitor visas refused each year? If so, why is that?

CIC officials conduct an ongoing review of countries affected by visitor visa requirements. Departmental staff keep a vigilant eye on the changing international landscape in order to develop policies which are fair and effective.

I can assure the hon. member that the visitor visa requirement on Portugal has no negative impact on regular immigration from that country. I would like to point out that the department has a one-day processing service in Lisbon.

As the minister said, she would be more than willing to look into this issue in the future if it becomes necessary.

**The Acting Speaker (Mr. Milliken):** The motion to adjourn the House is deemed to have been adopted. Accordingly, it being 7.21 p.m., this House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 7.21 p.m.)









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