CANADA

House of Commons Debates

VOLUME 135 • NUMBER 241 • 1st SESSION • 36th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Wednesday, June 9, 1999

Speaker: The Honourable Gilbert Parent

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OFFICIAL REPORT

The text of the motion moved by the hon. member for Calgary Centre in the right hand column at page 15960 of *Hansard*, June 8, should read:

> That, in the opinion of this House, it is necessary, in light of public debate around recent court decisions, to state that marriage is and should remain the union of one man and one woman to the exclusion of all others, and that Parliament will take all necessary steps to preserve this definition of marriage in Canada.

HOUSE OF COMMONS

Wednesday, June 9, 1999

The House met at 2 p.m.

Prayers

• (1400)

The Speaker: As is our practice on Wednesday we will now sing O Canada, and we will be led by the hon. member for Dauphin—Swan River.

[*Editor's Note: Members sang the national anthem*]

STATEMENTS BY MEMBERS

[*English*]

SAUDI ARABIA

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, this year marks the centennial anniversary of the proclamation of the Kingdom of Saudi Arabia.

The leadership, vision and commitment of the Government of Saudi Arabia and its people have created a society where education, economic development and diversification have become priorities.

The development of infrastructure and the petrochemical industry have transformed a barren land into one of the most advanced nations of the world. The Saudi Arabian people have built a moderate nation that is dedicated to promoting peace and stability.

On behalf of my colleagues and all Canadians, I ask His Excellency Dr. Mohammed Al-Hussaini, the Ambassador of Saudi Arabia, to extend our warmest congratulations to the Government of Saudi Arabia and its people, the people of this exceptional nation. I would like to wish them a happy anniversary.

* * *

SOFTWOOD RECLASSIFICATION

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, thousands of Canadians work in the forest industry. This government has failed them by allowing U.S. customs today to end Canada-U.S. free trade on two more types of forest products, reclassifying them into the softwood lumber agreement.

Lumber producers in Quebec, Ontario and Alberta will be hurt. B.C. alone produces 61% of Canada's softwood exports. A Vancouver forestry consultant says this change will cost 1,000 jobs in B.C. alone.

However, at the World Wood Summit in Chicago on May 19, a world forestry analyst pointed out that the whole deal was based on the false claim that Canadian forest products were not being fairly exported, a claim not supported by share prices of Canadian lumber companies. Instead, and I quote, ''In my view the trade dispute is all about politics and has nothing to do with 'fair' trade''.

The Liberal government must not only challenge this ruling, but finally have the intestinal fortitude to stand up and fight for the people in the forestry industry in Canada.

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FOREIGN INVESTMENT

Ms. Sophia Leung (Vancouver Kingsway, Lib.): Mr. Speaker, I had the opportunity recently to witness the signing of the memorandum of intent between Interport Development Inc. and the China Development Industrial Bank of Taiwan. I was honoured to join the chairman and CEO of Interport, Stephen Wu, as well as the president of CDIB, Benny T. Hu.

This joint venture will develop a 450 acre light industry park which will generate $500 million in capital investment over 15 years and provide 5,000 new jobs. These relations between Canada and Taiwan are good for the B.C. economy, encouraging financial investment and job creation in western Canada.

* * *

• (1405)

[*Translation*]

EDUCATION SAVINGS GRANT PROGRAM

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, for months now financial institutions have been sitting on education savings grants from the federal government. In so doing they have deprived children of several months of investment income, no deadline having been set for the Canada education savings grants program.

Financial institutions are keeping children's money in their vaults and dragging their feet. They do not face any penalties, so it is all the same to them.

The Government of Canada should give financial institutions a maximum of five days to transfer the money from federal grants into the education savings accounts of the children of Canada and impose a penalty on those institutions that do not comply.

* * *

[*English*]

WHITE ROCK, B.C.

Ms. Val Meredith (South Surrey—White Rock—Langley, Ref.): Mr. Speaker, yesterday morning the city of White Rock suffered a once in a lifetime storm when 70 millimetres of rain fell in less than six hours.

This intense rainfall, coupled with a hail storm, was more than the city storm drainage system could handle and, as the torrents roared downhill to scenic Marine Drive, dozens of homes, cars and businesses were flooded. The city and local RCMP detachment responded quickly, rescuing a number of residents trapped by the flash flood.

However, the people of White Rock are resilient. They immediately began to clean up their homes, their businesses and their city. Schools that were closed to flooding yesterday are already open today.

The province of B.C. has promised disaster financial assistance. I hope that those who suffered losses yesterday receive the required support quickly so they can get back on their feet.

* * *

YOUTH ENTREPRENEURSHIP

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, youth entrepreneurship is alive and thriving in Canada. As chair of the Prime Minister's task force on youth entrepreneurship, I have witnessed firsthand these past months just how widespread the determination to succeed and flourish is among large numbers of our young Canadians.

Today I am hosting three such young business people who epitomize successful young entrepreneurs. On Tuesday, May 25, Albert Lai, Michael Furdyk and Michael Hayman, ages 16, 18 and 20 respectively, sold their computer on-line company for more than one million dollars. What started out in 1996 as a hobby has become a thriving business which not only enabled them to gain experience in the competitive worlds of business and cyberspace, but which has also ensured a future full of innovative and creative opportunity.

My congratulations to Albert, Michael and Michael, who are with us in the House today.

[*Translation*]

FERNAND SÉGUIN AWARD

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, May 27 was the date of the 1999 Fernand Séguin award ceremony. This award for journalism is presented annually by the Association des communicateurs scientifiques du Québec and the Société Radio-Canada. Its purpose is to encourage and stimulate careers in science writing.

This year the jury's choice was Sophie Payeur, a master's student at the Université de Sherbrooke. She wrote an excellent scientific article about the brain's capacity to adapt. The article explains that blind people have a heightened sense of hearing that enables them to locate with considerable accuracy the origin of sounds.

In addition to a $12,000 grant, she will benefit from a six month internship writing about science, including three months for the broadcast *Découvertes.*

My congratulations to Ms. Payeur, who has shown that the complexity of scientific endeavour does not in any way mean that it cannot be written about in a manner that any curious reader or listener can understand.

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[*English*]

RCMP

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker, Canadians are tremendously proud of the RCMP's work both in Canada and abroad.

Yesterday the Minister of Foreign Affairs talked about sending RCMP to help in gathering forensic evidence and establishing infrastructure in Kosovo, but what about the RCMP infrastructure in Canada?

This government has slashed hundreds of millions of dollars from the RCMP budget. The force currently has a shortfall of up to 20% of staff in B.C. detachments. The RCMP is stretched as thin as Canada's military, and that speaks volumes.

The foreign affairs minister made commitments for the defence minister and now he is making commitments for the solicitor general. Why will the solicitor general not stand up for the RCMP?

While RCMP officers place their lives on the line, very frequently for free with no overtime, the solicitor general slithers, dithers and talks about studies. Officers are committed to combating criminal forces in Canada. What they need is a commitment from this government to a strong and vital RCMP.

● (1410)

MEMBER FOR GLENGARRY—PRESCOTT—RUSSELL

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, I have great news. Finally a member of the federal cabinet has earned a University of Waterloo degree. Joining 106,900 current University of Waterloo alumni, the hon. minister from Glengarry—Prescott—Russell will receive his BA in History on June 17, 1999.

John English, former member of parliament for Kitchener, and I, the first University of Waterloo grads to become MPs in 1993, although yet to become honourable, wish to congratulate the hon. minister and to welcome him to the club. This member has come a long way from bussing tables upstairs at the parliamentary restaurant. His regret of leaving school after grade 11 has been rectified. Next week, after 11 years of correspondence courses, all in relative secrecy, he will be convocating.

He exemplifies lifetime learning and stands as a symbol for adult and correspondence education.

We are all very proud of this first ever cabinet minister to graduate while serving in cabinet. I look forward to participating in his convocation ceremony next week.

Congratulations.

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MEMBER FOR GLENGARRY—PRESCOTT—RUSSELL

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I rise to recognize the member for Glengarry—Prescott—Russell, BA. On the 17th of June he becomes a graduate of the University of Waterloo.

Our colleague has earned his degree by correspondence while working as hard or harder than anyone in the House.

As many know, he began work on Parliament Hill in the restaurant. Today he is the Leader of the Government in the House of Commons. This is an extraordinary example of lifelong learning, an example to all Canadians.

In this case, I have to say that the degree, worthy though it is, is in no way a measure of the level of education achieved by our colleague. Through the university of life, he has achieved a level of education that cannot be measured by letters after a name. Our colleague has a fine intellect, honed through personal study and through lifelong public service for all Canadians.

While my colleague's concern for the proprieties of the House prevent my mentioning his name, I say, on behalf of all here, congratulations D.B., BA.

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THE CONSTITUTION

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the New Democratic Party of Canada, like the CCF before it, is proud of our roots in the deep and resilient faith of our founders, leaders like J.S. Woodsworth, Tommy Douglas and Stanley Knowles.

Today, together with my NDP caucus, I reaffirm our party's continuing support for the inclusion in Canada's Constitution of the preamble referring to the supremacy of God.

Our party supported inclusion of that preamble in 1981 and our position remains firm. New Democrats stand together in supporting this clear statement of our most fundamental belief expressed across the country in a wonderful variety of faiths.

* * *

[*Translation*]

SOCIÉTÉ NATIONALE DE L'ACADIE

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, at the 80th annual assembly of the Société Saint-Thomas d'Aquin held on May 15, the Acadians of Prince Edward Island adopted a resolution calling for the Société nationale de l'Acadie to be allowed to represent the Acadian people at the Sommet de la Francophonie in Moncton. This would allow the Acadians of Prince Edward Island and of Nova Scotia to have a voice on the international scene, since New Brunswick, as a governmental member of the Agence de la Francophonie, can represent only the people of that province.

The Société nationale de l'Acadie already has co-operative agreements with numerous countries, including France and Belgium. Its recognition as spokesperson for the Acadian people within the Agence de la Francophonie will enable the Acadians to make their unique character known to the world.

● (1415)

If the international Francophonie did not have any misgivings about including governments such as those of Quebec and New Brunswick, could it not recognize the Acadian people, the second francophone group in America, as a participant in the Agence de la Francophonie?

[*English*]

UKRAINE

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, Canada and Ukraine have a long history together as upwards of one million Canadians identify with some Ukrainian heritage, including myself. Many of those who emigrated from Ukraine live today on the prairie provinces.

Canada, under the leadership of the previous Progressive Conservative government, was the first country in the western world to recognize an independent Ukraine in 1991.

A notable program that has recently emerged to foster our relationship with Ukraine is Premier Gary Filmon's decision to establish a secretariat to foster linkages between Manitoba and Ukraine.

Furthermore, I mention that the Institute on Governance has developed a two week study tour which involves examining and understanding the Canadian federal government and reflecting on that which can be adopted by Ukraine practice.

I am pleased to welcome to Ottawa today Leonid Kravchuk, Chairman of the State Commission on Administrative Reform, who was the first president of Ukraine from 1991 to 1994. We in the Progressive Conservative party wish Mr. Kravchuk a successful stay in Canada and extend our wishes for Ukraine's continued reformation.

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SELECTED DECISIONS OF SPEAKER JOHN A. FRASER

The Speaker: We will make up whatever time we need at the end of question period, but this is a rather special day for us in parliament.

I have the honour to table, in both official languages, the *Selected Decisions of Speaker John A. Fraser.*

[*Translation*]

This is a new reference document on parliamentary procedure. It is the sixth volume in a series containing the rulings of the Speakers of the House.

[*English*]

This present collection contains 193 decisions covering the period from 1986 to 1993, when Speaker John Fraser presided over the House from the second session of the 33rd Parliament to the end of the 34th Parliament.

On this special occasion we are honoured today by the presence in our gallery of the Hon. John A. Fraser, distinguished former Speaker of the House.

Some hon. members: Hear, hear.

ORAL QUESTION PERIOD

[*English*]

PRIME MINISTER

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, over the past three weeks the Prime Minister has been asked more than 50 times to answer questions concerning conflict of interest. His refusal to answer these questions fully and openly does a disservice to himself, to his office and to the House.

During the Sinclair Stevens affair Judge William Parker ruled that there is an obligation on the part of the public office holder to avoid activities or situations that place him or her in real, potential or apparent conflict of interest.

Why does the Prime Minister continue to refuse to address parliament's concern about his real, potential or apparent conflict of interest?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I have replied to all the questions and the ethics commissioner appeared in front of the committee on May 6. He has studied the problem and reported on all the facts to members of parliament.

My assets, like those of members of the cabinet, are managed by trustees. The trustee had discussed all elements of it and the ethics commissioner confirmed that I sold my shares in November 1993.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the Prime Minister claims to have answered his questions about conflict of interest, but it is clear to many members in the House that he has not.

For example, he has not even provided any documentary evidence at all that he still does not own the Grand-Mère shares.

• (1420)

The Prime Minister seeks to avoid answering the particulars of this question by appealing to his lapdog ethics commissioner or by engaging in—

Some hon. members: Oh, oh.

The Speaker: Order, please. I ask the hon. Leader of the Opposition to be very judicious in his choice of words.

Mr. Preston Manning: Mr. Speaker, does the Prime Minister not see a real, apparent or potential conflict of interest in funnelling federal contracts, loans and grants to business people with whom he has a personal, business and political association?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the answer is a clear no.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the Prime Minister was elected in 1993 on a platform that called for renewing integrity in government.

The red book said ''open government will be the watchword of the Liberal program'', and for weeks this Prime Minister has twisted, dodged and avoided every specific question about his personal conflict of interest.

Does open government not imply full and frank answers to questions about conflict of interest in the House of Commons?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I gave my assets to the ethics counsellor according to the regulations of the administrator who is a trustee. I did that before I became Prime Minister. I sold these shares at that time to make sure that there would be absolutely no conflict of interest.

I am very proud that after six years all my cabinet has been managed in a way that we have absolutely no problem with that. It is because of my ethics since 1963 that I put all my assets in the hands of the administrator or the trustee before I became Prime Minister. They are managed there, not managed by me. That is exactly what the ethics counsellor said to members of parliament more than a month ago.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, let me quote from *Hansard*:

> As long as he keeps silent on this issue, he gives every Canadian. . .the impression that he himself, the Prime Minister, is there to help his friends, the friends who helped him.

Guess what? That is a quote from the heritage minister back in the days when she believed that prime ministers ought to be accountable.

Why will the Prime Minister not at least uphold the ethical standards of his heritage minister and announce to us all about this conflict of interest?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, my ministers and I have dealt with all the work I have done as a member of parliament for Saint-Maurice. It is my duty as a member of parliament to make sure that all the programs of the government to create jobs are known, especially when the riding has a 12% level of unemployment.

I would like to tell the hon. member that during the last campaign my opposition tended to say that I had not worked enough in the riding, but now the people of my riding know that I have worked very hard for them.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, the Prime Minister continues to say that he is just being a good little MP to help friends get money. He said yesterday that he has nothing more to add. Well, I do.

He had a business financial interest. That same business also received a $1.5 million windfall from the recipient of a $6 million government contract.

I would like to tell the Prime Minister: get up and give the name of one member of parliament who would ever do such a thing.

The Speaker: I would like all hon. members to address the Chair both in their questions and in their answers.

• (1425)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when a contract is accorded to a bidder that is $2.5 million less than the other, $6.5 million against $9 million, there is absolutely no scandal about it. They should appreciate that this bidder won the bid. They would have called it a scandal if it had been the second one who would have had it for $9 million.

Again, I have the list here of all Reform Party members who have received grants in their ridings for helping their constituents to create jobs. I just want to say that of course they have a very big problem. They have 25,000 votes to count and they have not even counted 25,000 votes.

* * *

[*Translation*]

SOCIAL UNION

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Government of Quebec has just made public a series of studies commissioned from independent experts to assess the consequences and scope of the agreement on social union.

The general consensus is clear: the social union is a step backward for the provinces, which handed over a portion of their constitutional responsibilities to the government in exchange for money.

Given this, does the Prime Minister still feel that the signing of the social union framework agreement represents a great day in Canadian history?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I think that the Prime Minister of Canada and all the provincial premiers, except one obviously, decided to work together to ensure that all our efforts went to improving the quality of life in Canada in social terms.

I think the ability to work together represents a great step forward. I understand that one premier, who wants to have Quebec separate, must ensure that Canada does not function. He is not looking out for Quebec's interests, but is serving the interests of his party, which lacks the courage to put an honest and clear question in a referendum.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, as for honesty and clarity, I will pass.

Professor Alain Noël of the University of Montreal says, and I quote ''Overall, the agreement represents a significant step backward for Quebec. . .More importantly, the February 4 agreement once again isolates Quebec, confirming. . .the desire of the other governments. . .to redefine the country without attempting to win the agreement of the government or even the official opposition of Quebec''.

Does the Prime Minister realize that others beside the sovereignists are rejecting this agreement, including the very federalist Liberal Party of Quebec, which rejects the agreement on social union?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, I have not seen the studies involved. I would be pleased to read them and comment after I have read them.

I do not think that the leader of the Bloc has had a lot of time to read them. In any case, that is not the point. Other studies have been made public.

The greatest architect of social programs in Quebec, Claude Castonguay, said it was very positive. The leader of the opposition in the National Assembly said he could improve on it, but that it was positive.

I would like to quote the principal adviser, ''cryptochief'' perhaps, of the Bloc. Jacques Parizeau said ''Canadian federalism is, with that of Switzerland, probably the most decentralized in the world''.

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, according to Laval University's Professor Guy Tremblay, ''The social union agreement tends to increase the centralization of powers in Canada. Almost all the areas covered in the agreement are exclusively provincial in jurisdiction. The federal government sees the agreement as legitimizing its interference in these areas''.

How can the government claim that the agreement is about areas of shared jurisdiction, when leading experts confirm that, on the contrary, it deals with areas that are exclusively provincial in jurisdiction?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Yes, Mr. Speaker. The agreement says that governments must respect the Canadian Constitution.

The courts have recognized that federal spending authority is legal, regardless of what the professor may think. It is legal, and has been recognized by the courts. In fact, this authority exists in all modern federations, but it has fewer conditions attached and is used the least in Canada.

The agreement requires the Canadian government to meet additional conditions before invoking the federal spending authority. I fail to see how anyone can claim that this agreement is a centralizing measure.

• (1430)

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, one of the experts consulted says the following: ''Federalism outside Quebec is now going its own way. In this sense, Canada has separated from Quebec''.

Will the government finally understand what Jean Lesage meant in 1963 when he said that Quebec did not defend provincial autonomy simply for the principle of it, but because, for Quebec, autonomy was the specific condition for its affirmation as a people?

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. Minister of Intergovernmental Affairs.

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, one of the problems with Bloc Quebecois members is that the arguments they come up with are never their own, but always something someone else said. When we come back with other arguments, they are unable to reply, probably because they do not have a complete understanding of the issues.

There is a second problem I wish to mention, Mr. Speaker, because you are very far away and you cannot always hear. Every day the leader of the Bloc Quebecois hurls insults and nasty remarks at government members. It is a disgrace and when Quebecers find out they will want nothing more to do with the Bloc Quebecois.

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. leader of the New Democratic Party.

* * *

[*English*]

IMMIGRATION

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, my question is for the Prime Minister.

The Caledon Institute has released a report condemning the head tax. Listen to what it says.

> Canada has the dubious distinction of being the only country in the world that charges fees to refugees seeking permanent protection. . .Canada is in violation of the spirit, if not the letter, of article 34 of the UN convention on refugees.

When will the government start reflecting the values of Canadians and stop aping the values of the Reform Party? When will it kill the head tax?

[*Translation*]

Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, Canada has no head tax. We are one of the most generous as far as our policies concerning refugees and immigrants are concerned.

There is a landing fee in this country, and no one has been refused the protection of Canada because of inability to pay that fee. Let us be perfectly clear: Canada remains a country that is very open to refugees from every part of the world.

[*English*]

The Speaker: I am having some difficulty hearing both the questions and the answers. I would appeal to members in this regard.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, given the odious nature of the term head tax, no wonder the Liberals want to call it something else.

Here is what the Caledon Institute has to say:

> Outside the federal government, the $975. . .fee is usually referred to as the ''head tax''.
>
> Though the current fee is not racially targeted itself. . .the inequitable impact of the fee on poor newcomers, most of whom are people of colour from less developed countries, makes the comparison appropriate.

If the government is so uncomfortable with the term head tax, why does it not just get rid of the head tax?

Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, if we are uncomfortable with the term head tax it is because of the history of this country.

Part of that history is that we had a head tax once for the Chinese people. It was based on race. That is not the case any more. We are proud to have a country without any discrimination. It is a privilege for people who come here to share those values with us.

* * *

● (1435)

MERCHANT NAVY

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, yesterday I believe was one of the saddest days in my life as an MP on this Hill when all of my colleagues whom I have a great respect for, all of my Liberal colleagues, voted against a motion to compensate the merchant navy men.

When those men were on the Hill on a hunger strike they were led to believe that compensation was going to be looked at so they went home.

Canadians from coast to coast want to know where the Prime Minister stands on the merchant navy issue. Is he for a one time ex gratia payment for these people or not?

Mr. Bob Wood (Parliamentary Secretary to Minister of Veterans Affairs, Lib.): Mr. Speaker, the hon. member obviously is referring to a study that was conducted by the Standing Committee on National Defence and Veterans Affairs into the compensation issue for the merchant navy.

The committee is due to report shortly. She knows that it would be improper for me to comment on a report that has yet to be tabled.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, the motion that I am referring to was dealt with not in camera but in open session of that committee. The report that he is referring to has already been leaked to the Ottawa *Citizen* and everyone else.

Some hon. members: Oh, oh.

The Speaker: Order, please. I would like the hon. member for Saint John to please put her question now.

Mrs. Elsie Wayne: Mr. Speaker, Canadians want to know if this government will offer compensation to the Canadian merchant navy men as it did with the Hong Kong veterans, and rightfully so at that time. We want the government to correct this injustice. I ask the Prime Minister to please do so.

Mr. Bob Wood (Parliamentary Secretary to Minister of Veterans Affairs, Lib.): Mr. Speaker, as I said, to the best of my knowledge the report has not been tabled. Until the official report is tabled any commentary on the contents of the report would be strictly speculation.

* * *

PRIME MINISTER

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, the Prime Minister's own conflict of interest code says: ''Public office holders shall not have private interests. . .that would be affected particularly or significantly by government actions in which they participate''.

The Prime Minister's continuing financial interest in the Grand-Mère golf course breaches his own public code of ethics since that course stands to gain from the awarding of government grants and loans.

Why does the Prime Minister think that stonewalling will make this conflict go away?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the ethics counsellor replied to all of these questions. I have followed the code that applies to all members. I put my assets into a trust fund and it is managed by these people.

I have said, and I repeat, that I sold the shares in November 1993. Having sold the shares, I have no interest in the golf course or anything like that. It was confirmed by the ethics counsellor who examined the case with the person who is in charge of administering my assets.

Some hon. members: Hear, hear.

The Speaker: Once again I appeal to members. We want to hear both the questions and, of course, the answers.

● (1440)

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, this ''I know nothing'' approach is not good enough for Canadians.

The heritage minister used to rail against the Mulroney government for not answering her questions. During the Sinclair Stevens affair she said:

> I think the actions of the Acting Prime Minister certainly do bear some public scrutiny. I believe his intention right from the beginning was to block the free flow of information in the House of Commons by daily stonewalling.

Why is the Prime Minister trying to out-stonewall Brian Mulroney?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, on May 6 the ethic counsellor spent a long time in the committee replying to all of the questions that were asked of him on the issue. He confirmed that the shares were sold before I became Prime Minister. It is very clear and very open.

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Prime Minister says that he sold his shares in 161341 Canada Inc. and did not receive any money.

The Deputy Prime Minister says that the Prime Minister's trust tried to help Mr. Prince sell the shares and Mr. Prince states that he does not have them, that they were returned. We are up to our eyeballs in contradictions.

Today is Wednesday. The session is coming to a close. Is it not appropriate to the Prime Minister's position that he clarify this situation? The best way to do so would be to table the contract. That will settle it.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, once again I repeat what the Deputy Prime Minister has said.

On May 6 the ethics adviser testified before a committee and answered all these questions. He confirmed that the shares were sold before I became Prime Minister.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, we are playing with words here.

Instead of hiding behind the ethics adviser, the Prime Minister ought to understand that, in 1993, he managed to find a buyer in six days, but has not managed to get paid in six years.

How can we not believe sincerely that this was a sale of convenience? Why does he not clarify the matter by tabling the record of sale? We will understand.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the ethics adviser has examined the matter and reported publicly on it before a committee of this House. One cannot ask for anything clearer than that.

[*English*]

Mr. Chuck Strahl (Fraser Valley, Ref.): Mr. Speaker, the Prime Minister keeps relying on the ethics counsellor. He says that the ethics counsellor backs him up on this and said so in the industry committee, but I was there and that is just not so.

The Prime Minister said he sold shares in 1993. The Prime Minister himself said to the ethics commissioner ''They came back to me in 1996. What should I do?'' In other words, the sale never went through. There are no receipts. There is no bill of sale that he has tabled in the House. There are no answers.

When will the Prime Minister just clear the air and give us some answers on this stuff so we can leave the House this spring with the answers here for the Parliament of Canada?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, this was answered by the ethics commissioner on May 6. I can tell the hon. member ''that there was a sale free and clear of the Prime Minister's interests in that golf course. There was a sum of money that has been denominated and there was a repayment schedule''. That is exactly what the ethics commissioner said. The rest is administered by the trustee. I have nothing to do with it.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, it is obvious that the Prime Minister has chosen not to answer fully and openly these questions about his conflict of interest.

If the Prime Minister were in a court of law or before a public inquiry and gave the answers that he has given here, he would be found in contempt.

Therefore, the official opposition wishes to register its profound objection. We find this Prime Minister in contempt of this parliament.

[*Editor's Note: Members of the official opposition withdrew*]

* * *

● (1445)

[*Translation*]

KOSOVO

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, in recent days a peace plan has been taking shape in Kosovo and is sure to lead to the adoption of a resolution by the security council. However, opinions diverge on whether bombing should continue, including China and Russia, despite the imminence of a political agreement.

My question is for the Prime Minister. Does he think bombing must be stopped immediately to promote the adoption of a resolution by the security council?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, there was agreement among all the countries present at the

negotiations, including Russia, and this is the course events must take. First, the Serbs have to leave Kosovar territory. There are currently indications of probable movement.

As soon as movement has been confirmed, and the troops have taken to the road in order to return to Belgrade, under the agreement the bombing will stop and, accordingly, the resolution that was agreed to will immediately be put before the security council.

The Speaker: The hon. member for Beauharnois—Salaberry.

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, China and Russia are making an end to bombing the condition for their support of the security council resolution. In fact, this morning they got the support of the Secretary General of the United Nations, Kofi Annan.

If Kofi Annan is calling for an end to bombing, should Canada as a member of the security council not support its secretary general?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, there is no disagreement between the secretary general, Canada's position and everyone else's position. There was an agreement that soldiers were to leave Kosovo to return to Serbia. As soon as their movement may be clearly determined, bombing will cease, and the resolution will be automatically introduced in the security council.

The resolution is being discussed at the moment by members of the security council. They will vote on it once the soldiers have begun to withdraw and bombing has stopped. There is no disagreement between the UN secretary general and our position.

* * *

EMPLOYMENT INSURANCE

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, the Minister of Human Resources Development himself admitted that EI reforms had resulted in problems for young people and women.

Will the minister be announcing changes before the end of the session?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, as members know, we have always been extremely clear about this. Our government is committed to keeping a very close eye on the impact on primary clients of our EI reform.

• (1450)

In fact, with the second monitoring report on the employment insurance program, we noted that too many women did not have access.

I have asked my officials to look very carefully at this issue in order to determine why certain women were penalized, and we will correct the situation as quickly as possible.

* * *

[*English*]

HEALTH

Ms. Maria Minna (Beaches—East York, Lib.): Mr. Speaker, my question is for the Minister of Health.

Back in March the member for London West asked the minister if he was supportive of approving the medical use of marijuana. The minister committed to clinical trials of marijuana, access to a safe supply and guidelines for its use. Will the minister tell the House what progress he has made to date?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, why does this somehow seem such a happier, such a saner place?

I am happy to tell the House this afternoon that a little later today I will table the government's research plan for the medical use of marijuana.

I am also happy to say that I will be exercising my power under section 56 of the relevant statute to permit exemptions to two very sick people to use marijuana for medical purposes.

Let us remember what this is about. This is about showing compassion to people, often dying, suffering from grave and debilitating illness. I want to thank the member and all the members here for pushing this issue so that we behave properly on behalf of those who are sick and dying.

* * *

PUBLISHING INDUSTRY

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I have a simple question for the Minister of Canadian Heritage. Would she agree that under the new Senate amendments to Bill C-55 and her vague backgrounders which she calls regulations, the definitions of Canadian content have been changed? Under the new Bill C-55 no Canadian writer, editor, publisher, photographer or printer needs to be involved for a magazine to now qualify as Canadian under the deal as long as the material is original to our magazines.

Has the definition of Canadian content changed? All the minister need answer is yes or no.

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, prior to the tabling of the legislation, there was no requirement for Canadian content, so obviously the Canadian content requirements are new.

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, the made in America magazine deal states that allowable Canadian content means ''created for the Canadian market and does not appear in any

other edition in Canada''. How can the minister have allowed Americans to be considered Canadians under the law? The definition of what is a Canadian is pretty simple to me: a Canadian is a Canadian.

Why does the minister allow Americans to be considered Canadians in the magazine deal?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, the regulations require that the content be original to the magazine anywhere in the world.

* * *

AIR SAFETY

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, my question is for the Minister of Transport on behalf of the new fourth party.

A repeated request to the Minister of Transport has been denied by Nav Canada and the Minister of Transport to produce previously available safety documents. In particular two I am looking for are dated May 27, 1998 and they refer to the Kelowna air traffic control tower. Repeated requests have fallen on deaf ears. Everyone suddenly seems to have something to hide.

I want to know if the minister has these safety reports dated May 27, 1998 and will he produce them, or is he part of the safety cover-up?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, it is usual courtesy in the House if one wants documents that one approaches the department or minister. This is the first I have heard about so-called missing documents.

If there are documents that are germane to the particular issue of the Kelowna control tower that are available and in the public domain, obviously they will be made available to the hon. member.

The Speaker: Before the hon. member continues, I might caution him about imputing motive.

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I wrote the minister for these documents and he wrote back to me on May 27 and refused to give them to me. He referred me to Nav Canada. It has also refused to give them to me. These are safety documents. They refer to an unsafe situation that has gone on for 10 years. It has never been addressed. They are trying now to hide it because they have never done anything about it.

● (1455)

Will the minister produce the documents? Yes or no?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, if the documents in question are in the domain of Nav Canada, it is for Nav Canada to release them. I certainly will look into the matter because we want all hon. members to have as much information as possible to make their jobs easier.

* * *

KOSOVO

Hon. Sheila Finestone (Mount Royal, Lib.): Mr. Speaker, we are all pleased with the discussions that are going ahead to stop the conflict in Yugoslavia. However we also know that with the withdrawal of Serb forces, they leave behind silent killers, live ordinances and land mines.

Is Canada going to participate in the removal of these anti-personnel land mines so that refugees can return to their villages and to their homes?

Mr. Julian Reed (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Mr. Speaker, I thank the hon. member for her continuing interest in this serious matter.

Land mines have been deployed in large numbers in Kosovo by the Yugoslav military. Land mine removal is crucial for the safety of those who still live in Kosovo and those who are returning.

Canada will support a mission to be led by the United Nations mine action services to assess the impact of land mines on Kosovo and implement a victim assistance program. This initiative will be funded by CIDA and supported by Canada—

The Speaker: The hon. member for Longueuil.

* * *

[*Translation*]

QUEBEC'S FÊTE NATIONALE

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, I recently wrote to the Minister of Canadian Heritage to point out to her that her 1999 theme calendar neglected to mention two important dates: the Acadian fête nationale and the Quebec fête nationale. Her office agreed to add on the Acadian national festival, but not the Quebec one.

Since June 24 is the fête nationale of all Quebecers, why does the minister refuse to recognize this reality in her calendar, since she is doing so for the Acadians?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I find that, as usual, the Bloc Quebecois is out to stir up a fuss.

The separatists ought to set a better example. This morning I visited the Quebec Department of Culture web page. The cultural events calendar of thematic days, weeks and months gives no mention of Saint-Jean-Baptiste. There is nothing for June 24.

Harpsichord Day is there, but not Saint-Jean-Baptiste, while our calendar at least had Saint-Jean-Baptiste. Next year we will also add la fête nationale du Québec.

[*English*]

AGRICULTURE

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, at last Saturday's farm rally in Regina, elected Liberals were once again conspicuous by their absence. There was a lot of concern not only about AIDA, but about the severe flooding in southwestern Manitoba and southeastern Saskatchewan. Since Saturday there has been more heavy rain in that area making it most unlikely that thousands of farmers will be able to plant any kind of a crop this year. It is truly a heartbreaking story.

When the Minister of Agriculture and Agri-Food is in the region on Friday, will he be announcing that farmers will be receiving federal support similar to that received by Red River Valley producers in 1997 including an acreage payment or allowance?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I will be touring and flying over the area and stopping in both Manitoba and Saskatchewan on Friday. I have had discussions with my counterparts in Manitoba and Saskatchewan and the industry.

As I said and I will continue to say, we will look into this matter and do everything we possibly can in order to see what flexibility we can build into the NISA program and the AIDA program to assist the producers in this unfortunate situation.

* * *

DEVCO

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, Devco coal miners have been offered such a dismal pension package that one miner with 31 years in the mines will not even receive a pension. If these miners were employees of any other crown corporation they would have received a 20 or 25 year service pension long ago. How is it that the Minister of Natural Resources can sell off some Devco assets, spend $11 million on the Prince mine, which he plans to sell, but he cannot find money enough to give the Devco coal miners a proper pension package?

● (1500)

Hon. Ralph E. Goodale (Minister of Natural Resources and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, let me repeat again that what we have put together in respect of Devco is a package that totals more than $500 million. It specifically includes $111 million for human resources including pensions and severance arrangements, $68 million for economic development, plus $80 million from the programming of ACOA, plus another $140 million from the programming of HRDC.

The Government of Canada has put together a very responsible package to deal with a very difficult situation.

The Speaker: That would bring to a close our question period for today. I want to do three things before members leave the House.

I have already introduced my brother Speaker and former Speaker of the House, Mr. Fraser. I will be hosting a reception in his honour in room 220 following question period.

I said this was a very special time of year. We have with us today several former parliamentarians whom I want to introduce and say ''welcome home''. I invite these former parliamentarians and Mr. Fraser to please stand.

Some hon. members: Hear, hear.

* * *

PARLIAMENTARY PAGES

The Speaker: Every year since 1976 we have gathered to ourselves here in the House of Commons what I consider in many ways to be the very cream of the youth in Canada. This year has been no different.

[*Translation*]

We have chosen 40 young Canadians from all parts of our country to be with us.

[*English*]

They have been with us now since September. They have taken care of our needs and extended, they have taken care of the needs of the Canadians who we in this House serve.

To say that they are an exceptional group is really sans dire. To say that they have done excellent work on our behalf though that must be said.

● (1505)

We hope that you, our dear pages, have enjoyed your year in our midst as part of our parliamentary family. You have indeed served us well and you have served your country well.

We do not know where your careers will take you in the years to come, but we invite you, as we have former parliamentarians, to come home to us once in a while. Perhaps one day this House will be fortunate enough to have one, two or many of you sitting in these seats where the people, the servants of Canada, have come.

[*Translation*]

On behalf of all my colleagues from all parties here today, I thank you for your good work. We wish you every success in life.

Some hon. members: Hear, hear.

[*English*]

POINTS OF ORDER

NAV CANADA

Hon. Claudette Bradshaw (Minister of Labour, Lib.): Mr. Speaker, I want to announce to the House that as of nine minutes ago, the dispute between Nav Canada and the air traffic controllers is over.

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, relative to the announcement of the government just a moment ago, I would like some clarification for the House.

As most people know, when we do have a tentative agreement there is a ratification process. In the event that the ratification process does not take place, how will the House deal with that during the summer break?

The Speaker: This is an extraordinary circumstance, but under the conditions, I am going to permit an answer from the Minister of Labour.

Hon. Claudette Bradshaw: Mr. Speaker, I am very confident that the ratification is going to come through. If it does not, the air traffic controllers cannot go on strike until the CLRB tells us what are essential services.

If the House has to come back, I am sure every member in the House will be happy to come back because we followed the process. I must tell the House that the air traffic controllers cannot go on strike until it goes in front of the CLRB for essential workers.

This is a great day for the process in the labour department. I want to thank everybody involved. The air traffic controllers will not go on strike without the CLRB's approval.

● (1510)

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I, along with members on all sides of the House of course, rejoice at this announcement that has just been recently made.

I intend to get together, within perhaps minutes, with leaders of other parties in the House in order to establish what could be protocol should the situation be necessary of the kind that the leader of the opposition House has just described. Perhaps over the next few minutes some of these things will become clearer and we will get together in the usual spirit of the way we have done things around here.

I would like to take this opportunity to thank the leaders of all other parties in the House for their continuing interest throughout the process, and particularly their patience, because sometimes it was literally minutes ahead of time that I could make information available to them.

ROUTINE PROCEEDINGS

[*English*]

MARIJUANA

Ms. Elinor Caplan (Parliamentary Secretary to Minister of Health, Lib.): Mr. Speaker, pursuant to an order of the House made May 25, 1999, I have the honour to table copies of a document entitled ''Research Plan for the Use of Marijuana for Medical Purposes: A Status Report''.

* * *

INDUSTRY

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, I have the honour to table, in both official languages, the government response to the 13th report of the House of Commons Standing Committee on Industry, ''The Year 2000 Problem—Canada's State of Readiness''

* * *

[*Translation*]

FEDERAL GOVERNMENT

Hon. Marcel Massé (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, pursuant to Standing Order 109, I have the honour to table, in both official languages, the government's response to the 23rd report of the Standing Committee on Public Accounts entitled ''Preparedness for Year 2000—Government-Wide Mission-Critical Systems''.

* * *

[*English*]

INTERNATIONAL TREATIES

Mr. Julian Reed (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Mr. Speaker, I am pleased to rise in the House today to table, in both official languages, international treaties that entered into force for Canada in 1994, a list of which is also tabled.

I am also tabling two CD-ROMs that contain electronic versions of these treaties. As soon as I have all 20 pounds signed, I will deliver them to the table.

* * *

[*Translation*]

CANADIAN SECURITY INTELLIGENCE SERVICE

Mr. Jacques Saada (Parliamentary Secretary to Solicitor General of Canada, Lib.): Mr. Speaker, pursuant to Standing Order 32(2), I have the honour to table, in both official languages, the report of the Canadian Security Intelligence Service for 1998. I

ask that it be referred to the Standing Committee on Justice and Human Rights.

* * *

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 10 petitions.

* * *

● (1515)

[*English*]

INTERPARLIAMENTARY DELEGATIONS

Hon. Sheila Finestone (Mount Royal, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian Group of the Interparliamentary Union which represented Canada at the 101st Parliamentary Conference held in Brussels, Belgium from April 10 to 16, 1999.

* * *

COMMITTEES OF THE HOUSE

FISHERIES AND OCEANS

Mr. Charles Hubbard (Miramichi, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 13th report of the Standing Committee on Fisheries and Oceans.

In accordance with Standing Order 108(2), the committee undertook a study on sealing issues. Pursuant to Standing Order 109, the committee requests a comprehensive response from the minister to this report within 150 days.

[*Translation*]

HUMAN RESOURCES DEVELOPMENT AND STATUS OF PERSONS WITH DISABILITIES

Mr. John Godfrey (Don Valley West, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Human Resources Development and Status of Persons with Disabilities.

[*English*]

This is the report of the subcommittee on children and youth at risk, which I had the pleasure to chair.

[*Translation*]

FINANCE

Mr. Nick Discepola (Vaudreuil—Soulanges, Lib.): Mr. Speaker, pursuant to Standing Order 108.1, I have the honour to present, in both official languages, the 19th report of the Standing Committee on Finance.

In March the Minister of Finance gave the Standing Committee on Finance the mandate to strike a standing subcommittee to consider the tax system and the system of transfers to families with dependent children.

[*English*]

The subcommittee travelled across the country to solicit many views of Canadians. A number of individuals and organizations participated in the hearings, including some of our very youngest citizens.

The terms of reference were very precise. I would like to thank the committee members for their diligent work on such a broad subject. There were very different points of view, but we felt that the government, as a first step, should take note of the report. Those points are captured very well in the report entitled ''For the Benefit of Our Children: Improving Tax Fairness'', which has been adopted by the Standing Committee on Finance and which I am presenting today.

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Ref.): Mr. Speaker, in response, pursuant to Standing Order 35(2), Reform members of the official opposition support some of the recommendations contained in the report of the subcommittee on family taxation. However, we are disappointed that its recommendations do not go far enough.

The official opposition recognizes the value of parenting and would like to ensure that the federal government treat Canadian families fairly. Among other things, the official opposition advocates extending the child care expense deduction to all parents, converted into a refundable tax credit available to all families, and that the spousal amount be increased from the current $5,918 to $7,900, levelling the field. We would also implement across the board broad based tax relief.

These measures are a start to addressing the unfairness in the tax code with respect to its treatment of Canadian families.

[*Translation*]

HEALTH

Mr. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Health.

[*English*]

In accordance with its order of reference of March 8, 1999, your committee has reconsidered Bill C-247, an act to amend the Criminal Code (genetic manipulation), and has agreed to recommend that Bill C-247 be not further proceeded with at this time as comprehensive and integrated legislation is being prepared by the department for introduction this fall.

A copy of the minutes and proceedings relating to this bill, meetings Nos. 86 and 87 of the first session of the 36th Parliament, is tabled.

I thank all committee members for their diligent study of this bill, in particular the hon. member for Drummond who brought it forward.

NATIONAL DEFENCE AND VETERANS AFFAIRS

Mr. Pat O'Brien (London—Fanshawe, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on National Defence and Veterans Affairs.

Pursuant to Standing Order 108(2), the Standing Committee on National Defence and Veterans Affairs proceeded to the consideration of a study on veterans' issues and the merchant marine. The committee has agreed to report to the House with three specific recommendations. Pursuant to Standing Order 109, the committee requests a government response.

For many months our committee studied what was an emotional and complex issue. We had very full and fair hearings. Anyone who wished to give any type of testimony whatsoever was welcome. There were no remaining witnesses and the committee was seized with the report.

• (1520)

The three specific recommendations which the committee proposes to the government, if followed, would go a long way toward righting the wrong for the merchant marines collectively in terms of their contribution to winning the second world war.

The title of the report is ''A Story That Must Be Told: The Canadian Merchant Navy and Its Veterans''. If these recommendations are followed there will be a much more comprehensive and accurate understanding of the very vital role played by the merchant navy in winning the second world war.

* * *

PETITIONS

CHILD PORNOGRAPHY

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, it is an honour to present the following petitions pursuant to Standing Order 36.

The first petition is from a number of residents of Kamloops who point out a whole variety of sound reasons for which they oppose child pornography and they ask the Parliament of Canada to take whatever steps are necessary to ensure that laws relating to the possession of child pornography are never legalized.

FRESHWATER EXPORTS

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, in the second petition the petitioners point out their concern about preserving Canada's fresh water.

The petitioners are concerned about the pressure building for the possible export of bulk water to the United States and they are opposed to it.

PENSIONS

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, in the third petition quite a few petitioners indicate their concern about the government's action in terms of the pension fund for 670,000 current and future retirees of federal departments, crown corporations, agencies, the military and the RCMP. In summary, the petitioners do not like what the government has done.

NUCLEAR WEAPONS

Mr. Bill Graham (Toronto Centre—Rosedale, Lib.): Mr. Speaker, I have the honour to present three petitions.

The first petition proposes that Canada take the lead in working toward a treaty banning nuclear weapons in accordance with the recommendations made by the Standing Committee on Foreign Affairs and International Trade in its report to the House.

ANIMAL ABUSE

Mr. Bill Graham (Toronto Centre—Rosedale, Lib.): Mr. Speaker, I have a petition calling upon the House to change the Criminal Code regarding animals to ensure that abusive treatment is more harshly dealt with in the Criminal Code and to ensure that animals are not treated as the personal property of individuals so they may be better protected.

KOSOVO

Mr. Bill Graham (Toronto Centre—Rosedale, Lib.): Mr. Speaker, I present a petition which asks for the House to call upon the government to end the violence in Kosovo.

MARRIAGE

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I have a petition which I would like to present today regarding marriage.

The petitioners, from around the riding of St. Albert as well as Edmonton, pray that parliament enact legislation such as Bill C-225 so as to define in statute that a marriage can only be entered into between a single male and a single female.

As you know, Mr. Speaker, we passed a motion to that affect in the House last night.

IMPAIRED DRIVING

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I rise to present a petition from petitioners in Peterborough who pray that the Parliament of Canada immediately amend the Criminal Code to streamline the judicial process and provide sanctions that better

reflect the seriousness of drinking and driving by introducing amendments that provide for tiered penalties for driving with a blood alcohol count above .08% and to introduce mandatory assessment and treatment for offenders who are sentenced for impaired driving.

The petitioners ask the government to repeal the curative discharge provisions and to authorize alcohol interlocks as a term of probation for drinking and driving offenders.

[*Translation*]

ATLANTIC GROUNDFISH STRATEGY

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Mr. Speaker, I table a petition from the residents of the Magdalen Islands.

The signatories are opposed to what they term discriminatory measures in the Atlantic groundfish strategy, particularly the early retirement program.

In their petition they claim that the TAGS measures adopted by the Department of Human Resources Development are insufficient and not adapted to the needs of workers in the fishing industry. They also claim that they were not consulted before the program was implemented, particularly on the early retirement component.

They are therefore calling upon the government to give consideration in the post-TAGS program to people who turned 55 after December 31, 1998.

● (1525)

[*English*]

MARRIAGE

Mr. Charles Hubbard (Miramichi, Lib.): Mr. Speaker, I have two petitions to present today in which the petitioners request that parliament enact legislation to define marriage as a union between a single male and a single female.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, it is a privilege for me on behalf of the constituents of Calgary—Nose Hill to present two petitions today. The first petition concerns the definition of marriage, oddly enough, since we talked about that all day yesterday.

The petitioners pray that parliament ensure that marriage continues to be such that it can only be entered into between a single male and a single female.

NUCLEAR WEAPONS

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, the second petition is tabled on behalf of about 500 people from my city of Calgary and from other parts of Alberta who are very concerned about the nuclear threat that continues to hang over the whole globe.

The petitioners pray that parliament support the government in urgently making an unequivocal commitment to nuclear weapons negotiations and in calling for immediate and practical steps to de-alert and deactivate nuclear weapons worldwide.

RED HILL CREEK EXPRESSWAY

Mr. Tony Valeri (Stoney Creek, Lib.): Mr. Speaker, pursuant to Standing Order 36, I am pleased to present to the House a petition signed by over 5,000 constituents in my riding of Stoney Creek and the surrounding area of Hamilton-Wentworth.

The petition calls upon parliament to recognize that the majority of residents from the Hamilton-Wentworth area support the proposed north-south portion of the Red Hill Creek Expressway and that parliament remove all impediments to the immediate commencement of this project.

CANADA POST

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I am pleased to present a petition today on behalf of the residents of Wynn Park in Truro, Nova Scotia.

These residents wish to draw to the attention of the House that the people of Wynn Park are opposed to the use of community mailboxes, the current method of mail delivery in their area. They contend that seniors must walk in very difficult circumstances and it presents a danger to them and their well-being. In a recent case an elderly woman fell and broke a limb and was laid up for a long time.

The petitioners urge parliament to call on the minister responsible for Canada Post to implement door to door mail delivery for the residents of Wynn Park.

On behalf of these 42 residents, I respectfully submit this petition.

KOSOVO

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, I present a petition on behalf of 175 citizens who call for an end to the bombing in Kosovo.

These people actively oppose the participation of Canada in the bombing. They oppose Canada's participation in the massacre of civilians. They call for an immediate end to the bombing in Kosovo.

HEALTH CARE

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I am pleased to present today the last in a series of petitions representing some 5,000 Canadians who are very concerned about the present state of our health care system. In so

doing, I want to acknowledge the work of the Save Medicare Committee and, in particular, Russ Rak who is with the CAW Local 222, Retired Workers' Chapter.

The signators of this petition come from all over the country. They express grave concerns about the erosion of our health care system and about the slide in this country toward Americanized two tier health care.

The petitioners call upon the government to enshrine in the health care act a set of fundamental principles for this country and to guarantee national standards of quality publicly funded health care for every Canadian citizen as a right.

RU-486

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, pursuant to Standing Order 36, I am honoured to present petitions from the citizens of Cariboo—Chilcotin, primarily from the city of Williams Lake.

The first petition expresses concerns about effects of the drug RU-486 on unborn babies and the danger to mothers. It calls upon parliament to act to prevent the introduction of the drug RU-486 in Canada.

RIGHTS OF THE UNBORN

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, the second petition deals with the sanctity of human life and calls upon parliament to act immediately to extend the same protection to the unborn child as that enjoyed by born human beings.

• (1530)

KOSOVO

Ms. Eleni Bakopanos (Ahuntsic, Lib.): Mr. Speaker, I want to present a petition to the House which was signed by members of the Hellenic community of Montreal. The petitioners ask that the government seek to unilaterally cease the bombing of civilian and military installations in Yugoslavia and seek the safe return of all people of Albanian Serbian origin.

DANGEROUS OFFENDERS

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, I am pleased to present a petition from residents in Ontario and Quebec who say that sexual offences against children harm some of the most innocent and vulnerable members in our society.

Pardons are currently given in almost 100% of the cases reviewed by the National Parole Board. Studies have indicated that sexual offenders are more than twice as likely to commit further sexual offences and more likely to reoffend than a violent non-sexual conviction.

The petitioners pray that parliament pass Bill C-284 introduced by the member of parliament for Calgary Centre to ensure that a record of sexual offence against a child for which a pardon has been given is disclosed to children's organizations when they perform a criminal record check on an individual applying for a position of trust involving children.

YUGOSLAVIA

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I would like to summarize two petitions from citizens of Peterborough concerned about the bombing in Yugoslavia.

In the first petition the petitioners call upon parliament to advocate that the Government of Canada withdraw its political and military support for the bombing of Yugoslavia and press for the bombing to be stopped at once.

In the second petition the petitioners call upon parliament in the name of the hundreds of thousands of Yugoslav victims in tears for wounds and the loss of their belongings. They beseech parliament to do something so that the bombing will stop immediately.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the following questions will be answered today: Nos. 237 and 239.

[*Text*]

Question No. 237—**Mr. Randy White:**

How many incidents involving drug overdoses were recorded at the Matsqui Correctional Institution in British Columbia between January 1, 1998 and December 31, 1998?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Correctional Service Canada records indicate that no incidents involving drug overdoses were recorded at the Matsqui Correctional Institution in British Columbia during 1998.

Question No. 239—**Mr. Jim Hart:**

With respect to AIDA and the tree fruit industry: (*a*) what is the percentage differences in gross margin levels among commodities, e.g. perennials, tree fruits, vs. annuals, grains; (*b*) can the government provide an example of the relative use of eligible and ineligible expenses for two different commodities such as grain and tree fruit; (*c*) can the government provide an example of the benefits a tree fruit farmer would be entitled to under AIDA, should back to back below average returns be experienced in the base period, in comparison to that of a single year of below average returns; (*d*) can the government provide data which would compare the inclusion of negative margins in the reference margins but reducing to zero in the claim year to that

of reducing negative margins, to zero for both the base period and the claim year; (*e*) can the government provide information to show if AIDA recognizes the special problems of perennial crops such as the little flexibility to switch commodities and varieties?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): (a) Agricultural income disaster assistance, AIDA, provides a common basis of support to all commodities. The British Columbia whole farm income insurance program, which essentially follows the same rules as AIDA, has provided payments in different regions of the province where different commodities predominate. This reflects the fact that the gross margin can vary as much from farm to farm producing the same commodities as between farms producing differing commodities.

(b) An AIDA payment is trigerred by a change in a farmer's gross margin. Adding a particular expense would have a small effect on the AIDA payment, up or down depending on the producer, because it needs to be done for both the reference period and the claim year.

(c) A recent evaluation of the Alberta farm income disaster program stated that the program payments have been concentrated in areas with the largest decrease in farm incomes and that it responds well to back to back disaster years. The impact of back to back years of below average returns will depend on the magnitude of the decline in the margins.

In any case, AIDA is designed to address extreme, short term income declines; it is not the program's purpose to support income in a manner that is not consistent with each farm's recent experience.

(d) Data are not available to show the impact on AIDA of altering negative margins in the reference period. Artificially increasing past income would raise the possibility of trade actions as this would conflict with international guidelines.

(e) The British Columbia whole farm income insurance program has provided payments in different regions of the province where different commodities predominate. Besides farmers who have planted perennial crops such as tree fruits, farmers who have invested in essentially single purpose equipment or buildings such as hog barns will also have difficulty in switching to other commodities. These farms can be subject to high market risks because their revenue is related to the price of one commodity. These farmers should utilize all tools available to them to mitigate these risks. These include the use of government programs such as net income stabilization account and crop insurance. Producers must also look for ways to mitigate risks beyond utilization of government programs.

[*Translation*]

Mr. Peter Adams: Mr. Speaker, I would ask that the remaining questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

MOTIONS FOR PAPERS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

[*English*]

COMMITTEES OF THE HOUSE

SCRUTINY OF REGULATIONS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I rise on a point of order. There has been consultation among the parties and I think you will find unanimous consent for the following motion. I move:

That the Standing Joint Committee for the Scrutiny of Regulations be granted authority to travel to Sydney, Australia from July 18 to July 24, 1999 to attend the Biennial Conference on Delegated Legislation and that the necessary staff accompany it.

The Deputy Speaker: Does the hon. parliamentary secretary have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

GOVERNMENT ORDERS

[*English*]

FOREIGN PUBLISHERS ADVERTISING SERVICES ACT

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.) moved the second reading of, and concurrence in, amendments made by the Senate to Bill C-55, an act respecting advertising services supplied by foreign periodical publishers.

Mr. Mark Muise (West Nova, PC): Mr. Speaker, I rise on a point of order concerning the amendments that the Senate has sent to this House on Bill C-55.

I want to focus on amendment No. 3 that proposes to add a new clause 21.(1). I submit that this amendment proposes to do what no member of the House of Commons can do, which is to amend the bill beyond its scope as was decided by the House at second reading. This House sent to the Senate a bill which had as its stated purpose, and I quote the minister in her second reading speech:

''Under the Bill introduced in the House of Commons, only Canadian publishers will have the right to sell advertising directed at the Canadian market''. Later in the same speech she told this House: ''Parliament is being asked to prohibit the sale and distribution of advertising services directed specifically at the Canadian market''—

● (1535)

The Deputy Speaker: Order, please. The hon. parliamentary secretary on another point of order. I am hearing a point of order. I stress this.

Mr. Peter Adams: Mr. Speaker, my point of order is that what you are hearing is not in fact a point of order, it is debate.

The Deputy Speaker: The hon. member for West Nova is making a point of order concerning the admissibility of the amendments before this House as I understand it. In that sense, while it may be close to debate and he may be perhaps going on a little long on his point, I think I need to hear his point if there is some argument as to the procedural acceptability of the motion before the House, which I understand the hon. member for West Nova to have indicated at the outset of his remarks.

Mr. Mark Muise: Mr. Speaker, yes, I would like to finish my point of order if I could. I was quoting:

> Parliament is being asked to prohibit the sale and distribution of advertising services directed specifically at the Canadian market by non-Canadian publishers. Parliament is being asked to put in place fines for foreign publishers that attempt to violate these laws.

Those statements are clear and unequivocal. Prohibit, not regulate. Prohibit. We all know that any similar amendment proposed in the House to modify such a prohibition would not survive for five seconds.

The Senate amendments, particularly the new clause 21.1, have the effect of breaking the prohibition and turning the machinery into a regulatory regime. To regulate is the opposite of prohibit.

The Senate can send whatever message it likes, but so far as this House is concerned, the issue of an absolute prohibition has been settled by three readings and a committee examination which was concurred in by the House.

Beauchesne's and Erskine May make reference to the long title of a bill as being a factor in establishing the scope of a bill. If this were the sole criterion, it would put great power in the hands of those officials who draft bills and who are not accountable to the House.

I submit that a minister in setting forth the concepts, as she sees them at second reading, goes a great distance in setting out the scope of a bill. In this instance we were told by the minister that this bill was not about subsidies. We were told that there was to be a prohibition.

The Senate amendments fly in the face of the decision of the House and ask the House to swallow itself whole. Unless the Chair intervenes to disallow the proposed Senate amendments, there will be nothing to prevent a government from bringing all its legislation to the House in a bland form, have ministers play games with their credibility and then use the Senate to insert all of the controversial measures, remitting them back to the House for a one-shot vote under time allocation.

The Deputy Speaker: I hesitate to interrupt the hon. member but I am interested to know, and I know he is about to conclude, whether he is suggesting in his point that the financial prerogatives of the House have been in any way impaired by the amendments before us. I would be interested in hearing his views on that point.

Mr. Mark Muise: Mr. Speaker, I am not making reference to the financial aspect. If you would let me finish I have but a short period and you will see exactly where I am going with this.

Mr. Speaker, I ask you to assert the right of the House of Commons to be able to believe ministers of the crown when they address the House. I ask you to rule that these amendments exceed the scope of the bill that was sent to the Senate. Sir, assert the primacy of the House of Commons. Open the great doors of the House and throw these amendments out.

● (1540)

The Deputy Speaker: The Chair wishes to thank the hon. member for West Nova for raising this issue before the House. I know it is an interesting point but one that has been dealt with before.

● (1545)

I would refer the hon. member to the decision of the Speaker of this House made on November 19, 1996, in respect of a similar argument advanced by the hon. member for St. Albert on a bill then under consideration.

In that decision by the Speaker he indicated that there were two amendments by the Senate for which concurrence of the House was being sought. The member for St. Albert had asked the Speaker at that time to rule on the procedural acceptability of changes made by the Senate. The Speaker stated, and I quote from page 6411 of *Hansard*:

> My view is that your Speaker cannot stand as a procedural judge on what is done by the Senate. What they do over there, they do over there.

In his ruling the Speaker cited with great reverence the decision of Mr. Speaker Fraser made on April 26, 1990, which is published in the book whose publication we are celebrating today. I refer the hon. member to the decision of Mr. Speaker Fraser which was

made on an argument advanced on a bill to amend the Unemployment Insurance Act brought forward in 1990.

I can tell the hon. member that the hon. member for Glengarry—Prescott—Russell and I argued something along the lines he is arguing today, but with the additional argument about financial measures. I can also tell the hon. member that at that time we lost our argument as he is going to lose his today.

This argument in my view is not well founded. I quote from Mr. Speaker Fraser's ruling on page 10723 of *Hansard*, April 26, 1990, where he said:

> —the Speaker of the House of Commons cannot unilaterally rule out of order amendments from the other place. I can comment, as I am doing, but the House as a whole must ultimately make the decision to accept or reject amendments from the Senate, whether they be in order according to our rules or not.

As Mr. Speaker Parent said, it comes down to a decision of the House.

I am afraid the hon. member may, by his arguments later, advance arguments as to why the House should reject the amendments made by the Senate, but in my view it is not the place of the Speaker or presiding officer of the House to rule these amendments out of order, at least on the grounds advanced by the hon. member for West Nova.

Hon. Sheila Copps: Mr. Speaker, I thank the Senate for the work it has done. Many things have been said in the last number of days about the Senate and its work or lack thereof. However I have to say that here was one very strong case of how the Senate took its responsibility very seriously, dealt in a very conscientious fashion with a piece of legislation and assisted ably in helping Canada achieve an historic agreement.

For the first time in its dealings with any nation, the United States has finally accepted the right of Canadian content in Canadian cultural industry.

I firmly believe that the concurrent work of the Senate while the negotiations were going on actually helped to show the Americans that we were serious about the legislation and that we were serious that any legislation would include Canadian content. That is the crux of this debate.

I congratulate the Senate on its very serious work on a piece of legislation which will prove in the long term to be an historic piece of legislation, not just for Canada but for our approach in future international trade negotiations.

Let us look at where we were two years ago and where we are today. Two years ago Canada lost a decision by the World Trade Organization. We did not like it. Most of us thought it was an unfair ruling, but it was a final ruling with no right of appeal. There was no way around it, many people thought.

What did that ruling give the United States? It gave the United States 100% access to our magazine advertising market. It gave the United States the whole enchilada. It had everything. It had a ruling which would have entitled it to crush the Canadian magazine industry and decimate Canadian magazines. Those are the facts. The United States won and we were left with nothing.

Where are we today as a result of these amendments? The United States will have access to up to 18% of the advertising market, not the 100% it got from the WTO ruling, not the 100% it originally insisted it was entitled to, not 90%, not 80%, not 50% but 18%, and that only after a three year transition period.

• (1550)

[*Translation*]

We judge a tree by its fruit. We started from zero following the decision of the World Trade Organization. We built this bill and this agreement piece by piece. This is what the critics must understand.

They are up in arms, saying that we have shortchanged Canadian periodicals and even culture, whereas the very opposite is true.

Following the decision by the World Trade Organization, we went on from zero to recover 82% of the lost ground. To all those who predicted that we would end up in a trade war with the United States, with all due respect, I am proud to say that they were mistaken.

The road was long and exhausting. I want especially to congratulate the Senate on its work. It gave us the push we needed to get an agreement that recognized, for the first time, Canadian content in a bill that will not be contested by the Americans.

We reached a good agreement for Canada. We have before us a bill that, with the amendments, protects the interests of all Canadians. We have achieved an unprecedented agreement with the Americans on Canadian content.

[*English*]

Let us make no mistake about it. This agreement and this legislation will be at the forefront of future international agreements which recognize culture and cultural content as legitimate aspirations of any nation.

[*Translation*]

We got written agreement from the United States that it will not appeal this legislation to a national or international organization. We demanded that publishers wanting to exceed the 18% limit on advertising revenues publish a magazine with mostly Canadian content.

[*English*]

What is more, should some Canadian magazines suffer we have the capacity and the will to help, and we shall do so. Yes, it will

cost something but let us imagine the alternative. Let us imagine if we had let the WTO ruling stand with no effort to find a solution. The United States would have had everything and Canada would have been left with nothing. Now we have claimed back or clawed back 82% of what we had before we were deep-sixed by the WTO ruling.

[*Translation*]

Naturally, the matter has been in the wings a long time. Issues have sometimes heated up between the two countries, but Canada has done a good deal.

We must have Canadian periodicals that speak to us of our history and of our values, that bring together Canada's four corners and that speak of Canadian issues of interest to Canadians.

Was it all worth it? Absolutely, because culture is the soul of a nation. A country does not abandon its cultural identity simply because it has lost a case before the WTO. A country does not abandon its cultural identity because its adversary is 10 times more powerful.

[*English*]

We like Americans but we are not Americans. We are friends with the United States but we are different and we want to keep that difference. We like American movies and we like Hollywood, but we want to have our own cultural diversity.

We share North American values but we also have unique Canadian values. We want to nurture the instruments that allow Canadians to express our values, to speak to each other, to speak to our children, to learn about our past, to engage in the present, and to build Canada's future.

● (1555)

We want to be able to share our ideas, our stories and our values with the rest of the world. This agreement with the United States and this law before the House of Commons today, with regulations and the power to guarantee Canadian stories, will allow us to do these things.

I had the privilege over the last couple of days of sharing a unique experience with colleagues from all sides of the House. Along with a member of the official opposition and two other colleagues in the House, I went to recognize two very unique sites in Canadian history. One was the beaches of Normandy, the place where the D-Day sacrifice by Canadian Armed Forces was so great, a sacrifice that guaranteed peace in our time.

From there we travelled to Belgium where we had the privilege of declaring the medical site of John McCrae, the place where the poem *In Flanders Fields* was written, as a Canadian national historic site. Some day someone will write about that Canadian national historic site, Flanders Fields. Some day someone will write about the recognition of D-Day, the beaches of Normandy and Juno Beach as part of our history.

As a result of these amendments which protect and enshrine the concept of Canadian content in the law and which have forced the Americans to the international table on the issue of content for the first time in history, I hope we will continue to have the opportunity to share the very important stories of our grandparents with our children.

I believe that this legislation is good legislation. I believe the support of all sides of the House will help us to move the benchmark forward and be the first country in the world which has brought the Americans to the table on the question of content and won. I am very proud of this legislation and I hope and believe that all members of the House will see the benefit and value of Bill C-55 in its amended form.

Mr. Inky Mark (Dauphin—Swan River, Ref.): Mr. Speaker, I am pleased to take part in the debate on Bill C-55. We all know it has been a long haul since the bill was introduced in the House.

I agree with the PC member who raised a point of order that there is no doubt that the intent of this bill has changed substantially. Let me say at this time that the Reform Party will not support the amendments as they have been presented to the House.

Let me propose an amendment to the motion:

> 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 the House disagrees with the amendments made by the Senate to Bill C-55, an act respecting advertising services supplied by foreign periodical publishers, since the amendments allow the bill to continue placing unreasonable limits on fundamental freedoms such as freedom of contract, freedom of speech, freedom of the press and the infringement on property rights as guaranteed in the Charter of Rights and Freedoms and the Canadian Bill of Rights''.

Having listened to the minister of heritage—

The Deputy Speaker: I am trying to be helpful here. The hon. member wishes to move an amendment. If he moves it now, he will terminate his speech immediately. You do not move an amendment in the middle of a speech. Does the hon. member wish to hold off and move his amendment at the conclusion of his remarks? I sense he wants to go on and I sense he has made a very brief speech. I am trying to be fair.

● (1600)

Mr. Mauril Bélanger: Mr. Speaker, I rise on a point of order. Is this an amendment that is receivable?

The Deputy Speaker: The hon. member for Dauphin—Swan River appears to want to continue his remarks, having posed an amendment. I have not put the amendment to the House and I am

prepared to refrain from doing so until later when it might be moved when he has concluded his remarks. I think that would be fairer. Otherwise, I will review the matter from the procedural perspective and make a ruling. However, if I put the question to the House at the moment, the hon. member will lose his right to speak. Which does he prefer?

Mr. Inky Mark: Mr. Speaker, I appreciate your guidance. I did make an error in presenting the subamendment at this time. I will certainly continue to debate the amendments from the Senate.

We heard the heritage minister indicate that there may have been a victory on this bill, a rather shallow victory, if it is a victory over the trade war; win, lose or draw or wherever we are. Let us not forget that Bill C-55, with the amendments attached, is really about trade. As I have indicated all along, the bill really belongs to the Minister of International Trade and not to the Minister of Canadian Heritage.

I would remind the government that with our current status with the United States, almost 85% of everything we produce heads south. Our economy is closely linked with the economy of the United States. I am sure our loonie would not be where it is if it had not for the vibrant economy of the United States.

I would just remind the House that it was Reform that stood up for Canadian jobs because we were concerned about a potential trade war. It was Reform that stood up for the steel workers of Hamilton and Sault Ste. Marie. We are the ones in the Chamber who defended the jobs in the labour industry, the agricultural industry as well as the plastics industry in the country. We defended the jobs of the textile workers in Montreal.

We know, as Canadians, that we are different from our neighbours to the south. We speak differently. We have a Canadian accent. We say things in a Canadian manner. Our culture is very different. We are much more receptive to other cultures. We are a very diverse country. We are different from Americans, and Canadians know that. Legislation is not going to make us any more different than we already are. We know that we have a rich culture and that we will celebrate that.

At this time, I would like to state for the record that Canadians do read Canadian magazines and they prefer to buy magazines that are Canadian. Even though the publishing association said that 80% of magazines on the stands are foreign magazines, they also said that 50% of magazines purchased in Canada are foreign.

The latest numbers on readership, taking into account controlled circulation, magazines distributed via bulk delivery, including newspapers, show that only 4.9% of magazines read in Canada are bought off the stands, which is a pretty small number; 35.7% of magazines read are received by paid subscription; and 59.4% of magazines read are received by controlled circulation. In other words, 75% of all magazines read or received by controlled circulation and 94% of these are Canadian owned. Why are we so concerned that Canadians are not reading magazines produced in this country?

I would like the House to hear what other people are saying about this magazine bill.

● (1605)

As I said at the beginning, this bill has run a long time. We have probably been at this bill for over 12 months. It has certainly developed a life of its own.

I will quote a fairly recent article in the May 26 edition of the *National Post* by Jonathon Gatehouse. He states:

> Less than a month after the bill was introduced, Gordon Griffin, the American Ambassador to Canada, warned a blue-chip business luncheon in Ottawa that the provocation would not go unnoticed south of the border, calling C-55 ''faulty public policy'' and spoke openly about a possible trade war.

As we have experienced, this potential trade war has created this amendment that we are dealing with today in the House. In fact, that same newspaper article states:

> The Knives are out and as one senior Liberal told the National Post last week, many in cabinet blame Ms. Copps for almost dragging Canada into the worst trade war in memory with her ill-timed rhetoric.
>
> ''Keeping on message has been a constant problem'', said the source. ''Every time Sheila would come forward and say something particularly strident, the U.S. would fluff out their feathers''.

I will quote another article in the May 26 edition of the Toronto *Star* written by Valerie Lawton. She states:

> Split-run publishers who opt for that route, however would have to go through an investment review process run by Canadian Heritage.
>
> Ultimate power to say yes or no to proposals would rest with the heritage minister.

The *Globe and Mail* of May 26, in an article by Heather Scofield and Shawn McCarthy, states:

> Heritage Minister Sheila Copps and International Trade Minister Sergio Marchi—who have often been at odds in recent months over how far the government could go to meet U.S. demands—are expected to argue the deal does not sacrifice the domestic magazine industry even as it averts a trade war that would have slashed access to the U.S. market for key industrial products such as steel and textiles.

The article goes on to state:

> The agreement provides significant less protection for the Canadian magazine than Ms. Copps originally had promised. The Heritage Minister will attempt to save face by announcing the government's plan to shift responsibility to her department for screening all foreign investment in Canadian cultural industries government sources say.

That did happen in the week following.

The *National Post* article of May 26, written by Giles Gherson, states:

> But a senior magazine-industry representative bitterly complains: ''I can't believe the ignominy of the complete and utter cave-in by the Canadian government. They've just capitulated''. This representative said that the Canadian content win by Ottawa is

meaningless since few U.S. magazines will want more than 18% Canadian ads, making Canadian content a non-issue.

Only two weeks ago, Sheila Copps, the Heritage Minister, was adamant that this so-called de minimis exemption would be restricted to split-runs with no more than a single digit amount of Canadian advertising—in other words 9% ceiling.

As we know, that has ballooned to 18% over three years.

I will continue the quote:

In the end, the feisty combative Heritage Minister settled on an exemption large enough to drive a pick-up through. Crying sellout, the Canadian magazine industry is privately livid at the Chrétien government's backsliding.

On May 27 in the Toronto *Star*, in another article by Valerie Lawton, she states:

But plans for a subsidy package to help ease the new pressure on Canadian magazines still haven't been worked out. Copps said she didn't know how much money will be available.

We still do not know how much this deal will cost Canadian taxpayers.

The article goes on to state:

He predicted that even with subsidies—which the industry has long said it never wanted to be dependent on—some magazines will die.

We know that statistically even with the subsidization that is currently occurring, one-third of English published magazines are not viable and up to one-quarter of the French magazines are also not viable.

I continue to quote the article. It states:

Copps said repeatedly that Canada had won an important concession from the Americans—that for the first time the U.S. has recognized Canada's right to protect and promote Canadian content in magazines. But the US suggested it had done nothing of the kind. This issue has nothing to do with culture. It was simply a matter of ensuring competition, said a senior trade official. The issue is one of commerce. . . The key issue here has to be access to a market.

● (1610)

This essentially is what the amendment does to Bill C-55. It gives access. It is about trade. The Reform Party has always taken the position that Bill C-55 is really a trade bill and not a bill that should come from the Canadian heritage department.

In an editorial in the Ottawa *Sun* on May 27, it stated:

Poor Sheila Copps won't be allowed to lead the charge into a ludicrous and—

The Deputy Speaker: The hon. member for Dauphin—Swan River knows very well that he must refer to members of this House by their title or their constituency name. I am sure he meant the hon. heritage minister in his remarks. I know he will want to use that expression in any future reference to the hon. minister.

Mr. Inky Mark: Mr. Speaker, I certainly will comply. My apologies to the heritage minister. I will refer to her as the heritage minister, even though I am quoting from a magazine article.

An article in the May 27 Toronto *Star*, written by Rosemary Speirs, states:

In mitigation, (the heritage minister) is offering government subsidies. The publishers had argued fiercely for a chance to survive on their own—not on capricious government grants. Now they'll have little choice but to accept an unwanted federal largesse.

Yesterday, (the heritage minister) fought the perception that she'd lost in cabinet. But in the last couple of weeks, (the heritage minister) was sidelined while (the international trade minister) and (the Prime Minister's) principal secretary, Eddie Goldenberg, handled final negotiations.

It is quite obvious from the magazine articles that I have quoted from that it was the trade minister who came to the rescue to make sure that this country would not end up in a potential trade war with the United States.

An article in the May 27 *Globe and Mail*, written by Shawn McCarthy, states:

The American side not only objected to the magazine legislation but saw (the heritage minister) as the leader of an international effort to include cultural protections in trade deals and blunt the growing U.S. dominance of global media and entertainment industries.

Although (the heritage minister's) anti-American bravura might have political appeal and cultural nationalism remains a hot-bottom Liberal issue, neither was worth a trade war that would hit steel, apparel, wood and plastic producers—and sour a commercial relationship that often depends on the goodwill of Canadians' giant neighbour.

(The heritage minister), unhappy about the government's compromise, left the damage control to the Prime Minister's Office, International Trade Officials and the Canadian Embassy in Washington.

Relations between (the heritage minister) and (the international trade minister) deteriorated to the point that their respective staffs engaged in public slanging matches though not by name, (the international trade minister) would sign anything just to avoid a fight with the Americans, (the heritage minister's) staff suggested, while trade officials characterized (the heritage minister) as erratic and irrational.

I will continue on with what people have said over the last several weeks about the current Bill C-55.

An article written by Valerie Lawton in the May 27 Toronto *Star* states:

Trade officials were also frustrated with (the heritage minister), saying she didn't fully appreciate U.S. threats of a trade war.

''I don't know if there would have been anybody's hide to save had there not been some extreme positions put out there'', one trade official said. ''Any sort of seemingly back-tracking on her issues is her own making. She was the one who said some very

strong things at the beginning of the whole issue. It's just a fact that she now has to live with some of the things she said''.

A source close to (the heritage minister) said the minister would have preferred to give U.S. split runs less access to the Canadian advertising market. But he said she'll be satisfied with the deal as long as it follows up with an adequate subsidy package.

● (1615)

We can see that these amendments deal with trade over and over again.

The last article I will quote was an editorial written in the *National Post* on May 27.

Her posturing nationalism and xenophobic fear of English speaking culture Canada shares with the U.S., Britain, Australia and a quarter of the world are philistine absurdities and a national embarrassment. They also amount to unforced folly at a time when, as we have repeatedly warned here, the Americans are looking for a pretext to throws bones to their own native protectionism.

Is this the type of politician we want protecting Canadian culture? Would you even take her advice on what movie to see?

Many people do not agree with the amendments made to this bill because they really do change the intent of the bill.

The Canadian Magazine Publishers Association is led by François de Gaspé Beaubien. To be fair, I know Mr. Beaubien is a gentleman, and I would like to read into the record his opposition point of view. It is not that I agree with what Mr. Beaubien says regarding the amendments but I think his point of view is relevant. As the House knows, Mr. Beaubien and the Reform Party are on opposite sides of the fence, but in this case Reform is in opposition to the amendments as is Mr. Beaubien.

Mr. Beaubien wrote an open letter to the Prime Minister. I will quote the last page of his letter to make sure Mr. Beaubien is on the record in opposition to the amendments to the bill:

First, acceding to the U.S. demand for a so-called de minimis of 20%, give or take a few points, would gut Bill C-55. It would be a straight giveaway of a very significant portion of the Canadian advertising services market without any requirement that the U.S. publishers print one word about Canada. They would simply recycle editorial content from their U.S. editions, capturing incremental profits in Canada with virtually no costs. Giving away this slice of our advertising services market to unfair and insurmountable competition from U.S. publishers would mean the death of Canadian magazines that Canadians want to read.

Second, giving Canadian tax benefits to U.S. publishers who would enjoy this cost-free access to our advertising market is a straight transfer of Canadian taxpayer dollars to further pad the incremental profits of huge U.S. multinationals like Time Warner with absolutely no return to Canada.

The last point I will make on behalf of Mr. Beaubien, whom I disagree with, is he says:

Third, changing Canadian foreign investment rules to allow U.S. publishers to establish their magazines as Canadian publications with unlimited access to Canadian advertising revenues on the basis of a vaguely defined and unenforceable content requirement would be nothing more than the final sellout. Some have tried to claim that the U.S. has made a concession by agreeing to such a requirement. Nothing could be further from the truth. Far from accepting a Canadian content requirement, the U.S. has agreed to. . .legislation or regulation. This gives them free rein to object in future, which they surely would, if Canada tried to make such a requirement stick. This reality would represent the last nail in the coffin of the cultural policy in the magazine sector that has been pursued by successive governments for over three decades.

● (1620)

I read this as an example of objections to the amendments. As this House knows this government went to bat for the publishing industry. Here again we have the publishing industry objecting to the Senate amendments.

Right from the very beginning Bill C-55 had two combatants, the advertising industry and the magazine publishing industry. To be fair to the advertisers, I must for the record state their position in terms of the amendments and their impact on the bill.

The advertising industry has been kept out of the consultation process right from day one. It is certainly not unreasonable to expect problems when governments put together bills without consulting the whole industry. It should not be a surprise that the government has had all kinds of problems with this bill since it was tabled in the House. This alone should send the bill back to the drawing board as I have echoed many times during the debate on Bill C-55.

I will give the position and point of view of the Association of Canadian Advertisers which I believe is only fair at this time. The Association of Canadian Advertisers believes that market conditions should prevail. It is the association's considered view that the Canadian magazine industry would be best served through the disciplines of the market system.

The association does not subscribe to the doom and gloom scenarios of those who argue that the unfettered market is anathema to a vibrant and dynamic Canadian magazine industry. It indicates that one needs only to look at the great success story of the Ontario wine industry following the implementation of the Canada-U.S. Free Trade Agreement.

Remember the dire predictions for the survival of the Canadian wine industry in the face of a flood of cheaper priced wines from the United States. As history has shown to the contrary the wine industry in Ontario has flourished in an unfettered market. Moreover it has become a source of national pride as the industry garners one prestigious national award after another.

Another concern the advertising association has is that there needs to be a framework for acceptable intervention. It is the association's understanding that the government may deem it necessary to intervene in the market on behalf of the Canadian magazine industry on the grounds that the Canadian magazine

industry as a public good merits assistance. Should this be the case, it is its view that such intervention is best accomplished through direct payments to publishers out of general government revenues, preferably based on Canadian content performance milestones.

Support for the Canadian magazine industry should not be borne either directly or indirectly by taxation or subsidy policies that ultimately target Canadian advertisers. We are still waiting to hear how much the subsidy will be on this magazine deal.

Punitive interventions are unacceptable according to the magazine advertisers. Any regulations that restrict advertising dollars to magazines meeting certain Canadian content requirements is also unacceptable to the Association of Canadian Advertisers. This is a dangerous road to go down. It would provide an indirect subsidy to the Canadian magazine industry which would effectively be borne by advertisers rather than the public. Initially it is fundamentally inconsistent with the very basic notion of commercial free speech.

● (1625)

Finally, any such regulations would be inconsistent with the World Trade Organization appellate body ruling and the GATT, 1994.

My belief is that the Association of Canadian Advertisers welcomes any new vehicles through which advertisers can convey their commercial messages. Advertisers need more mechanisms to inform consumers as they become more discerning and sophisticated in their reading and buying habits. This is clearly a void in the Canadian marketplace that is being filled by some U.S. publications. Consumers buy them. In order to effectively reach consumers Canadian advertisers require unrestricted access to those magazines that best deliver their messages. This set of amendments certainly restricts access to the marketplace.

As we are hopefully debating this bill for the last time, we need to review how we got into this mess in the first place. As I have indicated, we have been at this for at least 12 months and we still have not gotten out of it. How did we get here in the first place? For the record I need to talk about some of the background to this legislation.

In 1997 the United States successfully challenged Canada's protectionist magazine regime at the World Trade Organization. The WTO panel found three components of Canada's magazine policies to be illegal under the General Agreement on Tariffs and Trade, GATT, a key trade agreement administered by the WTO. The panel condemned a ban in place since 1965 on imports of magazines with advertising directed at Canadians; a 1995 special excise tax on so-called split-run magazines; and discriminatory postal rates for imported magazines. After Canada appealed the panel's report, the WTO appellate body found a fourth violation, Canada's discriminatory postal subsidy program for Canadian produced magazines.

Effective October 30, 1998 Canada terminated its longstanding ban on split-run imports, eliminated the 1995 special excise tax on split runs and modified its discriminatory postal rates and postal subsidies for magazines. However, Canada introduced Bill C-55 which simply accomplished the same results as the import ban and excise tax and would have kept U.S. and other foreign produced split-run magazines from competing in the Canadian market.

Bill C-55 would have prohibited U.S. and non-Canadian publishing companies and ethnic publications on pain of criminal fine from using the magazines they produce to advertise directly to Canadian readers. Among the four measures the WTO condemned was the compensatory 80% tax imposed by the Canadian government on imported magazines carrying this type of advertising. The tax put U.S. and other imported magazines at a significant commercial disadvantage in comparison to Canadian produced magazines.

Having finally agreed to eliminate the tax on these advertisements, the Canadian government proposed to ban them altogether. Canada will continue in a slightly modified form its postal subsidies for Canadian produced magazines and the United States will monitor closely the effect of that modification.

Beyond everything, Bill C-55, inclusive with the amendments, has shown over and over again a lack of consultation and planning. Even on the issue of subsidizing magazines, basic questions needed to be asked.

In terms of subsidization, should it have been short term? What are the needs of the readers in this country? Were the readers in this country even asked? We are dealing with amendments that have come back from the Senate which has indicated that the intent of the bill has changed substantially and I agree. It basically is a trade bill.

● (1630)

What determines success? The survivability of magazines that are not viable. As hon. members know, we spend considerable funds subsidizing magazines today. What will happen with this set of amendments? We already know that this deal will cost a substantial amount, perhaps up to $300 million will be given to the magazine publishing industry. I raise the question, why are we doing this? How long will this occur? Will the magazine publishing industry continue to receive upward of $300 million from here on in, year in and year out? Again, it will cost taxpayers a lot of money.

There are split-run editions in this country today. As we informed the House months ago, there were ethnic split runs in this country of which the government was not aware. I would like to

inform the House that there are actually national magazines in this country that do split runs in the Canadian marketplace. Again, that is more information that the government probably did not come across.

I would read into the record a letter written by Ruth Kelly, the publisher and editor of the Alberta *Venture Magazine*. Her comments were published in the *Marketing Magazine*. Her letter concerns split runs within her own borders. We are trying to deal with split runs outside our borders, but at the same time we are not even aware that there are split runs in this country.

Her letter reads:

> The pros and cons of Bill C-55 have been strenuously debated in the pages of your magazine, among others. As the publisher and editor of a business magazine that serves a regional audience, I thought long and hard about the ramifications of this legislative firewall. Ultimately, I decided that I could not support Bill C-55. The hypocrisy of a business magazine taking a stance that advocates protectionism for its industry, at the potential expense of others, was untenable for me.
>
> Obviously, Paul Jones, publisher of *Canadian Business* and spokesperson for the Canadian Magazine Publishers Association, has experienced no such qualms. I am not sure how he has reconciled his stance with the free trade gospel so fervently espoused by *Canadian Business* editor Arthur Johnson. That, however, I am willing to leave up to his conscience—and the judgment of his readers.
>
> I am somewhat more curious as to how Jones can speak so persuasively about the evils of split run editions even as he comes into my market and poaches my advertising dollars with nary a hint of guilt.

I emphasize this point:

> For decades, regional magazines have faced the same kind of competitive practices about which Jones moans. Nationals like *Maclean's*, *Canadian Business* and *Chatelaine* create regional editions which are designated as such for the purpose of advertising sales only.

In other words, they are split runs.

> They offer only a token, if at all, amount of editorial coverage to the regions, do not invest in the publishing infrastructure in that region, and do not participate in the cultural or business lives of the regional community. Feel free to correct me if I'm wrong, but I believe that adequately describes the bugaboo of American split run magazines.

She concludes by saying:

> Regional magazines have learned to compete against Canadian split runs by developing strong relationships with our readers and ensuring that advertisers benefit from that relationship. If Jones and his national brethren fear the spectre of competition, I would suggest they give me a call. I would be happy to run a seminar on Competition 101—but it would have to be held in Alberta. Hopefully, most of them know where that is.

● (1635)

That was the letter written by Ruth Kelly, publisher and editor.

The government did not rush in to give regional magazines a subsidy to help fend off the national magazines when they were doing their split runs. Obviously, as this letter shows, our national magazines, which the government has gone to bat for, have done the same thing that they are complaining about, which is that they are being preyed upon by our neighbours to the south, the American split runs. Where is the justice?

The biggest question that has not been answered with all of these changes and amendments is how much this deal will cost the Canadian taxpayer. We have asked the minister in the House the same question, but we have received no answer.

Who will be the beneficiaries and for how long? As I have indicated, the government has gone to bat for the publishing industry, principally two large corporations. We have read in the press that a deal has been made and magazine publishers will receive subsidization. This amendment points to this very fact. How can we support these amendments unless we know the costs associated with them? The government refuses to divulge that information to let the people of the country know what this will cost.

What has been agreed to between the United States and Canada? That is another question we have received very little answer to in this House.

I would like to deal with some of the key points that the government has agreed to with our American counterparts. The key amendments to Bill C-55 include the following key provisions.

Canada agreed to amend Bill C-55 to narrow its scope by exempting foreign-owned magazines that are published in Canada or exported to Canada and carry advertisements directed primarily at the Canadian market within the permissible level.

Initially foreign magazines exported to Canada that carry less than 12% of Canadian ads will not be subject to Bill C-55 penalties. After 18 months the level grows to 15%. After 36 months it will grow to 18%, as we have read in the amendments to the bill.

The terms incorporated in the agreement will provide new opportunities for foreign investment. Very little of this information has been discussed in this House. Effective 90 days after the signing of this agreement Canada will permit up to 51% foreign ownership in the establishment and acquisition of businesses to publish, distribute and sell periodicals, except for the acquisition of Canadian-owned businesses. After one year Canada will permit up to and including 100% foreign ownership. Partnerships of foreign investors with majority Canadian ownership will be permitted.

Investments will continue to be subject to a net benefit review under section 38 of the Investment Canada Act. Under the review, among other things, Canadian investment officials will consider contributions to the Canadian economy, the effect of the investment on competition and compatibility with cultural policies. Publishers may be asked to undertake substantial levels of original editorial content in periodicals published in Canada.

The original editorial content means non-advertising content that is authored by Canadians, including, but not limited to, writers, journalists, illustrators and photographers; or created for the Canadian market and does not appear in any other edition of one or more periodicals published outside Canada.

● (1640)

The question I ask is, who won this contest? Did we win this contest or did our neighbours win the contest? Or was it a draw?

The key tax provisions of concern to U.S. publishers include the following terms, again as impacted by the amendments to this bill. Within one year of the signing of this agreement section 19 of the Income Tax Act will be amended so as to allow advertisers deductions for advertisements in periodicals regardless of the nationality of the publishers or the place of production.

Canada will further amend the Income Tax Act to modify the amount of the allowable deduction in the original editorial content requirement to permit half the deduction of advertising costs for advertisers in publications with zero to 79% original editorial content, and a full deduction of advertising costs for advertisers in publications with 80% or more original editorial content.

Current tax deductions were not available to advertisers if the foreign-owned magazines were published under a licensing agreement with a Canadian. As a result of the agreement, periodicals published under such licensing arrangements will not be excluded under the Income Tax Act.

Another term of reference is that a consultation clause is included in the agreement so that Canada and the United States can consult annually on any matter regarding the agreement.

It is unfortunate that we have not debated the terms of the agreement in the House.

The Reform Party will not support these amendments as they basically deal with trade and not culture. It is unfortunate that governments tend to wrap themselves around a flag and try to sell trade issues as culture. Even with the amendments, it would be interesting to see how this amended bill would stand up to a charter challenge.

With all the changes in technology that are currently occurring in the world, governments all have to realize that they need to thoroughly evaluate all of their grants and subsidies. We have heard that the Internet will have a huge impact in the future, not only in terms of culture, but also trade.

I believe that Canadian culture should be promoted, as many people have indicated, and promoted front and centre on all international fronts. Canadians do things well. We know that. We have a great track record. We need to seriously believe that promotion is the way to save our rich and diverse culture. We are not Americans. We are Canadians and we should not give in to protectionism which costs taxpayers dearly.

I move:

That the motion by 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 the House disagrees with the amendments made by the Senate to Bill C-55, an act respecting advertising services supplied by foreign periodical publishers, since the amendments allow the bill to continue placing unreasonable limits on fundamental freedoms such as freedom of contract, freedom of speech, freedom of the press and the infringement on property rights as guaranteed in the Charter of Rights and Freedoms and the Canadian Bill of Rights''.

● (1645)

[*Translation*]

The Deputy Speaker: The debate is now on the amendment.

Before we resume debate, it is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Winnipeg North Centre, health care; the hon. member for Mississauga South, human resources development; the hon. member for Yorkton—Melville, agriculture; the hon. member for Bras d'Or—Cape Breton, employment insurance.

Mr. Maurice Dumas (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to speak to Bill C-55, an act respecting advertising services supplied by foreign periodical publishers.

This bill was originally introduced by the Minister of Canadian Heritage for the purpose of limiting access to Canada's advertising market to Canadian magazines only. Unfortunately, as we see, the Canadian government has given in to pressure from the United States. In effect, it has decided to open the domestic advertising market to foreign publishers by authorizing them to publish in Canada.

The Bloc Quebecois believes that by giving in to the Americans like this the federal government is giving them ammunition in their fight to reduce cultural protection measures. In fact, the Canadian government's concessions with respect to magazines are merely the latest in a series of such concessions that began the day after the Liberal government was elected in 1993.

Many in the House will remember the well-known case of Ginn Publishing and Maxwell-Macmillan. Contrary to Canadian cultural policy, cabinet authorized the handover of these Canadian publishing houses to American interests when there were Canadian publishers prepared to buy them.

The CRTC also gave in to the Americans in the case of the country music specialty channel. The Americans had threatened $1

million in reprisals if the CRTC decided to cancel the American station's licence, in accordance with its policy at the time, because a similar Canadian station was already licensed in Canada.

The objective of this CRTC policy was to counteract American broadcasting competition. After the Country Music Network affair the CRTC abandoned the policy.

In the DMX affair the minister also gave in to the Americans. In this case, we will recall, the CRTC gave a broadcasting licence to DMX although it did not meet quotas for Canadian and French language content. The entire artistic community rose up in arms over this.

It is quite obvious that the Americans are nibbling away, and successfully, at the scope of Canada's cultural policies.

We had obtained assurances from the present Minister of Canadian Heritage and from her predecessor that Bills C-103 and C-55 in their original versions would conform on all points with international trade treaty requirements. The ability of the Governments of Canada and Quebec to defend the rights of citizens has been jeopardized considerably by the federal government's errors, not on just one occasion, but two.

• (1650)

It is the Canadian and Quebec governments' ability to adopt cultural protection measures that is being questioned here.

The Bloc Quebecois feels that the periodicals issue is a clear demonstration of Canada's inability to defend its own culture in a bilateral and single-sector negotiation.

Quebec's culture is the focal point of the sovereignist project. Quebec must therefore be at the negotiating table for the coming millennium talks, starting next fall at Seattle, under the auspices of the World Trade Organization.

The Bloc Quebecois is opposed to this bill. It is vital, before explaining the reasons for this opposition, to speak to the procedure followed in this matter for the benefit of those watching.

The federal government simply improvised in this most important matter. Bill C-55 was intended to keep the advertising market exclusively for Canadian magazine publishers.

As usual, the bill was sent to the Senate for ratification, but there the usual procedure came to a halt.

The Minister of Canadian Heritage, the senators and the witnesses who appeared before the Senate Standing Committee on Transport and Communications debated the bill, which limited access to the advertising market to Canadian publishers only.

There was an unusual occurrence in this matter. In fact, on the last day of hearings by the Senate committee, the Minister of Canadian Heritage tabled amendments to reflect the agreement she had negotiated with the Americans. The result: the Liberal majority passed Bill C-55 in its amended form, which now gives foreign publishers access to the domestic advertising market.

Today, before this House, the government is asking us to ratify its legislation. Clearly, no committee was in a position to evaluate the impact of the amendments the minister made to the bill. No witness was heard on these amendments, which give foreign publishers access to Canada's advertising market.

It is fairly unusual, indeed surprising, to have the Minister of Canadian Heritage table these amendments in the Senate. The House of Commons has always been the place for Quebecers and Canadians to debate legislation. The members comply with the rules. How did the Minister of Canadian Heritage dare to circumvent these rules and the spirit of this House?

I cannot support this bill when I have not heard witnesses speak to the measures the government brought to the Standing Committee on Canadian Heritage. This is an unprecedented and unacceptable improvisation on its part. It would be more reassuring if the improvisation were left to the Ligue nationale d'improvisation, a Quebec cultural invention that enjoys worldwide success.

Order must be established so that the government will comply with the rules of the House of Commons. Cultural legislation will have a bearing on Quebec and Canada's cultural future.

The main purpose of the bill was to limit advertising revenue to Canadian magazine publishers only. This measure was introduced last October in place of Bill C-103, which the World Trade Organization considered incompatible with Canada's international commitments proposed by the previous Liberal government.

It is important to remember that, at the time, the government told anyone who would listen that its bill was consistent with our international commitments. Unfortunately, that was not the case. The federal government was proven very wrong indeed.

The Minister of Canadian Heritage said that the original bill was consistent with the government's commitments. She claimed that it was still consistent with WTO and NAFTA rules. Why did the minister decide to give in and open the publishing market to foreign magazines?

• (1655)

A number of questions come to mind. Did she have doubts about her ability to convince a NAFTA dispute tribunal? If so, why did she then introduce Bill C-55 in its original format? And, if she was certain of winning, why did she cave in?

The bill that has come back to us from the Senate is very different from the one it received. It unfortunately opens the door to foreign publishers interested in the domestic advertising market. Foreign publishers who decide to publish their magazines in Canada, by recycling editorial content, will be able to sell up to 18% of their advertising space to Canadian advertisers.

The bill then allows U.S. publishers to set up shop in Canada, provided their investment application is approved by the Minister of Canadian Heritage. If they publish 50% or more Canadian content, these U.S. publishers, like Canadian magazine publishers, will be able to grant Canadian advertisers tax breaks.

The amendments water down the rules limiting foreign ownership in the magazine industry. Now a Canadian magazine could be 49% foreign owned.

Representatives of the Magazine Association of Canada have expressed their disappointment with this agreement between Canada and the United States. They expressed it as follows, and I quote ''In our opinion, the agreement puts the magazine industry at risk by allowing American magazines to take over an unacceptable proportion of the Canadian advertising services market through unfairly lowered advertising rates''.

These concessions are unacceptable. The Bloc Quebecois cannot support the bill.

In an interview given to the *Globe and Mail*—and I repeat the quote given by my colleague from the Reform Party—François de Gaspé Beaubien said that the United States has 19 women's magazines, containing 19,000 pages of advertising. If these foreign publishers sold 18% of their magazine pages in Canada, they could sell 3,400 pages.

The principal Canadian magazines for women, however, contain a total of 4,800 pages of advertising. That means that 18% of the pages set aside for advertising by the United States represent 63% of the pages of advertising in Canadian magazines.

The threat is serious. Some have estimated that the Americans could go after some 50% of all advertising revenues in Canada, approximately $300 million, with the authorization given them to sell 18% of their advertising pages to Canadian advertisers.

The Bloc would like to know what resources will be allocated to administer the new proposed rules.

At this point we know very little of the support measures. What form will they take? How much money will be spent on them? Where will this money come from? Will programs be set or proportional to the loss incurred by the Canadian publishers? Will they be adaptable if, in the coming decade, the proportion of revenues taken away from Canadian publishers by foreign publishers turns out to be greater than expected? Will there be one office responsible for ensuring that foreign publishers in fact meet their quotas? Will there be resources allocated to ensure that foreign publishers authorized to set up in Canada meet the conditions for setting up on the Canadian market, namely that of publishing over 50% of Canadian editorial content?

However, quite apart from the publishing industry, the minister, in negotiating this agreement with the Americans, though she was convinced she was in compliance with all the international trade agreements, simply reinforced the Americans' habit of challenging our existing and future cultural measures.

• (1700)

How, then, will the Americans react the next time a government, generally the Government of Canada or Quebec, takes some step to protect the development of its culture when we have already backed down in one area in which we felt we were right? Do the Americans just have to raise their voices a bit to scare us, to make us backtrack, to make us not apply our cultural measures?

Multilateral and multisectorial negotiations will be starting this fall, under the auspices of the World Trade Organization, in Seattle. If Canada has given in on such an important issue, what will it do in the WTO negotiations?

Incidentally, we no longer know what the government's position will be on the place culture will take in international trade agreements. Does Canada favour a general cultural exception clause, defined by us, as it did at the time of the MAI? Or does it intend to initiate negotiations on culture in some context other than the WTO?

The Bloc Quebecois is concerned. We would like to see Quebecers at the international negotiating tables representing our interests.

We are seriously wondering, if Canada is not capable of defending its own cultural measures, what will become of ours, particularly our Charte de la langue française?

Quebec must be at the WTO negotiating table. This is only common sense.

[*English*]

Ms. Wendy Lill (Dartmouth, NDP): Madam Speaker, it is my pleasure to speak to the Senate amendments to Bill C-55, an act respecting advertising services supplied by foreign periodical publishers.

I have been on my feet many times over the last year on this bill. I have been asking questions, making statements and following it

very closely. This is kind of the 11th hour on this debate and I will try to say some things that mean something to me at this time.

I am very concerned about the direction the bill has taken. I will speak personally as a new rookie MP. I have watched the bill with great interest from its inception around a year ago. I remember watching a press conference on television. The ministers of heritage and industry were tanned and confident as they talked about this wonderful bill which had been crafted, which was WTO-proof, dragon-proof and was going to be able to defend us in the big, wide world of mega-magazines and split runs and all of that.

We all felt good about that in our hearts. We thought it sounded good. It sounded like a net benefit to Canadian culture, as we see so much stuff coming across our border that is not Canadian.

The New Democratic Party and I gave our cautious consent because there were things in it that we did not really agree with. We would have liked to have seen it go further, but we did believe in the spirit of it. We believed that it was an effort to say that we can work within the trade agreements and protect our culture at the same time.

We are now a year down the line. The bill that was put forward that day was digested and picked over by all of us. I will talk about some of the contents of the Canadian-made Bill C-55 just for the record. It is no longer there, but these are some of the ideas we were supporting.

● (1705)

Bill C-55 was to make it an offence to provide Canadian advertising services aimed at the Canadian market to be placed in foreign periodical publications, except for those currently receiving Canadian advertising. For people who do not understand anything about this business and are probably sick to death of hearing about it without understanding it, the whole basis of this is that there is a certain amount of money out there for magazines to use to create their product. It is the Canadian advertising industry which Canadian magazines are dependent on for their survival, along with government subsidies and the enormous support they get from the people who buy the magazines.

The bill is all about advertising. It is about trying to protect this pool of advertising, this amount of moneys that is available to support our industry, our writers, our editors, our publishers, our photographers and all of the people who want to read our stories. That was the intent of Bill C-55 that sunny day many months ago.

There was an offence, which would have been enforceable by Canadian law, after an investigation was ordered by the Minister of Canadian Heritage. This would have happened if foreign periodical publications used Canadian advertising. The penalties would have ranged from the maximum of $20,000 for an individual's first offence on a summary conviction, to $250,000 for a corporate offender on indictment. Offences that took place outside of Canada by foreign individuals or corporations would have been deemed to have taken place in Canada for the purposes of enforcement of the act.

I am using the past tense because this is no longer the bill that we are talking about.

The government would have collected unpaid fines levied upon conviction in the same manner as a civil judgment. The cabinet would have made regulations relating to the investigators, the conduct of the investigations and the definition of the Canadian market.

The whole bill was based on the fact that we were going to protect the Canadian advertising market for Canadian magazines. The minister of culture had her dukes up. She was ready to fight. She was ready to stand up to the American bully. We heard this over and over.

Before I go on, I will say that I like American magazines. I do not want to say that they have no place in this constellation. I like them a great deal and I have tremendous admiration for American writers. I like a whole lot about the United States and its talent and its spirit. A lot of its talent and spirit managed to manifest itself in this deal but it was not to our benefit. It was to the American's benefit.

It is not the talent and spirit of the Americans that I do not like, it is the velocity and the volume of the American product that just overwhelms our shores. I think that Bill C-55 was an 11th hour effort to protect the Canadian magazine industry from being swamped by thousands of shiny, glossy, sexy American magazines which we see row by row, bicep by bicep, cleavage by cleavage in our airport bookstores and in chains of American bookstores, which we now have all over our country.

What we were hoping was going to happen was that we would have some control over this wave, which was what the Canadian version of Bill C-55 was all about.

However, what we have seen is a complete collapse of the government's will to stand up to the American bully in the final analysis. In one of my first experiences as a rookie MP, it was a very sad day when I heard that the deal, which we had taken through the House in a democratic process, had collapsed.

● (1710)

When I look around the room, I see others who might feel the same; that we were doing some good work in terms of looking at this legislation and really trying to make some amendments to make it as good as it could be. We voted on Bill C-55 and sent it to the Senate.

What I was not aware of was that the democratic bills in the House of Commons go somewhere else. They go to Washington where they are really worked on. That was quite a shock to me. I

think it would shock most Canadians to realize that there is actually a four stage journey or maybe five. It goes from the House to the Senate, from the Senate to the United States, back to the Senate and then it comes back to the House to be rammed through.

The bill that has come back here, which went to the Senate from the United States in the last couple of weeks, is a very different bill. It is one which I will run through right now and then tell the House what it means to the people in the magazine industry, to the people who like to read Canadian magazines and to the cultural workers in the country.

The made-in-America deal, which has just been penned and signed, commits Canada to amend our foreign investment policy so it falls under section 38 of the Investment Canada Act, allowing for the cabinet to regulate and prescribe what and how much foreign ownership Americans can have in our industry. The agreement also forces Canada to allow for increased ownership, up to 51% after 90 days, and up to 100% within a year.

The new made-in-America Bill C-55 also commits Canada to change the Income Tax Act to allow advertisers to receive deductions for placing ads in American publications aimed at the Canadian market.

The new made-in-America Bill C-55 contains a ''without prejudice'' section to diminish the agreement's ability to set a precedent under the WTO, NAFTA, Investment Canada Act or under Bill C-55.

One of the central issues that I am concerned about is that this deal sets out the surrender of our market by prescribing the formula to allow for American split runs to invade our market with a total of 12% of total Canadian ad content immediately, rising to 18% within 36 months.

The tax act shall also be amended to allow for one-half deductions in magazines with up to 79% original content and 100% for publications with more than 80% original editorial content.

The definition of Canadian content at this point in time is one that I am extremely concerned about because it has now metamorphosed into a completely different meaning than the one we all knew it to be, and that is one of being material written by Canadians or having some involvement by Canadians. One of the questions I asked the minister today in the House of Commons dealt the issue of Canadian content.

The new wording for Canadian content means that as long as it is original to a split-run magazine in Canada then it is considered Canadian content. It no longer has to be written or published by a Canadian or have a Canadian theme. Nothing like that is important any more, as long as it is created originally for the Canadian market and has not appeared in another edition in Canada. The idea of Canadian content is watered down so significantly that I fear very much the precedent it is setting for all of the other Canadian cultural industries which are also very much dependent on the idea of Canadian content.

● (1715)

I would like to mention right now some of the impact this is going to have on our industry. We have over 900,000 Canadian workers in culture. This is a 1997 UNESCO figure. We have a responsibility in the House to protect these workers along with the idea of Canadian content.

We were told by the government that we had a chance to stand up to the American entertainment monolith. We had a chance to defend this at the WTO but we did not do that. We did not use our cultural exemption contained in NAFTA. We ignored our own legal advice regarding Bill C-55 being WTO proof. We basically showed the Americans that we had no interest in protecting culture. I think that is coming right down to the bottom line.

We have simply said ''It is all right, this is just one more product we will negotiate with you and we will in fact give in to you''. The only lesson the Americans have learned here is that if they threaten a trade war with the Canadians, do not worry because the Canadians will surrender.

By refusing to use the existing trade rules to protect our magazines we are saying we will allow the Americans to make up international rules as they go along. It is therefore only a matter of time before American interests go after Canadian content on television, ownership levels in our broadcasting industry, support for our book publishing industry, support for our feature films and so on.

The creation of this new fund, which is going to be a fund to augment the deathblow to the Canadian industry, is suspect. This government reduced direct cultural support by over $500 million between 1993 and 1998. That is in the official estimates. Any new fund will not necessarily restore money and there is no indication at this point where the money is coming from.

In closing, I would like to read into the record a motion that I was going to put forward. It is interesting that the Reform member put forward a motion which said the new made in America Bill C-55 did not go nearly far enough. I was going to put another motion forward. I will read it into the record.

The motion we would have moved would have been:

> That the motion be amended by deleting all the words following ''That'' and substituting the following:
>
> —a Message be sent to the Senate to acquaint Their Honours that this House disagrees with the amendments made by the Senate to Bill C-55, an act respecting advertising services supplied by foreign periodical publishers, for the following reasons:

> The Senate amendments subvert the intent of Bill C-55 to protect the Canadian periodical industry in the face of American based split-run magazine editions and actually threaten the future of the Canadian periodical industry by
>
> (a) granting a substantial amount of Canadian advertising services to foreign periodical publications aimed solely at the Canadian market;
>
> (b) giving incentives to new foreign periodical publications to be created and aimed at the Canadian market that were not foreseen or discussed by the Standing Committee on Canadian Heritage in their study of the bill;
>
> (c) granting sweeping powers to the Governor in Council to define revenue levels and determine Canadian content especially but not exclusively in section 20 of the bill.

In closing, we believe that American made Bill C-55 is a craven bill and a tragedy for Canadian culture.

● (1720)

Mrs. Michelle Dockrill (Bras d'Or—Cape Breton, NDP): Madam Speaker, on behalf of the New Democratic Party, I commend my colleague from Dartmouth for her tireless efforts and hard work in doing what unfortunately our heritage minister has been unable to do and that has been to remain committed to maintaining our Canadian culture and heritage. I think that is a real shame.

I was in the House on quite a number of occasions when I heard the minister make reference to this bill. I remember one day specifically she made reference to the fact that she wanted to guarantee that her 10 year old daughter was able to continue to read her magazines.

Similar to the minister I also have a 10 year old daughter. I would like to hope that when my 10 year old daughter picks up a magazine and reads about Canada, that she is reading it from a Canadian perspective and not from the perspective of somebody sitting on a warm beach in Los Angeles. I differ with the minister with respect to wanting to guarantee what type of literature my daughter has access to.

My colleague from Dartmouth talked about the number of concerns she and the New Democratic Party have with respect to Bill C-55. Could she tell us what she feels is the most important issue, or what is the most important thing we as Canadians are losing with respect to Bill C-55?

Ms. Wendy Lill: Madam Speaker, the most important thing that we are losing is our ability to protect our culture. We are losing our ability to keep those Canadian titles in the bookstores, specifically to keep those Canadian titles on the magazine racks.

The Minister of Canadian Heritage will say that there was 100% of advertising revenue and we have given away 18% and that it could have been much worse. If 100 new American split-run magazines come in here and each one of them has 18% of its advertising revenue Canadian, I would say that that valuable pool of Canadian advertising revenue would dry up very quickly.

There will be Canadian magazines out there. There will continue to be Canadian magazines, but there will be fewer of them. Many of them will go under. We will begin to see magazines which purport to be Canadian but in fact are American knockoffs of Canadian magazines that have no heart or soul or particular interest in this place as an experience, as a land to live in and to fight for, but in fact a market in which they can extract more revenue. That is the central tragedy of this bill.

Mr. Mark Muise (West Nova, PC): Madam Speaker, it is with a profound sense of regret that I rise to debate the amendments to Bill C-55 which the government introduced in its attempt to appease American discontent.

Members of this House have explored the merits of Bill C-55 for well over six months. We met with countless individuals who voiced their opinions on how this piece of legislation could help ensure the long term viability of Canada's magazine industry in light of the increased presence of periodicals coming in from our international trading partners. We also heard many dissenting opinions from those who stood to be most adversely affected by the implementation of this piece of legislation. Throughout these deliberations, one thing remained constant: the Minister of Canadian Heritage's supposedly undeterred conviction that Canada must stand up to U.S. pressure by continuing to protect Canada's magazine industry against unfair trading practices associated with U.S. split-run magazines.

We can all recall the minister's impassioned pleas calling upon all Canadians to rally against the bullying tactics of the U.S. and stand up for Canada's magazine industry so that her daughter would have an opportunity to read Canadian stories that are actually written by Canadians.

I must admit that I was even convinced that the minister was sincere in her commitment to protect Canadian culture. Like so many other Canadians, I found out that putting faith in the minister's convictions was indeed a mistake.

● (1725)

Despite serious threats of U.S. retaliation and the subsequent pressure all MPs must have received from concerned constituents, all federal political parties, except the Reform Party, agreed that Canadian culture was indeed worth standing up for. It is ironic that the minister who so vociferously criticized the U.S. bullying tactics during this dispute is the very minister who would succumb to their pressure.

What is now truly unbelievable is the fact that the minister is claiming victory with this agreement with the U.S. when in fact we all know she has effectively sacrificed Canada's magazine industry because she did not believe strongly in Canadian culture. Not only

did the minister tell her own daughter that Canadian culture is worth sacrificing if it means keeping American interests happy, she has sent a message to the rest of Canada that what we once held as sacred in this country has now become just another commodity worth trading in the open market.

[*Translation*]

The decision to support Bill C-55 was not an easy one. We all feared possible reprisals by the Americans against Canadian industries. No one was interested in a war with the Americans.

We nonetheless supported the bill because we thought it was important for us, as an autonomous country, to safeguard our culture.

We are really disturbed to see the federal government abandoning our Canadian publications when, in the past, lawmakers worked so hard to preserve them.

[*English*]

When it became painfully apparent that the government was wavering in its commitment to Bill C-55, representatives of Canada's magazine industry suggested to the federal government that allowing U.S. magazines anything above 10% Canadian advertising without having to produce any Canadian content would seriously imperil a number of Canadian periodicals. Despite this warning the federal government agreed to provide U.S. magazines with 18% free access to Canadian advertising before having to produce any Canadian content.

In light of the government's capitulation on its original commitment to stand by Bill C-55 as passed in the House of Commons, it should not have come as any surprise to our magazine industry that its government would give U.S. interests a major portion of Canada's advertising revenue. Even the government recognizes the huge impact its decision is going to have on our Canadian magazine industry, so much so that it has announced its intention to provide magazines that are most affected with some kind of a subsidy.

No one knows any of the details associated with this subsidy. How much money will be available for our Canadian magazine publishers? Who will qualify for this subsidy? On what basis will the government allocate funds to the industry? How long can our magazine industry depend on having access to this subsidy?

Questions addressed to the minister have resulted in the response that the government is working on it. Basically the government is asking us to trust it. It all comes down to credibility.

I think it is obvious the Minister of Canadian Heritage has lost credibility within her own cabinet. She has certainly lost credibility with Canada's magazine industry. More specifically, she has lost credibility among Canadians across the country. It is plain and simple. The Minister of Canadian Heritage has turned her back on Canada's magazine industry and more specifically on Canadian culture.

I look back to when the minister stood before us in this House and gave impassioned speeches on how we must protect Canadian culture. I find it very difficult to comprehend that this was indeed the same minister who most recently sat before the media to announce that her government had succumbed to U.S. pressure and that she was prepared to sacrifice our Canadian magazine industry to appease U.S. demands. Perhaps I was a little naive.

The Acting Speaker (Ms. Thibeault): I regret to interrupt the hon. member. When the bill is debated again he will have about 14 minutes remaining in his time.

[*Translation*]

It being 5.30 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

● (1730)

[*English*]

HAZARDOUS PRODUCTS ACT

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP) moved that Bill C-482, an act to amend the Hazardous Products Act, be read the second time and referred to a committee.

She said: Madam Speaker, I am very pleased to have the opportunity to present a private member's bill before the Chamber. It is the first opportunity I have had to do so since being elected two years ago, almost to the day. It is the first time I have been successful in winning the lottery and being able to propose a course of action for parliament.

Given that it is my first opportunity, I am pleased that I am able to present a bill today which deals with a matter very close to my heart and of grave concern to members on all sides of the House. It is a matter pertaining to the question of children's health and well-being and the question of ensuring that we work now to ensure that our children are healthy today so that they can contribute to society in the future.

Bill C-482 is designed to introduce changes to the Hazardous Products Act with the specific purpose of safeguarding our children from toxic additives in toys and other children's items.

[*Translation*]

It is a pleasure to introduce a private member's bill that would prohibit the sale of children's toys containing lead, cadmium or phthalate.

[*English*]

We are here today dealing with the matter of children's health. We are also here today dealing with the matter of the fundamental responsibility of our government and, in particular, the fundamental responsibility of the health protection branch.

Over the past number of years we have raised numerous concerns about the very serious question of whether or not this aspect of government is doing its utmost to ensure that the food we eat, the water we drink, the drugs we have to take and the toys we play with are safe beyond a reasonable doubt.

We have raised many concerns about whether or not the health protection branch is fulfilling that fundamental objective. We have also raised many concerns about its apparent readiness to offload that responsibility on to consumers without adequate information and on to industry, which is obviously concerned first and foremost about promoting its products.

We are here once again this evening trying to fill what would appear to be yet another gap in our health protection system created by the government's failure to stand up for children's health.

This is not the first time New Democrats in the House have spoken about toxins in children's products. This is one of the first issues I brought to the attention of the government after being elected to the House and have raised repeatedly since then, particularly as evidence mounted about the dangers to children's health.

About two years ago the member for Acadie—Bathurst introduced a motion that would have required a label so parents could tell which items contained harmful substances. Despite broad support for that motion it was unfortunately defeated by a majority of Liberal members.

The question today is why those members did not want to step in to protect children's health. It used to be that the argument of ignorance could be made. We used to be able to plead ignorance because many did not realize there were toxins in children's products, but for some time now we have become acutely aware of what dangers are in store for children when they play and chew on certain toys and products. We have become acutely aware of three dangerous toxins: lead, cadmium and phthalates, which is a softener used in PVC plastics.

● (1735)

Lead is a well known neurotoxin which scientists have been studying for many years. We know from all the studies that there is no safe level. Cadmium is an even more dangerous neurotoxin. It is also a renal toxin and a carcinogen. Phthalates have been linked in animal testing to liver and kidney damage and to reproductive developmental problems. All these toxins pose a special threat to children and are addressed in the bill.

[*Translation*]

The devastating effects of these substances on children are well documented. With new information and improved testing, we can no longer plead ignorance. There is no excuse for exposing our children to these risks.

This bill would do what the government has not done to date: protect our children.

[*English*]

Rigorous independent science, truly independent science not paid for by any manufacturer, has found that lead and cadmium are so toxic that even low levels can cause irreparable harm to children's intellectual and behavioural development, including attention levels.

Children are quite obviously smaller than adults and what may be a safe level for adults can be too much for a child. Phthalates as well seep or leach out of products when subjected to normal treatment by young children.

I am not just talking about babies or infants. With infants everything goes into the mouth where it is chewed and sucked on. With older children necklaces and other objects get mouthed more as a habit. In this normal mouthing toxins, and phthalates are particularly vulnerable to this, seep or leach out of the product into the saliva and are consumed and absorbed by the body.

As I said, this is not news any more. Health Canada has actually recognized the danger of these substances. In June 1996 it issued a warning about household vinyl mini-blinds out of concern that children would ingest dust as these products broke down in the sun.

In April 1998 there was another warning of children's jewellery that contained a high 1,002 parts per million of lead. In November last year there was another warning of phthalates in children's items. In that same month the European Union authoritative scientific committee on toxicity, ecotoxicity and the environment also warned about phthalates.

There is no secret about toxins, but like virtually any subject there are opposing views. We need only think back to the reams of scientific studies financed by the tobacco industry over the years proving conclusively that there were no links between smoking and cancer.

What do leading children's advocates have to say on this matter? In acknowledging the words and support of some of these organizations, I want to pay a special tribute to individuals and organizations that have been particularly helpful in putting together the

necessary research and proposals which led to the bill before us today.

In particular I acknowledge the work of Greenpeace which has certainly been front and centre of the issue. Members will be fully aware of how many times representatives of that organization brought independent scientific advice and information to members of the Chamber about the toxicity of lead, cadmium and phthalates.

● (1740)

I thank the individuals from Greenpeace who have been so helpful, as well as a number of other organizations that have been particularly concerned about the impact of toxins on children and have been active in raising these matters.

Let me acknowledge the Canadian Institute of Child Health which stated as recently as June 9:

> Given the demonstrated scientific evidence of damaging effects that phthalates, lead and cadmium have on children's health, products which contain these chemicals must be prohibited and/or regulated as is outlined in the proposed amendments to the Hazardous Products Act.

The Learning Disabilities Association of Canada indicated support for the bill or for any initiative on the part of the government to take action to prohibit the sale of any products containing dangerously high levels of cadmium, phthalates and lead.

The Canadian Child Care Federation has written expressing concern for the safety of Canada's children. It said:

> Legislation to protect children from exposure to toxic toys is a necessary first step in providing a safe, healthy environment for our children.

Let me also mention the contribution by the Canadian Association of Physicians for the Environment which expressed support for the legislation and urged us to be vigilant on the matter. I am sure it would like to leave a message with the government to support the bill or take immediate action.

We know the evidence from scientists. We know the concerns from groups involved in ensuring health and well-being for our children. Now it is time for action.

Some people would like us to believe that there are no alternatives, but that is no longer a valid excuse. Alternatives exist. We now know that while 80% of new toys on the market contain plastic, only 4.5% of these use the type containing phthalates. Substitutes are readily available.

Where does all this lead us? It leads us to acting. It leads us to the political will to protect the health and safety of our children. We have a consensus that we want to keep our children as safe as possible. We have the most up to date independent science available and children's advocates telling us that it is time for urgent action. All that remains is for us to act decisively. Is that not why we are here after all?

I want to emphasize to all members that the bill is before the House as a constructive proposal. It is based on the principle of doing no harm. It rejects the notion of allowing products on the market, particularly products that are used and played with by children, on the assumption that they have not been proven to be harmful. We take the view on this side of the House, and I believe members of all parties do the same, that it is incumbent upon us as legislators, as members of the House, to ensure that products which are played with and chewed on by children are safe beyond a reasonable doubt.

That is why I presented to the House a bill which attempts to do just that. Without legislative backup we will continue to muddle along with piecemeal, after the fact voluntary warnings such as the situation last fall when after finally testing selected products Health Canada recognized a danger from phthalates and issued a warning. That warning was so piecemeal and ad hoc that it presented more confusion than actual assistance on this very critical issue.

Other countries have taken action. I do not need to go into great detail about the efforts of Denmark to ban products containing lead or Austria that has banned products containing cadmium. There is a solid record on the international front of countries prepared to say that enough is enough.

● (1745)

It should be noted that even some toy manufacturers have been responsible in many parts of the country and the world for taking action to remove products that contain these toxins and have committed to producing all future toys using reliable and safe alternatives.

Prompt action by our government, as well as protecting children's health, would encourage an opportunity for the fledgling Canadian toy industry to produce safe products that are marketable worldwide to health conscious consumers. Continued inaction risks turning Canada into the dumping ground for the world's supply of toxic toys.

I urge all hon. members to give serious consideration to this bill, to consider it a very constructive proposition for the House, a very realistic way in which we can remove from children any threat of risk pertaining to the very dangerous contact with any kind of toxic carcinogenic material such cadmium, lead and phthalates.

On that note, I look forward to the debate. I look forward to the suggestions and hope that we can move forward.

Ms. Elinor Caplan (Parliamentary Secretary to Minister of Health, Lib.): Mr. Speaker, I appreciate the opportunity to com-

ment on Private Members' Bill C-482, an act to amend the Hazardous Products Act. This bill is intended to limit the allowable limits of lead and cadmium in consumer products and also ban outright the use of phthalates in products likely to be used by children under the age of three.

I would like to digress for a minute to let members know that I am a grandmother. I have four grandchildren, the youngest of whom is just one year old. As all parents and grandparents with young children and grandchildren, I believe it is very important for us to be knowledgeable about these issues and always assure everyone that our priority is the health and safety of Canadian children.

I would like to focus on the issue of phthalates. In recent years several organizations worldwide, including Health Canada, have informed the public of the health risks associated with the use of phthalates in products used by very young children. I would like to take a moment to review some of the action already taken before I speak directly to Bill C-482.

As members of parliament may recall, in November 1998 Health Canada issued a warning to parents and caregivers regarding the use of teethers, soothers and rattles containing phthalates. Industry was asked to immediately stop the production and sale of soft teething rings and rattles made of soft vinyl which included phthalates. The success of this action led to the elimination of a major source of exposure to phthalates for young children in Canada.

For those people watching, phthalates is the chemical included in some but not all soft vinyl products.

Health Canada is currently reviewing industry's response to a voluntary phase-out of phthalates in toys and is examining new scientific information which was not available in 1998.

As with other provisions within the bill concerning lead and cadmium, Bill C-482 provides the government with an enforcement mechanism for controlling the use of phthalates instead of relying on voluntary measures. I want to point out that we believe to this point in time that the voluntary measures have been successful in dealing with an issue of concern for the Government of Canada and of concern for all knowledgeable parents and grandparents as well.

With respect to lead, Health Canada has initiated a lead reduction strategy which will ensure that no lead is added in the manufacture of products for children. As part of the strategy, including not only extensive consultation but also scientific research, it has been determined that the best indicator for determining if lead has been added to a product is to set a maximum level of 65 parts per million on a mass basis. With respect to cadmium, its presence in the environment and in consumer products is not as ubiquitous as it is in the case of lead.

• (1750)

The government could support Bill C-482 if it included the following amendments: one, limit the scope of included products from all products to products intended for use by children; two, change the 15 parts per million total lead to 65 parts per million total lead; three, limit the scope of the phthalate band to teethers, rattles and other toys intended for children under the age of 12 months and likely to be mouthed or chewed by them.

I would like to commend the member for Winnipeg North Centre for her continuing interest in this very important public health issue. I hope that all members of the House will consider the issue carefully and support the amendments to Bill C-482 that I have suggested.

It is my view that it is very important when we have these discussions and debates that we not rely on rhetoric, that we not engage in fearmongering, but that we rely on valid scientific evidence. That is essential if we are to act in the public interest, because our goal, which I believe is the goal of all members of the House, as it is the goal of the Minister of Health, Health Canada and this government, is to protect the health and safety of Canadians, especially the health and safety of Canadian children.

Canada is not alone in the world in its concern about product safety, particularly product safety as it relates to toys, rattles, teethers and the sort of thing that children chew on, but when we draft legislation we want to ensure that legislation will do the job in a way which will protect the interests of all Canadians.

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, I am pleased to take this opportunity on behalf of the people of Surrey Central to speak to Bill C-482.

The private member's bill being proposed by the NDP member of parliament would prohibit the sale, advertisement and importation of consumer products which contain a certain level of lead or cadmium. This bill also seeks to ban toys used by children under the age of three which contain phthalates.

This seems like a fair enough bill and I will support it. The intention, the protection of our children's health, is a noble cause. We commend the hon. member from the NDP for bringing this matter before the House because the government does not and is not going to bring these matters to the floor of the House of Commons.

We know that the government has cut $23 billion from our health care and education systems. While Canadians are trying to protect the health of our children through efforts such as the one we are debating today, the Liberals are working against us. They are balancing the books of our federal government on the backs of taxpayers. They are heavily taxing families with little children. It is a wonder that young families even have the money to purchase these toys which may harm the health of their children.

The health critic for the official opposition over the years has met many times with the Canadian Toy Manufacturers' Association, the Vinyl Council of Canada, Irwin Toys and many other groups and individuals concerned about this matter.

It is indeed a matter of great concern when we hear that toys may contain toxins or dangerous chemicals. We have all seen little children with plastic toys in their mouths or in contact with their skin.

In October 1997 the health protection branch of Health Canada released a report on its investigation into lead and cadmium in certain vinyl toys and other consumer products. The government has done absolutely nothing about establishing guidelines as a result of that report. In fact the Liberal majority on the other side of the House even voted down a private member's bill requiring warning labels to be placed on PVC toys.

The report dismissed the risk posed by lead and cadmium. This was met with charges that the report was a disservice to the Canadian people. The branch has yet to release a report on the risks posed by phthalates which it promised. Canadians are still waiting for the report.

On the other hand, Denmark, Austria and Sweden are countries that have banned phthalates in infant toys. The U.S. government, our neighbour, has told manufacturers to eliminate the use of lead that may be accessible to children.

● (1755)

Canada has no limits on phthalates, lead or cadmium in plastic consumer products. The Liberals are allowing our nation to be an international dumping ground for these toxic, hazardous and dangerous toys, as well as other products.

The Liberals have allowed us to be a dumping ground for terrorists and other violent offenders because they have refused to fix our flawed, broken immigration and refugee system.

The Liberals have caused British Columbia, where I come from, to not only become a dumping ground but a distribution point and a clearing house for child pornography because they have refused to support our laws concerning the possession of child pornography.

The Liberals have also caused British Columbia, particularly the lower mainland area of Vancouver, including my home town of Surrey, to become a dumping ground for international drug dealers and cartels which send bogus refugees to our area to sell drugs to our children or smuggle themselves or drugs into the U.S.

Our solicitor general leaves our RCMP, which has its largest detachment in Surrey, underfunded and understaffed. In Surrey we have only four police officers patrolling the border between the U.S. and Canada. Our police officers must handle problems associated with a major port of entry along with their domestic policing duties.

We are waiting for a review from the solicitor general on our RCMP service, just like we are waiting for a report from the government on the risks posed by phthalates.

On behalf of my constituents I am tempted to support the bill, for no other reason than I can sympathize with the frustration of the NDP member, who sits with me on the health committee, who is trying to do some work and instead gets stonewalled by the Liberal government.

Some Canadians cannot wait for the Liberals. Hepatitis C victims are dying while fighting the Liberal government in court. They cannot wait. The Liberal health minister tried to close the file and ignore the conclusion of a royal commission on tainted blood which recommended compensating every person affected by federally controlled tainted blood.

There have been accusations about the toxic level and the safety of certain toys. The problem is in making sure that we are not hearing spurious representations on the danger of toys. We must be sure that the problem actually exists and is rampant to the extent that we have to take legislative action.

I have heard that some claims are not so accurate. One complaint declared that a child teething on a particular toy was actually at risk from material in the plastic of the toy because of dangerous and hazardous chemicals. I then heard that science proved that the child would have to have the toy in its mouth constantly for years to suffer any bad effects. On the other hand, in the research I have done concerning this bill, one manufacturer maintained that a child would have to have a toy in its mouth for three hours before it would suffer a health hazard.

All parents, and I am also a parent, know that it is easy for a child to have a toy in its mouth for three hours. The toy is even more likely to be in contact with the skin. It is not as though the child has a full time job, goes somewhere and does not have time to put these toys in its mouth.

We need good scientific studies to be accurate about what toys and which chemicals are threatening the health of our children.

We have two sides of the spectrum. The onus is on the accuser to provide evidence of the harmful effect of anything; all of those hazardous chemicals and products that we are talking about.

The accusers need to have strong scientific evidence. Canadians need to see independent, peer reviewed, double-blind studies which clearly conclude that something is harmful.

The health minister should have the health protection branch do the report on phthalates. We cannot rely on the studies performed

by the manufacturers which declare their toys safe. It would be like relying on the fox to mind the chicken coop.

● (1800)

During my research for today's debate I found a toll free telephone number to be used by parents who want to check out the PVC safety of their children's toys. The health minister has shut down that toll free number. The service was only set up to run during the big PVC toy scare of 1997. Now the government acts as it if all went away and nothing happened.

As a result of all the shenanigans—did I say Shawinigans—that I have encountered while preparing for today's debate, I will support the bill on behalf of the parents, the children who are defenceless, and all consumers of plastic products in Surrey Central. My heart goes out to the private member who introduced the bill and fought hard to bring it forth. The weak, arrogant Liberal government has refused to do it.

I know how difficult it is to work with the arrogant, weak Liberal government which has absolutely no vision of where it is going. It is not trying to do anything to protect health and education.

* * *

BUSINESS OF THE HOUSE

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there have been consultations among the House leaders of all parties and I would like to seek consent to put the following motion to the House:

That Bill C-84, an act to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal certain acts that have ceased to have effect, be deemed to have been read a second time, considered in and reported from a committee of the whole, concurred in at report stage and read a third time and passed;

That the House continue to sit between 6.30 p.m. and 8.30 p.m. this day to consider Government Orders and that adjournment proceedings be taken at 8.30 p.m., provided that during that time the Chair shall not receive any quorum calls or dilatory motions; and

That Bill C-82, an act to amend the Criminal Code (impaired driving and related matters), shall be disposed of as follows:

(i) the question shall be put for disposal of the second reading stage after one or two members from each recognized party has spoken for a period of not more than twenty minutes per party;

(ii) after being read a second time, the bill shall be referred to a committee of the whole and it shall be an instruction to the said committee of the whole (a) to amend the bill by deleting section (2) of clause 3 and (b) to permit one Member from the Bloc Quebecois to propose an amendment and to dispose of the said amendment, provided that the committee shall report the bill after not more than fifteen minutes consideration;

(iii) immediately upon being reported from the committee of the whole, the said bill shall be considered at the report stage and at the third reading stage without debate or amendment.

And that any time left between that time and 8.30 p.m. shall be utilized for consideration of Bill C-55.

● (1805)

The Deputy Speaker: Does the hon. government House leader have unanimous consent of the House to propose the motion?

Some hon. members: Agreed.

The Deputy Speaker: I have a question I would like to ask of the government House leader for the assistance of the Chair.

In the debate on second reading of Bill C-82 there will be 20 minutes per party, which presumably could be divided into two 10 minute periods, but there will be no questions or comments on any debate and there will be no 40 minute speeches. Is that correct?

Hon. Don Boudria: Yes, Mr. Speaker.

The Deputy Speaker: I just wanted to clarify that for the House. The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed

(Motion agreed to)

* * *

[*Translation*]

HAZARDOUS PRODUCTS ACT

The House resumed consideration of the motion that Bill C-482, an act to amend the Hazardous Products Act, be read the second time and referred to a committee.

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, I rise today to explain the position of the Bloc Quebecois with respect to Bill C-482, an act to amend the Hazardous Products Act.

I congratulate and thank the member for Winnipeg North Centre for raising this issue once again in this House on behalf of her party. We want to tell her that we support her bill.

This bill is intended to prohibit the advertisement and importation of consumer products that contain a certain level of lead or cadmium, unless they are excluded by regulation. It also bans the advertisement and importation of toys containing phthalates and intended for children under the age of three.

Members will agree with me that we do not hear about phthalates every day, and yet we are probably in contact with them almost daily.

Phthalates are chemical agents representing a family of synthetic compounds used in polyvinyl chloride or vinyl, commonly know as PVCs. For example, we can think of plastic covers, food wrap,

furniture, floor coverings, plastic bottles, knapsacks, raincoats and so on, all seemingly very innocent to us.

What is of concern to us today are the properties of this product used in toys for children to make them more flexible, softer and transparent.

Phthalates are often used in the manufacture of toys intended for newborns, such as pacifiers, teething rings, rattles, and other soft objects intended to be gummed and sucked by babies. Most of these toys for children contain between 10% and 40% phthalates.

The risk to health that these toys pose is easy to understand. Phthalates do not bind to polyvinyl chloride or vinyl, which are the toys basic material. Phthalates remain mobile, in suspension, and may separate from the PVCs. When a child chews on toys, for example, the phthalates may escape. Young children could therefore directly ingest phthlates.

As for cadmium and lead, a Health Canada study released last year concluded, and I quote:

> Both lead and cadmium are toxic substances that are hazardous to the health and safety of children. Lead is especially hazardous to children's health. The latest medical and scientific research has shown that exposure to even very low levels of lead may have harmful effects on the intellectual and behavioural development of infants and young children.

● (1810)

In this same study, Health Canada went on to state that the levels of lead in certain toys far exceeded what they should be. It could well have added, and rightly so, that lead can damage the nervous system. Lead is known to be neurotoxic, and has the capacity to cause permanent, irreversible brain damage.

One might argue that there are regulations on lead, which is true. However these apply only to paint, ceramic or glass products, pencils, crayons and artist brushes. The Canadian government's altruism has led it to regulate paint more stringently than children's toys.

In response to a question from my colleague from Drummond last November 16, the Minister of Health stated here in this House:

> Today as a precautionary measure Health Canada announced as a warning to all parents that they should remove from the home certain objects that are made of vinyl and that are used or designed for use in the mouth of infants and young children. We are co-operating with the Retail Council of Canada to remove those objects from the shelves of stores across the country.

We know that Austria, Sweden and Denmark are much stricter and have already regulated children's products, because they felt that children's health required more than a simple warning from the health department.

There is still more, however. PVC containing lead, cadmium and phthalates is used not only in toys, but also in the manufacture of medical devices. However, we feel that, even though scientists are divided on the real impact of using phthalates, we cannot take risks with the health of Quebecers and Canadians, particularly children.

The government has a responsibility, and that responsibility is not to sidestep the issue and attempt to discredit people concerned about these issues, but to ensure that all the scientific evidence is provided and that medical products and toys are safe.

In 1998, for instance, Health Canada investigated intravenous transfusion and injections bags that gave off phthalates. The department's conclusions were cause for concern. Health Canada has announced that the benefits of the current use of phthalates in transfusion bags outweighed the risks that might be associated with exposure to this product.

This is a far cry from scientific evidence that the product is safe and risk free. Health Canada is merely saying that the risks to health of transfusion bags are not as great as the product's benefits. The benefits would outweigh the risks, but Health Canada admits that risks do exist.

In fact, phthalates used in medical products would be even more toxic than those used in children's toys. According to Health Canada, phthalates used in intravenous transfusion and injection bags would be six times more toxic than those used in toys.

Is it not ironic that in Canada phthalates are labelled as hazardous products when they are to be shipped in barrels, but considered totally harmless and even edible when they are in the mouths of our children or in the veins of our patients? Let us be clear. Phthalates are as harmful in the hospital and in the home as they are in barrels.

While the Liberal government is twiddling its thumbs, the private sector seems to have engaged, although very partially, in a self-regulation process. Baxter International, a major manufacturer of IV bags, is in the process of replacing PVC in its products. Nike, Deutche Telekom, Ikea and LEGO have all adopted plans to gradually reduce the amount of PVC in their products.

● (1815)

The world's largest toy manufacturer, the American company Mattel, is doing the same thing. I refuse to believe that all these companies are taking these measures because phthalates are harmless.

Would these companies, and many others, have scientific evidence that Health Canada does not have? Should we let less scrupulous companies fall through the cracks?

On April 30, 1998 the Liberals used their majority in the House to defeat a motion requiring that manufacturers indicate on the label when toys contain phthalates.

Knowing that young children are a lot more likely to be affected by toxic substances than adults and knowing how lead, cadmium

and phthalates can be hazardous to our health, one can see how the government is being totally irresponsible.

It is high time the government started to take this issue seriously and modernize its legislation on phthalates, lead and cadmium.

With this bill, we are calling on the government to be proactive. It is a government's role and duty when it comes to public health. Will the government wait for tragedies to occur before taking action?

[*English*]

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, I want to commend the member for Winnipeg North Centre. With Bill C-482, an act to amend the Hazardous Products Act, she is telling us that government should always err on the side of caution. That is what this bill is about. We have heard members of the House talk about the present difficulties with high levels of lead, cadmium and phthalates in some of the toys and even medical devices being used in today's society. The member has directed her bill primarily at young children.

When talking about lead and cadmium, we are not talking about a very high exposure having a detrimental effect on children. A very low level of exposure can seriously interrupt intellectual and behavioural development in infants and young children. It is in our best interests that we consider anything within our power in the House to limit the exposure of those products to young children. That is exactly what the bill does.

I want to focus on two or three of the main points in her bill. It would prohibit anyone from advertising, selling or importing the following: any toy, equipment or product made with phthalates that is likely to be used by a child under three years of age in learning or in play; any consumer product that contains more than 15 parts per million weight to weight of lead; and any consumer product that contains more than one part per million weight to weight of cadmium. Again we are talking about very low levels, but enough to harm the intellectual development of a child. It does not take very much to hurt a young child.

I am not sure if it is enough for the member but the government in its generosity at least is looking at some movement on this issue. In somewhat of an unusual move, the parliamentary secretary suggested three amendments to the bill that might entice the government to support it. I want to go through those because they are worth consideration.

● (1820)

The parliamentary secretary mentioned three amendments to the bill. One was to limit the scope of included products from all products to products intended for use by children. Another was to change the 15 parts per million total to 65 parts per million of lead.

It is interesting to note that the European standard for this is 90 parts per million for extractable lead and 75 parts per million for extractable cadmium. The key word is extractable. Many products could contain levels above that, but is that lead extractable from that very product.

Mr. Speaker, I would say you would be high risk because watching you in the chair, I often notice you chewing on that plastic pen, almost devouring it from time to time. It is a habit, Mr. Speaker, you are going to have to break because you are going to exceed the limits.

The key to this whole thing is extractable. I suppose we could say that children would be safe if they did not eat the toys, but who knows. The scientific evidence is not clear enough to determine whether or not that is being extracted and there is no question they are being exposed to high levels.

The third amendment the parliamentary secretary suggested was to limit the scope of the phthalate ban. Phthalate is a plasticizer in layman's terms. It is a product that actually makes plastic pliable. So when you devour those plastic pens, Mr. Speaker, with a little more phthalate in them they would be easier to digest.

We are hoping the member may consider these amendments because they are interesting. And at least it shows some movement on the side of the government.

The suggestion was to limit the scope of the phthalate ban to teethers, rattles and other toys intended for children under the age of 12 months and likely to be mouthed or chewed by children.

The other point which I think is worth mentioning is that the bill would not affect uses of lead and cadmium in industrial products or equipment, or phthalate used in consumer products not designed for children under the age of three, an important distinction. The member's bill also provides for consumer products with lead and cadmium content to be excluded from the bill by regulation so as not to ban legitimate use of products that are unlikely to harm children.

It is a very commendable bill. I encourage the member to work with the government. At the end of the day every one of us on this side of the House can and will support this bill. However, if we do not have the majority of the members in the House and that means the government supporting it, we know what will happen to the bill. The parliamentary secretary has left the door open just a little bit and I am encouraged by that.

I am encouraged by the member's bill. She has put a lot of work into it. As a party we are prepared to support it. I have a little bit of advice for the member. Knowing that a private member's bill can meet sudden death when it comes to opposition by the government, I am hoping that in some way she can pick up these negotiations with the government and find some common ground so that the basis of the bill can be passed by the House.

On the basis of what we see before us now, we are prepared as a party to support it.

The Deputy Speaker: I should advise the House that when the hon. member for Winnipeg North Centre speaks she will close the debate.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I would like to thank all of the members who participated in today's discussion on Bill C-482, in particular the support from the members for Surrey Central, Laval East and New Brunswick Southwest.

● (1825)

I also want to put on record my thanks to the organizations that have been vigilant on this topic. They have performed a valuable public service by raising the concerns around children's health and well-being as it relates to access to toys that contain fairly high levels of cadmium, lead and phthalates. I want to acknowledge the work of the Canadian Institute of Child Health, the Learning Disabilities Association of Canada, Greenpeace, the Canadian Association of Physicians for the Environment, the Canadian Association of Family Resource Programs and the Canadian Child Care Federation.

I listened carefully to the words of the parliamentary secretary. I also listened to the words of advice from the member for New Brunswick Southwest. I will certainly give the amendments serious consideration once I have read them.

At first blush and on hearing the proposed amendments by the parliamentary secretary, I have to express an initial disappointment over the proposals. In my estimation the amendments being proposed drastically gut the purpose of this bill. In fact they allow the government to continue its approach of what I classify as one of inaction, of voluntary regulation, of the waiting for someone to get sick or die approach.

I do not find the suggestions particularly helpful. The reference to changing the levels of lead from 15 to 65 parts per million flies in the face of significant scientific evidence about what is a safe level in terms of toys played with by children. The suggestion of limiting this to children under the age of 12 months and making restrictions in terms of teethers and rattles in my estimation does not take us any further than where we are right now.

I wish one could use props in the House so I could demonstrate just what it means for a child to have access to products that would not fall under the definition as proposed by the parliamentary secretary. I wish I could bring in the backpack which contains 321 parts per million of lead and 654 parts per million of cadmium that would not fall under the minister's definition. The department will tell her that we are not talking about extractable lead.

I wish she could understand that a backpack like that would be out in the hot sun. It could be placed in a hot car. It would always be put in the mouth of a child. I have seen my children do it. I wish I could show the member how my 10 year old son will always put in his mouth the Sega Genesis cable that is part of a toy he plays with which has over 5,000 parts per million of lead.

We are talking about serious incidents of those toxins in toy products that do not but should fall under the minister's definition. We have to adopt a do no harm principle, not allow products on the market and only react if something tragic happens.

The purpose of this bill is to call upon the government to do something far more proactive in the interest of children's health.

I assume from the parliamentary secretary's remarks that she will not support this bill. I urge her to look at it more seriously and to recommend to her government that it be considered in a serious way. I think that Canadians want to see a government play that kind of proactive role.

We are dealing with such a fundamental issue involving the health and well-being of children. Since there is obviously an interest on the part of members in the House and a deep concern from all parties and still a lack of indication from the government that it is willing to act, I seek the unanimous consent of the House to make this bill votable.

The Deputy Speaker: Is there unanimous consent that the bill be made votable?

Some hon. members: Agreed.

Some hon. members: No.

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

GOVERNMENT ORDERS

● (1830)

[*English*]

CRIMINAL CODE

Hon. Diane Marleau (for the Minister of Justice) moved that Bill C-82, an act to amend the Criminal Code (impaired driving and related matters), be read the second time and referred to a committee.

Ms. Eleni Bakopanos (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I

compliment all House leaders for having arrived at a decision to expedite through the House as quickly as possible a very important piece of legislation.

A unanimous report was presented to the House by a committee. This is the first time, in my experience as a parliamentarian, a committee had the opportunity to draft a piece of legislation.

I know I am the parliamentary secretary to the minister, but I compliment the minister and the government for having had the vision to make this bill drafted by parliamentarians of all political parties in the justice committee into government legislation.

I also congratulate all members of the justice committee. I am one of the members, but I want to say that the level of co-operation and collaboration was of very high calibre. I thank all members for their collaboration and co-operation. We worked together to do something which all Canadians wanted us to do. They want us to stop the carnage that is taking place from coast to coast in Canada and to stop what we believe is a scourge on society.

Bill C-82 implements the spirit and the intent of the Standing Committee on Justice and Human Rights as expressed in the draft bill appended to its 21st report entitled ''Toward Eliminating Impaired Driving''. The report was tabled on May 25, 1999 in the House of Commons.

The Minister of Justice tabled Bill C-82 on June 7. Taken as a whole, the bill confirms for the vast majority of Canadians who never drive while impaired the wisdom of their choice. It also sends a very important message that impaired driving is an avoidable criminal act which carries unacceptable risks of injury and death.

If one is convicted of an impaired driving offence, the criminal law consequences will be onerous. When we also consider legal costs, insurance costs and provincial measures, no one should entertain the thought of drinking and driving. For anyone who has not yet figured this out, the introduction of Bill C-82 signals that the time has come for major attitude adjustments.

Since 1981, the year in which impaired driving charges peaked, very significant progress on drinking and driving has occurred through the combined efforts of governments and public and private organizations. I especially single out the hard work of MADD in Canada and congratulate it on the educational role it has played in informing all of us. Families have also had important roles to play as have individuals who have lived this tragedy. This needs to continue and the report of the justice committee reflects that.

Criminal law is an important tool with which a combination of efforts is needed to make further progress on impaired driving. Where the criminal law can be improved, it must be. The measures found in Bill C-82 will assist in the battle against impaired driving. However, it is important to stress that only through a combination of criminal and non-criminal measures will we eradicate impaired driving in Canada.

Canadian Centre for Justice statistics indicate that impaired driving offences have the highest conviction rate of any Criminal Code offence at about 80%. However, as recent surveys by the Traffic Injury Research Foundation have indicated, it takes 200 impaired driving trips to result in one impaired driving charge. Obviously much impaired driving crime goes unreported and undetected.

While the general public believes that the risk of apprehension for impaired driving is relatively high, the hard core impaired drivers by comparison do not share this belief.

● (1835)

Experts in the field warn that impaired driving legislation must be accompanied by other efforts such as public information and increased visibility for police enforcement of impaired driving laws in order for legislative change to have its maximum impact.

While estimates vary, it appears that there were some 1,300 deaths due to impaired driving in 1997. Information from the Traffic Injury Research Foundation study in Ontario suggested impaired drivers comprised 55% of the fatalities from impaired driving.

The Canadian Centre for Justice statistics note that 90% of impaired drivers are male, which is similar to the gender representation in crime generally. Not surprisingly the vast majority of fatally injured impaired drivers are males.

The 1999 report by the Insurance Corporation of British Columbia indicated that in each of the years 1995, 1996 and 1997 more than 80% of the impaired driving deaths in British Columbia were comprised of impaired drivers and their passengers. The remaining fatalities were other road users in motorized vehicles, on bicycles, or on foot.

Across Canada impaired drivers are playing Russian roulette, and they are killing themselves, their passengers and other road users. That is unacceptable to the government and to all members of parliament.

The message in the standing committee's report and in Bill C-82 is that Canadian society will not tolerate impaired driving.

[*Translation*]

Like the bill drafted by the committee, Bill C-82 comprises eight amendments relating to sentences contained in the Criminal Code and one amendment on investigations relating to impaired driving charges.

Together, the changes to sentences strengthen the message that impaired driving will not be tolerated. Bill C-82 increases the

dissuasive powers of penalties, ensuring that impaired driving penalties reflect the serious nature of the offence.

[*English*]

Among its penalty changes Bill C-82 includes changes for two crimes which are sometimes directly related to impaired driving. The first is the offence of leaving the scene of an accident to escape civil or criminal liability. Bill C-82 would amend this provision to add the elements of bodily harm and death, which would increase the gravity of the offence. That in turn should signal to the courts that more severe sentences are required.

The bill that was appended to the standing committee's report on impaired driving had the unfortunate effect of requiring the crown to prove that the offence of leaving the scene caused bodily harm or death. As we now recognize, it is not the leaving that causes the injury or death. It is rather the collision or the crash itself.

The new formulation in Bill C-82 preserves the intent of the committee. Three levels of leaving the scene are created. Each contains different essential elements. Under subsection 252(1.1) a person who leaves the scene of an accident where the damage does not amount to bodily harm or death will be liable where the crown proceeds by indictment to five years imprisonment or to an offence punishable upon summary conviction.

Under subsection (1.2), where the person knows that bodily harm has been caused to another person involved in the accident the offence is indictable and punishable by a maximum of 10 years imprisonment.

Subsection (1.3) in part reads:

> (a) the person knows that another person involved in the accident is dead; or
>
> (b) the person knows that bodily harm has been caused to another person involved in the accident and is reckless as to whether the death of that other person results from that bodily harm, and the death of that other person so results.

The maximum penalty under Bill C-82 is life imprisonment. To the extent that penalties can discourage those who might leave an accident in order to evade getting caught for impaired driving, the changes to the offence of leaving the scene will send the message that running away from a collision where someone is injured or killed is egregious behaviour that carries a serious penalty.

Driving while disqualified is the other offence that is sometimes related to impaired driving. The original disqualification could be in relation to an impaired driving offence and sometimes the person driving while disqualified is also driving while impaired.

The driving while disqualified offence is found in subsection 259(4) of the Criminal Code. At present the maximum penalty is two years imprisonment.

● (1840)

Bill C-82 follows the committee's recommendation in raising the maximum penalty to five years imprisonment. This will allow judges to deal more severely with the worst offenders and the worst circumstances. It will be an incentive to persons who are disqualified from driving to abide by that disqualification, including those who were originally disqualified for an impaired driving offence.

The remaining six penalty changes in Bill C-82 would amend the impaired driving provisions of the Criminal Code. Prior to 1985 in a drinking and driving case where there was a death the crown had to prosecute under the criminal negligence causing death or the manslaughter provisions of the code. In both cases the maximum penalty is life imprisonment.

In 1985 parliament added the offences of impaired driving causing bodily harm and impaired driving causing death to the Criminal Code, with maximum penalties of 14 years imprisonment where the result is death and 10 years imprisonment where bodily harm is caused.

Bill C-82 would raise the maximum penalty in subsection 255(3) for impaired driving causing death from 14 years imprisonment to life imprisonment. This provision has become quite controversial. It is the government's intention to deal immediately with those parts of Bill C-82 that did not arouse controversy and to place this controversial provision in a future bill. There has been all party agreement to that effect.

[*Translation*]

The minimum fine for a first impaired driving offence, that is, for driving with a blood alcohol level in excess of 80 mg, or refusing to provide a sample, would increase from $300 to $600. The minimum fine was raised from $50 to $300 back in 1985. It is therefore quite acceptable for this bill to increase it. There was a consensus on this by all members of the committee.

[*English*]

Bill C-82 will add a new provision after section 255 to specify that a judge must consider evidence of a blood alcohol concentration that exceeds 80 milligrams as an aggravating factor when sentencing for criminal offences dealing with impaired driving.

This provision will codify what many sentencing judges already do in practice, but it will bring uniformity in setting the point at which a sentencing judge looks at a BAC as an aggravating factor. This is a key aspect of the message that impaired driving will not be tolerated.

Another strong message is being sent by Bill C-82 to impaired drivers. If convicted of an impaired driving offence, whether it be driving while impaired, driving with a BAC that exceeds 80 milligrams, or refusing to provide a breath or blood sample, the person will be prohibited from driving anywhere in Canada.

The bill raised the present minimum driving prohibition on the first conviction from three months and makes it a one year minimum. The maximum prohibition on the first offence will remain three years.

On the first conviction only there will be a possibility to replace part of the driving prohibition, where a provincial program for an ignition interlock device exists, with the use of an ignition interlock device by the offender, something that does exist in the province I represent, Quebec. The device would render a vehicle inoperable unless the breath sample on the vehicle mounted testing device gave a pass reading.

On a second conviction Bill C-82 raises the minimum driving prohibition from six months to two years, with the maximum being raised from three years to five years. On a subsequent offence the minimum driving prohibition goes up from one year to three years. As for the maximum driving prohibition for those subsequent offenders, it would rise from three years to a lifetime ban.

These driving prohibition provisions are sanctions that will make an impression—and all members of the justice committee were in agreement—on every person found guilty of impaired driving. Experts in the field have indicated that driving privilege consequences, along with the treatment for harmful involvement with alcohol, are very important in reducing the incidence of impaired driving.

● (1845)

The standing committee has recognized the importance of the driving prohibition and has recommended these very significant increases. Bill C-82 implements the recommendations of the standing committee.

The standing committee also recognized that the sanction for driving while prohibited needs to be sufficient to deter prohibited drivers from ignoring the prohibition from driving. Where an offender has a driving prohibition order and breaches that order the maximum period of imprisonment under subsection 259(4) of the Criminal Code for driving while disqualified will be raised from two to five years by Bill C-82.

The Traffic Injury Research Foundation indicates that a small percentage of drivers is responsible for the large majority of impaired driving in Canada. The hard core drinking drivers operate their vehicles with a very high blood alcohol concentration or BAC level, or they repeatedly commit impaired driving offences. These individuals are very difficult to reach. We heard a lot of testimony before committee to that effect.

A defence lawyer appearing as a witness before the standing committee pointed out that the public is only protected from certain of these hard core impaired drivers by a period of lengthy incarceration. Others may respond to treatment and driving consequences.

Bill C-82 further specifies that a judge may make a probation order requiring a person convicted of impaired driving to attend a program for assessment and curative treatment related to alcohol or drugs. Experts who testified before the standing committee stated that the literature shows that curative treatment may be more important than penalties in altering the behaviour of hard core impaired drivers. We have highly recommended that in our report.

The bill also specifies that a judge may make a probation order requiring a person convicted of an impaired driving offence to use an ignition interlock device, something that is done routinely in the province of Quebec. This type of order may be made in a province where the provincial government has established, as has Quebec, a program for the use of ignition interlock devices.

A Traffic Injury Research Foundation study of the Alberta experience indicated that ignition interlock use significantly reduced reoffending and increased the survivability of those who were enrolled in the ignition interlock program over the study period when compared with convicted impaired drivers who did not use this device.

Canadians agree that impaired driving should be condemned. The standing committee has presented with its report a draft bill that clearly says impaired driving will not be tolerated in Canada. Bill C-82 delivers this message. The criminal law is society's strongest sanction against behaviour that society is unwilling and unable to accept.

I wish to thank all members of the justice committee for having worked very hard to arrive at a unanimous report and to come before the House to present draft legislation. I applaud the Minister of Justice and the government for having decided to adopt it as government legislation under Government Orders.

I wish to thank MADD and the other organizations which came before our committee for their testimony and their hard work. I want them to know that we all listened and we all acted on what we were asked to do as parliamentarians.

I want to tell all Canadians that this government would like to see zero tolerance on our streets, that there be no Canadians who choose to drink and drive and end up killing other Canadians. That is the message this bill wants to reflect. We also want to reflect Canadians' condemnation of a very serious crime in this country.

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I very much appreciate the words of the parliamentary secretary. I would like to correct something. I am not quite sure what she

means by zero tolerance. There is a different connotation in this country of what zero tolerance means.

● (1850)

I suppose we will all stand to take a bit of credit for this measure. I wish to start, as I do in all discussions concerning drunk driving, by saying that whatever I say is in memory of my niece Sheena who was murdered by a drunk driver, and also another niece, Christa, who is at home suffering permanent brain damage as a result of a drunk driver who disabled her when she was 24 years old. That was three years ago. This has not escaped my family.

That being said, I too congratulate many people in the country who have persevered in their attempts to change the drunk driving legislation. It has not gone as far as some would like. However, I am positive enough about this system, and a believer in this system, to know that regardless of what government is in the House of Commons changes will be forthcoming to this legislation in the future to reflect at least where victims of drunk drivers insist we head.

I can recall at the justice committee hearing the testimony of Sharlene Verhulst, whose sister Cindy who was murdered by a drunk driver, as well as Ken Roffel, whose son was murdered by a drunk driver. I will read a bit of the testimony which Ken gave to give members an idea of why we have to go on from here.

The Reform Party brought this to the House on an opposition day on October 30, 1997. We had been pushing for this since February 29, 1996. I am not here to take credit for the impetus of this bill, although the impetus did come from our party, but it is important to say to all members of the House that we all participated and we did what was right.

It was not too long ago when we stood in the House to pass a bill concerning something very near and dear to my heart, victims rights. I wrote that legislation in 1994. It took a long time to get it done, but it got done. It is incumbent upon parliament not to rush things but to consider things in detail and that is what committees are for.

I am sharing my time with the member for Yorkton—Melville.

One of the things that is left undone is the issue of blood alcohol content. I think that is for another day. When the hon. parliamentary secretary talks about zero tolerance, I think that is what many people relate zero tolerance to, blood alcohol content, whether it should be .08 and so forth.

While that is not in this bill, I think there is room. We will be back in the House talking about this eventually, but right now we have to celebrate to some extent our perseverance, even through late hour negotiations, as late as last night when we thought this issue was dead and would not come to the House of Commons.

We all persevered. My colleague, the House leader for the Conservative Party, was as concerned as we were, as was the parliamentary secretary for the Liberals. All of us were concerned that we had to do the right thing now and that we would worry about other things later, and we will deal with the issue of life imprisonment in the fall.

I also agree with my hon. colleague across the way that impaired drivers must get the message that impaired driving will not be tolerated. That is an important message. Impaired drivers willingly and knowingly drive impaired. It is not a mistake when impaired drivers get behind the wheel. It is not a plot to drive impaired. They become drunk and they drive. It is a wilful act.

When members hear me call it murder, it is murder in my mind. I am not the only one who says that. That is something that a young lady told me. She wanted me to change my phraseology as to whether it was an accident or murder. She convinced me that it is murder and that is why I refer to it as that.

● (1855)

A gentleman by the name of Ken Roffel is listening to this debate. He comes from the lower mainland of British Columbia. He is a friend of mine. He became a friend after I was involved in trying to help him go across Canada to convince people about zero tolerance.

I want the House to know just how Ken feels about what has happened in his life and I also want the House to know, after listening to what I have to read, which came from Ken unsolicited, that there are things left to be done. The justice system, the legal industry, has to understand how severe drunk driving is. I want to read this letter to the House.

> On March 13th 1996 a drunk driver with a blood alcohol level double the legal limit killed our oldest son Mark William Roffel.
>
> On Friday April 23rd 1999 three years later the Judge handed a not guilty verdict to Dangerous Driving Causing Death to Todd Minich the driver of the vehicle that killed Mark. This driver had also testified to an earlier alcohol related accident that very same day.
>
> That evening at the hospital March 13th 1996, the RCMP took a blood sample from Mr. Minich and forgot to read him his rights. That one single mistake by the RCMP changed the outcome of the trial. Mr. Minich should have been charged with Impaired causing death under the Criminal Code of Canada instead of Dangerous Driving Causing Death.
>
> At the trial witnesses came forward describing how Mr. Minich had driven them off the road, how he went through a stop sign on 232nd in Langley and how minutes later they came across the carnage caused by Mr. Minich. The Crown had done an excellent job in presenting the evidence collected to show that Mr. Minich had driven dangerously and caused the death of Mark.
>
> The Judge in his final statements said ''no reasonable person would do this and Mr. Minich appears to be a reasonable person'' end of quote.

> We were shocked at his remarks. There was a fatality here with the death of Mark. . ..The Law failed Mark on March 13th 1996 by not keeping Mr. Minich off the roads due to his past criminal record and activities.
>
> On April 23rd 1999 the Law failed my family and other Canadians when it failed to convict Mr. Minich of causing Mark's death.
>
> As you know we have always taken the high road—

—and I can assure the House of that—

> —and tried to turn a negative into a positive. The outcome of the trial means that we will continue to work toward a Zero Tolerance goal for Canada with no drinking and driving. . .
>
> Nothing can be more devastating than the call we received at 10:05 p.m. on March 13th 1996 informing us of Mark's death.

I wanted to read that into the record this evening because I think it speaks a lot to what I am saying about the future of drunk driving in this country.

We have come some way. I believe we have further to go. I believe the judiciary, the lawyers in our country, have to understand that this is indeed a much more serious issue than just plain drunk driving.

In conclusion, the Reform Party tabled this motion in the House of Commons. We got unanimous consent and I am very thankful to the House and all members for that. I am deeply appreciative of all those people who are victims of drunk drivers who have come before the House to tell us about their very difficult situation.

I am also saying to the House of Commons that there is a way to go yet. We are not through with this. We will be back. That is the process of democracy in this country.

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, last year impaired driving caused 1,300 deaths in Canada and 90,000 injuries, in one year. It is astounding the evidence and the gravity of the situation. The law, up to now, has been lax on the offence. It is time to act and time to send a message to those who drink and drive. I see the message contained in Bill C-82, as we are debating it here tonight: If we get caught we will not beat the charge. It will cost us a lot of money and we may go to prison for life. That is the message we want to go out from this Chamber.

● (1900)

It took a long time to get to this point, and the justice committee should be commended for getting the bill to parliament. I realize we, as Reformers, have been pushing this for quite some time, but it took many other people co-operating to get the bill to this point in the House and hopefully passed before we break for summer.

What are we getting in Bill C-82? Right off the top, we are finally treating impaired drivers like anyone else who kills somebody. Impaired driving causing death would now face life imprisonment just like manslaughter rather than the current 14 year prison term. What is wrong with that? It is manslaughter and the weapon of choice has been too much of the bottle, too much alcohol and then getting into a two tonne vehicle, which is a deadly weapon, driving it with abandon and with no concern for human life.

It is time to send a message that society will not tolerate this behaviour. If we offend, we will pay a heavy price. Impaired driving is not funny or acceptable in our civilized society.

If we look at the experience of other countries, when they got tough the negative results of impaired driving declined dramatically.

As well, we have in Bill C-82 a new maximum 10 year jail term for causing bodily harm while driving impaired. This puts some teeth into the act and is another signal to offenders that their behaviour has consequences, not just a slap on the wrist.

Bill C-82 will double the mandatory minimum fine for a first impaired driving offence to $600 from $300. The Reform Party is still of the persuasion that this is not enough and our minority report called for a fine of $1,000 for the first offence. However, we are moving in the right direction and that is why we are supporting the bill. Let drunk drivers know we are serious.

Bill C-82 imposes longer prohibitions on driving for those convicted of impaired driving. First time offenders would be banned from driving for up to three years, up from the current pathetic three month ban, which did nothing to deter repeaters. A second conviction for this behaviour could net the offender a five year prohibition, and a third time repeated would get a minimum of three years. The maximum disqualification for repeaters would be five years and this sends a signal to them. Currently the maximum is only two years.

Bill C-82 gives police some tools to deal with that. Up until now it was an easy rap to beat. Police now have up to three hours to take a breath sample after a suspected impaired driving offence. Currently, samples can only be taken up to two hours. The Reform Party would also argue for the police to be given tools like the new alcohol sensors which give them a better chance of determining impairment. This also would send a message to those who drink and drive that their odds of getting caught are better.

Like my colleague just before me, I believe that some of these things that still need to be improved in the bill will hopefully happen in the future.

Bill C-82 would give judges some further discretion. Judges can now impose ignition locking systems as a condition of probation. This would deter the repeater at the outset. As well, judges could impose mandatory treatment of alcohol abuse as a condition of prohibition. Furthermore, judges have further discretion in imposing a stiffer sentence on drivers found to be two or three times over the legal limit.

In court right now the two beer defence is taken to the extreme and the defence is becoming an absurd mockery of the system. Too many are beating the rap with this defence and the entire issue of these technicalities needs some further attention.

● (1905)

However, we have some positive and powerful first step tools in the bill. The message, I believe, to repeat offenders is a powerful deterrent to their behaviour. After all, repeaters are the main problem in this scenario. Stopping individuals who normally do not drink and drive from getting behind the wheel is, I believe, effectively dealt with in the bill.

Bill C-82 enhances deterrents and, I believe, the new penalties reflect the gravity of the crime of drinking and driving, in particular the life imprisonment provision for causing a death. I know my Bloc colleagues do not like this aspect. I would simply ask them what the difference is in killing someone with a car and doing it with another weapon. The results are the same. The family loss and grief are the same. It is about time we called this vehicular criminality for what it is and dealt with it appropriately.

Life imprisonment, like that for other manslaughters, is fair. If someone wants to drive their vehicle while impaired with such wanton disregard for human life then the consequences should be tough.

The Reform Party is disappointed that the legislation does not reflect a zero tolerance policy for impaired driving. When we get to that point I think we have completed the task. For now, we are pleased we got the legislation to this point. We want to see the legislation passed before summer when the profusion of drinking and driving increases.

Grant it we have some first steps on the road to zero tolerance. The Reform Party again thinks that incremental changes are the way to go. With this, as the Reform Party has argued, we would have like to have seen .05 as the alcohol limit. This is the first step on the road to zero tolerance. I think all parties should be reflecting on the next steps on this road to recovery.

It would be remiss of me not to acknowledge the work of MADD in its request to bring some rationale and acknowledgement to the offence of impaired driving. The founders of this organizations are the victims of the crimes of drunk driving. Their message is getting heard and acknowledged today in the House. The acronym, by the way, stands for Mothers Against Drunk Driving.

We should not allow alcohol to be an excuse for unacceptable behaviour and breaking the law. That is the point that needs to be made to the general public. We should not allow alcohol to be used as an excuse for breaking the law.

In conclusion, we have moved a major step today. The Reform Party is pleased to have played a major role in pushing for these changes.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, the committee took a very serious look at the issue of impaired driving. To echo the Parliamentary Secretary to the Minister of Justice, and I have been sitting on the Standing Committee on Justice and Human Rights since 1993, this was the first time since I joined the committee that I really felt that all parties were working together on a common cause, which was to try to improve the legislation.

My own objective was to come up with a way to reduce, as much as possible, the trauma of accidents involving drunk driving, accidents that often culminate in injury or death. We had to find some way of reducing this trauma as much as possible.

I have concluded that there is no perfect legislation. No bill will prevent these sorts of tragedies, but we must continue to look for ways of attaining our objective to the extent possible.

● (1910)

I said earlier that I really felt that all members were working together and that politics had been set aside. I must say that this is probably the last time I will support tabling a unanimous report with the government and opposition parties on such an issue. I say that because of the wording of the report, particularly with respect to what members, such as the member for Témiscamingue and I, were supposed to have said. I think this is the last time I will be persuaded to support tabling a unanimous report. The next time I will be tabling a dissenting report, and that is that.

How can the legislation be improved? Not through repressive measures. It is not with tough sentences. It is not with life sentences for offenders that we will achieve our objective.

Perhaps members opposite find that funny, but I would invite them to read what commentators and experts in the field have written. There are not many people that agree with the government and the opposition parties that a life sentence should be imposed for such offences.

I have, for a long time, understood this approach in the field of criminal law. I am lawyer and I have studied this issue. We will not achieve our objective of public safety by handing out exaggerated sentences.

One man in my riding brought this home to me, and I take the opportunity to thank him for his sound advice. He is Dr. Clément Payette, a physician in Saint-Félix-de-Valois, who, last December, lost his wife, Diane Olivier, in an automobile accident in which the driver was drunk. I had a number of discussions with this man,

who has looked at the issue. He is now vigorously lobbying the Government of Quebec to have it change some things, but he said that life sentences or coercion would not ensure public safety on the road. It would be through prevention and education. There are now a number of things under way, and I will come back to this later.

After looking into the matter, I asked myself this question: What is the real problem with impaired drivers? The real problem is the repeat offenders. The real problem is not somebody's uncle who takes to the road with a glass or two too many under his belt. True enough, this is not right, and measures should be taken to prevent him from driving off.

The real scourge is the repeat offenders. We have to find a way to change the habits of these repeat offenders. What in the bill applies to them? It contains a notion—a Bloc Quebecois gain—called ignition interlock. I believe it is a device that can cause a driver who drinks and drives to change his habits. I congratulate the government, which included this in Bill C-82 for an initial offence.

This is not enough, however. We would have liked the provinces to have had more leeway to impose it on repeat offenders. The battle is not over. We will naturally be keeping at it, and examining the matter more closely. Probably we will have a look at first offender statistics.

I am convinced that, in the long term, it will be beneficial for the federal government and the provinces to pay for ignition interlock devices to be installed on offenders' vehicles, since millions of dollars are being spent—in Quebec some $200 million, I believe—on the victims of impaired driving accidents. I believe that, in the long term, there will certainly be a financial benefit.

• (1915)

The Quebec MPs who have addressed this issue realized that there is another problem, that of hit and run drivers.

I remember that there was the Taschereau case in the riding of the hon. member for Témiscamingue. The first time the committee raised the issue of hit and runs, members on the other side looked at each other in amazement, as if there were no connection between the two. It is true that there is no obvious relationship right off. We saw, as the bottom line, however, that there was indeed too great a disparity between sentences for impaired driving and sentences for leaving the scene of an accident and that the legislator needed to do something about it. I will return to this point a little later on, as the Bloc Quebecois had some success in this area as well.

The last point is on information and the message to be sent to the population. Here again, I believe that a message will be sent to the public with Bill C-82, and with the comments we added to the report. That is a positive point.

The first point has to do with the ignition interlock devices. When the bill is passed, subsection 259(1.1) of the Criminal Code will provide a judge with the possibility of imposing such a device for a first offence. This is an extremely significant advance.

The key point I wish to make today concerns hit and runs. Right now, in the case of a hit and run accident causing death, if someone leaves the scene of the accident knowing that someone has been killed, the Criminal Code provides for a maximum five year sentence.

As the Criminal Code now stands, an impaired driver who hits and kills someone can be sentenced to up to 14 years in prison. That is why the Bloc Quebecois members raised this point in committee. We said that there was a disparity between the two that had to be corrected.

We won out in the report, which contains the following: ''Given that greater harm gives rise to greater penalties for impaired driving, the committee suggests that section 252 be amended to provide for similar penalties in those circumstances where the collision leads to injury or death''.

This is a direct reference to a hit and run. The report calls for similar penalties. What does this mean? It means that impaired driving causing death should carry the same sentence as a hit and run accident causing death. I am not making this up. It is in the report. The committee wanted similar sentences.

Following the Bloc Quebecois' comments, we won on one point. The minister decided—or she will later in the evening—to withdraw the section of the bill providing for life imprisonment for impaired driving causing death. It will stand at 14 years.

However, this does not change the thrust of the report, which still seeks similar penalties. The opposition parties, the wind from the right—sometimes it comes from the west, sometimes from the maritimes, but a wind from the right always blows in from somewhere—refuse to include the similar penalties sought in the report.

In committee of the whole I will move an amendment. What we are looking for is equivalence, nothing more and nothing less than what the report says. It is a unanimous report of the committee, which I signed.

Today it is being interpreted in such a way that I am being told, ''No, the bill provides for a life sentence. You will have to live with that, hon. member for Berthier—Montcalm''. But that is wrong. We fought for equivalence. We settled the issue of equivalence.

I am very happy the minister finally understood, from the comments I made and from the pressures that came from the Bloc Quebecois, and decided to withdraw the section on life sentences, to which crown attorneys are opposed. The great majority of litigators and those who follow court cases are against a life sentence for such an offence.

● (1920)

They applaud the fact that the minister is withdrawing the life sentence and leaving the 14 year sentence, but the principle of equivalence must be applied, otherwise the opposite will occur. The maximum sentence will be 14 years for impaired driving causing death. However, with Bill C-82, a person leaving the scene after hitting someone with their car will be liable to imprisonment for life. It does not make sense.

I hope members of this House will wake up when I move my amendments and will adopt them, even if it means reviewing all sentences together in September. If the House decides that it is prison for life that is required in the case of impaired driving causing death, and if voters in all ridings in Canada and Quebec agree with that, it will mean equivalence with a hit and run accident causing death.

I had a professor who used to say that the Criminal Code read like a story, that it held together from beginning to end. It is true. However, with the bill before us there would be different sentences for two similar offences. That does not hold together.

As a lawyer, I cannot agree with that. Members might think that I am not in a good mood this evening, but I have done a lot of work in this area. I understand that everyone wants this bill passed. I also know that there were negotiations among the House leaders, but each party is represented by a House leader. Perhaps the elements of sentence concordance and equivalence in the sentences were not put on the table.

I hope there are people of goodwill who understand the importance of having this equivalence between the sentences for impairment and hit and run accidents so that the amendments I will be making may be accepted.

I am pleased with the work done by members, including the member for Temiscamingue, who gave me a hand on the Standing Committee on Justice and Human Rights.

I am pleased to have pushed the government to do its homework on some points of law. I am happy to have succeeded in convincing the minister to remove from clause 3 of Bill C-82, for the time being, a life sentence with respect to impaired driving resulting in death.

I am also pleased to have sold the government on the idea of including the new concept of ignition interlock devices in the Criminal Code. It was not easy to get the idea across to the government or to the other parties, but it was finally included in the committee report.

As I said earlier, I am pleased to have been a kind of deflector to the wind of the right, which blows in sometimes from the west, and sometimes from the maritimes, and to have cautioned members against going overboard. The Criminal Code needs to be looked at as a whole, and sentences must be appropriate to the offence.

I feel I was successful in several areas of the mandate given to me. It is not over, however. The debate will continue. I hope that all those listening to us in debate now, or who will follow part of the debate in the House this evening, the lawyers and other specialists, will make their demands known and clearly indicate to members of this House if they feel they are on the wrong track in some areas.

When we address this issue again, I trust that all hon. members will be well informed and will have some understanding of the common sense that lies behind the Criminal Code.

[*English*]

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, it is an honour to participate in this evening's debate. It is probably one of the finer moments of this parliament. We hear voices from all corners of the House, all political parties saying that they want serious steps taken to remove people who drink and drive from the streets of Canada. This has to be one of our finer moments.

● (1925)

What we are debating and what will be passed later today will result in lives being saved in our country. The sooner we pass this legislation the better it will be. For that reason I will keep my remarks brief, but I do want to say a number of things.

Mr. Speaker, I do not know how old you are, but I suspect you are at least close to my age. I remember when I was growing up that it was considered to be macho or manly to drink alcohol and drive a car or a truck. That was the rule of the day and pretty well everybody I knew did it.

I grew up in southern Alberta. I do not know whether it is that different from most parts of Canada but a lot of people made a lot of money by going up and down the highways collecting beer bottles out of the ditches. Imagine how many people must have been driving and drinking with beer on the seats of their cars. They would finish their beer and throw the bottle out of the car window and people would go up and down the highways collecting beer bottles. I suppose they collected pop bottles too, but from what I can recall most of them were collecting beer bottles.

There must have been thousands and thousands of people driving up and down those streets drinking while they were driving and chucking the empties out of the window. If they were eventually

stopped by the police they would not have an empty case of beer sitting in the car.

It is fair to say that those days are over. I would not say that it never occurs or that people do not drink and drive in that fashion any longer. But I know how unpopular it is now to see someone who has been drinking prepare to drive away from a house party or a gathering. People actually say ''I do not think you should drive. Are you okay to drive? Should you be driving?'' In some cases they stop other people from driving.

It has not even been one generation but we have come a long way. We are a much brighter society today when dealing with drinking and driving. This legislation will take us a whole lot further.

I am delighted to be part of this debate and part of this process. I want to pay tribute to one of my colleagues, the member for Sydney—Victoria, who has worked on this legislation with representatives from all political parties to bring us to this point today.

In order to move this legislation expeditiously through the House of Commons we have had to make some changes to the bill. One of the major changes is to take out the provision that says that a person who is convicted of impaired driving and takes someone's life will end up spending the rest of his or her life in jail. That is a pretty strong statement and a lot of people think we should talk about it a bit more. We decided to take it out of this piece of legislation and we will revisit it in the fall. When the House of Commons returns we will reconsider whether we should proceed along this rather harsh line.

I am familiar with other countries that have taken steps we would normally consider to be quite harsh. A few years ago I visited a family in Norway. There was some drinking going on at the dinner parties but there was always one person who did not drink a single ounce of alcohol. That person was the designated driver for the group. There were probably two or three people in the group. That person would drink pop and if somebody else in the group wanted to have a couple of glasses of wine or whatever, that was fine because they were not driving.

I said to them that they were obviously very serious about the issue of drinking and driving. They told me ''If we get caught driving with alcohol on our breath, we do not have to be impaired, just with alcohol on our breath, we will go directly to jail for three months''. They go directly to jail and that is it. They do not go to court or anything. The policeman drives them to jail and there they are for three months. I suspect for most of us to disappear to jail for three months would cause us a problem with our jobs. People say ''The risk is just too much, so I am not drinking and driving''.

Does it stop every single person from drinking and driving? I suppose not, but it certainly acts as a deterrent for most people. We could say that it is almost zero tolerance for drinking and driving. People who drink and drive in Norway do not even have to be intoxicated, they do not have to be impaired, they go directly to jail. That is for the first offence. I forget what the punishment is for the second offence. Maybe it is torture, I do not know, but it is obviously pretty serious stuff. We are not going quite that far with this legislation.

We are saying that we have listened to the police forces across the country. We have listened to Mothers Against Drunk Driving. We have listened to our constituents. We have listened to victims rights groups. We have listened to groups across the country. They are all saying that they want parliament to send a clear message to the courts of Canada, to those people involved in our legal and justice systems, to get tougher on those who drink and drive and therefore take a lethal weapon into the communities of Canada.

● (1930)

That is what it is all about. If an intoxicated person who is not totally in control of his or her facilities jumps into a typical car or truck, it is like driving around with a great big cannon. It is a dangerous object.

On the tragic side, I suspect most members of parliament know someone close to them, either a family member, a close friend or a neighbour, who has been impacted by someone who was drinking and driving. I can think of personal friends who have lost children, spouses or partners as the result of someone else drinking and driving and ending up killing them as the result of an accident.

Perhaps even worse, they are those people who have been involved in very serious car accidents because of some else's drinking and driving and have ended up spending the rest of their lives as quadriplegics or being severely injured with a head injuries or something else. They live very difficult lives through no fault of their own but because they were in the wrong place at the wrong time and someone who was drunk and driving a vehicle struck them.

This is something that society ought not to accept. We do not condone, but we have to get a little tougher and say to folks that kind of behaviour is not acceptable. This legislation will act as a deterrent.

I acknowledge the hard work done by the House of Commons Standing Committee on Justice and Human Rights and the report entitled ''Toward Eliminating Impaired Driving''. I recognize the work of the committee in listening to people who are knowledgeable about this area, both in terms of victims and in terms of people who work in the courts, the legal and justice systems, and deal with people involved in these types of offences.

What are some of the amendments to the code we are considering tonight? It will increase the mandatory minimum fine for a first offence to $600. For some people that is a deterrent but for a lot of

people it is not much of a deterrent. It is not that big a deal if an average income earner has to pay a fine of $600.

It will increase the driving prohibition order of not more than three years and not less than one year for a first offence or a prohibition of not less than three months, with the balance to be served by complying with an alcohol ignition interlock program where available. That is a pretty serious.

It will provide for a driving prohibition order of not more than five years and not less than two years for a second offence and not less than three years for a subsequent offence. That is getting serious and I like that a great deal.

There is one point we can all agree upon. If we look at an average community paper in Canada, there is always a section on court news which reports what has happened in the local court for that day. I am always struck by the number of people up on drinking related offences, in particular drinking and driving related offences. We have to say as a society that we will not tolerate this kind of behaviour.

The legislation will ensure sentencing judges consider a blood alcohol concentration level of two or more times the legal limit to be an aggravating factor for sentencing purposes. In other words, if a person had three or four glasses of wine and is caught, that is one thing. He or she is obviously kind of a dangerous person. However, if a person has had a whole case of 24 beer that is something else. It is obviously a more serious situation. This legislation will recognize that.

It will allow the sentencing judge to require the use of an alcohol ignition interlock as a condition of probation where available. It will allow the sentencing judge to order persons convicted of impaired driving to undergo assessment and to recommend a treatment as a condition of prohibition in those jurisdictions where treatment is provided.

• (1935)

It will increase the maximum penalty available upon indictment to five years. It will increase the penalty to a maximum of ten years imprisonment where the accident causes bodily harm, and life imprisonment where the accident causes death. This is where we have some further work to do.

It will allow a police officer to demand a breath or blood sample from an individual on reasonable and probable grounds that he or she has committed an impaired driving offence within the preceding three hours.

If we walk up to a person who has been drinking we can normally figure that out pretty quickly just because of the smell. Alcohol has a certain smell. We can tell if the person has been drinking scotch, beer or wine. The people drinking probably cannot tell because they have consumed the stuff. For those people who are not drinking, like a police officer, it does not take much to figure out that a person has been drinking. If a police officer thinks a person has been drinking and can clearly smell alcohol from the vehicle, the legislation say that the officer has the grounds to request a breath or blood sample.

I could talk about this matter all night. I feel very strongly about it, as do all my colleagues. We are anxious to get the legislation passed. It is time for society to say we are sophisticated enough that we will not tolerate people who put the lives of other people at jeopardy because they drink. It is as simple as that. To do that we have to increase the penalties very severely so that if a person is convicted he or she is penalized severely, and if the person takes someone's life he or she will be very seriously penalized.

One point in the legislation that I worry about is that many of the treatments or suggestions in terms of appropriate sentencing refer to where available or where possible. If one of the conditions of sentencing is the seeking of treatment for an alcohol problem, some alcohol treatment facility has to be available. If we tell people they have to do this or that as a way of breaking the habit, it behooves us as a society to ensure that those treatment facilities are available. That is another challenge we have to confront.

I conclude by saying that we are into the graduation time of year when a lot of young students from high school, college, university and other institutes graduate. A fair bit of drinking often occurs around these celebrations. For years and years we cringed at graduation time because we knew that one morning we would wake up and there would have been a horrible car accident with a number of young people killed because of drinking and driving while celebrating graduation.

It was as regular as clockwork year after year after year. A number of schools have taken a dry grad approach and made a point of the whole issue of drinking and driving. As a result it occurs a lot less today than it has in the past. Thank goodness for that but it still occurs.

It occurs in the summertime because people are out celebrating, enjoying themselves and partying. When a lot of people party they drink excessively and they are out driving boats and Sea-Doos. In Kamloops they actually drive Ski-Doos in the wintertime on the river, but that is another story. They are impaired and intoxicated when they do a lot of things and that is wrong.

On behalf of all parties we are trying to send a clear message to people that this kind of behaviour is unacceptable. I am pleased to be part of this discussion tonight and look forward to expeditious passage of the legislation so that it becomes law as quickly as possible.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am very pleased to rise on the heels of the previous speaker and all speakers who have participated in the debate. I commend each and every one of the participants who have taken part tonight and those who have taken part in the extensive consultations and efforts that were made to bring the legislation to fruition.

● (1940)

It is truly a very important response to what can only be deemed a national tragedy. It has been a very long and arduous process to arrive at the point where we are today. More important, it has been a long and arduous process for victims and groups like MADD, the Canadian Police Association and many others that constantly kept this issue at the forefront. Finally there has been a legislative response.

I acknowledge those groups and the efforts they made. The Victims Resource Centre was another group that was instrumental in bringing forward important issues at the committee level. It was very helpful in facilitating the testimony of many victims.

The victims themselves were those who had the most impact and had the most direct testimony to give. It was helpful and extremely useful in the formulation of many of the legislative initiatives which will be very instrumental in helping to protect Canadians and hopefully in helping to prevent some future tragedies on our roads and highways.

There have been many references to the fact that there are few members, and in fact few Canadians, who have not been touched at some point in their lives by some tragedy stemming from impaired driving, such as the hon. member for Chicoutimi, our party whip and the deputy leader of our party from Saint John. This tragic list goes on and on. Senator LeBreton is another example of someone who was very directly affected in this regard. She has been a very strident advocate of necessary changes to this legislation.

The remarks of my hon. colleague from the NDP were quite apt. Summer is approaching. Celebrations are afoot. Families are spending time together. I understand the House will be recessing soon and people's thoughts turn to vacation. Sadly a lot of drinking is often involved in those occasions.

If we can give any gift to Canadians, if we can participate in an effort to educate and respond in a responsible way to drinking to prevent tragedies and further carnage on our highways, this is perhaps the best and most telling thing we can do.

The efforts that have been put into the legislation hit some snags. The non-partisan nature of this legislation is very much borne out by the comments we have heard today. It is the implicit and intrinsic good found in the legislation which allows us to pass it quickly and to deliver it to Canadians in a meaningful way, which is what will happen.

Much has been said of the statistics that attach. One of the most chilling statistics I heard during the deliberations was the fact that 13,000 deaths and 90,000 injuries yearly were related to impaired driving. That breaks down further to 4.5 Canadians killed or 125 severely injured daily on our roads and highways as a direct result of impaired driving.

The statistics go further. We know that the human effects are not borne out by cold statistics. It is much like the sterile atmosphere we find in a court room where victims are often sitting there trying to make some sense of what has happened, some semblance of understanding of the effect it has had on them. These statistics are useful in demonstrating the need for a legislative response, the need for a strong deterrent message borne out by the legislation.

Changes have been brought about as a result of legislative initiatives and tougher sanctions. When I speak of sanctions I am talking of monetary penalties, periods of incarceration and periods of suspension or prohibition on driving. All three are very important cornerstones or underpinnings of the legislation.

Because of the statistics and the need for a speedy and expeditious response, I believe the provisions we see before us will have an effect. I suspect their impact will be immediate in the sense that some of these provisions in particular empower police officers to do their job in a more efficient and protective way when it comes to dealing with the problem of impaired driving.

● (1945)

I am speaking specifically of the ability now for a police officer to take a sample outside of the two hour time limit which was a static period of time that often left officers, victims and Canadians generally feeling very frustrated that police were being curtailed in their efforts to deal with impaired drivers on our roads and highways. There is obviously more that can be done. There have been lengthy discussions about some of the changes that we will not see as a result of Bill C-82.

It is very important to highlight some of the very positive aspects. Those aspects have been touched upon by previous speakers, such as the increases in fines and in prohibitions.

Some provinces in their provincial jurisdictions have taken their powers to the point where they are now seizing vehicles. I believe that this is a very important step. By taking away the car it removes from the offender the actual instrument of death. I believe that also sends a very important message. It is a message of deterrence and a message that this type of activity will not be tolerated because the stakes are too high. The human cost, the loss of life, the injuries and the life altering end results of impaired driving, is what all of these provisions are aimed at attacking.

There are increased penalties and an increased ability for judges to mete out sentences that are more reflective of society's abhorrence of this type of offence. It is also reflective of an overall attitudinal adjustment or shift in the way we have viewed this type of offence. For some reason, for far too long this has been somehow an acceptable behaviour. Perhaps acceptable is casting too broad a net, but it has been tolerated by our courts and our judiciary. Generally, we have not viewed this in the serious light that we should.

Previous speakers have touched on an important point. When a person's life is snuffed out through a careless act and a preventable crime occurs, the responsibility is there for our judges, our judicial system and our legislation to respond in a very strict way. That is what the legislation attempts to do. It puts more teeth into the Criminal Code. It is a more proportional response to the offences that alter people's lives and leave people dead, injured and shattered as a result of these types of offences.

We seem to have a much different tone in the debate here in the House of Commons than the very arduous one that took place at the committee level. The emotion that was invoked in those discussions and deliberations was quite reflective of the response and the need to respond on this particular issue.

Sentencing judges now have very proactive tools at their disposal. They have the ability to require a convicted impaired driver to have an interlock device. This is a very innovative approach. It will take away the ability of drivers to start their vehicles unless they provide a breath sample through an instrument that will be attached to their vehicles. The car will not start without the provision of a breath sample. That technical device interprets and reads the blood alcohol concentration in a driver's breath before the car will actually start. This type of approach is very innovative and positive in terms of allowing impaired drivers to get on with the rehabilitation.

We talk a great deal about the deterrents, the need to annunciate this type of offence and the need to respond in a harsh way. However, we cannot lose sight of the rehabilitative steps that have to be taken because this affects so many people. We can attend any provincial court in any province or region in the country and time and time again, when those arraignments are read, a disproportionate number of those offenders will be before the courts for impaired driving offences. Statistically, we know that these offences are still occurring at an alarming rate. One can only hope and pray that the steps we are taking here with the legislation that is now before the House will in some way start to curb those numbers.

● (1950)

I think the numbers bear out that we are starting to see a decline. It is a slow decline but it is steady. The attention that has been brought to bear on this issue and the efforts that have been made in committee go a long way to achieving some of these gradual steps that are occurring.

The interlock devices are but one attempt at this rehabilitative process that I spoke of. Another step is the mandatory treatment aspects that are now in the hands of a sentencing judge which gives a judge the ability to mete out a sentence that requires a person convicted of impaired driving to submit to counselling.

This counselling aspect ties in with what is an obviously inextricable element to impaired driving because many of the offenders have an alcohol addiction problem or a drug addiction problem. This is another often overlooked element of impaired driving. Many of those who take a risk and get behind the wheel are impaired by other substances which may be prescription or illicit drugs. These substances still have a very impairing effect on the driver which often results in tragedies; accidents and deaths on the highways.

Drunk drivers should be required to submit to a form of counselling wherein they would receive treatment for what is sometimes and has been deemed on many occasions to be an illness and an addiction problem. It is the repeat drunk driver, the hard core drinker who repeatedly takes a risk, who is responsible in the majority of cases for the death, carnage and loss of life and limb on the highways.

There are very proactive attempts and very deterrent oriented effects found within the legislation. Mr. Speaker, you are very aware of the issue and have spoken in this place on occasions on this issue as well. I think it is something that Canadians have waited a long time for. We are hopeful.

I commend all members of the committee and the Minister of Justice for recognizing that this as a priority issue. We are thankful that now, through the co-operative efforts and the negotiations that are literally, as the House leader of the opposition has said, taking place at the 12th hour, that we are able to bring forth this legislation in a timely fashion.

One of the elements that is missing from this legislation that was previously included in the report and in the draft legislation is the ability of a judge to hand down a sentence of life imprisonment where a person's impaired driving causes a death. I personally have strong feelings about the deterrent message that this would send.

We know that the sentencing range for this type of offence was previously punishable by incarceration of up to 14 years, but the benchmark appears to have been in the range of 8 to 8.5 years. I suggest that if we raise the ceiling to life imprisonment, we will see judges respond appropriately and proportionately across the country and ratchet up those sentences to reflect society's abhorrence of this. This would also send the message that this type of offence is no different than murder.

When I say murder, I am talking about the current murder provisions in the Criminal Code that allow for and permit sentencing judges to impose life periods of incarceration for manslaughter, criminal negligence causing death and second degree murder

which do take into consideration culpability. Alcohol, of course, is obviously the mitigating factor and, I would suggest, an aggravating factor in the determination of an appropriate sentence.

Because of the shocking statistics and because of the human cost and human element to this, I feel that empowering judges with this range of sentencing is an important part of the legislation. Sadly, we were not able to include that in the current legislation. However, I have the written and verbal assurances of the government House leader and the Minister of Justice that all efforts will be made to have this included.

If we are not able to pass legislation in this session, which appears unlikely, we will enter a stand alone bill that would permit the insertion of this particular section into the Criminal Code empowering judges with the range of sentencing up to life imprisonment. We will introduce that this week and then return in the fall to again have an opportunity to bring that section to fruition and have a debate here in the House of Commons.

• (1955)

One expression I believe that was used by the parliamentary secretary was a reference to Russian roulette and the obvious risk that congers up in one's mind when one talks of impaired driving and getting behind the wheel while impaired and the endangerment to others' lives. It is an apt statement.

There was a provincial court judge of Sunnybrae, Pictou County, Judge Clyde F. MacDonald who sits in the Glasgow provincial court who often used to say to impaired drivers who appeared before him that their actions were no different when they got behind the wheel of a car and drove down a highway than pointing a loaded gun at every car that came on to meet them.

I think that graphically illustrates the danger that is involved. One only has to pause for an instant and think about that scenario when we are driving home at any time of day and thinking that the car that is coming to meet us at a high rate of speed, speeding down the road, that several thousand pound piece of metal could veer off into our lane and take our life or the life of a loved one. Sadly, that is the reality of what takes place in far too many instances.

At the justice committee we heard from a young woman by the name of Sharleen Verhulst who lost her beloved sister in a tragic impaired driving accident. She has turned the negative energy that would flow from that and the absolutely tragic circumstance into a very positive action. She has taken her message, her very powerful presentation, to the committee, to high schools and groups across the country. She has made very useful suggestions to us, as did many other groups and individuals who appeared before the justice committee. They all made a very positive contribution which is reflected in the legislation and in the report that we have before the House.

The death of a victim is final, chilling and culpable. There needs to be greater accountability and responsibility on behalf of those who are willing to take the risk. This legislation is extremely positive. I have very little to say about it in a negative way.

The only criticism I have is that in some instances it may not go far enough and in some instances I question the resources that will be allocated to allow for the enforcement of some of these provisions. I speak mainly here of a lack of resources that are currently available to our municipal and federal police enforcement agencies.

There is also a degree of semantics and a degree of language that surrounds this discussion. Many of the victims, including Ms. Verhulst, were insistent that we do not refer to impaired driving accidents as accidents because they are not accidents. There is this degree of culpability. There is this degree of intent when a person recklessly consumes alcohol, gets behind the wheel of a car and assumes that risk. They do so at their own peril and at the peril of any innocent bystander who may then come into contact with them.

Vehicular homicide is perhaps a more appropriate phrase and a more appropriate way to describe this type of offence. This legislation is going to come into effect this summer, and we are thankful for that. However, as has been previously stated, there is still more work to be done. There is more work to be done in empowering police to respond appropriately.

We in the Conservative Party would very much like to see police officers being given the ability to take an automatic breath sample at the scene of an accident where there is reasonable and probable grounds to believe that alcohol is involved. We would like to see a greater emphasis and experimentation for alcohol sensors and that type of technology. We would also like to see greater training for police officers to recognize drug impairment.

With all that said, I believe this is a positive step that we have seen. It is a non-partisan issue that we have all anticipated in and embraced. I am very thankful to have been a participant in bringing the legislation this far. We look forward to working with the groups that have been so instrumental in the introduction.

• (2000)

[*Translation*]

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: On division.

(Motion agreed to, bill read the second time and the House went into committee thereon, Mr. Milliken in the chair)

The Chairman: Order, please. The House is now in committee of the whole on Bill C-82, an act to amend the Criminal Code (impaired driving and related matters).

(On clause 1)

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Chairman, as I said earlier in my speech, I would like to propose an amendment to clause 1.

I move:

That Bill C-82, in clause 1, be amended by substituting, at line 16, page 3, the following:

''offence and liable to imprisonment not exceeding 14 years if''.

With this amendment, line 16, which currently reads ''offence and liable to imprisonment for life if'', would be replaced by ''offence and liable to imprisonment not exceeding 14 years if''.

As I said earlier, this would mean parity between drunk driving causing death and a hit and run accident when an individual is killed. This is all in keeping with the unanimous report of the Standing Committee on Justice and Human Rights.

The report indicated that an effort was being made to find similar sentences and penalties, given that the death of a person is the death of a person, whether it is caused by impaired driving or results from a hit and run.

[*English*]

The Chairman: Is it agreed the amendment is negatived?

Some hon. members: Agreed.

Some hon. members: On division.

(Amendment negatived)

(Clause 1 agreed to)

[*Translation*]

The Chairman: Shall clause 2 carry?

Some hon. members: Agreed.

Some hon. members: On division.

(Clause 2 agreed to)

[*English*]

(On clause 3)

The Chairman: It is an instruction to this committee that the bill be amended by deleting subclause (2) of clause 3. Accordingly, I declare subclause (2) of clause 3 deleted.

Shall clause 3, as amended, carry?

Some hon. members: Agreed.

(Clause 3, as amended, agreed to)

[*Translation*]

The Chairman: Shall clause 4 carry?

Some hon. members: Agreed.

Some hon. members: On division.

(Clause 4 agreed to)

The Chairman: Shall clause 5 carry?

Some hon. members: Agreed.

Some hon. members: On division.

(Clause 5 agreed to)

The Chairman: Shall clause 6 carry?

Some hon. members: Agreed.

Some hon. members: On division.

(Clause 6 agreed to)

[*English*]

The Chairman: Shall clause 7 carry?

Some hon. members: Agreed.

Some hon. members: On division.

(Clause 7 agreed to)

The Chairman: Shall clause 8 carry?

Some hon. members: Agreed.

Some hon. members: On division.

(Clause 8 agreed to)

The Chairman: Shall the preamble carry?

Some hon. members: Agreed.

Some hon. members: On division.

(Preamble agreed to)

The Chairman: Shall the title carry?

Some hon. members: Agreed.

Some hon. members: On division.

(Title agreed to)

(Bill reported)

• (2005)

Hon. John Manley (for the Minister of Justice and Attorney General of Canada) moved that the bill, as amended, be concurred in.

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

Some hon. members: Agreed.

Some hon. members: On division.

(Motion agreed to)

The Deputy Speaker: When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

Hon. John Manley (for the Minister of Justice and Attorney General of Canada) moved that the bill be read the third time and passed.

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

Some hon. members: Agreed.

Some hon. members: On division.

(Motion agreed to, bill read the third time and passed)

* * *

FOREIGN PUBLISHERS ADVERTISING SERVICES ACT

The House resumed consideration of the motion in relation to the amendments made by the Senate to Bill C-55, an act respecting advertising services supplied by foreign periodical publishers, and of the amendment.

Mr. Mark Muise (West Nova, PC): Mr. Speaker, as I was saying earlier, perhaps I was a little naive. After all, why should I have believed that the minister was sincere about protecting Canadian culture when she had already abandoned her own principles with regard to the GST?

The minister said that she was determined to rid the country of GST or else she would resign. Now we find her in collaboration with her government colleagues defending the GST as if it was their own initiative. Yes, she did resign and win in a byelection, but is that the whole point of the exercise? Like so many other Canadians, I believe that she opposed the GST as a matter of principle. Obviously she was not as opposed to the GST as we were led to believe.

That begs the question about what exactly this minister stands for. We now know that she does not stand for Canadian culture.

Perhaps I am being a bit hard on the minister. Perhaps she does believe in protecting Canadian culture. Perhaps it is the rest of her cabinet colleagues who have fettered away our Canadian magazine industry just to satisfy American interests.

We must remember that the Minister of Canadian Heritage was purposefully excluded from the final negotiations that were conducted by our Minister for International Trade and his staff with, of course, the direct involvement of the Prime Minister. So determined was the Prime Minister to exclude the Department of Canadian Heritage from the further negotiations with the U.S. he even sent the deputy minister to see greener pastures.

On the surface it would appear that by giving in to American demands we have averted an illegal trade war that could have affected the livelihoods of many Canadians. I say illegal trade war because that is exactly what the U.S. retaliation would amount to.

During question period I specifically asked the Minister of Canadian Heritage and the Minister for International Trade whether Bill C-55 would respond to international trading obligations. Both of these ministers indicated that this was indeed the case. Therefore it begs the question as to why we would have sacrificed so much of our Canadian magazine industry when in fact we were simply creating legally acceptable legislation that would protect this vital industry.

Did these ministers purposefully mislead the House with their responses or did they suddenly find out that Bill C-55 was in fact a violation of the WTO or NAFTA? Perhaps we have avoided a trade war with the Americans but at what price to our Canadian cultural industries?

For well over 30 years successive governments imposed strict regulations intended to protect Canada's magazine industry. These elected officials recognized the importance of this industry to Canadian culture.

Most recently the former PC government insisted that Canada's cultural industries be excluded from any free trade or NAFTA negotiations. Although the U.S. was very much interested in having Canada's cultural industries brought into the negotiations, the former Progressive Conservative government resisted those overtures. It recognized the importance of maintaining our own distinct culture for generations to come.

• (2010)

The decision to capitulate to the Americans on this issue is going to have long-lasting negative effects for this and any future government that might want to oppose the U.S. during discussions on cultural issues. In future negotiations with the U.S. we can try to insist that we are serious about protecting our culture, however this Liberal government has now set a precedent.

Why would the U.S. or for that matter any other international trading partner take us seriously when we try to convince them that

culture is vitally important to Canadians and that it deserves protecting? They will simply look back upon this agreement as an example of how everybody has their price. In this instance the Liberal government's price was $300 million in U.S. or possible U.S. sanctions, a mere one hour of trading between Canada and the U.S.

What exactly is contained in this agreement? No one has adequately explained what was the finally negotiated settlement. Now we know the Minister of Canadian Heritage has insisted that majority Canadian content is a prerequisite to allow foreign investors complete access to Canada's advertising revenue. For their part, the Americans have insisted on a substantial level of original editorial content. What is the definition of substantial? If we have never had any Canadian content in the past, I guess 20% Canadian content would be considered substantial depending on one's point of view.

The minister's office has indicated that the signed agreement between the two countries specifically states that a substantial level of original editorial content will be required. This is a far cry from the minister's insistence of majority content. I was told however that Canadian regulations indicate it is majority Canadian content. Which one is it? Substantial or majority content? If questions or disagreements should arise with regard to the level of Canadian content within a particular magazine, then which definition are we to follow?

The Liberal government is going to compensate Canada's magazine industry by giving it some kind of subsidy. It is too early to predict whether this will have any long term benefits for our industry.

Should Canada's magazine industry feel secure in believing its federal government will continue to provide it with these subsidies well after the furor over Bill C-55 has been forgotten? I certainly would not feel confident with the present government at the helm. After all, it has shown its willingness to sacrifice this industry through its amendments to Bill C-55.

What has this sudden turnaround in our cultural policy meant to our international reputation? We remember that during the MAI debate the Minister of Canadian Heritage stood up with her counterparts from France to denounce any negotiations that would weaken each other's cultural industries.

Last year in Ottawa our heritage minister invited representatives from throughout the world to discuss ways of protecting our cultural heritage. I wonder how these representatives are viewing Canada's capitulation at the hands of the Americans. I would suspect that they are as disappointed as the rest of us because this decision has certainly weakened their position in terms of trying to defend their own cultural policies. How will they defend themselves against the influx of U.S. cultural products when they see that Canada lacked the heart and determination to protect its own?

On the surface the Liberal government's decision to amend Bill C-55 to appease the Americans would appear to be of little consequence when one compares the billions of dollars worth of trade that is exchanged daily between both countries. I think this decision will have a profound influence on all future negotiations with our international trading partners. Canadian culture can no longer be considered sacred in any future negotiations. The Liberal government has told the world that Canadian culture is a commodity like any other and that trying to protect it for future generations is futile.

The U.S. has agreed to 18% access to our advertising revenue before being required to produce any Canadian content. I think it would be naive of us to believe that they will be satisfied with the present arrangement for too many years. Then what? The precedent has already been set.

● (2015)

It is important for all Canadians that we oppose the amendments to Bill C-55. The government may no longer be concerned about the right of our children to read Canadian stories written by Canadian authors, but we are. Therefore, I urge all hon. members to vote against the amendments to Bill C-55.

The Acting Speaker (Mr. McClelland): Before we go to questions and comments, may I have the attention of the hon. member for West Nova.

In debate, I am not sure, but I thought I might have heard the hon. member for West Nova infer that ministers of the government had deliberately misled. That is not the nature of the member for West Nova. I wanted to make sure it was on record that was not part of the member's comments. Could the member for West Nova indicate that was not part of his comments, please?

Mr. Mark Muise: Mr. Speaker, in the excitement of my deliberations I may have said that. If I did, I would retract that in due respect of the House.

The Acting Speaker (Mr. McClelland): I thank the member very much.

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I would like to thank the hon. member for West Nova for his presentation. I too am very concerned about the made in America Bill C-55. I have it in front of me and it looks to me to be a three page letter between U.S. trade representative Barshefsky and Canadian Ambassador Raymond Chrétien.

What strikes me about this deal is that there is one paragraph after another saying that Canada will amend, Canada will further amend its foreign investment policy, Canada will amend its definition of Canadian issues, Canada will amend section 19. It is all of the things that Canada will do. There is no mention about what the United States will do. It seems like a very one way deal.

The only paragraph that mentions America at all states that Canada and the United States will agree to consult annually, upon

request, within 20 days, on any matter relating to this agreement. That is the extent of American involvement in this deal.

Does the member for West Nova believe that this is in any way a reciprocal, mutual agreement? What can we make of this one paragraph outlining American responsibilities?

Mr. Mark Muise: Mr. Speaker, I believe that the whole issue which my colleague from Dartmouth raises speaks to how this was handled. This was something about which we were not advised. We do not know the details. Not knowing the details creates more problems, because it leads us to be concerned and scared. Maybe if we knew all of the details we could be more positive, but at this point there is no way we can be. There are too many pitfalls, too many capitulations to the U.S., and I continue to be concerned.

I am concerned for the future of Canadian culture. Our culture has been sold out. I would again ask all hon. colleagues not to support these amendments as they are not good for our country and Canadian culture.

Mr. Mauril Bélanger (Parliamentary Secretary to Minister of Canadian Heritage, Lib.): Mr. Speaker, I would like to ask the hon. member for West Nova if he would comment on the following. This is a note which the minister received. It reads:

> Congratulations for hanging tough on your recent negotiations. A compromise was forced instead of the usual capitulation. They play hardball—but so do you! I admire your style. Stay healthy and strong. Best regards, Norman Jewison.

● (2020)

Would the member care to comment on that?

Mr. Mark Muise: Mr. Speaker, this is something which the government has tried, since the beginning, to spin in a very positive way.

What we have to look at here is Canadian culture and the good of the Canadian people. I am expressing an opinion, as have many members of the opposition. A concern we hear repeatedly is that Canadian culture has been sold out. My position is clear and the position of my party is clear.

We should protect Canadian culture. We should continue to fight for Canadian culture. That is not what is happening and that is not what the government is trying to accomplish.

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, I welcome the opportunity to speak to the motions from the Senate to amend Bill C-55. I realize that my time will be fairly short. I hope to be able to continue my speech tomorrow or else extend the time this evening in order for me to be able to complete my speech.

As the trade critic for the official opposition I think that Bill C-55 has been a total disaster at every turn over the last year.

It seems to me that this all started with the World Trade Organization ruling which told Canada that it could not follow the policies which the government implemented in terms of taxes on split-run magazines. It was very interesting to hear the Minister of Canadian Heritage today say that the government had to respond because Canada lost that ruling.

I would agree, but that is a very different interpretation than we heard a couple of months ago in the House when the heritage minister and the trade minister said that Canada did not lose that ruling. It seems to me that we lost and we have to abide by the rules which we, in turn, put in place.

Canada has been one of the main proponents of trade rules to protect our interests around the world. Why is that? That is because Canada has a relatively small population. We have a very big country with a lot of exports that need to be exported around the world. In fact exports account for 40% of the GDP of the country. They are very, very high. We need to be able to export and, in turn, we need the protection of trade rules.

Canada in the last 50 years has probably been the biggest influence in establishing trade rules at the GATT and subsequently at the World Trade Organization. The rules work for us, and yet when we lose these rulings we have a Liberal government that does not want to accept the rulings and tries to do a dance to work a way around those which are against Canada. We saw it again in the case of the aerospace industry and export subsidies.

The Minister of Canadian Heritage has, as I said, managed this issue very badly, but I have to give her credit. As the minister of culture she has been an amazing playwright. She has written a play called Bill C-55. I am not sure whether I would call it a farce or a tragedy, but it is one of those. I do not think the final act has been written or played out.

I believe that there are a lot more things to come on this issue of culture and the dispute with the United States because the bill is very, very badly designed and will invite further challenges from the United States. It is not only going to invite further challenges from the United States, it will invite further challenges at the World Trade Organization, the very organization where Canada goes to argue to have rules designed concerning subsidies and how they should not be applied against our exports.

● (2025)

We cannot have it both ways. What is really going on is simply a matter of damage control. Canada got beat up very badly, and it deserved to on this issue. The Liberal government managed this issue very badly.

Over the past year we have intimidated a lot of industries in Canada, such as the steel and lumber sectors, which are already facing challenges from the United States. We have intimidated those industries into thinking that they will have to face another

round of retaliation. Does the government not recognize, does it not realize, what it is signing in these international agreements? Most people knew that the so-called exemption clause for culture would not hold water.

I believe that the government is basically misleading the Canadian public. It is certainly misleading the cultural industries. It has misled them for the past six years into thinking that they were protected by the exemption clause. Look what it led to, a total collapse in the position of the Canadian government and it had to accept a very bad deal. It is not just bad for the government; it is bad for Canada.

I want to talk about Liberal assurances, this Hollywood movie set that they hide behind. It is not just in the cultural area, but I want to talk about that for a moment. We have the so-called cultural exemption. The cultural industries which built an industry on it thought they had protection. What did they find out? That they had been betrayed.

World Trade Organization negotiations are set to start in Seattle probably next year. What is the Liberal government's position? It is going to protect the cultural industries. It will have a cultural agreement, a cultural instrument inside the WTO agreement. What nonsense. It knows that cannot be accomplished.

We see it over an over again. We saw it in the softwood lumber agreement with the United States. The government accepted the managed trade agreement. There would be five years of peace. No problem. It signed the agreement thinking there would be no disputes for five years. What have we got? Dispute after dispute after dispute because Canada did not know what it was doing at those negotiations.

What about the supply management sector? Again the government is telling the sector not to worry, that it will be protected. It said that in the GATT negotiations in Geneva. It said it would protect article 11, border closures. There would not be product coming into Canada and the sector would not have to convert to tariffs. What happened? The government could not defend that position. Then it came back and said it was sorry. It had tried to protect the sector and it had lost. The government knew full well that it could not protect that sector.

It gets worse. Upcoming trade talks will be held at the World Trade Organization. The government is not only selling the same old story to the cultural sector, it is also selling it to the supply management sector. It is saying not to worry, it will protect them. There will be no movement this time. There are 350% tariffs, but it will protect those sectors. They will not have to worry about it. There will be a 350% tariff after it is finished. What nonsense. Anybody who believes the government on these issues is very naive.

The government is doing the Canadian public a grave disservice. I suggest that the agreement which was reached with the Americans will have ongoing problems which will not be resolved very easily.

We have the business of subsidies. Now we are going to give the Canadian magazine industry subsidies of $100 million a year. That is the figure that is floated out there. It is ironic that the subsidies are not only going to go to the Canadian magazine industry. American magazines which are subject to this agreement will also get subsidies. The Canadian public will subsidize the American magazine industry under this agreement. What nonsense.

The Americans have said that there are current challenges which might happen under this agreement. Here is the caption on the so-called letters that were exchanged a week ago: ''The United States accepts the terms of the agreement which states that a net benefit review by Canada on new investments in the magazine industry will include undertakings from foreign investors that result in a substantial level of original editorial comment''. Notice that I said substantial. That is what the United States said. Canada will use guidelines that call for a majority of original editorial content. Which way is it? It is not even clear. Is it substantial or is it a majority?

● (2030)

I suggest that we have all kinds of problems coming and we have just seen the tip of the iceberg. This agreement is nothing more than a short term agreement that is never going to see the light of day in any substantial terms. The government is deceiving the magazine industry yet again.

I could go on and I will at a future date, but I see, Mr. Speaker, that you are telling me that I have to conclude my remarks for this evening.

The Acting Speaker (Mr. McClelland): The time provided for Government Orders has expired, pursuant to the special order adopted earlier today.

ADJOURNMENT PROCEEDINGS

[*English*]

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

HEALTH CARE

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I realize the hour is late, but I have to rise today to

further discuss a question I raised in the House on April 14. The situation involving the Sioux Lookout Zone Hospital is absolutely critical. There is no question that we are dealing with an emergency which the government continues to overlook and refuses to address.

I want to put this in context. On July 2 I wrote to the Minister of Health explaining to him that the situation at the Sioux Lookout Zone Hospital was critical. The hospital is supposed to serve 28 first nations communities in northern Ontario, but it was in a critical and dire situation because of the failure of the government to ensure a contract between that hospital and a teaching hospital to provide the adequate staff in terms of both doctors and nurses.

It is no question that we are dealing with a lack of action on the part of the federal government, a mishandling of a serious situation. I have to raise this issue tonight because the government continues to refuse to address this matter.

On April 14 I raised this question in the House. At that point the chiefs of two first nations in northern Ontario had been on a hunger strike for 100 hours over the issue of the Sioux Lookout Zone Hospital. They were on a hunger strike to try to get the attention of the government to act and act quickly. At that time the Minister of Health said ''Do not worry. We are looking into it. In fact, I am going to visit those communities''.

The Minister of Health went to the region on April 23 and April 24 and promised prompt action. To this day, June 9, 1999, no action has been taken. The hospital is still not open, leaving 16,000 residents without adequate health care.

There is supposed to be a contract between the medical services branch and McMaster University. To this day, McMaster, which has been committed to recruit and retain 16 physicians, has only been able to find two or three physicians to serve at this hospital. Up to 75% of the nurses in northern nursing stations which feed off of this hospital are rumoured to be relief workers. Nursing at the hospital itself has decreased significantly since the hospital closed and now the hospital only has enough nursing staff to keep 25 of its 39 beds open. We are looking at a dire situation.

I am raising this tonight to see if finally the government will act quickly so that the people of this entire region can have some solution to a critical health care situation.

When it comes to northern and remote communities and first nations communities, there is no semblance of adequate quality health care. This situation is absolutely acute. It is desperate to the point where the chiefs for two of the first nations communities went on a hunger strike. They are now back appealing that the government do something immediately.

I want to know tonight, does the government have any plan to ensure that the Sioux Lookout Zone Hospital is up and running, has the necessary physician services, is able to equip all the related northern nursing stations and is able to guarantee the people of this region have some direct access to quality health care?

● (2035)

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, the minister shares the member's concern about the Sioux Lookout Zone Hospital. However, I must say that in a free society no government at any level can make individual doctors or individual nurses choose to serve in that location. It is a matter of coaxing and it is a matter of offering incentives. We have done that.

In November 1998 Health Canada signed an agreement with McMaster University for physician services within the Sioux Lookout zone. A new compensation package was developed to assist physician recruitment into this area. McMaster University representatives remain optimistic that the number of physicians in the area will significantly increase in the next short while.

The hospital is open and is currently offering as many in-services as possible. The emergency department will reopen when there are sufficient physicians to ensure continuity of care and safe practice within the hospital setting.

Health Canada has been working on innovative strategies for the recruitment and retention of nurses. It has formed a working group involving first nations, the Professional Institute of the Public Service of Canada and Health Canada representatives.

In addition the Minister of Health established a Sioux Lookout zone working group which is a partnership between Health Canada and the first nations to address and resolve the zone's health situation, including the issues of physician and nurse shortages.

Health Canada is also committed to working with all parties on the amalgamation of the existing provincial health facility and the Sioux Lookout Zone Hospital. This will eventually lead to a new provincial hospital with a two-thirds first nations board representation.

The Minister of Health during his visit in April participated in a round table meeting on health care and reaffirmed his commitment to work in partnership with all parties impacted by the situation. He encouraged all parties to contribute toward solutions to address the problems in the long and short term.

HUMAN RESOURCES DEVELOPMENT

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the House of Commons often has many visitors. Tonight a number of young Canadians have come to spend some time with us. Before getting to my question for the parliamentary secretary I thought perhaps I would relate very briefly the frustration these young people may face when trying to get on the Internet.

We click on the icon, dial up the network, enter the server name and password, and sometimes the line rings and rings. Call backs have to be made. Then we finally get through and the home page comes up and very slowly the little bar at the bottom starts moving. We call up the first picture and slowly another line will appear. It is very frustrating for many people who use the Internet and whose computers do not have a lot of juice to wait for the information. It is very frustrating when one's mind works faster than the hardware and the software.

That is exactly the kind of frustration I wanted to raise with the Minister of Human Resources Development on June 3 and I will repeat the question tonight. In times of need Canadians expect the government to be there for them. When someone loses their job, the last thing they need is a thoughtless, faceless bureaucracy armed with confusing rules and jargon. People need personal, sensitive and understandable systems. I asked the Minister of Human Resource Development whether he shared my sentiments and if so, what steps were being taken to ensure quality service for all Canadians.

Members of parliament have this frustration when constituents call faced with problems such as program benefits they want to access, a job loss situation where they require employment insurance to pay the bills for their family. They are frustrated because they are faced with questions. They are also faced with voice mail and electronic messages. At times of stress, pressure and strain all they really want is the opportunity to talk to a human being who understands their crisis and who can tell them in layman's terms exactly how to deal with their situation. It happens time and time again.

The minister very briefly started to outline some steps but unfortunately because of the time limitations in question period, he did not get through many of the points I am sure he wanted to raise. I have come here tonight to ask the parliamentary secretary if she would provide Canadians with a little more insight into the kinds of things the government has done and is working on so Canadians get the kind of service they need.

• (2040)

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, the minister and I both agree with the member for Mississauga South on the need for quality service from Human Resources Development Canada to Canadians who have lost their jobs and approach HRDC for help.

The minister did have a town hall electronic session with officials and employees of HRDC from across Canada to discuss how the department could go further in terms of ensuring that Canadians get the very best service possible and that people are treated with respect, compassion and caring when they come to the department for help. As a result of this meeting, several initiatives are now underway at HRDC.

For example, HRDC is committed to ensuring its clients can better understand the rules and regulations behind various programs. It will also make sure that all of its communications with citizens are written in plain language and in an appropriate and friendly tone.

The department will do more to look into hardship cases and complex EI claims to ensure a fair and consistent application of policies and to tell people of available resource mechanisms they might use. Many of the local offices already have public liaison officers who help in this manner.

HRDC is committed to adopting consistent processes for collecting overpayments to ensure that an individual's capacity to repay is respected and that the repayment schedules reflect individual circumstances and take into account cases of hardship. HRDC will also find new ways of consulting and talking to Canadians to ensure that our standards measure up to their expectations and are meaningful to them.

That just scratches the surface of the multitude of initiatives the minister has undertaken to ensure that HRDC's excellent service becomes even better. This commitment is firm and honest and Canadians will be the beneficiaries.

AGRICULTURE

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, I would like to follow up on a question I asked on April 30 about the AIDA farm disaster program.

At that point only 500 farmers had taken the time to fill out the AIDA forms and send them in to be processed. There are 100,000 farmers on the prairies. What percentage of them have now filled out these forms? How many claims have been paid? Very few farmers have been applying and receiving compensation. I would like to know if the minister thinks this program is helping farmers through the income crisis they are experiencing.

How much has been paid out under AIDA to producers in Ontario, in Quebec, in British Columbia, Nova Scotia and the other provinces? Even the minister of agriculture in Saskatchewan has called on the federal government to scrap this program because he has realized it is not helping the farmers who need it. Will the minister listen to farmers and get rid of the AIDA program?

AIDA was supposed to help farmers who had an income that fell 30% in 1998 but because of the fact that it is tied to NISA, a farmer's income has to fall almost 40% to qualify for any assistance. Did the minister tie the program to NISA so the government would not have to pay out the $900 million commitment?

When I asked this question during question period, the minister said that farmers were not applying. In essence he is blaming farmers for the fact the program is not working.

Long before the minister announced the AIDA program we urged him to keep the program simple and to make payments on an acreage basis. We made that recommendation over six months ago.

NISA is not working either for these farmers. In NISA, 8,600 Saskatchewan farmers have an average of $303 in their accounts. Another 10,000 farmers have less than $2,800 in their accounts.

I understand the reason the minister is not accepting negative margins in his AIDA package is that he does not want to promote bad farm management. Due to the drop in commodity prices there were an estimated 10,000 farm operations with negative margins in 1998. I wonder if the minister of agriculture is prepared to say that these 10,000 operations with negative margins are the result of bad farm management.

The calls coming in from the farm stress line in Saskatchewan are also an indication that AIDA is not helping producers. The number of calls to the farm stress line this year is already way above the monthly average for 1998.

• (2045)

AIDA is definitely not helping farmers get through this income crisis. Is the minister ready to admit that his farm disaster program is a disaster? Is he ready to sit down and work out a program that will help Canadian farmers?

It appears that the AIDA staff is also making up rules on the fly. A man called my office the other day. He and his wife have separate farming operations which include each possessing their own Canadian Wheat Board permit books, filing separate taxes and having separate NISA accounts.

The husband and wife each filled out separate AIDA forms and sent them in. When the AIDA staff looked at these forms it was determined that this husband and wife could not file separately because their farms were not at arm's length from one another.

I want the minister to explain how it is determined that these farmers who file separate income taxes, have separate permit books and have separate NISA accounts are not considered separate farms when it comes to AIDA.

This also raises a number of questions as to how AIDA staff will deal with other types of farming operations. Are the rest of the husband and wife operations to be considered as one farm? What about places where father and son each have separate farms but work together? Will they be considered one operation? The same applies for brothers or people who work together. Did the minister consider any of this when he was constructing AIDA?

Mr. Joe McGuire (Parliamentary Secretary to Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, as has already been stated in the House, federal money is flowing out under the agriculture income disaster assistance program. Program administrators have started processing applications and sending cheques to those farmers who have submitted a complete application package.

We acted swiftly to pay the federal portion in those provinces where the federal government delivers the program so that farmers could have money in their hands. When those provinces, and that includes Saskatchewan and Manitoba, sign the agreement producers will receive the second portion of their disaster payment.

Other provinces are delivering the program. B.C., Alberta, P.E.I. and Ontario are using an existing administrative system. Members should be aware that Alberta has had a disaster assistance program since 1995 to which the federal government has contributed its companion program money. Farmers in those provinces started receiving money several weeks ago, notwithstanding the federal-provincial discussions on cost sharing and administrative issues.

I think our record is very good. AIDA started out as a general concept just before Christmas and in a mere four months has become a reality. Money is flowing to farmers for a program that is targeted and pays benefits to people who really need them.

Hon. members also realize that this program will not buy us trouble with our trading partners on the international scene. Benefits will not be captured by foreign treasuries but by our own farmers. This is no simple accomplishment in such a short period of time.

Federal and provincial governments should be commended for all the hard work that went into the AIDA program.

EMPLOYMENT INSURANCE

Mrs. Michelle Dockrill (Bras d'Or—Cape Breton, NDP): Mr. Speaker, following the annual NAC lobby on Monday of this week I hoped we would see a change in attitude from the Liberal government concerning the impact of its programs on women, especially changes to the EI program which have had a specific and serious effect on Canadian women.

The government's own figures show that women have been hardest hit by modifications to eligibility requirements. Today, 44% of Canadian women are not eligible for maternity benefits, placing a huge strain on families from B.C. to Newfoundland.

The decision the government has made is a simple one. It has placed the ideology of the collection agency ahead of human compassion and economic efficiency. I am sure hon. members are familiar with the term penny-wise and pound foolish. This is a concise summary of the government's policy. By attempting to balance the nation's books on the backs of the middle class, the working poor and the disadvantaged, the administration has de-

cided to trade long term growth for the illusion of short term responsibility.

It is the equivalent of a family selling its house so it can pay off its debts. What good does a perfect credit rating do when everything that matters has been thrown away?

Employment insurance was designed to serve as a bridge to enable workers to survive while they are between jobs. Over the years that definition has become more and more restrictive. Now one has to live in a region that experiences a complete economic meltdown before one will be eligible. Even then, unfortunately, there are parts of the country where that meltdown has happened. I base these statements on fact. There are people who fall through the cracks.

● (2050)

When I recall the statements made by the Parliamentary Secretary to the Minister of Human Resources Development several weeks ago in the House, I am struck by the calmness with which she dispatched my question, the easy words about studies and about investigations into the problems we are facing with the system.

It seems once many people leave their communities and start to breathe the thin air on Parliament Hill they forget that studies, investigations and inquiries do not put bread on the table. Certainly the people of Cape Breton Island have learned that lesson well. We are aware that reports do not fill a child's stomach before he or she goes to school or goes to bed at night.

The parliamentary secretary said that they do not want to start making changes until they understand the whys and wherefores of the numbers. I was left wondering what was the problem. Before the government pushed through its changes to the system, there was no evidence that women were discriminated against by the system. Surely the answers to the government's questions are laid out for it in the old legislation which the government threw away.

I want to make perfectly clear that my comments are not intended to call simply for a return to the old ways. My party is the first to admit that system was imperfect and in need of substantial reform, but changes need to be based on an assessment of why a program was invented in the first place.

An unfortunate trend has come to dominate policy making since 1993, the tendency of programs to be examined, pared down or eliminated because of their impact on the year to year financial forecast instead of on their social utility. Using this model, programs like EI and other assistant agencies are portrayed as inefficient. That justification has been used to whittle them away until they are unable to function.

We have to act and we have to act decisively. Canadians will not reward parliament for indecisiveness or a lack of action. Whenever the reports or studies or whatever concerning the EI system are delivered to the minister, I hope the government will be inspired into action to do what is right for women and all other citizens of the country.

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, I am not the least bit embarrassed that the member opposite thinks I remained too calm in answering her earlier question.

In fact the electors in my riding expect me to remain calm, analytical and have an intellectual approach to the subject in front of me, and I think that is the approach of the government. It is only in so doing that one can be a true steward of the nation's resources and come up with programming that addresses the true needs of people and does not respond in some hysterical fashion to some new statistics that come out of a study.

I assure the member that we too are concerned about making sure that EI is fair and accessible to women. We agree with her that claims by women for regular benefits dropped by four percentage points more than claims by men in 1997-98, and this concerns us.

The minister's officials are now in the process of determining why the number of claims went down. The reasons for this decline are not easy to see and not clear. In fact there seems to be several factors at play. Let me assure the member that we are trying to get a clearer understanding and we are looking at various options that could rectify the situation.

I would like to take this opportunity to remind the House that several features of the EI program benefit women. The move to an hours based system, for example, was in large part about helping women out of the 14 hour job trap.

We also know that two-thirds of the people who get the more generous family income supplement are women, that 58% of the small week claims were made by women, and that the reach back provision for active employment measures means women who stayed at home to raise their children can benefit from these measures for up to five years in order to help them get back into the workforce.

We are committed to making sure that EI benefits are fair and accessible for all women, but we are also committed to helping women who wish to enter or re-enter the workforce. Our efforts will continue in that direction.

[*Translation*]

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

(The House adjourned at 8.55 p.m.)

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

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