



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, June 13, 2000**

**Speaker: The Honourable Gilbert Parent**

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# HOUSE OF COMMONS

Tuesday, June 13, 2000

The House met at 10 a.m.

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*Prayers*

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Consumer Agency of Canada and to amend certain acts in relation to financial institutions.

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

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## ROUTINE PROCEEDINGS

• (1005)

[*English*]

### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I have the honour to table, in both official languages, the government's response to 12 petitions.

\* \* \*

### ORDER IN COUNCIL APPOINTMENTS

**Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I am also pleased to table, in both official languages, a number of order in council appointments recently made by the government.

Pursuant to the provisions of Standing Order 110(1), these are deemed referred to the appropriate standing committee, a list of which is attached.

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### NATIONAL DEFENCE

**Mr. Bob Wood (Parliamentary Secretary to Minister of Veterans Affairs, Lib.):** Mr. Speaker, pursuant to Standing Order 32(2), I have the honour to table, in both official languages, the 1999-2000 annual report of the Department of National Defence and the Canadian Forces Ombudsman.

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### FINANCIAL CONSUMER AGENCY OF CANADA ACT

**Hon. Jim Peterson (for the Minister of Finance, Lib.)** moved for leave to introduce Bill C-38, an act to establish the Financial

## ACCESS TO INFORMATION ACT

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance)** moved for leave to introduce Bill C-489, an act to amend the Access to Information Act (cabinet confidences).

He said: Mr. Speaker, in June 1999 the government used the provision for total exclusion of cabinet confidences under section 69 of the Access to Information Act to keep 172 pages of gun registry budget information a state secret.

In September the government used the cabinet confidences exclusion again to hide from the public a 115 page report on the economic impact of the gun registry. That was enough for me and I knew the law had to be changed.

The purpose of this bill is to make certain amendments to the act as recommended by the information commissioner in his 1996 report, *The Access to Information Act and the Cabinet Confidences: A Discussion of New Approaches*. The information commissioner was kind enough to recommend changes to an earlier draft of this bill.

• (1010)

This bill makes cabinet confidences mandatory exemptions as opposed to exclusions. This results in the withholding of information and documents that are considered cabinet confidences being subject to the independent review under the act, rather than the entire act being inapplicable to them. The bill also excludes from the exemption documents that refer to but do not reveal the substance of cabinet confidences.

Among other safeguards, this bill would require that requests for cabinet confidences be handled only by officers who have received the appropriate security clearance.

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

*Routine Proceedings***PETITIONS**

## HEALTH

**Ms. Wendy Lill (Dartmouth, NDP):** Mr. Speaker, it is my pleasure today to rise in the House and present over 600 signatures from my community of Dartmouth.

The people of Dartmouth are concerned that the Liberals have ignored the top priority of Canadians in the 2000 budget by giving only 2% for health care, and that the federal government is now only paying 13.5% of the health care costs leading to shortages of nurses, hospital beds and emergency spaces in our hospitals.

The people of Dartmouth want to see an immediate injection of federal money back into our health care system bringing it up to 25% of funding immediately, and also, to implement home care programs and a national program for prescription drugs. They want to stop for profit hospitals and federal funding restored for health care.

[*Translation*]

## EMPLOYMENT INSURANCE

**Mr. Gérard Asselin (Charlevoix, BQ):** Mr. Speaker, pursuant to Standing Order 36, I am tabling in the House today a petition signed by 5,400 constituents in the riding of Charlevoix.

Given that the proposed change to the limits of the economic region for employment insurance purposes in the federal riding of Charlevoix would have dreadful consequences for the affected population, and that this proposal does not follow the employment insurance regulations on the homogeneity of the work market and the bordering regions, the petitioners call on the Parliament to maintain the status quo, so that the riding of Charlevoix can still be part of the former administrative region of northern Quebec.

## GASOLINE PRICES

**Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.):** Mr. Speaker, I have the privilege to present two petitions.

The first one deals with the predatory pricing of gasoline. The petitioners are from Beauport, Quebec City, Sainte-Émilie, Saint-Émile, Sainte-Foy, Charlesbourg, Saint-Lambert and Victoriaville.

Since Canadians consumers cannot take action and protect themselves against increases in gasoline prices, the petitioners are calling on parliament to pass a resolution to stop world oil cartels in order to bring down excessive prices of crude oil.

The second petition is from the region of Fleurimont, Sherbrooke, Lac-Racine, Saint-Denis-de-Brompton, Saint-Pamphile and Saint-Marcel. The petitioners call on the House of Commons to find a solution and to pass a resolution to stop world oil cartels in

order to bring down excessive prices of crude oil to counter the predatory pricing of gasoline in Quebec and in Canada.

## GENETICALLY MODIFIED ORGANISMS

**Ms. Diane St-Jacques (Shefford, PC):** Mr. Speaker, I wish to table a petition signed by constituents from the riding of Shefford who are asking the government to quickly introduce and implement legislation that would make the labeling of GMOs and foods containing GMOs mandatory in all cases.

## ALTERNATIVE ENERGY

**Mrs. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ):** Mr. Speaker, I am pleased to table in the House today a petition from constituents of my riding of Saint-Bruno—Saint-Hubert.

The petitioners call on parliament to allocate sufficient funds to research into alternative energy sources so that, in the near future, Canadians would no longer be forced to turn to oil as a main energy source.

## BILL C-20

**Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ):** Mr. Speaker, since the session is almost over, I would like to table a series of five petitions on different issues.

A first petition containing about 125 signatures was sent to me on Bill C-20. The petitioners wish for the withdrawal of this bill.

## CRIMINAL CODE

**Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ):** Mr. Speaker, I am pleased to table a petition containing about one hundred names and dealing with drinking and driving.

The petitioners call on the government to amend the Criminal Code to toughen up the law.

## CANADA POST CORPORATION

**Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ):** Mr. Speaker, I am pleased to table a petition on collective bargaining by rural route mail couriers.

## GASOLINE PRICES

**Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ):** Mr. Speaker, I am pleased to table a petition containing about 200 signatures. The petitioners condemn the excessive gasoline prices.

## PAY EQUITY

**Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ):** Mr. Speaker, I am pleased to table a petition containing about 50 signatures from petitioners asking for pay equity for all workers.

I wanted to do my duty as a member of parliament by presenting these petitions from my fellow citizens.

• (1015)

#### GENETICALLY MODIFIED ORGANISMS

**Mr. Yves Rocheleau (Trois-Rivières, BQ):** Mr. Speaker, I wish to present this petition on behalf of some 30 citizens of the riding of Champlain, asking parliament to enact a legislation making mandatory the labeling of all food products which are genetically modified in whole or in part.

I take this opportunity to underline the excellent work of our colleague, the member for Louis-Hébert, on the issue of GMOs.

[English]

#### HEALTH CARE

**Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP):** Mr. Speaker, I am pleased to present two petitions signed by hundreds of constituents and people from all over Manitoba. They are very concerned about the state of our health care system and the lack of action on the part of the Liberal government to address the crisis that has now befallen our universal public health care system.

The sentiments of the petitioners were given some validity yesterday with the results of the byelection in Alberta where voters overwhelmingly said yes to the NDP and no to bill 11. The petitions that I table today say the same thing, that we should stop the cutbacks to health care, stand up against bill 11, save the Canadian public health care system, and stop the slide toward a two tier American style health care system in Canada.

[Translation]

#### GASOLINE PRICING

**Mr. Jean-Guy Chrétien (Frontenac—Mégantic, BQ):** Mr. Speaker, I am pleased to present this petition urging the House of Commons to take a stand in order to bring an end to the dizzying increases in the price of gasoline.

The report on Radio-Canada, last night, proves without any doubt that the major refineries in Canada are abusing their monopoly position.

Therefore, it is my privilege to table this petition signed by a great number of citizens of the town of Thetford and the surrounding area.

**Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ):** Mr. Speaker, pursuant to Standing Order 36, I am pleased to submit the following petition, signed by 381 citizens from Quebec, in particular from the riding of Verchères—Les-Patriotes, which I have the honour and the pleasure to represent in this House.

The petitioners point out first that it is impossible for consumers to protect themselves against the dizzying increases in the price of gasoline at the pump. They also point out that they are a captive clientele for oil products, since no alternative source of energy is presently available at a reasonable price.

#### Government Orders

Therefore, the petitioners urge parliament, as a first step, to pass a resolution to put an end to the actions of world petroleum cartels and, as a consequence, bring down the excessive prices of gasoline.

Finally, the petitioners ask parliament to invest sufficient money in research on alternative sources of energy, so that consumers will no be longer dependent on oil as their main source of energy.

**Mr. Bernard Bigras (Rosemont, BQ):** Mr. Speaker, in the same vein, I would like to table a petition signed by hundreds of Quebecers asking that Parliament take action in order to counter excessive gas pricing.

Among other things, those Quebecers ask that adequate funding be allocated to research into alternative energy sources so that, in the near future, Canadians are no longer forced to turn to oil as a main energy source.

[English]

#### THE SENATE

**Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP):** Mr. Speaker, I have a petition to present which was sent to me by people in Brandon, Manitoba, and a few folks in Weyburn, Saskatchewan. They ask the House to abolish the unelected Senate.

They say that the Senate is undemocratic, unelected, not accountable, costs Canadian taxpayers around \$50 million per year, and undermines the authority of members of parliament. Therefore they ask us to begin the process of abolishing the Senate. Of course that is supported by my friend, the Liberal member from New Brunswick.

\* \* \*

[Translation]

#### QUESTIONS ON THE ORDER PAPER

**Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I suggest that all questions be allowed to stand.

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

**Some hon. members:** Agreed.

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#### GOVERNMENT ORDERS

• (1020)

[Translation]

#### CRIMINAL CODE

The House proceeded to the consideration of Bill C-18, an act to amend the Criminal Code (impaired driving causing death and other matters), as reported (with amendment) from the committee.

*Government Orders*

## SPEAKER'S RULING

**The Deputy Speaker:** There is one motion in amendment listed in the notice paper at report stage of Bill C-18.

Motion No. 1 will be debated and voted on.

I will now put Motion No. 1 to the House.

## MOTION IN AMENDMENT

**Mrs. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ)** moved:

Motion No. 1

That Bill C-18 be amended by deleting Clause 2.

She said: Mr. Speaker, the purpose of this amendment is to make the government realize that the Bloc Québécois is opposed to Bill C-18. This bill will increase the maximum penalty for impaired driving causing death from 14 years to life imprisonment.

The Bloc Québécois feels that the 14 year sentence currently provided under the criminal code is adequate and reflects the seriousness of the offence. We are simply proposing to delete clause 2 of this bill, which changes the penalty for that crime.

Bill C-18 gives us an opportunity to reflect on the appropriateness of a jail sentence. In doing so, we must first ask ourselves about the needs of the victim, of the offender and of the community once a crime has been committed.

Victims need to express what they went through and to receive compensation for the harm caused to them. They also need to have their rights upheld.

Offenders, on the other hand, need to understand their actions and to take responsibility for them. They should be given the opportunity to explain their action to the victim and also to change their behaviour.

The community also has needs that must be met. Those needs are more abstract, but they are just as important. The community wants to be protected from crimes. Sometimes, a token bid of restitution is necessary to repair the harm caused to the community. Doing community work is a good example of a measure that makes up for the prejudice caused by the offender to the community.

Are these needs met by imposing a jail sentence? I am tempted to say that they are not entirely met under the existing system and that they are sometimes not met at all.

The main reason for this situation is that the system pays more attention to the fact that a criminal act is perceived as a violation of a law, rather than as an action that causes a prejudice to the victim and to the community. Within this view of criminal justice we are

seeking to punish the offender instead of trying to remedy the harm he has done to the victim.

The preferred way of punishing criminals these days seems to be imprisonment. We are stuck in our present approach for determining sentences and the reason we are is that we have no other means for responding to the needs of the community, the victim and the perpetrator.

The Bloc Québécois does not see any way in which increasing to life imprisonment the 14 year sentence for impaired driving causing death can meet the needs of the community, the victim and the perpetrator.

The message the Bloc Québécois is attempting to deliver here is not that imprisonment must never be used. We know that, under certain circumstances, there is no other solution but imprisonment to meet the needs of victims and the community.

The criminal code provides a maximum sentence of 14 years for impaired driving causing death, and we do not feel that increasing this to a life sentence will do anything more than punish for the sake of punishment.

As we have said on a number of occasions, the rate of imprisonment in Canada is the highest of all democratic countries in the west, with the exception of the United States. It has, moreover, been proven that not only do incarceration rates and sentence lengths do nothing to improve the rate of recidivism and the crime rate in general, but they sometimes have the opposite effect, and make it worse.

Nevertheless, we continue to incarcerate people and the federal prison population is increasing at a rate that points to a 50% rise within the next 10 years.

• (1025)

The adult correctional system cost some \$2 billion in 1992.

It cost about \$52,000 a year to keep one offender in prison, whereas it would have cost \$10,000 to supervise an offender in the community. Where are we going with Bill C-18?

The minister is not addressing the problems coherently and is proposing a simplistic solution to the scourge of impaired driving.

I would like to conclude with an example to illustrate my remarks. I refer to the case of Kevin Hollinsky of Windsor, Ontario. The events of which date back to 1994.

This young man went with friends, as many adolescents will do, to a bar in downtown Windsor. On his way back, at the wheel of his 1985 Firebird, he and his friends tried to catch the attention of a group of girls in another car. Kevin Hollinsky was driving too fast and lost control of his car in a dangerous curve.

*Government Orders*

The consequences of these acrobatics were disastrous. Two of Kevin's friends died in the accident, two others were injured. Kevin himself was not hurt.

He pleaded guilty to two counts of dangerous driving causing death. For dissuasion purposes, the crown prosecutor sought a sentence of 8 to 14 months imprisonment, in order to teach a lesson to other young drivers.

Local police who worked on the case felt that a very clear message needed to be sent that impaired driving causing death would carry a jail sentence.

Kevin did not go to jail. This was because of the extraordinary actions of the parents of the two boys who were killed and a courageous and innovative judge, who dared to hand down a community service sentence instead.

Here is what was decided. With the co-operation of the Windsor police, a program was set up whereby Kevin would visit schools with what remained of his car to speak to students about the events of that tragic evening.

Kevin Hollinsky was sentenced to 750 hours of community service and met with 8,300 students in the course of this innovative program.

For anyone doubtful about the effectiveness of this sentence, I should mention that, during the summer following Kevin's presentations, no secondary school students were involved in any serious or fatal car collisions in the counties of Windsor or Essex.

A secondary school principal told the police that he was sure that this initiative would save lives. During his 30-year career as a teacher, he had never heard a talk that had such a powerful impact on students.

Admittedly the dissuasive effect would not have been the same if young Kevin had been given a jail sentence.

This case was appealed by the crown prosecutor. Let us not forget that the appeal courts have established that a jail sentence is appropriate in almost all cases of death resulting from a highway accident caused by gross negligence. In November 1995, after deliberating half an hour, three appeal court judges confirmed the initial sentence.

There are many people who have committed a serious crime for which jail is not necessary and could even be ineffective for the offender and for the real needs of the community. That is why the Bloc Quebecois is vigorously opposed to Bill C-18 and is proposing that clause 2 simply be dropped from the bill.

I urge all members of the House to reflect on the consequences of tougher sentences for impaired driving offences. I hope that the

example I have given will convince them to support the Bloc Quebecois amendment.

[English]

**Mr. Pat O'Brien:** Mr. Speaker, I rise on a point of order. I wonder if I could ask for the indulgence of the House to revert to routine business to allow me to present a unanimous committee report from the Standing Committee on National Defence and Veterans Affairs.

**The Deputy Speaker:** Is there unanimous consent to revert to presentation of reports from committees?

**Some hon. members:** Agreed.

**Some hon. members:** No.

• (1030)

[Translation]

**Mr. John Maloney (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I am pleased to speak to Bill C-18.

The bill before us today is in part the product of the work done by the Standing Committee on Justice and Human Rights.

[English]

The standing committee tabled its report "Toward Eliminating Impaired Driving" on May 25, 1999, one year ago. The committee appended to that report a draft bill that the government followed very closely when it introduced Bill C-82 on June 7, 1999.

At the time of introduction, Bill C-82 included a provision that would have increased the maximum penalty for impaired driving causing death from 14 years imprisonment to life imprisonment. This provision was removed from Bill C-82 and then placed in Bill C-87. As amended, Bill C-82 passed and came into force on July 1, 1999. Bill C-87 died on the order paper.

In October 1999 during this current session, the government tabled its response to the committee report on impaired driving. The government response indicated the intention to reintroduce the provision found in Bill C-87 that would increase the maximum penalty for impaired driving causing death to life imprisonment. In December 1999 the government introduced Bill C-18 which includes the provision relating to impaired driving causing death.

Raising the maximum penalty for impaired driving causing death will indicate that this crime is viewed with the same seriousness as manslaughter or criminal negligence causing death, which also carry a maximum penalty of life imprisonment. I remind the House that the maximum penalty is reserved for the worst offender and the worst set of circumstances.

*Government Orders*

Earlier this year the Supreme Court of Canada handed down a unanimous decision in the Proulx appeal. In the course of its reasons the court noted that:

—dangerous driving and impaired driving may be offences for which harsh penalties plausibly provide general deterrence. These crimes are often committed by otherwise law-abiding persons, with good employment records and families. Arguably, such persons are the ones most likely to be deterred by the threat of severe penalties.

To the extent that penalties deter, the amendment would help in the battle against impaired driving. The increased penalty would also be valuable for its denunciation of impaired driving causing death.

Bill C-18 also includes, as promised in the government response to the committee's report, a provision that was recommended by the committee but not included in the draft bill. This provision would amend section 256 of the criminal code by adding drugs as a basis to seek a warrant to obtain a blood sample.

This section currently allows a peace officer to apply for a warrant to obtain a blood sample from a driver based on alcohol consumption in certain circumstances. The peace officer must reasonably believe that the driver, within the previous four hours, was involved as a result of the consumption of alcohol in an accident resulting in injury or death. Also, it must be the opinion of a qualified medical practitioner that the driver is unable to consent to the taking of a blood sample and that taking the sample would not endanger the life or health of the person. It is anticipated that situations where police will seek a warrant for a blood sample based upon drug consumption will be relatively few and that these would involve illegal drugs or the abuse of legal drugs.

With the impaired driving causing death provision and with the blood sample provision, the government will have acted upon each of the recommendations for a specific criminal code amendment contained in the standing committee's report "Toward Eliminating Impaired Driving".

Bill C-18 includes two other amendments. It would change the French version of the definition of a motor vehicle to indicate that these are vehicles moved otherwise than by muscular power. The English version does not have this problem.

Finally, Bill C-18 would delete the offence of driving while prohibited from the list of indictable offences that are within the absolute jurisdiction of a provincial court judge under section 553 of the criminal code. Bill C-82 of the previous session raised the maximum penalty for driving while prohibited from two years imprisonment to five years imprisonment. The charter of rights requires that an accused be given the right to a jury trial for an offence that carries a maximum penalty of five years imprisonment or more. The amendment in Bill C-18 will bring section 553 into compliance with the charter.

I am pleased that we have seen progress over the past dozen years in reducing the fatalities involving impaired driving. Howev-

er, there is yet much distance on the road that lies ahead of us on our journey to eliminate impaired driving. Legislation alone will not eliminate impaired driving. I think we can agree that continued efforts by governments, public and private organizations, and families and individuals are required to eliminate impaired driving.

● (1035 )

**Mr. Richard M. Harris (Prince George—Bulkley Valley, Canadian Alliance):** Mr. Speaker, I am very pleased to rise in support of Bill C-18. It should be clear that the Canadian Alliance has been supportive of this process from the very beginning going back to Bill C-82 as well as Bill C-18. These government bills came about because of a supply day motion introduced by the then Reform Party, the official opposition of Canada, back in 1998. Of course we support it and we commend the government for finally getting to the stage where we have the complete package together.

I want to speak for just a moment in opposition to the motion put forward by the Bloc. Through the different stages of this bill, including report stage, we have seen that the Bloc members basically have a different attitude toward those people in our society who would drink and drive. We firmly believe that this must be regarded by the Criminal Code of Canada and by parliament as a criminal offence because that is clearly what it is. It is not simply a social ill as the Bloc would have us believe; it is a serious criminal offence. Approximately 1,500 deaths a year in Canada and in excess of 80,000 injuries are a direct result of irresponsible unthinking people who would choose to drive their vehicles while under the influence of alcohol or drugs. I am happy the drug aspect has been introduced into taking of blood samples and the process that is involved.

Bill C-18 and clause 2, which the Bloc seeks to have removed, is not about the Kevin Hollinskys of this world and the Bloc member knows it. She knows that all through the committee stage we clearly discussed that the extension of the maximum sentence to give the judges more latitude was designed specifically to be used in the case where there are serious and aggravating factors involved in the offence.

We are not talking about the Kevin Hollinskys of the world, but about hard core offenders who have shown by their actions that they care nothing about the safety of society. They care nothing about the laws of the country. They care nothing about responsibility and on occasion after occasion have gotten into their automobiles while they were impaired, caused an accident and been arrested. If it was not the ultimate accident which resulted in the death of someone, they injured someone. While being under suspension and under the influence, they go out driving again, get caught and get some other sentence. Then they get out and are caught again driving while under suspension. We are talking about the incorrigible offenders. That was made very clear during all the discussions we had on Bill C-18.



*Government Orders*

We are talking about the incorrigible offenders who simply refuse to listen to the law. As a result, they make themselves a menace and a danger to society by their actions. They get behind the wheel of an automobile and pose a serious threat to everyone else on the roads. When they kill somebody, it is because they have not taken the responsibility. They have not recognized the law. They have not recognized the danger they have put the rest of society in.

• (1040)

They are clearly the type of person that for the sake of the safety of society and even for the sake of the safety of their own lives, should be sent to prison at the judge's discretion for a maximum life term. It removes them from the highways. It removes their irresponsible acts from the highways. It removes their menace from our highways. It protects society. That is what we are trying to do.

We strongly oppose the Bloc amendment. First of all, it is presented in the wrong vein. It is presented using an example such as Kevin Hollinsky which is clearly not the intent of Bill C-18 or clause 2.

We enthusiastically support Bill C-18. We commend the government for dealing with this. Mr. Speaker, you cannot imagine how it tears my heart to commend the government on a government bill but it is deserved. I am sure the government will return that praise to our party for introducing it in the first place as a supply day motion. We support the bill and hope for its quick passage.

In closing, I would like to ask the unanimous consent of the House, to delete the coming into force section of the bill in clause 5 which reads:

This act comes into force on a day to be fixed by order of the governor in council.

I would like to ask for the unanimous consent to delete this so as to allow the bill to take effect immediately upon royal assent.

**The Deputy Speaker:** Does the hon. member have the unanimous consent of the House to propose this amendment?

**An hon. member:** Agreed.

**An hon. member:** No.

**Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP):** Mr. Speaker, it gives me great pleasure to rise in the House today to discuss the concern that is on the minds of every Canadian when it comes to safety on our roads and highways.

Before I start my preamble today, I would like to give a warm welcome to all those veterans and legion members who descended

upon Halifax for the 38th Dominion convention. They had a wonderful parade on Sunday in the pouring rain. It was great to see Haligonians come out in pride to say thank you to the veterans and to the legion members for the continuing great work they do on behalf of our elderly veterans across the country. We are going to give a special tip of the salt and pepper cap to all those people across the country.

Also, I am wearing my tall ships pin today. I invite all members of parliament, their staff, anyone in the viewing audience and in Ottawa to come on down to Halifax between July 19 and 24 to witness the greatest gathering of tall ships in the history of our country, a great mariner nation.

Back to the subject at hand, when it comes to impaired driving, I do not think there is one Canadian or one parliamentarian who would not agree that this is something that we should not even be discussing in the new millennium. Impaired driving is a scourge and a curse in our society. Through proper education and enforcement hopefully we can reduce it or eradicate it completely. However, it does absolutely no good to put in all the toughest regulations possible if there is not proper enforcement.

Many communities in my riding never see a police officer for days. I am sure it is the same right across the country in the rural parts of the nation. The cuts to the RCMP and to provincial and municipal police forces have really put our roads in jeopardy not only in terms of impaired drivers but unsafe drivers right across the country.

If we are going to eradicate this problem and save lives, we must encourage the federal government and all provincial governments to reinvest in our law enforcement officers so they can have not only the proper safety checks on the road, roadblocks and everything else at New Year's and on special holidays but throughout the year. Spot checks are a great way of deterring the general public from drinking and driving.

• (1045)

Another problem is the lack of public transportation. There is absolutely no excuse for someone to drink and drive. Absolutely no excuse at all. In many cases an individual may have a bit too much to drink and because there is no access to public transportation, or quick access to it, that may encourage the individual, albeit not rightly of course, to think that because they cannot get a ride home and a cab is too expensive they will chance it and drive. We have to take that type of thinking away from the people who patron our taverns, bars and lounges, or who drink in their homes or their neighbours' homes. We have to encourage them to use public transportation or hire a cab if they are going to have a few drinks.

I have to give credit to the Brewers' Association of Canada. Over the last few years it has been very proactive in encouraging its customers who drink spirits, wines and beers to drink responsibly.

*Government Orders*

Kudos go to that association for taking the lead approach in that regard, but there is much more it could do. It could start by putting voluntary labelling on bottles. Or, if it refuses to do that voluntarily, it could become mandatory that labelling be put on beer bottles, liquor bottles and so on to encourage people not to drink and drive. That is my personal point of view.

We have quite graphic advertising planned for cigarettes and I believe we should have the same on liquor bottles. I do not necessarily mean pictures, but a warning saying "Please do not drink and drive". That would go a long way in encouraging people to understand that when they drink, getting into a vehicle is the worst thing they could possibly do.

MADD, Mothers Against Drunk Driving, is a wonderful association which reaches across this country. It deserves all kinds of kudos. I would go so far as to say that the individuals involved with MADD deserve the Order of Canada for all the great work they do in bringing this issue to the attention of all members of parliament and all legislatures across Canada. This organization brings awareness to this very terrible aspect of our society.

Statistically it is true that impaired driving charges have decreased through proper education and through efforts of organizations like MADD and the Brewers' Association of Canada. Those organizations encourage and educate all people in our society to not drink and drive. However, it still happens and there are many more things we could do.

Our enforcement people need adequate resources. We have heard enough excuses about budgetary cuts. If someone dies because of budgetary cuts, why the hell were those cuts made in the first place? There is a cause and effect to budgetary restraints and cuts. I am not saying we should operate on deficits for the sake of operating on deficits, but if essential services like policing are cut in Canada that will have an effect on road safety. We have many concerns about home invasion in rural communities. We also have problems with carjackings, drugs coming into Canada through our ports, poor morale in the RCMP and the municipal and provincial police forces, which are a direct cause of the cuts these departments have had to face.

All of the police officers I have met love to do what they do. They love to serve their country in their capacity as law enforcement officers. Unfortunately, the support they receive from the federal and provincial governments is not adequate. That has to change. I believe if we can change the thinking of all governments at all levels and work co-operatively together with law enforcement agencies we could reduce drunk driving. It is difficult to control 31 million people and their individual behaviour, but we could reduce drinking and driving even more.

It is most unfortunate that the member for Prince George—Bulkley Valley was unable to get unanimous consent to have this legislation passed quickly. As the House knows, we will be rising possibly this Friday or next week. I would encourage this govern-

ment and all members of parliament to put aside their political differences and move to quickly pass this bill. It would be the right thing to do. We must do everything we can to protect our children, our families and anybody visiting Canada who travels on our highways and byways, regardless of which political party we belong to.

I encourage all members of parliament to support this initiative and to do it quickly so that we can protect lives on our streets in Canada.

● (1050)

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, I am pleased to rise in the House to take part in the debate, which everyone is aware focuses on a motion that is now before the House to essentially remove a subsection of the criminal code, which is before us within Bill C-18. The proposed subsection arrived back here, and I would suggest it is arguably the most important part of much needed and anticipated legislation pertaining to impaired driving.

The proposed subsection would replace subsection 255(3) of the criminal code with the following:

(3) Every one who commits an offence under paragraph 253(a) and thereby causes the death of any other person is guilty of an indictable offence and liable to imprisonment for life.

This bill is very much aimed at the emphasis and putting forward parity in the criminal code with respect to individuals who embark on this type of reckless behaviour that results in threats to life and limb. We have seen repeatedly the carnage on the highways that is the end result of impaired driving. This is a criminal code change that would address that particular problem in a direct way.

The Conservative Party of Canada was very encouraged when the government and all other opposition parties, with the exception of the Bloc, finally came around to support Bill C-18.

We know that last year there was capitulation on the part of other parties when the government agreed to take this proposed subsection out at the urging of the Bloc Quebecois. Members of our party were very tough with this particular item and insisted that it remain, and we did receive personal assurances from the Minister of Justice that this bill would be reintroduced as a stand-alone. I want to acknowledge and commend the minister for following through on her word. Sadly, we have not seen her ability to deliver Bill C-3, the new youth criminal justice act, with the same level of efficiency, or timeliness.

Bill C-82 was the original bill from which this proposed subsection was deleted. It was because our party was insistent on it being reintroduced that we see it here today. After that long period of delay, it is encouraging. The timing, of course, is very important. With the summer months now upon us, graduations coming up,

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with more and more people on the highways headed to cottages and to the shore, impaired driving sadly is a threat to all individuals on the highways. This bill would send a proper message of deterrence, both general and specific deterrence, for those who are foolhardy enough to embark on impaired driving and jeopardize other's lives in a very serious way.

All members of the committee will recall, and I certainly recall, working closely with members of Mothers Against Drunk Driving, who have been very much in support of changes to toughen up our legislation pertaining to impaired driving, and this subsection in particular was one upon which they were insistent.

The life imprisonment provision does send the message of deterrence that we seek to send. I want to personally thank members of MADD for their consistent support for legislative change, and this bill in particular.

I also want to acknowledge the contribution of all members of the justice committee for enabling this legislation to make it through the committee, and to do so quickly. Now that we have the amendment at report stage, although I know the Bloc Quebecois may be opposed to this provision, I do commend and acknowledge its commitment to exercising its right to oppose and to its participation in the debate.

I hope the report stage will not be delayed any further, particularly with respect to this important legislation, with the timetable we have and the likelihood that parliament will wrap up this week.

I spoke earlier of the summer vacations that our now upon us. There are many families and individuals across the country who will be on the roads, and needlessly impaired drivers could cause fatalities and absolute horrific carnage to individual lives.

The hard-core drinkers who continue to embark on this exercise of drinking and driving, getting behind the wheel and endangering Canadian lives, is exactly the type of individual who this bill addresses.

The message that drinking and driving will not be tolerated in that form and fashion is one that we wish to send from this place forward.

From day one the Conservative Party stressed this as a priority. The government has acknowledged that by bringing it forward today. It is high time that we put emphasis on the protection of human lives and the needless tragedies and loss of life that we see on the roads and highways throughout the country. They are a testament to the need and to the void that existed prior to this bill coming into effect.

• (1055)

During the original debate of Bill C-82 we were very worried when other parties softened their position with respect to the life

imprisonment aspect of the bill. This was done, many will recall, in exchange for speedy passage through the House, but now we have come full circle and we are seeing the inclusion of this important provision.

The bill is now before us in a separate form, but it very much complements and works with the previous legislative changes that took place in the last session. This will improve the bill and will give police further powers and the courts the further ability to mete out sentences that are more indicative and more reflective of the serious type of negligent behaviour that is encompassed by impaired drivers.

Bill C-3 was another important bill that we would have liked to have seen come through, as I mentioned earlier, but that has not happened. However, we do embrace this bill and support it wholeheartedly.

The Conservative Party has been adamant all along that the provision of life imprisonment be reinstated and that judges be allowed greater leeway, greater discretion to reflect public outrage and public sentiment about the seriousness of taking another's life through an automotive accident where alcohol is involved.

Tragically, many people have experienced an impaired driving accident. There are few Canadians who have not been touched by the tragedy of an impaired driving accident. Careless actions and careless behaviour of drivers when it involves alcohol have to be treated with the same type of response that we see in other actions that are reflected in the criminal code.

Criminal offences involving drunk drivers declined by 23% between 1994 and 1997, but we do know that there are staggering numbers who are not caught and continue to drive under the influence. It is hoped that through the efforts of all present we will have this legislation before the Canadian people. It will benefit all in the country and send a message of deterrence that is so important in changing and refocusing the attitudes toward this criminal behaviour.

That is very much a part of this exercise. Putting forward a more vehement message of deterrence, emphasizing that this is behaviour that will not be tolerated, emphasizing that this is the type of behaviour that will warrant serious criminal sanctions up to life imprisonment, will help to send that message out.

If and when Bill C-18 passes, the Liberal government should not rest on its laurels, for certainly it and all governments should continue their fight against impaired driving. Many suggest that we should be lowering alcohol levels even further, some to a zero tolerance level. There was lengthy discussion of other ways to approach the problem of impaired driving, so the fight is not over and there is more to be done.

Ontario and Alberta are two provinces that have been at the forefront in bringing forward legislative changes and putting in

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place provincial statutes to address this problem. Provincial statistics show that more than 300 people were killed in drunk driving related accidents in the year 1997. In Ontario there is a legislative initiative that if caught three times for impaired driving a lifetime suspension will follow.

We know that fines have been increased. Judges now have the ability to impose sanctions with respect to the use of driver interlock systems, which is an innovative technical advance that will allow a person convicted of impaired driving to continue driving if they comply and take full responsibility for the cost of installation.

It is time for the government to follow the lead of some of the provinces that are moving in that direction. Innocent victims who are killed as a result of thoughtlessness and selfishness on the part of impaired drivers have to be addressed in a serious way. The federal government has an opportunity to send the message that drinking and driving will not be tolerated. Bill C-18 is a step in that direction.

This legislative initiative, as I said, complements legislation that was brought in in the last session, legislation that expanded the window of time that police have to take samples up to three hours. The legislation also strictly enforced the .08 blood alcohol concentration level and made effective amendments to help police in the performance of their duties. Surveys indicate that it takes police officers on average two hours and 48 minutes to process criminal code charges involving impaired driving. Therefore, there is a greater need for a streamlined approach to the way in which impaired drivers are handled by the police. Physical sobriety tests and passive alcohol sensors will also help the police in their important task.

• (1100)

As well, we know there is a need to fill another gaping hole in the criminal code as it pertains to impairment by drugs, which is not as easy to detect as alcohol. The province of British Columbia has taken very innovative steps in training police officers to be able to recognize the impairment symptoms brought about by the use of drugs.

Police do their very best, and I commend all officers and those involved in the criminal justice system, but they are often frustrated by the fact that technicalities result in cases being thrown out of court on many occasions. Police are still denied the right to demand an automatic breath or blood sample from those involved in accidents.

I just wanted to indicate that there is more that can be done. I believe education plays a big part in that. Part of this debate will hopefully educate the public in that regard.

Parliament has put aside its partisan attitudes on this level. We are glad to see this legislation come in. Graduations are coming up

and we hope that all students will embark on a very safe, alcohol free graduation.

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

**Some hon. members:** Question.

**The Acting Speaker (Mr. McClelland):** The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

**The Acting Speaker (Mr. McClelland):** In my opinion the nays have it.

*And more than five members having risen:*

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

*And the bells having rung:*

**The Acting Speaker (Mr. McClelland):** Accordingly the vote stands deferred.

\* \* \*

## CRIMES AGAINST HUMANITY AND WAR CRIMES ACT

**Hon. Raymond Chan (for the Minister of Foreign Affairs, Lib.)** moved that Bill C-19, an act respecting genocide, crimes against humanity and war crimes and to implement the Rome Statute of the International Criminal Court, and to make consequential amendments to other acts, be read the third time and passed.

He said: Mr. Speaker, on December 10, 1999, Human Rights Day, our Minister of Foreign Affairs tabled Bill C-19, the crimes against humanity and war crimes act.

This legislation will implement in Canada the Rome statute of the international criminal court and strengthen the foundation for criminal prosecutions in Canada.

The bill is now in its final stages. I would like to take this opportunity to recognize the very important work done by mem-

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bers of the standing committee and the many witnesses who contributed to the examination of this bill.

Bill C-19 brings Canadian law into line with the Rome statute which was adopted by delegates of the Rome Diplomatic Conference in July 1998. Once 60 countries have ratified this treaty, a permanent international criminal court will be created in the Hague which will try individuals accused of committing the most heinous crimes known to humanity.

There are already 97 countries which are signatories to the statute, 12 of which have already ratified. The 12 ratifications represent a doubling in number since the introduction of this bill in the House.

• (1105)

This progress is excellent, and it is especially encouraging to note that the most recent country to ratify was France, which did so last Friday. France's ratification is of particular significance as its government was initially quite opposed to the international criminal court. This demonstrates the momentum that is occurring worldwide for this initiative.

The creation of the court is a revolutionary progression in the struggle for universal peace. Many individual Canadians have fought diligently at every step to ensure that the ICC would become a reality. In particular, I would like to highlight the contribution made by Ambassador Philippe Kirsch who chaired the negotiations in Rome and was assisted by a committed team of Canadian officials. They have demonstrated tremendous leadership in bringing the nations of the world together on an extremely complex issue. In this same spirit, many other Canadians have acted as leaders at the non-governmental level to ensure that every individual in the global community is able to live in an environment of peace and security.

The opportunity for Canadians to be leaders in ensuring that the international criminal court is made a reality has not, however, ended. Rather, Canadians must remain vigilant and demonstrate resolve in our efforts to make the ICC a success at every stage.

For the moment, we as parliamentarians must play our part in the implementation of the Rome statute. The importance of Canada ratifying the Rome statute cannot be overstated. A common theme that echoes throughout parliamentary committee hearings came from NGO representatives who stressed that it was of importance not only to Canadians but to the global community that Canada ratify the Rome statute as soon as possible.

There are two reasons why Amnesty International, Human Rights Watch, Rights and Democracy, Women's Caucus for Gender Justice and other esteemed organizations continuously stressed the need for Canada to quickly act.

The first reason is that most countries prefer to follow rather than lead. Many countries are hesitant to ratify the statute because

many countries that normally take the lead on such issues have themselves not yet ratified. Our ratification of the statute will place Canada in its familiar role of leadership in the national arena. We must demonstrate this leadership as atrocities continue to be committed throughout the world. It is incumbent that we exert every effort to bring the ICC into being as soon as possible.

The human rights NGOs also stated that it was imperative that Canada ratify the statute because the proposed crimes against humanity and war crimes act is the first comprehensive implementing legislation to be developed by any country. The Canadian legislation has been heralded by NGOs as model legislation that will be studied and borrowed from by other countries throughout the world.

I would now like to focus for a moment on the committee stage which, under the direction of the hon. member for Toronto Centre—Rosedale, the chair of the Standing Committee on Foreign Affairs and International Trade, was thorough and comprehensive. The enlightened debate that took place at the committee meetings between parliamentarians and witnesses representing a wide variety of interests, has ensured that Bill C-19 is well crafted and that it meets the needs of all Canadians.

Many amendments have been made to Bill C-19 as a result of the suggestions that were put forward by NGOs and committee members. I would now like to highlight some of these amendments.

• (1110)

The crimes against humanity and war crimes act has been amended to ensure that Canada will be able to fully prosecute individuals who commit mass murder, rape, torture or any other similar heinous crimes against humanity. The customary international law definitions of genocide, crimes against humanity and war crimes will now be recognized inside Canada.

Canada's ability to assert universal jurisdiction for these crimes has also been streamlined and simplified. Now, as long as the person accused of the crime is found in Canada, they will fall under our jurisdiction, regardless of when or where the crime took place. This change ensures that those who have committed or who commit in the future the most egregious crimes will not find a safe haven in Canada.

I would also like to ensure that one issue raised by some NGOs at committee stage is fully clarified. Much trouble has been caused by the words direct and indirect which appear in the Rome statute but not in the corresponding article in the Geneva Conventions section on transfers of population. I want to reassure the House that the preparatory commission in New York has resolved the problem, agreeable to all, by adding a footnote which essentially reaffirms that the provision has the same effect as the corresponding offence in the Geneva Conventions, ratified by Canada and implemented by parliament twice.

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The fundamental importance of the ICC is that it will ensure that individuals who persist in committing shocking violations against the global community will be held accountable for their actions.

It is sad that humanity can make so many advances in knowledge, in the sciences, in technology and in so many other areas, yet peace has always eluded the world. The world has never known a period when war did not rage somewhere.

The 20th century in fact, despite our progress, has been the bloodiest century known to humanity. The violence that we have known this century has been so unparalleled that the word genocide itself had to be created to denote the level of violence that had previously been unknown.

In this century we have seen far too many peoples targeted and murdered en masse simply because of who they were. All too often those who perpetrated the violence have escaped justice. The ICC will ensure that the Stalins, the Hitlers and the Pol Pots of the world will never again be able to act with such impunity. The ICC will be the permanent, independent institution which will serve humanity blindly and ensure that the 21st century will be one in which universal accountability is demanded and protected.

The international community must show resolve in continuing to push countries to ratify the Rome statute. The situation in Sierra Leone is an unfortunate illustration of the immediate need for the ICC. It is also useful as serving as an example of how the ICC will serve the interests of Canadians in doing our part in promoting the values which we hold dear to our hearts.

The Minister of Foreign Affairs has done tremendous work in the promotion of human security. Human security puts the needs of people first, and the situation in Sierra Leone illustrates how the ICC can promote the rights of individuals throughout the world.

The Minister of Foreign Affairs has been making great efforts to promote awareness on the issue of war affected children. Many of us have seen the images of small children wielding weapons that were bigger than they were. Children as young as nine in some conflicts are routinely drugged and sent out as cannon fodder to benefit and protect cowardly warlords.

• (1115)

To take advantage of children in this manner is beyond unconscionable. It is outrageous and it cannot be tolerated by individuals who consider themselves to be civilized. The ICC, once established, will provide the global community with the mechanism to go after the individuals who turn children into killers by providing within the Rome statute that it is a crime against humanity to employ children in warfare.

Sadly the image of children brandishing guns is not the most horrific to emerge from Sierra Leone. Instead it is the image of

children as well as those of countless men and women who have had their limbs hacked off that is more enduring. It is perhaps this image of small children with stumps where their hands once were that best exemplifies why the world needs a permanent court to hold the individuals who perpetrate these acts accountable before the world.

The ICC will ensure that the climate of impunity that has been tolerated for centuries will be replaced by a culture of accountability. The court's creation will send a strong signal to all corners of the world that the international community will no longer stand idly by while innocent persons are massacred. Criminals will no longer be able to stand behind borders safe from prosecution. They will instead answer for their crimes.

The act and the ICC will also ensure that those who aid in committing these crimes or who profit from these crimes will have to likewise answer for their actions.

The situation in Sierra Leone, for example, has been financed by the trade in diamonds. Without the trade in diamonds there would be no guns. Canadian diamond companies have acted responsibly in Sierra Leone. Yet there are companies from other countries operating in Sierra Leone that have provided the people who hack off children's hands with the money to commit these crimes. Legislation such as this act will help ensure that these companies, like the perpetrators themselves, will be held accountable for their actions.

It is also important that it be made clear the ICC will be a neutral, non-politicized court whose prosecutors and judges will meet the highest professional standards and will be elected by an assembly of state parties. It is worth citing the excellent work done by Madam Louise Arbour who served as the chief prosecutor on the international criminal tribunal for the former Yugoslavia. Madam Arbour, who now serves Canadians as a supreme court justice, demonstrated the level of professionalism, integrity and commitment to justice that we can expect to see from those who will perform similar functions for the international criminal court.

Canadians have long demonstrated the intellectual and moral courage to play a leadership role in promoting peace and security for all of humanity. I praise those Canadians who have ceaselessly contributed to ensuring that the rule of law is extended throughout the world to all persons irrespective of who they are. I hope we as parliamentarians, as representatives of the Canadian people, can continue to demonstrate the commitment of Canadians to ensuring that mass murderers, rapists, those who mutilate children and all war criminals will never again escape justice.

**Mr. Gurmant Grewal (Surrey Central, Canadian Alliance):** Mr. Speaker, I listened to the statement by the secretary of state with interest. Now I rise on behalf of the Canadian Alliance as the official opposition chief critic for foreign affairs to deliver our final

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answer to the government's proposed Bill C-19 that will fulfil Canada's obligations in the establishment of the international criminal court. In my 40 minute speech in early April I highlighted our position. This bill and the code will deal with cases of genocide, crimes against humanity and war crimes.

• (1120)

Canadians support this effort. We want the perpetrators of these heinous crimes to be brought to justice. We support the codification of the crimes that this legislation formally creates. We understand that no nation stands alone in the global arena. We must work with other countries in assisting and ensuring that criminals, those monsters who have blood on their hands, are held responsible and accountable for their crimes and that justice is served. This is a very important justice issue. Criminals must be brought to account.

On behalf of the official opposition I extend an hearty thanks and acknowledgement for the hard work done by everyone, including members of the foreign affairs committee and particularly the witnesses appearing before it. I acknowledge the work of the clerk of the committee, the legislative counsel assisting us with the amendments to the bill, and the government's lawyers who are to be congratulated for working very diligently under short time constraints and succeeding in terms of helping the government with the bill.

I also extend my thanks to my legislative assistant, Dan Wallace; the staff of the Canadian Alliance; and the member of parliament for Saanich—Gulf Islands who during my absence on a trip to China helped the committee to proceed with the bill's amendments.

The Canadian Alliance and many of the witnesses appearing before the committee hearings on Bill C-19 went to great lengths to hold the flashlight for the Liberals in order to help them do a good job. It is unfortunate that the government's treatment of the bill cannot be helped. The Prime Minister and Minister of Foreign Affairs have proceeded with this legislation in a perfunctory manner. By that I mean there are many outstanding issues in the international community concerning the international criminal code. The Liberals know this but still they have gone ahead with this legislation.

The bill was substantially amended by the foreign affairs committee. Even so, many unanswered questions remain concerning the effects of Canada fulfilling our obligations under the ICC.

The international community is currently negotiating many of these concerns as we speak. In their haste the Liberals have placed the cart before the horse by having parliament pass legislation before definitions, procedures and other details have been decided. All Canadians want the interests of the victims of these crimes to be addressed and justice to be done with respect to heinous crimes that too often go unpunished. This is a step in the right direction,

the creating of an international judicial system which declares that no one including the heads of state is above the law.

An amendment of the Canadian Alliance was put forward at committee to make sure that the Liberals would include prosecuting heads of state. That was not clear in the original bill, Bill C-19, that was introduced before the committee hearings.

• (1125)

The ICC rules of procedure and evidence, including the definition of terms such as aggression, conditions of imprisonment, judicial protocol and many others need to be clearly defined. In addition we are concerned about the proliferation of the United Nations bureaucracy when temporary ad hoc human rights tribunals such as the international tribunals for Bosnia and Rwanda will suffice to deal with these crimes on a case by case basis.

The advantage of an ad hoc tribunal is that it can be dismantled when its work is done and no permanent bureaucracy is created. Until the international community reaches agreement on these kinds of ICC related details we believe this is a superior option.

The Canadian Alliance supports the principles and the idea behind the Rome statute providing the means for prosecution of war crimes. The Rome statute is a document that initiates the ICC. Canada's ratification of the Rome statute is the genesis of Bill C-19. Our ratification of the Rome statute is not due until December 2000.

There are certain questions which still remain unanswered. Why has the government insisted on passing the bill this week when the House is recessing? Why not wait until the important meetings concerning the ICC have been held by the international community when we will have more information available to decide on? Why not wait until the definitions and rules of the ICC have been decided by the international community? When we know the rules of the game it will be easier to play the game, but when the rules of the game have not been decided how can we think of going into the field and playing?

Yesterday the United Nations began three weeks of meetings concerning the ICC, but today the House will have finished debate on this matter. The matter will be closed after today. This is a travesty of democracy. Bill C-19 requires Canadians to support something that is still under negotiation by the international community. It is premature.

The Liberal government is extremely negligent in failing to seek approval for Canada's position from parliament. Instead parliament is being treated as a rubber stamp for negotiations carried out with input from unelected lobby groups but with no input from elected representatives of Canadians. Canadians are forced to watch from the sidelines as the Liberals sign and implement yet another international agreement. We have seen this pattern too often. It was

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quite evident when we went to the Kyoto, Rio, Cairo and Beijing conventions.

The Liberals are used to going to conventions without doing their homework and in the back seat of the bus writing the policy, the terms and the conditions of their position. Then they present us with a fait accompli. This is a disgrace to Canada's democratic institutions and the spirit of openness and accountability which Canadians deserve.

The legislation remains unfinished business. Whether or not the government passes it, it will remain unfinished business. I wonder sometimes if the Prime Minister is forcing his own political agenda on Canadians and our international allies. Is he causing the premature passage of this bill so that he is free to call an election in the fall without worrying whether Canada has ratified the creation of the ICC by December 1? That would be irresponsible and negligent. It is a very important bill, a very important treaty and we need to scrutinize it carefully.

• (1130)

Witness after witness who appeared before the foreign affairs committee on this bill warned the Liberals that they should not be passing such an important bill with such serious ramifications for the free world unless it was foolproof and ironclad. This bill is full of holes and it is largely undefined. Everyone knows that this is not a secret.

The committee heard witness after witness testify to a litany of problems with the bill, yet the Prime Minister is forcing the country to take the risks of passing legislation that may see our own Canadian forces personnel prosecuted and punished because the government passed legislation before it knew what the law was about.

However, I do not believe that. I feel that we will be here next September until probably December, and that is when this work should have been done. This bill needed to wait until at least September in order for elected representatives in the House to take into consideration the most recent possible developments in the international negotiations concerning the ICC.

If necessary, the new Canadian Alliance government would have passed this bill before the December deadline. In fact, I would recommend that an alliance government would repeal Bill C-19 so that the work that needs to be done actually gets done.

The ramifications of the bill are not going to disappear for some time. There is work to be done once the decisions concerning procedures, evidence and the definitions are finalized by the international community. That is when this bill should come before the House.

The Canadian Alliance delivered 20 amendments to the bill at committee stage. I would like to highlight a few of those amendments so that members of the House, as well as viewers, can see it from our perspective.

We proposed an amendment calling for the Rome statute to be appended to the bill. That is the practice parliament followed with the Geneva Convention on the Laws of War and Protocols I and II to the conventions. That is also the practice parliament followed with the North American Free Trade Agreement. Why does it not want to do that in this case?

We also proposed to amend the interpretation clause of the bill by adding a clause declaring "notwithstanding anything this act, Canada's national sovereignty is to be protected".

In another amendment, we proposed adding two lines ensuring "international law is not to be permitted to supersede Canadian law".

These amendments were needed because it was not even clear in the bill that Canada's sovereignty would be protected and that Canadian law would remain supreme.

The Canadian Alliance also received numerous representations from Canadians who maintained that it violated the rule of law to create retroactivity. This would have the effect of convicting an individual in an uncontested manner. We proposed an amendment that said "nothing in this act should cause Canadian courts to treat crimes allegedly committed outside of Canada retroactively".

We tried to help the government with its bill. We proposed adding the contents of subsection 21(2) of the criminal code to the bill. This useful section of the criminal code should be Bill C-19.

• (1135)

Subsection 21(2) reads:

Where two or more persons form an intention in common to carry out an unlawful purpose and to assist each other therein and any one of them, in carrying out the common purpose, commits an offence, each of them who knew or ought to have known that the commission of the offence would be a probable consequence of carrying out the common purpose is a party to that offence.

In the committee's discussions with the lawyers we were assured that the Criminal Code of Canada would be applied if need be.

The bill had two definitions of war crimes and crimes against humanity: one definition, if the crimes are committed in Canada; and the other, if the crimes are committed abroad. We proposed one definition: no matter where the crimes are committed. How can we have two definitions of crime whether it is committed in Canada or abroad? It is a matter of common sense. The government had its own amendment which took care of that.



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Another amendment ensured that the accused had to intend inhumanity and know that the act was inhumane without using the word inhumane. The bill needs to state what the mental element is for the crimes. There is such a statement in the Rome statute, article 30. The problem Cory J. posed in *Finta* said that an accused had to intend inhumanity, that the trial judge was right in saying that the accused must know that his act was inhumane, is not addressed.

Mr. Justice Cory in the case of *R v Finta* said:

It seems that the (war crimes) section was passed to bring to trial those who inflicted death and cruel suffering in a knowing, pre-meditated, calculated way. The essential quality of a war crime or a crime against humanity is that the accused must be aware of or wilfully blind to the fact that he or she is inflicting untold misery on his victims. The requisite mental element of a war crime or a crime against humanity should be based on a subjective test.

The Canadian Alliance proposed another amendment making it clear that non-state actors and heads of state can be prosecuted for genocide, war crimes and crimes against humanity. This is not clear in the bill. We proposed an amendment to add the contents of section 21(2) of the criminal code to the bill.

The current criminal code provision 7(3.77) was not to be found in the bill. We called for it to be included, but I will not go into the details.

We proposed many other amendments. The Canadian Alliance forced these issues to be dealt with by the government. We proposed an amendment preventing pardon without trial. We proposed an amendment that would exclude the defence of superior orders. This could not be done as it was already provided for under Canadian law.

We also proposed an amendment that would have the effect of establishing that the judge should decide whether the order was manifestly unlawful.

Finally, we proposed another amendment obliging the government to table documents concerning the negotiations taking place to decide rules of evidence and certain definitions for the ICC.

Surprisingly, Liberal backbenchers also offered amendments to Bill C-19. Everyone tried to fix this bill but it is still broken. It could have been divided into two: One bill for the ICC and the other for the codification of the crimes. This would have helped. It at least was going in the right direction.

This bill is full of holes and may threaten our national security. The United States of America is adopting strong legislation to deal with suspected war criminals and perpetrators of these crimes. This may cause suspected criminals to use Canada as their hideout.

• (1140)

We are concerned that these suspects will try to join with organized crime and people smuggler brethren already in Canada. Those undesirables are already here because of the Liberal government's lax money laundering and illicit drug laws, and its flawed and broken immigration and refugee system.

By the time the international community has completed work on the ICC, the Liberals will have long forgotten about it. The Liberals will think they have washed their hands of it.

At the report stage last Friday, the House was forced to consider nine amendments from the Bloc Québécois, which was a waste of the government's time. The Liberals were surprised to see those amendments. The submission of the amendments was a denial of the work by the foreign affairs committee. By the time the report stage arrived, everyone knew that as many changes as possible were completed. There was no more work to be done on Bill C-19 and its state of incompleteness could not be corrected.

Until more developments take place in terms of the international community's work on the bill, where negotiations are taking place, everyone knows that the government has moved as far as it is going to move. That was about three hours of wasted time at report stage.

In conclusion, on behalf of right thinking Canadians who believe in getting the job done, doing a good job and doing things right, I will work to save taxpayers' money. I will not waste any more of the House's time on this bill because the taxpayers are paying for this.

The Canadian public expected the government to do a good job in satisfying Canadian obligations under an international criminal court. They trusted this government to properly enact the crimes against humanity, genocide and other war crimes, but it has not done that. It has again disappointed Canadians, like so many other badly managed federal government responsibilities, such as tax relief, criminal justice, youth criminal justice system, health care, HRDC, gas prices, brain drain, and the list goes on. This is work that has not been done or done badly.

The Canadian Alliance supports Canada withholding our full acceptance until parliament has ratified the rules of procedure and evidence for the ICC. These rules will not be ready for some months. The government should have waited before proceeding with Bill C-19.

Canadian negotiators met with the foreign affairs committee approximately one week before their departure to Rome. Upon cross-examination at committee, the officials said that they did not know what the details of the agreement might be. They did not know what it might cost. They did not think that any major offending countries would sign it. They did not think the Americans would sign it. They could not answer questions about the

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make-up of the court at that time. Above all, they would sign the agreement without knowing all these things. This is what has happened. It is not new. They have done it again and again, and that is wrong.

The Canadian Alliance will hold the Liberals responsible by voting against Bill C-19. It is too bad. I hope there will be an election soon.

[Translation]

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, I am pleased to rise here this morning to speak to third reading of Bill C-19. The full title of this bill is an act respecting genocide, crimes against humanity and war crimes and to implement the Rome Statute of the International Criminal Court, and to make consequential amendments to other acts.

• (1145)

The short title of this bill is Crimes Against Humanity Act. I was looking for the bill's title at report stage, because I wanted to point out the spirit of the committee's deliberations. It transcended partisan divisions.

I would therefore point out that thanks to a Bloc Québécois amendment, the short title reads Crimes Against Humanity and War Crimes Act. It is our understanding that genocide is a crime against humanity.

Although we would have liked the bill to be even more progressive and to give Canadian courts broader international jurisdiction, we will vote for it with enthusiasm.

This bill is the stone Canada is adding to the international edifice that will be the international criminal court once 60 countries have ratified the statute of Rome. What point have we reached today? I believe that 12 countries have ratified it so far. So we need another 48 to make the 60.

I know that the Minister of Foreign Affairs, the Government of Canada and senior public servants, who worked with international officials to draft the statute of Rome first and then Bill C-19, were in a hurry, just like the NGOs that came before us to say how it was urgent for Canada to pass this bill.

Despite this context, we wanted the committee to work as responsibly as possible. I have to say that it did and that we reached an honourable conclusion, even though it is not quite as we would like it.

Canada is therefore adding its stone. As soon as the bill is passed by the Senate, Canada will become the 13th, 14th or 15th signatory. I must point out that we are still far from having 60 countries. All those who support this initiative are hoping that it will not take

years, as is the case with some conventions, before getting the required number of countries for the Rome Statute to reach its full potential with the establishment of the International Criminal Court.

Bill C-19 does not only seek to have this international court in place some day, with the powers provided under the Rome Statute. It also means that, until then, Canada will have the authority to try criminals who committed crimes under the definition provided in the Rome Statute, not the letter but the spirit of that statute.

• (1150)

After consultation—and we agreed with that proposal—we ensured that the definitions would be exactly the same for the implementation of the Rome statute and for trying criminals in Canada under the criminal code.

I will read these definitions because they give the exact measure of what the Canadian courts will deal with when they have the mandate to do so, and what the international criminal court will tackle.

These definitions are as follows:

“crime against humanity” means murder, extermination, enslavement, deportation, imprisonment, torture, sexual violence, persecution or any other inhumane act or omission that is committed against any civilian population or any identifiable group and that, at the time and in the place of its commission, constitutes a crime against humanity according to customary international law or conventional international law or by virtue of its being criminal according to the general principles of law recognized by the community of nations, whether or not it constitutes a contravention of the law in force at the time and in the place of its commission.

“war crime” means an act . . . committed during an armed conflict that, at the time and in the place of its commission, constitutes a war crime according to customary international law or conventional international law applicable to armed conflicts, whether or not it constitutes a contravention of the law in force at the time and in the place of its commission.

A country could not use the argument that a person accused and prosecuted under the applicable conventional international law had the right to say “But that is not the law of my country”. This is why there is international law and an international criminal court.

In the definitions given in the bill we read the following:

“genocide” means an act or omission committed with intent to destroy, in whole or in part, an identifiable group of persons, as such, that, at the time and in the place of its commission, constitutes genocide according to customary international law or conventional international law or by virtue of its being criminal according to the general principles of law recognized by the community of nations, whether or not it constitutes a contravention of the law in force at the time and in the place of its commission.

For Canada, implementation of the Rome Statute marks the beginning of the realization of a dream. That dream is one of justice that cannot be less than international, because it is a justice that cannot be blocked by the rank, the power or the wealth of those

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who it is felt must be prosecuted under customary international law by this International Criminal Court.

The Rome Statute marks the realization of a dream. The definitive realization of that dream will be ratification of the Rome Statute, or almost so, for there are still some obstacles to that realization.

Until now, the acts or omissions covered by the three definitions were viewed, with amazement, horror or sometimes admiration, within the country concerned or elsewhere, as the expression of a relationship of power within humankind, whose cruelty seems to know no limits. Consequently, the only thing that could be used against that force was another force, either the force of numbers, in the case of democracy, or the force of arms against another country, and this would mean war.

• (1155)

This marks a turning point in world history, a desire to break with relationships of force alone, both within and between countries. Obstacles lie ahead however. The Rome statute must be ratified by 60 countries, and we hope that we will have those signatures soon. But there will be other obstacles.

Naturally, the court does not have jurisdiction over non-member countries, although, through the UN Security Council, the court's investigator is empowered to investigate anywhere at all and to lay charges.

But there will understandably be wrestling matches with a number of countries. We know that we have not reached the end of the road yet. But at least we have the emergence of a tool that could, to a certain degree, ensure that justice is done.

Our troubles are not over yet, however, because once a highly placed criminal is brought before the criminal court, evidence and witnesses will still have to be produced. The case of the international court established for Rwanda shows only too clearly how difficult it is, when charges are laid against the leader of a country or a member of a victorious organization, to come up with witnesses, because they might find themselves in situations beyond the control of the court or of other countries should they return to their own country.

That is all I will say for now about the many obstacles we face. I am not going to dwell either on the scepticism some feel about this court, and who have said "Will the existence of this court not cause dictators to do all they can to remain in power as long as possible or to create some pretence of justice or an international court in their own countries?"

I will avoid this scepticism in order to point out just how much, like other major international movements in support of human rights, which have enabled the international community to create mechanisms that, unfortunately, often go unheeded, because they

are not used enough or because it is tempting, in certain circumstances, to forget or ignore them.

However, this great desire for international justice will begin to take shape in each of the member countries and, we hope, in every country, with a little pressure.

• (1200)

This means of course that each of these countries is a democracy. We know that the record of these countries is less than great and that the trends we are seeing now in the former Soviet Union, in many African countries and even in South America, and in other major countries as well, cause us some concern.

I note—I am not making a direct link between the two, although sometimes I wonder—that the United States' desire to be exempt from the application of decisions by the international criminal court does not please many countries. The fact that the United States did not want any criminal to be tried without Security Council concurrence, which means a veto by the U.S. and other countries, did not please democrats and those wishing to see justice throughout the world.

In other words, Bill C-19 is but the first step in a lengthy process, which must be built not only on justice but also on democracy. This will be a lengthy process, because democracy cannot take root in countries where hunger is rampant and there is governmental corruption because it is so easy to be corrupt. I know many share my concern about this.

Bill C-19 is also going to transform the landscape of Canadian justice in a way. In future, the courts will no longer be unable to follow up on their jurisdiction, as some felt had occurred in the Finta case. From now on, Canada and Canadian courts will be able to prosecute criminals accused of crimes against humanity, genocide or war crimes.

What we find regrettable is that the accused will have to either be Canadians or have perpetrated their crimes against Canadians. This universal jurisdiction Canada assumes is not, therefore, the broader universal jurisdiction which we would have liked to have seen and which other countries, such as Belgium, and Spain, have assumed. This is regretful. We do, however, take note that the witnesses before the committee have said that Canada could, at a later date, extend that jurisdiction.

While there is general support for the bill, we felt it would be appropriate to submit these amendments, not to delay the proceedings, but to say before the House and to put it on record that there is still work to be done. It may be that, at some future stage, surely because of the pressure by NGOs—certain events may occur—that position will become mandatory for Canada.

Until then, I have another regret, namely the fact that the whole Rome Statute is not included in a schedule to the bill, to the act.

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Why? Because if the Rome Statute had been included in a schedule to the act, it would have been easy for all those involved in Quebec and in Canada to provide training on the International Criminal Court.

• (1205)

Of course, we are told that it is easy to find this statute on the Internet. That is true, but I hope that we are not about to be told “No need to give you a hard copy of the bill, you can access it on the Internet”. If it is desirable to have the bill on paper, it is also desirable to have the Rome Statute in a schedule to the bill.

We also regret that the Rome Statute was not submitted to the House of Commons, and we say that of every treaty or convention.

I just came out of a committee meeting on globalization. Witnesses told us that one of the great dangers facing us right now in the process of globalization is the lapse of democracy. This lapse concerns not just parliament and parliamentarians, but also means that the executive branches of countries will increasingly find themselves exercising responsibilities far broader than those they had when there were not as many international agreements affecting our daily existence.

This is true of trade agreements, which affect individual citizens and provincial jurisdictions in particular, but it is also true of citizens in their dealings with the Government of Canada.

I wish to pay tribute to the efforts of the member for Beauharnois—Salaberry, who introduced a private member’s bill designed to ensure that treaties are submitted to the House of Commons. I say to him that the Bloc Québécois will continue this battle for the democratization of parliament in the Standing Committee on Foreign Affairs and International Trade.

In conclusion, I hope that the vote will be unanimous. I am certain that there is strong support for this bill in Quebec, to the extent that people are aware of its existence, and I would like to see that support deepen. The momentum created by the first signatories must help take us quickly up to, and hopefully past, the magic number of 60 countries, and still we must not expect miracles.

With international crime increasing in tandem with globalization, and the gap between rich and poor and between rich and poor countries growing wider, neither democracy, peace or justice are better served in the world as we know it today.

The work done on Bill C-19 on the international criminal court is part of a much larger effort which is vital if we are ever to hope that all human beings, regardless of their country of birth, their age or status, may enjoy well-being, security, justice and the fundamental right to make democratic decisions.

**Mr. Svend J. Robinson (Burnaby—Douglas, NDP):** Mr. Speaker, I would first like to congratulate the hon. member for Mercier on her excellent speech on Bill C-19. I am not going to reiterate her criticisms, but I do agree with her suggestions for improving the bill.

This is an important bill. It is an important step forward in the international criminal court file. On behalf of my colleagues in the NDP, I say once again that we support this bill at third reading.

• (1210)

[English]

I want to again highlight the important role that was played by the Standing Committee on Foreign Affairs and International Trade in improving and strengthening this legislation, Bill C-19. I want to signal the contribution of a number of members of that committee who worked in a truly non-partisan spirit, in particular, the member for Mount Royal, the member for Beauharnois—Salaberry, the member for Vancouver Quadra, the member for Mercier and others who made a good bill a better bill.

Certainly as we now debate this legislation at third reading, on behalf of my colleagues in the federal New Democratic Party who have long supported the international criminal court, we welcome the adoption of this bill at third reading.

The member for Mercier appealed to the House to support this bill unanimously, but unfortunately we heard a speech from the Reform Party representative, the member for Surrey Central, that was quite frankly shocking. Basically he said that if his party were ever to form a government, one of its first acts would be to repeal Bill C-19. It would repeal the bill that sets up an international criminal court. It would repeal a bill which says that the community of nations wants to ensure that those who are responsible for war crimes, for crimes against humanity, for genocide must be brought to justice.

I could not believe my ears when I heard that member speaking for the so-called Canadian Alliance, supposedly a new party, with that kind of destructive approach to human rights globally. “Tear up the bill,” he said. “Forget the international court of human rights being ratified by this parliament. We in the Reform Party, we in the Canadian Alliance do not believe in this bill”.

I fervently hope that the people of this country in the next election will send a clear and powerful message to that party, a message that this kind of intolerance, this kind of contempt for fundamental human rights has no place in a decent and civilized society and members of that party will be turfed out of this parliament.

I want to touch on a couple of concerns with respect to the issue of war crimes, crimes against humanity and genocide. I want to

note first of all how profoundly important it is that the resources be in place to properly investigate these crimes and allegations of these crimes.

Earlier this year I was in East Timor. I had the opportunity while there to meet with United Nations representatives who were investigating the absolutely appalling atrocities that took place particularly in the aftermath of the referendum on a free East Timor. They were pleading with the global community to do far more to bring in forensic experts to ensure that indeed we are in a position to investigate and bring to justice those who were responsible for these crimes.

I am very proud of the fact that there were a number of Canadians, in fact Canadians were leading the investigative effort into these terrible crimes that took place. A number of Canadian doctors and others have played a significant role. Frankly, CIDA should be doing far more to support this kind of forensic investigation.

We note as well the recent decision of the court of appeal in Chile to ensure that former President Pinochet is stripped of his immunity and brought to justice. There again we welcome this development in the international community, the recognition that those like Pinochet who are responsible for such terrible atrocities must be brought to justice. We hope that the supreme court in Chile will uphold that historic and landmark decision.

At the same time we must recognize that in other jurisdictions, including Sierra Leone, Rwanda and elsewhere, justice remains to be done and far more must be done.

I mentioned East Timor. I want to recount the story I heard from a woman who witnessed with her own eyes the brutal murder of three Catholic priests in Suai, a village in the southern part of East Timor.

• (1215)

The woman was present when thugs, paramilitaries supporting the Indonesian government, murdered in cold blood a Catholic priest who many Canadians got to know and love when he spent some time here in Windsor and elsewhere recently.

The woman was able to clearly identify the perpetrator of this crime. The tragedy of this situation is that the perpetrator of the crime is in a camp in West Timor with complete impunity. No steps whatsoever have been taken by the Indonesian government to bring him to justice. When we speak of war crimes and crimes against humanity surely we must recognize that this is not acceptable.

I want to touch on two other areas. First, as I noted in the debate at second reading in the context of the discussion on war crimes, crimes against humanity and genocide, the global community must

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recognize that the impact of years of sanctions on the people of Iraq has been nothing short of genocidal.

UNICEF has documented the death of over half a million children. The infrastructure in that country has been destroyed. The bombing continues today. Innocent civilians are being killed. The impact of depleted uranium particularly in the south remains devastating. In the context of this debate I want once again to appeal to the Government of Canada.

*[Translation]*

I want to ask our government to respond positively to the unanimous report by the Standing Committee on Foreign Affairs and International Trade calling for the immediate lifting of economic sanctions against Iraq.

*[English]*

The foreign affairs committee held hearings on this issue. We heard compelling and moving evidence about the impact of the sanctions on the people of Iraq. I visited that country in January of this year along with a delegation from a group called Voices of Conscience. I met with former UN humanitarian co-ordinator, Hans Van Sponeck. I met with Dennis Halliday, his predecessor. All of them are pleading with the community of nations, with the United Nations, with our government, with Canada, to recognize the appalling and inhumane impact of these sanctions on innocent human people. Saddam Hussein is not being touched by these sanctions but innocent lives are being lost.

The standing committee on foreign affairs issued a strong and unanimous report calling for the de-linking of economic and military sanctions. Yet to date we have had no response whatsoever from the foreign minister or from the Government of Canada.

I appeal today to the Government of Canada to respond before the House rises positively to that report, to listen to the voices of Canadians from coast to coast who are demanding that our government stand up and be counted in the security council and call for an end to these genocidal and inhumane sanctions. I appeal to our government to respond to that strong, positive and unanimous report of the foreign affairs committee at the earliest possible time.

The final issue I want to touch on in the context of this debate on war crimes and crimes against humanity is the issue of alleged war crimes committed by NATO forces during Operation Allied Force last spring in Kosovo and Serbia, the bombing that took place there. Along with all people who value humanity we strongly condemn the attacks on ethnic Albanians that were taking place there. We urge the community of nations to work together collectively to put a stop to that brutal inhumanity.

I was shocked and appalled to learn recently that our government had decided to extend one of our highest military honours to the United States Supreme Commander in Kosovo, U.S. General

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Wesley Clark. General Clark was granted by the governor general Canada's meritorious service cross because he "exhibited the highest standard of professional dedication in Operation Allied Force".

• (1220)

This award should never have been granted. I want to be very clear. This is not in any way a criticism of Her Excellency Governor General Adrienne Clarkson because she has no option. All honours including the Order of Canada and bravery decorations are awarded by the governor general on the advice of duly constituted committees. There is a military advisory committee which recommended to the chief of defence staff that General Clark receive this recognition.

Far from recognizing the military valour of General Clark, we should pay attention to the very eloquent report issued this week by Amnesty International on NATO and the Federal Republic of Yugoslavia under the heading "Collateral Damage or Unlawful Killings? Violations of the Laws of War by NATO during Operation Allied Force". This is a devastating indictment of the conduct of NATO under Supreme Commander Wesley Clark during the bombing campaign in Kosovo.

I personally walked through the rubble of the Chinese embassy in Belgrade, one of the mistakes of those who could not properly read a map and killed innocent human beings in the Chinese embassy.

I walked through the rubble of the Serbian radio-television headquarters building as well. It was not a mistake. That building was deliberately targeted by NATO. Sixteen innocent people, make-up artists, technicians and journalists, were murdered in cold blood in that building.

As Amnesty International points out, NATO has legal obligations under international laws of war to minimize civilian casualties. In the particular instance of this direct attack on the headquarters of Serbian state radio and television, in the view of Amnesty International it did indeed constitute a war crime. I agree that on the face of it that is exactly what it constituted. As well the Amnesty International report went on to document other attacks such as the attack on the Grdelica railroad bridge.

A passenger train was carrying civilians travelling from one place to another. It was not a military target by any stretch of the imagination, but that passenger train was hit by a NATO bomb. NATO said it was a mistake, that it was aiming for the bridge. Surely the question is: If indeed that was a mistake and it hit that passenger train initially by mistake, why did it then turn around and fire a second time? That was deliberate, and the ultimate author, supreme commander of that attack, is being honoured by Canada.

What about the bombing in broad daylight of a bridge in Varvarin? A little girl, nine years old, cycling on her bicycle was

murdered in cold blood because of the violation of the rules of war contained in the Geneva convention of 1949, as updated by the protocol of 1977. NATO showed contempt for its obligations to minimize civilian casualties both through negligence and by deliberately attacking. If the bridge in Varvarin was a legitimate military target, why was it bombed in the middle of the day when people were going to the market? There is no acceptable answer to that question.

There are many other examples of the incompetence of this campaign. NATO bragged about how many tanks, armoured personnel carriers, pieces of artillery and so on it had taken out.

• (1225)

It turns out that after the bombing campaign ended and the Yugoslav armed forces withdrew from Kosovo they took out massive quantities of military supplies. *Newsweek* reported last month that pentagon officials had suppressed a U.S. air force report that found that the number of Serb targets verified destroyed was a tiny fraction of those claimed by NATO. U.S. air force investigators who spent weeks in Kosovo found that NATO aircraft had destroyed a grand total of 14 tanks, 18 armoured personnel carriers and 20 artillery pieces. That is a pretty incompetent campaign.

There is another example I want to give of this campaign which is being honoured. That is the bombing of army barracks on May 21 at Kosare in western Kosovo, very close to the Albanian border. These army barracks contained KLA fighters. Seven of them were killed and twenty-five were injured. The KLA had captured these army barracks several weeks before NATO attacked them.

We might say that maybe NATO did not know that the Yugoslav army was not there and that it had been captured by the KLA, but in fact the KLA had a very active presence in that area. A number of journalists reported before that facility was bombed that the KLA had captured it. Reporters and television crews had visited the very barracks that were bombed by NATO under KLA escort. They were escorted by the KLA to those barracks. NATO said it did not know.

What an incompetent campaign, and we are honouring those who are responsible not only for this incompetence but for the death through negligence and through deliberate attacks on hundreds of innocent civilians. This is wrong.

I am calling today, as I have called previously, on the government and on the Minister of National Defence to recognize this outrage and to revoke this honour to U.S. General Wesley Clark. Instead, we should be conducting a full inquiry into the NATO campaign including the role that the Canadian armed forces played in it. I was assured by General Hénault that Canadians were not involved in any of the incidents to which I have referred, but Canadians have a right to know precisely what role was played by our armed forces.

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As Amnesty International has suggested it is essential that NATO establish a body to investigate these very serious allegations and to ensure that the victims of these violations and their families receive compensation. The victims of those who were murdered at the Chinese embassy have been compensated. The family of that little 9 year old girl who was killed on the bridge at Varvarin and many other civilians have not been compensated to this day. There has been no investigation whatsoever.

In the context of this debate on war crimes, on crimes against humanity and on genocide, I want to say on behalf of my colleagues in the New Democratic Party that we support this bill as an important step forward. Yes, it can be strengthened. Yes, it can be improved. I hope we will have that opportunity. I am pleased that Canada is one of the countries that has led this long campaign to establish the international criminal court.

I want to pay tribute not only to the leadership that was shown by Ambassador Philippe Kirsch but the many NGOs as well that have worked long and hard to make this a reality.

I hope we will work collectively as a community of nations for a planet on which there are no more war crimes, no more crimes against humanity and no more genocide. I hope there will be a rapid reaction force created to head off these things and that collectively we can work for a planet in which there is respect for the human rights of all our citizens; in which there is justice, dignity for all citizens; and in which the crimes of war, genocide and crimes against humanity will never happen again. I hope those who are responsible for those that have occurred will be brought to justice.

**Mr. Gurmant Grewal (Surrey Central, Canadian Alliance):** Mr. Speaker, the member for Burnaby—Douglas is a veteran member of the House and in talking to him from time to time I have high respect for him.

• (1230)

He is an experienced member, but today he surprised me. He made two comments which were not only inappropriate but they misrepresented my position in my speech. Perhaps it was an oversight on his part.

First, in my speech I said that the Canadian Alliance, myself included, would strongly want those monsters who have blood on their hands, those who have committed crimes against humanity, war crimes and genocide, brought to justice. They should be held accountable. I said it very clearly. Does that make me intolerant? I do not think so.

The hon. member gave the impression that I and my party are intolerant. I would like the hon. member to look into it again and tell me what part of my speech today or on April 6 when I gave a 40

minute speech on this issue showed me to be intolerant. Judging from his experience and his wisdom, I guess he misunderstood that. I would ask him to make it clear.

The second thing he mentioned was that the Canadian Alliance party does not believe in this legislation. That again is wrong. We strongly support the intent of the bill but we do not want a half finished job. We want it done properly so that those criminals, those monsters who have blood on their hands, are brought to justice and held accountable for their crimes. We do not want the government to rush the legislation through the House. The international community is still negotiating and finalizing the procedures and definitions of the terms mentioned in the bill.

I think that the hon. member is confused or did not understand. I would ask him to stand again and make it clear. If by any chance he made a mistake, let him retract his comments.

**Mr. Svend J. Robinson:** Mr. Speaker, let me be very clear. I heard the hon. member when he stood in his place. I have travelled with the hon. member. I have worked on the foreign affairs committee with the hon. member.

I know that the hon. member chose his words carefully. He can rise in his place and correct me if I misunderstood but I believe the hon. member said that a Canadian Alliance government would scrap Bill C-19, that it would repeal Bill C-19. That is exactly what the hon. member stood in his place and said. That is an astonishing statement. He is the official critic for the Canadian Alliance, for the Reform Party.

I see the former critic in the House today. Maybe he has a different position. I hope there will be enough time for the former critic to rise in his place and say, "No, Mr. Speaker, with great respect I disagree with the member for Surrey Central. I would not repeal Bill C-19". But that is what the member said. The member said that a Canadian Alliance government would throw out Bill C-19, that it would scrap Bill C-19, that it would repeal Bill C-19. He did not say, "We would want to amend Bill C-19. We would want to strengthen Bill C-19. It is a good foundation". No, in fact he said, "We would repeal Bill C-19".

I appeal to the member for Red Deer. Perhaps he wants to revise the position of the Canadian Alliance. I see him consulting with the critic now. I appeal to the member for Red Deer to rise in his place and, with great respect to the member for Surrey Central, make it clear that the member is not going to repeal Bill C-19. Have a change of heart. Show some respect for the many NGOs who have spoken with one voice on this issue, those who have worked so long and so hard, the World Federalists of Canada, the Coalition for the International Criminal Court, and so many others who are appalled at the possibility that those members would actually repeal, scrap and wipe out this bill.

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Those members say they are committed to bringing war criminals to justice. How can they say that when according to their own spokesperson they would get rid of this bill?

• (1235)

**Mr. Bob Mills (Red Deer, Canadian Alliance):** Mr. Speaker, certainly it is my privilege to stand and address the member. I am rather shocked that he would choose to bring in partisan politics to something as serious as this when we are talking about war criminals. He seems to think that he holds all the cards when it comes to compassion and understanding people.

I was in Kosovo and Macedonia last year as well. A grandfather told me they had killed his oldest grandson, then his youngest one, and then they had killed the middle one. He asked, "Mister, how can you ever forgive those people? How can you tell me to not hate anymore?"

That touched me and I will remember that forever, just as much as the member has been touched and is compassionate toward those kind of crimes against humanity. For him to stand and condemn a party or condemn fellow MPs on something like this, I find that rather untenable in this House, particularly from someone with the kind of experience he has. I am sure he has compassion but we also have compassion for those people.

The question is, how do we get at these kinds of people? There are good guys and bad guys. The problem is that all the good guys agree to sign everything and form all kinds of agreements and all kinds of get-togethers where they can talk about what we should do and talk and talk. The real problem is how to deliver. How do we get the bad guys to sign on? How do we get after them?

How will the member get the bad guys? We can list so many. We can go to Sudan and Iraq. We can go to all kinds of places. How does he get those bad guys to sign on to what we good guys know should happen and want to happen?

As far as what the other member said, he has tried to put forward amendments. He has tried to make the bill better. The government is set on ramming the bill through in a hurry. Well, it just will not work. That is why we are opposed to it.

**Mr. Svend J. Robinson:** Mr. Speaker, I have worked with the member on the foreign affairs committee. Would he just affirm very clearly for the people who are watching this debate, who are concerned about this issue, the statement that was made by the official critic for his party, that a Canadian Alliance government would repeal Bill C-19? Is that the official position of his party, yes or no?

**The Deputy Speaker:** I am afraid the time for questions and comments has expired. Of course, as the hon. member for Burna-

by—Douglas knows, the questions are on his speech, not on that of the hon. member for Red Deer who may yet speak.

**Mr. Svend J. Robinson:** Mr. Speaker, I rise on a point of order. I would seek the consent of the House to enable the hon. member to answer the question.

**The Deputy Speaker:** Is there unanimous consent to extend the time for questions or comments?

**Some hon. members:** Agreed.

**An hon. member:** No.

[*Translation*]

**Mr. André Bachand (Richmond—Arthabaska, PC):** Mr. Speaker, it might have been interesting to hear another version from the Reform Party. Since this party's inception, it has changed its position on a number of things as it evolved in this House.

Like most of the parties here, we wanted unanimous support to be given Bill C-19. Unfortunately, the Reform Party has decided otherwise. Before I move on to my speech, I would like to express my condemnation of the socio-juridic-politico stupidity of the Reform's argument on Bill C-19.

Like my colleague for Burnaby—Douglas, I too hope that people will once again realize the true stripes of the Reform Party and will act accordingly when they vote in the election of this fall or next spring.

With modern communications, it has become impossible for the rest of the planet not to know what atrocities are going on in a country during wartime.

The international community has had a moral obligation to join forces and to refuse to tolerate such reprehensible acts as the Nazi concentration camps, and genocide in Rwanda, the former Yugoslavia, Sierra Leone and Sudan. It has become clear that universal standards are required for the protection of the most vulnerable populations.

Although there is much still to be done in order to ensure world peace and security for all peoples, adoption of the Rome Statute in July 1998, which created the International Criminal Court, represents a giant step toward the establishment of an effective international justice system to combat the worst atrocities known to man and to punish the perpetrators.

• (1240)

It is all a matter of political will, as we can see very clearly in this case. For the first time, the international community has decided to act, not in keeping with the interests of one or another of its members, the security council in particular, but in the interests



of human rights, by refusing to turn a blind eye to the most serious crimes recognized by international law, namely genocide, crimes against humanity and war crimes.

As we have said on a number of occasions, the Progressive Conservative Party supports and strongly approves of Bill C-19. Incidentally, I would like once again—who knows, perhaps for the last time—to congratulate the Minister of Foreign Affairs and the members of the Standing Committee on Foreign Affairs and International Trade, who all worked together on this initiative, without getting into partisan politics, with the exception perhaps of the Reform Party.

As we mentioned on several occasions, Bill C-19 seeks to implement Canada's obligations under the Rome Statute which, as I said earlier, was adopted on July 17, 1998 by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, the ICC.

With this bill, Canada displays leadership and clearly shows to the international community that it will not be a haven for war criminals.

The International Criminal Court will be the first international authority empowered to investigate the most serious of crimes under international law. These include genocide, crimes against humanity and war crimes.

It was unacceptable that war criminals could quietly live out their lives as if nothing had happened, even though they had taken part in indescribable atrocities.

Just this past weekend, the United Nations said that women are often the first victims of conflicts. Sanam Anderlini, from the British group International Alert, said that "women's bodies have become the new battlefield". Indeed, as we saw in Bosnia, Sierra Leone and Rwanda, 80% of the refugees and displaced people during wars are women and children. Many of these women were raped and abducted. They went through forced pregnancies. They were treated like sexual or domestic slaves the world over.

These crimes are not recent. However, they have gone unpunished because they took place in the context of war and because of the failure to act of the international community, which preferred to turn a blind eye.

I am glad that these crimes will no longer be tolerated, that they will be considered crimes against humanity, and that, through Bill C-19, Canada is taking the first steps towards making this a reality.

One point I wish to come back to is the defence that someone was acting under a superior's orders. We have heard from people who seemed hesitant about these provisions.

Let us remember the defence in the Finta decision, in which Finta's lawyer quite rightly argued that, under the provisions of the

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criminal code of the time, members of military or police forces could use following a superior's orders as a defence.

In times of war, most crimes are committed either because a superior has issued an order, or has looked the other way. Is the deed any less reprehensible? Is the crime any less terrible? No.

Now, this kind of defence will no longer be possible, except of course in accordance with international law. These provisions were necessary and show politicians' determination to act.

Another feature of the bill is its retroactivity. In this connection, a number of people also expressed some misgivings. Nevertheless, I congratulate the minister and the committee on their work. In most cases, the actions in question took place during the second world war, or during conflicts prior to the signature of the Rome Statute.

● (1245)

We must be realistic, however. Since most of the facts date back more than 50 years, it is becoming increasingly difficult to find those who perpetrated war crimes or crimes against humanity, particularly under the Nazi regime. As well, problems have arisen in the past when Department of Justice officials tried to find witnesses in order to justify extradition of a suspect. Without retroactivity, the bill would not have made much sense.

The International Criminal Court complements our existing courts; it does not replace them. The presumption of innocence still applies. It is, however, important to take into consideration the customary rules of international law. It is normal, since it is not internal law but international criminal law we are addressing today. There is an essential distinction we must understand.

Because of the complexity of its objective, Bill C-19 prohibits anyone from possessing any property or any proceeds of property knowing it was obtained as the result of the perpetration of the proposed new crimes. This is a good provision, because Canada and the Progressive Conservative Party both support the principle that no one must profit from any type of crime, war crimes in particular.

Obviously, if the government wants war criminals to be found guilty, certain other pieces of legislation also need amending. The changes proposed for the Citizenship Act and the Extradition Act, for example, will facilitate prosecution.

Clause 33 of Bill C-19 is aimed at amending the Citizenship Act so that a person under investigation by the Minister of Justice, the Royal Canadian Mounted Police or the Canadian Security Intelligence Service for an offence under any of the crimes set out in Bill C-19 may not be granted citizenship or administered the oath of citizenship.

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As to Bill C-19, Canada will now be obliged to hand over individuals sought by the international criminal court for genocide, crimes against humanity or war crimes. Under section 48 of the Extradition Act, a person who is the subject of a request for surrender by the court may not claim immunity from arrest or surrender.

I could say more on the need for this legislation, but I will conclude by saying that the victims of war have been through terrible trials. With Bill C-19, Canada is taking a stand by saying that no war criminal is welcome on its soil. This position has the support of Canadians and the Progressive Conservative Party. We will not tolerate Canada's being a haven for war criminals.

Bill C-19 is important. All the members of the committee did an exceptional job and I would like to congratulate them. I hope that the Canadian Alliance members will think twice about this. Right now, over 12 countries—and France too, today—are passing legislation enabling the Rome statute to be implemented. It will take the support of 60 countries.

I heard the Canadian Alliance critic saying that we had to wait. If everyone waits, nothing will get done. Already the international community has waited too long to act. Nothing is perfect, but the fact of acting immediately with Bill C-19 could at least perhaps prevent or certainly send a signal that the international community is ready and will be even more so in the future to deal with these most heinous crimes.

[English]

**Mr. Ted McWhinney (Vancouver Quadra, Lib.):** Mr. Speaker, I will be sharing my time with my colleague and friend, who is a distinguished jurist in his own right, the hon. member for Mount Royal.

In speaking in the third reading debate to the crimes against humanity and war crimes act, I will take note of a fact, which I think is rather exceptional, that the debates in the Standing Committee on Foreign Affairs and International Trade were exhaustive and at a very high level of technical competence. It reminded me of what the late president of old World Court, Manley Hudson, called an academy of jurists. In that sense, although it is still possible to offer projects of amendments, I hope that some of the parties will accept what I am doing, simply make points of clarification in the debate which courts can take note of as part of the travaux préparatoires in their future interpretations.

• (1250)

My first point is that the bill is enacting into Canadian law the provisions of an international treaty. As a matter of law, of Canadian constitutional law, it suffices for Canada to be bound by an international convention that we sign and that we ratify by executive act. In fact we gave this opinion to the foreign minister

when I was parliamentary secretary a little earlier on the land mines treaty, because we wanted to send the symbolic message of the treaty coming to legal conclusion within a year of opening for signature. We could ratify without the enacting legislation and be legally bound. The practice since the privy council decision in the labour convention case in 1937 has been to recognize that since a legislative power to implement may be split sometimes between provinces and the federal government, it makes good sense to await provincial action. I mention that, nevertheless, because that is the position in law.

In implementing the treaty the Canadian government creates new jurisdictional bases and also new substantive bases of criminal liability or delinquencies within Canadian law. I would like to add this point because it does relate to some of the amendments I think suggested by the Bloc and by the New Democratic Party. It does not per se displace customary international law. I would suggest that except to the extent that customary international law may be in direct conflict with Canadian constitutional law or legislation enacted thereunder, it is in force and is a supplement to the treaty. There may be jurisdictional and other difficulties in implementing, but it is there.

I would simply refer to your notice, the judgment of the World Court in *Nicaragua v United States*, rendered by 15 votes to 1, in which the court refused to accept that the adoption of the United Nations charter had pre-empted all of international law, that it was all under the charter and nothing else. It said that was not so. Customary international law still prevails and the court based its judgment in *Nicaragua v United States* on customary international law.

A third point arises after the Rome treaty becomes law. It comes into force in international law when it is ratified by the 60 states stipulated as necessary to enact it. I raise the question: Does it bind non-signatory, non-ratifying states? I would here suggest the five permanent members of the security council. I am delighted to learn that the French government has decided to ratify this treaty. That is a breach in the opposition of the five permanent members of the security council that we had in Rome.

Monsieur Richard, the French minister of defence who was here several months ago, discussed this very earnestly with some of us and I became convinced that France would come through and I hope it will be an example to other permanent members: Russia, Great Britain, China and the United States, not least. There was the then heretical opinion by the brilliant Polish judge, Manfred Lachs, the most interesting judge in the post-war world court, in the North Sea Continental Shelf case, a dissenting opinion, but he did say that treaties by the universality of their reach and perhaps also the number of countries adhering to them could become binding on non-signatory, non-ratifying states because they are part of general international law. That was an heretical opinion 30 years ago when that decision was given. It is no longer heretical. It has become a more or less general part of law *opinio iuris*. Not everybody accepts

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it, but I cite it simply as an indication to the other remaining hold-outs who are permanent members of the security council. In the Latin phrase *quod licet Jovie, licet bovi*; what is permitted to Jove on high should be permitted to the humble oxen below.

• (1255)

It does not make sense for countries to push the jurisdiction of the ad hoc tribunal for Yugoslavia if they are not themselves prepared to say "We will be bound by the Rome treaty".

An issue has arisen here as to the applicability of ordinary Canadian criminal law in ordinary Canadian courts. It is the General Pinochet factor. It is the most interesting, exciting and unexpected development in international law in the last year or two. The House of Lords in its judicial committee, normally known as a very conservative tribunal, took two big steps forward in asserting jurisdiction over General Pinochet. The home secretary made the political decision and took one and a half steps backward, but it is still there.

Under Canadian law any Canadian judge, in theory, subject of course always to the possibility of appeal, could find jurisdiction over a citizen of a foreign state, including even friendly foreign states and allies, if he or she so wished and felt there was an adequate base in Canadian law. The General Pinochet factor remains a wild card in international law, but it is interesting how much it has involved ordinary citizens, ordinary people and non-governmental associations in the international lawmaking process.

I am simply saying that the Rome treaty is a comprehensive and well thought out approach to universalizing jurisdiction over the most severe sort of crimes, crimes against humanity. It follows in the principle that was established in the first aerial piracy conventions and the first moves to control terrorism, of the hue and cry. That there is no safe place.

I do not expect the General Pinochet factor to be paramount in Canadian practice or even perhaps to occur, but it might be worth reminding people who have crimes on their conscience that if they want to take a holiday abroad or consult for medical treatment abroad, it is not really "Do not go to Great Britain", but perhaps also "Do not go to Canada".

I will note a last and general point because it emerged during the debate in the standing committee on foreign affairs and was the subject of thoughtful evidence by members of our permanent foreign ministry staff. It is a matter of law, and I note it and will read it into the record. The testimony led before the standing committee was quite directly that Canadian military personnel did not participate in those aerial missions which have been the focus of much public attention and debate in connection with Kosovo. But, and these are the affirmative points, Canada accepted the jurisdiction of the UN international tribunal for the former Yugoslavia over Canadian forces throughout the conflict. Also, in regard

to every Canadian mission flown, a Canadian forces legal officer examined the target assigned with a view to ensuring its lawfulness under Canadian law and also international law.

That is a good example of respect for international law and a recognition that in policy decisions it is good to have the international law adviser at one's side. We know that during the Cuban missile crisis President Kennedy had his legal adviser, the very great, recently deceased, Professor Abe Chayes of the Harvard Law School, at his side. The action taken, among many options, was to choose that action which was compatible with international law, and it was effective. It is a good principle to note: keep the legal adviser at hand. We can do what is politically the right thing, but we can also do it compatibly with international law.

**Mr. Gurmant Grewal (Surrey Central, Canadian Alliance):** Mr. Speaker, the hon. member has made some very good comments, which I have listened to carefully.

I have a question for the hon. member. Since the definition and procedures and evidence rules are not very clear in the bill, nor are they spelled out, why does the government want to rush? Why did it not want to wait until the right procedures, rules of evidence and the definitions were place? We understand that there needs to be 60 members to ratify. So far only 8 or 10 members have signed to ratify. We still have some time. In the absence of the clarity, the definitions and the procedures, the government should not have rushed this through.

• (1300)

Second, this is a very important bill. We normally point out difficulties in the international community when we have to distinguish the bad guy from good guys. All the good guys will sign the international treaty but the bad guys will not. How would the hon. member propose we hold the bad guys accountable and ensure they sign the treaty?

**Mr. Ted McWhinney:** Mr. Speaker, the point I have been making is that with the progressive development of international law under the United Nations charter, it is a step in international law, initially sponsored by Judge Lachs and that very interesting dissenting opinion in 1968, that non-signatories to an international treaty can be legally bound by the treaty either, to use an analogy, because the treaty becomes, by virtue of the number of states signing it, part of customary international law, or because the sheer number indicates it is part of the general principles of law recognized by nations under article 38(1)(d) of the World Court statute.

What we are saying here is, beware. The mere fact that a country does not sign, does not mean that it can escape responsibility. I do expect that with the progressive development of international law, further steps may be taken to extend jurisdiction through the Security Council or elsewhere over non-signatory states where the

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gravity of the offence suggests it. However, at the moment we are working with friendly persuasion.

When we spoke several months ago to the French minister, Mr. Richard, a most interesting and thoughtful gentleman, we made the case for France signing and ratifying the treaty, and it has done it. We are hoping we can persuade other countries, the other four members of the Security Council, to feel the same. It makes good sense.

We asked United States senators in Washington several weeks ago why they did not sign, because they are the strong force behind the war crimes tribunal on Yugoslavia, but it really does not make much sense for them to say they are taking themselves out of jurisdiction.

Canada is very proud of its forces and has full confidence in them. We say that we will accept their subjection to the war crimes tribunal on the former Yugoslavia. That was an act of faith, but it has not gone wrong. I am satisfied that the Canadian forces acted in full conformity with international law in their part in the Kosovo action.

**Mr. Gurmant Grewal:** Mr. Speaker, I did not get the answer to my first question. Why was there such a rush to ram this bill through parliament, particularly when it is quite likely that the House will be recessing before the weekend? Why could we not have waited until September or October when the international negotiations, the definitions, the procedures and the rules of evidence will be laid down and the rules of the game will be clear. Why did the government not wait until the rules of the game were clear and then draft a perfectly excellent bill that all parties could support?

Everyone is supporting the intent of the bill. Even the Canadian Alliance supports the intent of the bill but we do not want to leave the bill half cooked. We want to make sure it is well done. I would like to know why there was such a hurry.

**Mr. Ted McWhinney:** Mr. Speaker, I know the hon. member has fought a long time to get full respect for committees and the plenary powers they have in the elaboration and drafting of bills. I would simply repeat that on this particular section the amount of time given to this particular bill in the standing committee was extraordinary. It was an example to all other committees. It involved 10, 12, 14 and 16 hours of point by point elaboration. May I say that in my capacity as president for the next two years of the Institut de droit international, it was a superb performance and a great credit to the quality of our committees. We have four international lawyers in parliament and I am told that is 400% greater than the British parliament, the United States congress or others. I signal the contribution of others in the committee. The committee did a remarkable job. I do not think there is any rush. Some may even have said that we spent too much time.

• (1305)

**Mr. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, I want to express my appreciation to the hon. member for Vancouver Quadra for suggesting that he would split his time with me, but I wish to speak in my own right and take the full 20 minutes.

I rise to speak to Bill C-19, the crimes against humanity and war crimes act, at a historic moment of remembrance and reminder, of witness and warning, on the eve of the 50th anniversary of the codification by the United Nations General Assembly in 1950 of the Nuremberg principles which are symbol and substance, source and inspiration of the revolution in international human rights law in general and international humanitarian law in particular.

For the Nuremberg principles codified for the first time, the Grundnorm principle that individuals, including heads of state, are criminally responsible for the commission of war crimes and crimes against humanity. Nor can individuals plead acts of state or superior orders as exculpatory grounds for their criminality. For these Nuremberg crimes were deemed to be crimes against humankind itself. Those who commit them are *hostis humanis generis*, the enemies of humankind, while the rights violated would include every right protected in the Universal Declaration of Human Rights, the Magna Carta of humankind.

It is not surprising then, given the continuing and pervasive state of international atrocity and criminality since judgment at Nuremberg, and the impunity accompanying it, that the idea and inspiration for establishing an international criminal court has remained on the international agenda with greater or less visibility since judgment at Nuremberg.

However, it took the globalized horror of the killing fields of the nineties, the horror of Bosnia, the agony of Rwanda, the brutalized women and children of Sierra Leone and Sudan, the emergence of the unthinkable, ethnic cleansing, and the unspeakable, genocide, as paradigmatic forms of armed conflict in the nineties, to give the idea of an international criminal court the moral compellability and sense of urgency that it warrants.

The establishment of an international criminal court was an idea whose time had come, indeed, was long overdue. What distinguishes the international criminal court from the ad hoc tribunals is that the ICC is the first permanent international tribunal with a global jurisdiction to try individuals for criminal violations of international humanitarian law.

Unlike the International Court of Justice, whose contentious jurisdiction is restricted to states, the ICC will have juridical authority to indict individuals from any global killing field, and unlike the ad hoc character of the Yugoslavian and Rwandan war crimes tribunals, the jurisdiction of the ICC will not be chronologically or geographically limited.

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Bill C-19 is designed to implement in Canada the statute for an ICC, to provide a Canadian legislative foundation for the prosecution of war criminals so as to ensure that Canada will not become a haven for war criminals past or present, and to serve as an international model for Nuremberg legacy legislation.

Accordingly, I will first describe briefly the purposive character of the ICC and why it is of such moral and juridical compellability and urgency at this time. Second, I will outline the principles underlying Bill C-19. For reasons of time, I will limit myself to identifying rather than elaborating upon the respective purposes and principles of the ICC and Bill C-19.

I will turn now to the purposive character of the ICC, which may be summarized as follows.

- (1310)

Principle number one is to institutionalize and internationalize the Nuremberg legacy. In a word, there will be no safe havens for these *hostis humanis generis*, the enemies of humankind.

Principle number two is to end the culture of impunity. Despite the Nuremberg and Tokyo principles and precedents, impunity has been the national and international practice. The ICC will presage a culture of accountability as an antidote to a culture of impunity.

Principle number three is to deter international crimes and protect international peace and security. An ICC will not only deter prospective war criminals and génocidaires from killing their own citizens, let alone nationals from other countries, but it will facilitate and protect peacekeeping as well as the protection of international peace and security.

Principle number four is to counter the failure of national systems. In an ideal world, international crimes should be dealt with by national authorities of the state in which they were committed. In the real world, however, governments are often unwilling, even unable, to call their own citizens to account, as exemplified by the Yugoslavian and Rwandan experiences.

Principle number five is to remedy the limitations of such ad hoc tribunals. In a word, these ad hoc tribunals, such as in the former Yugoslavia and Rwanda, are no substitute for a permanent international tribunal. Politically, the selective establishment of such tribunals by the Security Council gives rise to allegations or apprehensions of political bias. Juridically, it is jurisprudential authority that is more situation specific than internationally specific.

Principle number six is to provide enforcement mechanisms. In a word, the ICC is necessary to overcome one of the main failings of international criminal law: the lack of a permanent, institutionalized enforcement system.

Principle number seven is to provide an alternative to military sanctions. There is presently no permanent, non-military or coercive juridical mechanism to hold individual perpetrators accountable. In such circumstances, the international community's only recourse is to impose sanctions, embargoes or to use military force. However, these are blunt instruments that may harm innocent civilians, as in Iraq, more than affect perpetrators. By focusing the rule of law more precisely on individual violators, international law would become more just and more effective.

Principle number eight is to afford redress for victims and their families, if not affected populations as a whole.

Principle number nine is to provide a counter to any historical revisionism after the fact and a means for truth, healing and reconciliation.

Principle number ten is to serve as an international justice model, as a standard-bearer in the implementation of international norms both domestically and internationally.

I will turn now to the basic principles underlying Bill C-19 itself.

The first principle is the individual criminal responsibility. This legislation is organized around the foundational Nuremberg principle, as set forth in the judgment of the Nuremberg tribunal itself, and I quote, that "crimes against international law are committed by men, not by abstract entities, and only by punishing the individuals who commit such crimes can international law be enforced".

The second principle is the domestication of ICC crimes. Bill C-19 will create offences based on the Rome statute of genocide, crimes against humanity and war crimes that would apply to such international criminal conduct if committed in Canada, while similar offences would be created with respect to international criminal conduct committed outside Canada.

The third principle is the principle of command and superior responsibility. The bill includes offences of breach of responsibility by military commanders and other superiors. In a word, failure of a military commander or superior to exercise control over persons under their authority which results in the subordinates committing genocide, a crime against humanity or war crimes, could result in the criminal responsibility of the military commanders or superiors if they failed to take measures to repress the crime or to submit the matter to the competent authorities for investigation.

Principle number four is that of state responsibility for international crimes. States are under an obligation to prosecute, or to extradite for purposes of prosecution, any individuals present in their territory who are accused of international crimes of genocide, crimes against humanity or war crimes.

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• (1315)

Principle number five is that of universal jurisdiction. As the perpetrators of such international crimes are indeed defined as the enemies of humankind, Canada now has the legislative basis to prosecute the perpetrators of such crimes from whatever source, if they are found in Canada.

Principle number six is that of complementarity, a principle of particular importance. In a word the ICC is designed to complement, not replace, national courts. It will therefore exercise jurisdiction where national courts are unwilling or unable to bring perpetrators to justice.

Principle number seven is that of offences against the ICC. Bill C-19 includes offences to protect the integrity of legal processes under the international criminal court and to protect judges and officials of the ICC as well as witnesses. In particular, it includes offences of obstructing justice, obstructing officials, bribery of judges and officials, perjury, fabricating or giving contradictory evidence, and intimidation of officials or witnesses.

I come now to principle number eight, the principle of protection against gender violence. The ICC statute includes explicit provisions for crimes of sexual and gender violence, identifying as crimes against humanity and war crimes, conduct that is directed specifically against women, such as “rape, sexual slavery, enforced prostitution, enforced pregnancy, enforced sterilization, or any other form of sexual violence of comparable violence”.

Principle number nine is that of the protection of children in armed conflict. The Rome statute also includes as a war crime the conscripting or enlisting of children under the age of 15 into national armed forces or using them to actively participate in hostilities in international armed conflict. This is a principle central to Canada’s human security agenda.

Principle number 10 is the aiding and abetting principle. Persons who aid and abet, counsel, or otherwise assist in the commission of an offence are considered to be parties to that offence. The bill has also been amended to close any loopholes with respect to the inclusion of attempts, conspiracies and being an accessory after the fact.

Principle number 11 is with respect to the forced transfer of civilian populations into an occupied territory. The prohibition against forced transfer of a civilian population into an occupied territory by an occupying power will adhere to the intent and scope of the offence as set forth in the Geneva Conventions Act of 1949, as per the footnote to the ICC, and to protect against the politicization of this offence.

With respect to principle number 12, Bill C-19, unlike as some have said, does cover non-state actors. The bill provides criminal

liability for “persons” which, pursuant to section 2 of the criminal code, includes legal entities such as corporations.

Principle number 13 is that of reparations. Victims will be entitled to reparations including restitution, compensation and rehabilitation.

Principle number 14 is a particularly important one, the principle of non-immunity, the Pinochet principle and beyond. In a word a person who is the subject of a request for surrender by the ICC, pursuant to clauses 48 and 70 of the bill, will not be able to claim immunity under common law or statute from arrest or extradition under the Extradition Act.

As well, a person who is the subject of a domestic prosecution, including a head of state or senior official, will not be able to claim immunity from prosecution under common law or statute, as set forth in clause 3 of the bill. The principle of non-immunity in section 27 of the ICC statute coupled with article 98 in that statute, may arguably be said to have been incorporated by reference in the domestication in Bill C-19 of the ICC statute itself.

Principle number 15 is that of due process. The ICC statute incorporates the highest international standards of the right to fair trial and due process, while Canadian law is further buttressed by due process guarantees as set forth in the Canadian Charter of Rights and Freedoms and related jurisprudence.

• (1320)

Principle number 16 is that of the superior orders defence. The scope of the superior orders defence has been clarified in the bill. Consistent with the Rome statute, persons accused of genocide, crimes against humanity, or other manifestly unlawful acts would not—I repeat, would not—be able to raise this defence. Further, and to address any adverse fallout from the Finta decision, a person would not be able to base a defence on hate propaganda against an identifiable group as grounds for defence against international crimes.

The last principle is principle number 17, that of state co-operation. State parties such as Canada are obliged to co-operate fully with the ICC, a principle anchored in our own mutual legal assistance and related legislation.

In summary, Bill C-19 is comprehensive, historic, indeed watershed legislation by any national or international standard. It is an expression and an example of the best witness testimony of representative human rights NGOs who appeared before the committee, as well as the expertise of the legal advisors and the members of all parties on the foreign affairs committee, such as the expertise of the hon. member for Beauharnois—Salaberry.

The legislation, as I indicated at the outset, is being enacted at a historic moment of remembrance and reminder on the eve of the 50th anniversary of the codification by the United Nations General Assembly of the Nuremberg principles in 1950. This legislation

may be said to be the contemporary embodiment of an expanded, refined, updated set of Nuremberg principles for the new millennium. It will place Canada at the forefront of the international justice movement and give juridical validation to the anguished plea of victims and survivors from the Holocaust to the present day killing fields of "never again".

It is a wake-up call and a warning to tyrants everywhere. There will be no safe havens, no base or sanctuary for the enemies of humankind. It is now incumbent upon Canada to take the lead in securing the necessary ratifications to bring the international criminal court treaty into effect and to ensure the dream and the efficacy of our own domestic landmark legislation.

**The Deputy Speaker:** Is the House ready for the question?

**Some hon. members:** Question.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

• (1325)

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

**Some hon. members:** Nay.

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

*And more than five members having risen:*

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

*And the bells having rung:*

**The Deputy Speaker:** Order, please. At the request of the chief government whip, the vote on the motion will be deferred until 5:30 p.m. later this day.

\* \* \*

[Translation]

## CANADA NATIONAL PARKS ACT

**Hon. Lawrence MacAulay (for the Minister of Canadian Heritage)** moved that Bill C-27, an act respecting the national parks of Canada, be now read the third time and passed.

**Mr. Mauril Bélanger (Parliamentary Secretary to Minister of Canadian Heritage, Lib.):** Mr. Speaker, as we begin the debate

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at third reading stage of Bill C-27, I would once again like to thank my colleagues from the Standing Committee on Canadian Heritage for their work on this bill, an act respecting the national parks of Canada.

The debates on this bill were marked by a spirit of co-operation that helped strengthen and improve it.

I would like to review the main features of Bill C-27 and mention the amendments made by the standing committee.

The first point concerns ecological integrity. The panel on the ecological integrity of Canada's national parks clearly indicated that "we must firmly and unequivocally establish that ecological integrity is the core value of Parks Canada's mandate".

The chair of the panel and other witnesses, including the Canadian Parks and Wilderness Society and the Canadian Nature Federation, reaffirmed that position before the standing committee.

Bill C-27 was strengthened in a number of ways: by including a definition of ecological integrity based on the panel's report; by making ecological integrity the top priority, not only as regards the zoning of parks and their use by visitors, but also all the aspects of their management; by specifying that management plans must include a long term ecological vision, a set of ecological integrity objectives and indicators and provisions for resource protection and restoration, zoning, visitor use, public awareness and performance evaluation; and, finally, by requiring that, within one year following the tabling of a new or amended management plan for a park, a wilderness area be designated.

[English]

The second point was the establishment of new parks. With this legislation seven new national parks and one new national park reserve will be formally established. As well, Middle Island will be added to the Point Pelee National Park.

The procedure for establishing new parks and park reserves has been streamlined by providing for an order in council process. It will take less time to formally establish new parks once park establishment agreements have been signed.

[Translation]

The examination in parliament of proposals on new protected spaces will be maintained, and an amendment to the act will still be needed to withdraw lands from a park.

In view of concerns about the new process for the establishment of parks, Bill C-27 has been amended as follows:

For every proposal on a new park or park reserve tabled in Parliament, there will be a report detailing the consultations held and any agreement on the establishment of the

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park, so that Parliament will be able to assess the amount of support the park or park reserve is getting.

Members of the citizens' committee of Havre-Saint-Pierre and Longue-Pointe-de-Mingan, and of the hunting and fishing association have appeared before the standing committee to ask that their traditional rights be recognized in the Mingan archipelago national park reserve. The committee has seen fit to add this reserve to the list of parks where the traditional harvesting of resources will be allowed.

• (1330)

[*English*]

The next point is controlling commercial development in park communities. There are seven communities contained in national parks, all in western Canada: Banff, Lake Louise, Field, Jasper, Waterton Lakes, Waskesiu and Wasagaming. I apologize if I am mispronouncing any of these names and further names that will come in my text. These communities have been the focus of extensive commercial, residential and visitor pressures.

The Banff-Bow Valley study of 1996 made many recommendations to protect the ecological integrity of Banff National Park and to strengthen controls over commercial development and human use in parks.

The new act takes steps to control commercial developments in park communities. Community plans will be tabled in parliament. The legislation makes provision to set the boundaries of the communities, the boundaries of commercial zones, and to cap the maximum square footage of commercial developments. These elements of the community plans will be placed in the schedule of the act and can only be changed by an act of parliament.

Concerns were raised by park community representatives during the hearings on Bill C-27 and the standing committee has responded. Regarding concerns with respect to termination of leases, the bill has been amended to state that the Expropriation Act applies.

Community plan has been defined to mean a land use plan for a park community. This new definition serves two purposes. First, it ensures that there will be no confusion between the use of the term community plan in this legislation and how that term is used in Alberta legislation. Second, it signals to park community residents that there is no impediment to their undertaking their own planning for social, educational, health and related needs of the community.

The section on public consultation now makes explicit reference to representatives of park communities and requires that the minister consult on land use planning and development in such park communities.

[*Translation*]

The next point has to do with the protection of wildlife and other park resources. Bill C-27 contains increased penalties for poach-

ing. The maximum fine for poaching protected species has been increased to \$50,000. The maximum jail sentence for poaching has been increased from six months to five years. The offence of trafficking has been introduced to deal with the increasing trend towards removing large quantities of animal or other resources, such as fossils and rare plants.

Amendments to the bill further strengthen wildlife protection by increasing fines for poaching or trafficking involving protected species to \$250,000, which is consistent with recent legislative proposals concerning threatened species, and by increasing fines and penalties for failure to clean up environmental damage from \$2,000 to \$50,000, including a clause which doubles the fines in the case of repeat offences.

[*English*]

The next point is working with first nations. The Government of Canada, as we all know, is committed to working with first nations as set out in the "Gathering Strength" document.

Bill C-27 reflects this commitment in a number of ways. Five national parks are being established through agreements with first nations. I repeat my previous apology on mispronunciation. These are Aulavik, Wapusk, Auyuittuq, Sirmilik and Quttinirpaaq. Second, provision is made for use of parklands and the use or removal of flora and other objects by aboriginal people for spiritual and traditional ceremonial purposes. Provisions are made in the bill to remove lands from Wood Buffalo and Wapusk to accommodate treaty land entitlement.

The standing committee heard from representatives of the Assembly of First Nations, the Assembly of Manitoba Chiefs and the Keeseekoowenin Band. They had two primary concerns that they wished to see dealt with in the legislation: first, respect for aboriginal and treaty rights and, second, consultation with aboriginal peoples.

• (1335)

The standing committee introduced amendments to Bill C-27 in response to these concerns. These include a non-derogation clause with regard to aboriginal and treaty rights; strengthening the commitment to consult with aboriginal organizations and bodies established under land claim agreements on policy, park establishment, management planning and regulations; including aboriginal organizations and bodies established under land claim agreements in the minister's agreement making authority; and provision to remove lands from Riding Mountain National Park for the purposes of settling the claim of the Keeseekoowenin Band.

[*Translation*]

In conclusion, the throne speech included a promise from the government to extend our system of national parks.



*Government Orders*

In 1997, the government undertook to create a commission of experts to look into the ecological integrity of Canada's national parks. This commission has now tabled its report and the Minister of Canadian Heritage has announced an action plan. A key feature of this plan is to place ecological integrity at the heart of legislation and policies.

Bill C-27 respects these undertakings and will become a heritage for future generations of Canadians.

[*English*]

**Mr. Inky Mark (Dauphin—Swan River, Canadian Alliance):** Mr. Speaker, I am pleased to rise to debate Bill C-27, an act respecting the national parks of Canada, at third reading. Let me begin by saying that Canadians respect and love their national parks. That is why they return to visit them year in and year out.

The first parks act of 1930 states that parks are hereby dedicated to the people of Canada for their benefit, education and enjoyment. Such parks shall be maintained and made use of as to leave them unimpaired for the enjoyment of future generations. Today's definition of use has not changed as we find it in subclause 4(1) of Bill C-27.

Canadians agree that the ecological integrity of our national parks needs to be preserved and protected for future generations. The Canadian Alliance agrees with the panel on ecological integrity that ecological integrity is the first priority and that efforts need to be made to manage, conserve and restore ecological integrity to our parks.

We do not agree with the notion of promoting restoration as a single objective. This approach to the concept of restoration is too open ended. To what time lines will restoration be returned? This is like the crimes against humanity debate when we are talking about 20th century crimes against humanity or whether we take it back to the age of the caveman.

We agree with the panel that people have a place in the parks. There certainly needs to be a balance. Another important point highlighted by the panel is that decisions made by the parks must be based on sound science, not just opinions of special interest groups or park officials.

Canadian Alliance agrees with the principle of limited growth. That is not the argument. The argument is about the lack of transparency, honesty and good will in the consultation process which has gone on for too long. There is a lack of trust in Parks Canada officials.

Allow me to make some positive comments about the rank and file Parks Canada employees. As public servants we need to thank them for their dedication to their work in our national parks. Parks Canada has many roles to fulfil beyond national parks. It is also responsible for historic sites. At this time let me thank the minister

for supporting the designation of William Barker, VC, as a Canadian war hero.

Other jobs of Parks Canada are the marine conservation areas, federal historic buildings, historic railway stations, heritage river systems, federal archaeology and the grave sites of former prime ministers. I thank both the minister and the parliamentary secretary for supporting one of the Canadian Alliance's amendments which would mandate recognition of traditional supply water from a park when an agreement has been negotiated. I also thank the Parks Canada Agency and Tom Lee for their help in the acceptance of our amendment.

I would like to address some of the outstanding park issues that the bill does not properly address. The most important issue is about mandating consultation. Mandated consultation would improve the democratic process and develop a level of trust that does not currently exist today between the park tenants and the park administration.

• (1340 )

Over the last two years I have done some extensive workshops with park residents to try to find out for myself what the issues were throughout the western parks. I have provided members of the heritage committee and the clerk the results of these workshops.

Consistently I have found that there tended to be a lack of trust between park officials and park users. Even when public consultation occurs public input was ignored. Time and time again it was pointed out that decisions made by park officials did not address the local needs.

It was repeatedly stated that Parks Canada should get out of the business of municipal governance and that it should be looking after parks, not town sites, where there is no expertise. Even publicly elected advisory committees are frustrated with Parks Canada on how it ignores advice.

Even when the consultation process was exercised it was not transparent, honest or accountable. Many park users found the consultation process difficult to understand. Another criticism was the lack of accountability in the way parks spent the money collected from the tenants through leases.

The issue of leases must be resolved so that it will be equitable to both parties through negotiation, not top down without any input. How could Parks Canada justify lease increases up to 10 times their current value without giving the property owner due process? It is in essence taxation without representation. If due process is not respected, what is the difference between Bill C-70 and Bill C-27?

What is needed is a comprehensive approach inviting both commercial and recreational tenant representation from all the parks to sit down at the table with park officials and resolve this contentious issue.

*Government Orders*

My findings were echoed by many of the witnesses coming before the heritage committee. Canadian Alliance made many amendments to address the issues of access and accountability which were defeated. Two amendments put forth by the Canadian Alliance were based on the principles of health and safety.

The first one is to mandate keeping open air strips located in all national parks for the purpose of public safety. COPA representing the general aviation sector in Canada has asked for this change for too many years. I believe that saving one life is worth putting this into the bill.

The second point is to mandate that all park wardens have all the resources to do their jobs without jeopardizing their health and safety. Whose lives will be jeopardized if this change is not made by Parks Canada? This is also long overdue.

Another direction which Canadian Alliance wanted to take was the recognition of local government bodies throughout this act. We believe that this would have been an inclusive approach to begin the recognition of municipal governments in Canada, a view supported by the Federation of Canadian Municipalities.

Let me close by saying that Bill C-27 had the potential to make the system more accountable. It would not have required a major overhaul. With a few more amendments the bill would ensure that the democratic process would be respected by all parties. The Canadian Alliance will not be supporting the bill as presented at third reading.

[*Translation*]

**Mr. Pierre de Savoye (Portneuf, BQ):** Mr. Speaker, we are at third reading of Bill C-27, on national parks.

It must be understood that the first objective of the bill is to ensure maintenance and restoration of the integrity of federal parks. Of course, everybody understands that these very important objectives cannot be reached only with one statute.

However, the maintenance and restoration of the ecological integrity of parks depend much more on the attitude of the Parks Canada Agency, its management and staff.

However, Bill C-27 is a first element and a legislative framework that will allow the necessary culture to emerge and to develop fully within the Parks Canada Agency.

• (1345)

In fact, that was one of the major recommendations of the commission, which recently reviewed those issues recently and which emphasized the need to make this change of culture and to prioritize the maintenance and restoration of the ecological integrity of parks. This bill could achieve that.

The bill states that, in the performance of his duties, the minister must consult the people and the authorities in the areas concerned. This is an indispensable element that is essential if the agency is to carry out its mandate. Indeed, in all the parks, there are aboriginal communities which, in certain cases, cannot be neglected in the everyday planning of the agency in the exercise of its mandate.

The bill provides, in my opinion, sufficient and efficient consultation of the communities and organizations concerned.

Furthermore, if this bill seems entirely acceptable on the whole, it does contain a clause that does not concern federal parks, but concerns historic sites. We do not know why this short clause, on historic sites, is in the bill, which is otherwise well structured. In fact, when we read this clause, we realize that it is quite badly written.

I suggested to the House, at report stage, that this clause be removed from the bill. But the House did not see fit to accept my suggestion.

This clause presents a serious problem for municipalities and provinces where there are potential historic sites. Indeed, this clause provides that the agency may acquire such historic properties and declare them historic sites without having to consult in any way the provincial or municipal governments concerned.

This aspect is out of tune with the rest of the bill, which clearly affirms that there must be consultations between the department, agency officials and, finally, the minister and the people or organizations concerned.

In this clause, there is no mention of any obligation on the part of the minister to take counsel together or to consult with the provinces or the local governments.

I find this strange and even frightening. That is why, on the one hand, I suggest that the provincial legislatures ensure that any real estate transaction that would result in the transfer of an historical site to the federal government be submitted, for approval, to the provincial minister concerned.

On the other hand, I humbly and respectfully suggest that the government review this clause and that it reword it more rigorously and, above all, in a manner that would be more respectful of the provinces and municipalities, regarding the preservation and the enhancement of the historical sites affected by this clause of the bill.

• (1350)

In conclusion, let me say that Bill C-27 will really allow us to focus on the preservation and the restoration of the ecological integrity of federal parks. In that perspective, the Bloc Québécois

endorses the goals of this bill and will obviously support it at third reading.

[*English*]

**Mr. Rick Casson (Lethbridge, Canadian Alliance):** Mr. Speaker, it is a pleasure to rise today to speak to Bill C-27.

I have a national park in my riding. It is one of the most beautiful spots in the world, Waterton Lakes National Park. I spent some time up there talking to the people in the park. I have been able to meet with the superintendents, present and past, to discuss issues. I recently attended a Waterton Lakes leaseholders meeting to hear what some of their concerns are and certainly some of the comments made by the member for Dauphin—Swan River were reflected in the comments I heard.

I would like to compliment the member for Dauphin—Swan River for sticking with this bill. He has worked hard on it. He brought forward some very good amendments and actually had one accepted by the government, which in this day and age is sometimes a strange happening. I congratulate him. It is an issue that goes back to before his life as the mayor of Dauphin. I also want to thank him for his tour of the western national parks. He went to Waterton and met with people and held a really good grassroots consultation process to enable him to develop the position he has taken and the position he has helped our party to take. That is exactly what needs to be done.

One of the problems we see with the bill is that a mandated consultation process needs to be in place. People who live in these parks have a right to consult directly with Parks Canada. They are a little nervous about the way it is structured right now, to be quite frank. They feel that the minister and the governor in council have far too many powers. There is a little mistrust by the people who live and work in the parks of the government and Parks Canada. That grassroots consultation process would be very important for the bill to be received properly and to work properly.

People have worked with me and kept me informed of what is happening at Waterton Lakes National Park. In particular, Jason Bruns was one of the first people who talked to me after I was elected. He is an outdoorsman, he is a fisherman, he enjoys the park and any time he sees an issue that he thinks I need to be aware of he certainly brings it to my attention. I appreciate that. A few weeks ago, on the long weekend in May, when I was in Waterton for the leaseholders meeting, I met with him and he toured me around to show me some of the things that he would like to see changed, and we talked about some of the issues that he has. He is an avid lover of the park. He enjoys the outdoors and he feels that certainly protecting the ecological integrity of our parks is important. However, the people who are best able to do that are the people who are close to our parks. It is important that the government and the minister consult with the people who use and live in these parks. They have the best idea of how to preserve them and keep them for future generations.

### *Government Orders*

One of the amendments that was brought forward was to deal with wardens, how they carry out their jobs and the fact that they should be allowed to carry firearms to protect themselves and to do their jobs properly. That was defeated. That is unfortunate because we feel that would give them a certain degree of security in the process they go through to carry out their duties.

But to get back to the leaseholders, there is a process in place now whereby the leases in the parks, particularly in Waterton, which I am most familiar with, are reviewed only once every 10 years. At the present time the leaseholders are facing a huge increase in lease amounts.

• (1355)

We feel that the ability to consult with the government on a more regular basis and with the department would have helped alleviate some of this. It is important that the process be in place to give people a chance to bring their ideas forward to be acted on by the government.

The member for Dauphin—Swan River alluded to some of the unique situations that exist in the parks. They are not all the same. I have had letters from people in Jasper asking why they cannot be treated the same as the people in Waterton and why they cannot be treated the same as the people in Banff. Each one is different. Banff has its own town council that runs the affairs there.

It is important that we realize that there is this difference and that the minister takes the time to consult and not to paint everybody with the same brush under the same rules, because every place is unique and different.

The Trans-Canada Highway runs through Banff National Park. That creates a whole issue of separate concerns to do with wildlife. The amount of money collected at the Banff gate helps to run the entire national park system.

In closing, I would like to reiterate that the people who use the parks, the people who live in the parks, the people who have businesses in the parks and certainly the visitors who come from all over the world to enjoy our national parks all need a voice in the implementation of legislation and the laws that govern them. We hope that the government recognizes that fact, that it will honour those views and that it will implement them in the future.

**The Speaker:** When the hon. member finishes his discourse is up to him, but he has 10 minutes for questions and comments. Before we go to that, in order to give him a chance to get his thoughts together and to give other members a chance to get their questions together, I will go to Statements by Members and I will come back to this 10 minute question and comment period after question period, unless the member wants to go into debate. However, we will sort that out.

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## STATEMENTS BY MEMBERS

[English]

### THE LATE GILLES LANDRY

**Mr. David Pratt (Nepean—Carleton, Lib.):** Mr. Speaker, it was with great sadness that many of us learned of the recent passing of Mr. Gilles Landry, the Minister of Political and Public Affairs at our High Commission in London.

Only 48 years of age, Gilles had spent 25 years in the Canadian diplomatic service. He was an active promoter of both the Commonwealth and the Francophonie and had previously represented this country in Abidjan, Ivory Coast and Paris. Gilles was one of the key people behind the reopening of Canada House.

I had the pleasure of working with Gilles last year and this year in connection with Sierra Leone. I greatly admired the intelligence, the hard work and the obvious dedication that he brought to his work representing this country abroad.

Our foreign service attracts some of the best and the brightest this country has to offer. Gilles was among the best of the best.

Our deepest condolences go out to the family, the friends and the colleagues of Mr. Gilles Landry.

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### NATIONAL PARKS

**Mr. Cliff Breitzkreuz (Yellowhead, Canadian Alliance):** Mr. Speaker, the Liberals claim they are the epitome of democracy and of the consultative process. In reality, autocracy rules supreme, at least in the heritage department and specifically in Bill C-27, the Canada national parks act.

No one in Jasper was consulted while drafting Bill C-27, and this bill will have a serious impact on Jasper and its residents. Jasper Commerce and Tourism was not consulted, nor was the Jasper townsite committee.

Roy Everest and Richard Ireland presented briefs to the committee, but the bill was already in its final form and their recommendations fell on deaf ears.

The 5,000 residents of Jasper will never be able to make decisions regarding fire halls, fire trucks or even stop signs. The minister here in Ottawa will keep a tight-fisted grip on these and other local issues.

Jasper is the only community in the entire country singled out in this fashion. Who was consulted? Why, the Sierra Legal Defence Club. It was not only consulted, but hired by the cops at heritage. Shame on the dictatorial practices of this Liberal government.

### CANADA WORLD YOUTH EXCHANGE PROGRAM

**Mr. Ovid L. Jackson (Bruce—Grey, Lib.):** Mr. Speaker, I rise to congratulate the town of Durham on its participation in the Canada World Youth Exchange Program with Thailand.

• (1400)

This is a seven month program in which young people from each community spend some time learning the culture and the language before going back to their respective communities.

Durham is a great little town in Ontario that will show great hospitality to the students from Thailand. I know that the experiences shared by the families, the people who participate, and the students will enrich their lives and make our world a better place.

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### SYRIA

**Mr. Sarkis Assadourian (Brampton Centre, Lib.):** Mr. Speaker, people of Syria are in mourning following the sudden death of President Hafez al-Assad. The funeral of the late president of Syria was held today at his birthplace, the village of Qardaha in northern Syria. Dignitaries from around the world, including our Minister of Foreign Affairs, are paying their respects to the late leader.

As the first Syrian born Canadian member of parliament, I ask my colleagues to join me in extending condolences to the people of Syria and the al-Assad family. I hope that a peaceful transition of power will contribute to the ongoing peace process in the Middle East.

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### THE ENVIRONMENT

**Hon. Andy Scott (Fredericton, Lib.):** Mr. Speaker, Canadians treasure their coastline and sea which are rich in natural beauty and resources. Each year thousands of oil spills are reported along the 40,000 kilometres of Atlantic coastline and many more go unreported. In concert with the navy, the Canadian forces air crews based in Greenwood, Nova Scotia, and Comox, British Columbia, help to protect these treasures.

On May 30 the men and women at 14 Wing Greenwood received an Environment Canada award in recognition of the vigilant surveillance of Canada's Atlantic coastline and sea approaches and their remarkable success in tracking, identifying and photographing polluting ships.

I rise today to recognize the valuable contribution of the 14 Wing Greenwood air crew, as well as 19 Wing Comox, because we and our children can continue to enjoy the benefits of our natural marine wonders that remain the envy of the world.

## GRAIN TRANSPORTATION

**Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance):** Mr. Speaker, the Liberals claim that they have reformed the grain handling and transportation system. They are oh, so wrong.

Witness after witness at the agriculture committee hearings and transportation hearings stated that the only way to fix the broken system was to introduce true commercial accountability. The Liberals have ignored this advice.

Almost every witness at committee stated that the deal negotiated in secret between the Canadian Wheat Board and its minister would not increase commercial accountability and would increase the control of the Canadian Wheat Board over grain transportation.

This is exactly opposite to the recommendations made by the government's own experts. With this so-called reform package, the Liberals have guaranteed that the grain handling and transportation system will fail again as it did during the 1993-94 and 1996-97 crop years. Once again farmers will be forced to pay for Liberal inadequacies.

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[Translation]

## BOMBARDIER

**Mr. Bernard Patry (Pierrefonds—Dollard, Lib.):** Mr. Speaker, last Friday we learned some good news relating to Bombardier.

This local company has just landed a \$2 billion contract with GE Capital Aviation Services, or GECAS, for up to 150 regional jets.

The agreement with Bombardier comprises a firm \$1.96 billion order for 50 planes. This is the first significant order from an aircraft-leasing firm. Included in the contract are 15 50-seater Regional Jets, 25 70-seaters, and 10 new 90-seaters which are still being developed.

Deliveries are scheduled to start in the year 2002 and to run until late 2006. Counting the 100 aircraft on option, the value of the contract with GECAS will total \$5.87 billion.

Our congratulations to the management and workers of this company, which is a jewel in the economy of Quebec and of Canada, and our best wishes for the fulfilment of this major contract.

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## REGIONAL PRIDE WEEK

**Ms. Jocelyne Girard-Bujold (Jonquière, BQ):** Mr. Speaker, I am pleased to draw hon. members' attention to the fact that this is regional pride week in Saguenay—Lac-Saint-Jean. It is an opportu-

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nity for all residents of the region to show their attachment to their history and their culture. The regional flag and anthem will hold pride of place in the celebrations.

This will be the last time Paul Lemieux will chair the event. As honorary chairman of regional pride week, he has devoted eight years to its success. I am sure that his departure will leave a big empty space in the organization of the event.

On behalf of all the people of Saguenay—Lac-Saint-Jean, I wish Mr. Lemieux all the best in his future endeavours. I will take advantage of this opportunity to also pass my best wishes for an excellent regional pride week to all the people of Saguenay—Lac-Saint-Jean.

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• (1405)

## JOB CREATION

**Ms. Raymonde Folco (Laval West, Lib.):** Mr. Speaker, on Friday, Statistics Canada announced an unemployment rate of 6.8% for April, the lowest level since April 1976.

In the past 12 months, the number of full time jobs has increased significantly—by 3.1%.

These performances are encouraging. They clearly indicate that the climate remains favourable for investors.

Canada is a country of choice to create jobs and develop projects for all regions. This picture also means that the Liberal government's economic and financial policies are producing solid results. Nearly two million new jobs have been created under the Liberal government since it took office in 1993.

This is a particularly fine job creation performance.

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[English]

## IMPAIRED DRIVING

**Mr. Richard M. Harris (Prince George—Bulkley Valley, Canadian Alliance):** Mr. Speaker, Bill C-18, which enables judges to impose a life sentence for the serious crime of impaired driving causing death, completed report stage debate this morning and will be voted on this evening, clearing the final hurdle for passage at third reading.

Impaired driving is an issue I have been working on for the last four and a half years. I thank my colleagues in the Canadian Alliance for the tremendous support in my efforts. I also thank all of my colleagues in the House of Commons who helped to bring this legislation to fruition.

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The Canadian Alliance has placed Bill C-18 high on its priority list for passage before the summer recess. The government leader has given assurance that the bill will be passed before the summer recess. The Canadian Alliance, the Canadian public and government members, I assume, all urge the government to ensure that this important bill is passed before the House recesses.

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[*Translation*]**MEMBER FOR LAC-SAINT-LOUIS**

**Mr. Yvon Charbonneau (Anjou—Rivière-des-Prairies, Lib.):** Mr. Speaker, I would like to draw the attention of this House to the honour given one of our members recently for his commitment to environmental issues.

On May 25, our colleague, the member for Lac-Saint-Louis and chair of the Standing Committee on Canadian Heritage, was admitted to the Cercle des Phénix de l'environnement et du développement durable.

This tribute to our colleague, an eminent architect of sustainable development, by the entire environmental community of Quebec crowns many years of commitment to the environment.

Everyone in Quebec will remember that our colleague served as minister of the environment for Quebec from 1985 to 1988 and everyone knows that he is the author of Quebec's first environmental policy focused resolutely on conservation.

In closing, I recall that the basic message of our colleague, the recipient of the Phénix environment award, is as follows: "Sustainable development must be the cornerstone of Canada's economic growth".

Long life to the member for Lac-Saint-Louis.

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[*English*]**HEALTH**

**Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP):** Mr. Speaker, the verdict is in and Albertans do not trust Liberals to fight against private for profit hospitals. Yesterday Brian Mason won an Edmonton byelection with almost 60% of the votes, a convincing victory for the Alberta NDP and a resounding vote of confidence for the only party that fights against for profit health care.

The Liberals barely squeaked ahead of the Klein candidate. If it was not clear to Liberals before it should be clear now. Canadians want the spirit of the Canada Health Act protected.

In question period yesterday the health minister said that he would never allow a private for profit health care system. If he will

never allow it, why is bill 11 law? What has he done to stop for profit hospitals? He is going down in history as the minister who allowed them.

Albertans know it. They are tired of the minister's syrupy statements and empty words. They want a real Ralph Klein fighter so they voted NDP. Congratulations to Brian Mason and his winning team.

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**JASON ARNOTT**

**Mr. Paul Bonwick (Simcoe—Grey, Lib.):** Mr. Speaker, today I rise to pay tribute a great Canadian, Jason Arnott. Jason, who needs no introduction to hockey fans across the country, happens to be a local boy from Wasaga Beach where he began his hockey career in the minor hockey system. He then went on to play for the Stayner Siskins as well as teams from Lindsay and Oshawa where he was a member of the 1990 Memorial Cup champions.

Following this he played for the Edmonton Oilers until 1997 when he joined the New Jersey Devils. Then on June 10, Jason scored the winning goal during the second period of overtime against the Dallas Stars in the Stanley Cup finals.

Throughout his incredible career Jason has never lost sight of his roots. He continues to be a huge supporter of local charities in Wasaga Beach including minor hockey.

I know I speak on behalf of his parents, Bill and Eileen, the town of Wasaga Beach, the Parliament of Canada and all Canadians when I extend congratulation and thanks to Jason Arnott. Today Canada recognizes him as one of its finest hockey sons. By the way, Lord Stanley's Cup will soon visit Wasaga Beach. I say congratulations to Jason.

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● (1410)

[*Translation*]**NOTE FESTIVAL**

**Ms. Diane St-Jacques (Shefford, PC):** Mr. Speaker, on Saturday, a unique musical event, the Note Festival, will be held in my riding. Music students aged 2 to 97, from all regions of Quebec, may take part in this friendly competition.

For the ninth year, on June 17, over 300 participants will entertain 3,000 spectators who will let themselves be carried by the sound of music.

The purpose of Note Festival is to discover talents and to provide an opportunity for artists to meet and, more importantly, to improve, since each participant is evaluated.

It is a great musical party organized with dedication and competence by an army of volunteers, with the financial support

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of socioeconomic and sociocultural partners from the Granby region.

This great event is the brainchild of Aline Couture Paré, who has an unconditional love for music and who has been in charge of the festival since the beginning. That musical event helps her transmit this love that is carried by each note during this wonderful festival.

I wish the best of success to the ninth edition of Note Festival.

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**BILL C-20**

**Mr. Daniel Turp (Beauharnois—Salaberry, BQ):** Mr. Speaker, Bill C-20 has yet to be adopted, but it continues to draw serious criticism.

Yesterday, Claude Ryan strongly criticized the bill when he said:

Because it reduces the National Assembly to the rank of an inferior parliament, because it reflects a deep distrust of the Quebec democracy, because it suggests that Quebec sovereignists are seditious people who must be kept under surveillance, this bill is humiliating for the parliamentarians who sit in Quebec City and for the people whom they represent.

Even if Bill C-20 is passed by the current Liberal senators and those whom the Prime Minister will have to appoint to ensure that it is indeed passed, that will not give it the legitimacy it lacked when passed by this House.

This gag law will never deprive Quebecers of their right to choose their destiny, because Quebec is free, and the Quebec nation is sovereign.

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[English]

**CANADIAN NURSES ASSOCIATION**

**Mr. Rey D. Pagtakhan (Winnipeg North—St. Paul, Lib.):** Mr. Speaker, the Canadian Nurses Association begins this weekend in Vancouver its biennial convention with the federal Minister of Health as keynote speaker. Its theme “Nursing in the 21st Century: Challenge and Change” is timely not only for the nursing profession but also for Canada’s health care system.

Canadians know that when they come face to face with their health needs, whether in the ER or ICU, the acute or convalescent ward, the outpatient clinic, community centre or at home, they come with the reality of availability of access. Nurses play a critical role as health care providers. We cannot allow as a nation that their leading role be compromised. Caring and competence are non-negotiable attributes. Therefore governments have a duty to provide the needed resources.

Even as the Government of Canada shares a partnership in commitment to see our health care system attuned to the realities of the new century, I am confident that the Canadian Nurses Association will share with all Canadians the wisdom of its collective

experience. Let us wish our nurses success during their weekend convention.

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**CANADIAN EXECUTIVE SERVICE ORGANIZATION**

**Mr. John Herron (Fundy—Royal, PC):** Mr. Speaker, the Canadian Executive Service Organization or CESO is a Canadian volunteer based not for profit organization founded in 1967. Its mission is to supply Canadian advisers and trainers to emerging businesses and organizations in Canada and worldwide that cannot access paid consulting services.

My constituent, Mr. Cornelis Hoogveen, from Rothesay, New Brunswick, was a CESO volunteer. He went to Slovakia to assist in the management of a dairy company in need of help. Cornelis was asked to assess the dairy’s operations and marketing and the co-operation between dairy farmers and processors.

While Cornelis was on site the final stages of privatization were taking place and his first task involved putting in place a new company structure. He recommended reducing distribution costs by streamlining the order department and hiring a distribution supervisor. A wage increase system was also put in place and an organizational chart developed.

Cornelis expects that the implementation of his recommendations and staff training will result in a reduction in duplication and waste as well as an increase in sales and profits. I thank Mr. Hoogveen.

**ORAL QUESTION PERIOD**

• (1415)

[English]

**GOVERNMENT SPENDING**

**Miss Deborah Grey (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, today StatsCan confirmed what Canadians have known for years, that the government is swallowing up more of their income in taxes than ever before. What does the government spend it on? Boondoggles, fountains, canoe museums, hotels, golf courses, and that is just in the Prime Minister’s riding.

What right does the finance minister have to take so much of what Canadians earn and then squander it away?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, the reason the government’s revenues are up is that things are going very well in Canada. There are more people who are working. There is more economic activity. People’s salaries are up. I hate to say this to the leader of the Canadian Alliance, but that is good news for Canadians.

*Oral Questions*

**Miss Deborah Grey (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, it is for sure that incomes had to rise. It is the only way they could afford the taxes really.

The government is spending \$15 billion on transfers to health and \$17 billion on grants and contributions. Canadian families have been forced to finance for example the history of strippers, a display of French prostitutes, and the porn flick *Bubbles Galore*. That is not to everyone's taste.

Why is the finance minister against Canadian families keeping more of what they earn?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, two-thirds of all of our new spending is in health care, education and basic research. The issue really is, why did the Canadian Alliance vote against the increases in the national child benefit? Why did the Canadian Alliance vote against increases in preschool child nutrition? Why did the Canadian Alliance vote against every single measure the government has brought in to help the middle class in the country and to help Canadian families?

**Miss Deborah Grey (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, because we do not believe it for some funny reason. Maybe it is just a drop in the sea to a shipping magnate but to the average family, \$12,000—

**Some hon. members:** Oh, oh.

**The Speaker:** Order, please. Please address each other by our proper titles.

**Miss Deborah Grey:** Mr. Speaker, the finance minister, his highness, maybe does not realize that \$12,500 is a lot of money to the average Canadian family.

If the finance minister could convince Canadians that he is buying better health care or improving the education system, Canadians might not mind so much, but he has not. He knows that he has not restored the health funding even to 1993 levels and the government is running a \$5 billion surplus.

Why is the government plundering Canadian families to pay for bungles, bubbles and boondoggles?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, the leader of the Canadian Alliance would have us believe that her party is interested in health care. Let me say that we were surfing the web the other day and we found the Canadian Alliance website. We looked under health and I will read what it has under health, "There are no current articles for this category or department". The page is blank.

**Some hon. members:** Oh, oh.

**The Speaker:** Order, please. I remind members to please not use props either in questions or answers.

• (1420)

**Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance):** Mr. Speaker, the finance minister needs to remember that it is Canadian entrepreneurs and Canadian businesses that fuel the economy. It is the hard work of individual Canadians that provides not only family income but the government's income. There is a limit to their generosity. Government is confiscating more and delivering less. Worse, the Liberals do not even blink at a billion dollar bungle.

Perhaps the finance minister could tell Canadian families why he needs so much of their money.

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, the last budget brought in personal income tax reductions and unemployment insurance reductions of \$54 billion out of a total of \$58 billion.

I would be prepared to defend on any podium in the country our tax proposals against the flat tax of the Reform Party, which is a tax designed to do only one thing and that is to flatten the middle class.

**Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance):** Mr. Speaker, the finance minister is certainly an equal opportunity tax man. It does not matter whether people are rich or poor as long as he gets his money. Robin Hood used to take money from the rich to give to the poor. The finance minister takes money from the rich and the poor to give to the human resources minister.

Why should Canadian families give the government so much of their money so the finance minister can give it to the human resources minister for boondoggles?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, on July 1 of this year, within a couple of weeks, the middle income tax rate will drop from 26% to 24%. The full benefits of indexation will come into play. Let us look at what that party would offer. According to Catherine Ford of the *Calgary Herald*:

I first encountered the snake oil selling tactics promoting a flat tax years ago in the U.S. It was flawed, a tired, discredited and inherently unfair tax scheme that even the powerful right wing—

**Some hon. members:** Oh, oh.

**The Speaker:** Order, please. The hon. leader of the Bloc Quebecois.

\* \* \*

[Translation]

**PARENTAL LEAVE**

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, about ten days ago, the Prime Minister jumped up in the



House to reject a parental insurance program proposed by Quebec. Clearly, he wants all the visibility for this project.

We have now learned of the existence of a legal opinion dated March 2 advising that he should negotiate with Quebec.

Will the Prime Minister tell us whether or not he was aware of the existence of this legal opinion when he rose in the House to reject negotiations with Quebec?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, three years ago, we held negotiations on this topic which produced nothing. The government decided, and it announced very clearly in the throne speech and in the February budget, that it would extend benefits from six months to twelve in order to help people on parental leave.

That was very clearly established. What I wonder today is why the Government of Quebec is speaking up after the decisions have been made. If it thinks it can help people who need more than we are offering, if it has the money to do that, it is welcome to do so. That will be just fine with us.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, there was a legal opinion; that was the question. There are also other legal opinions.

Will the Prime Minister respect his own legislation, including section 69? Will he negotiate with Quebec, or is the law no longer of interest in this place? What the Prime Minister is telling us is that he is the law.

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, there were negotiations that produced nothing. They withdrew.

From that point on, the government, which had complied with the legislation, was forced to assume its responsibilities. In the interests of good social policy, we decided that it was very important to extend the period during which parental leave benefits are paid. Everyone was pleased with this measure at the time of the throne speech and the budget speech.

Only as the program is about to begin does Quebec suddenly wake up.

• (1425)

**Mrs. Christiane Gagnon (Québec, BQ):** Mr. Speaker, this morning the national assembly unanimously passed a motion supporting the parental insurance proposal by the Government of Quebec.

Does the Prime Minister not realize that, if he persists in remaining as stubborn as he has since the beginning of this affair, he will once again be acting contrary to the unanimous will of the Quebec national assembly as well as a broad consensus of Quebecers?

### Oral Questions

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, we established our position on this matter very clearly, a year ago already.

If the benefit we are paying is insufficient, as Quebec claims, if 55% of earnings is not enough, it is fine with us if they want to bring it up to 75%. We shall praise them for it, if they have the money to do so.

What we want is to treat everyone equally, and the money we will be using is already in place for it. If they want to use their own resources to raise the benefits, that is fine.

**Mrs. Christiane Gagnon (Québec, BQ):** Mr. Speaker, I ask the Prime Minister again: Is he capable of grasping that the motion passed unanimously by the national assembly is not in support of improved employment insurance benefits, but of a parental insurance program focussing on the future and aimed at all of the young families of Quebec?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, if the provincial government wants to have that program, it is free to do so.

We have a responsibility under the Employment Insurance Act. For years now, we have been providing those covered by employment insurance with maternity benefits. Now, we are improving those benefits.

If there are other social programs the Government of Quebec wishes to improve, all the better for them. We have our responsibility under the Employment Insurance Act and we are continuing to improve what we have been doing since—

**The Speaker:** The hon. leader of the New Democratic Party.

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[English]

### POVERTY

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, recent income statistics show a growing gap, a disturbing gap, between Canadians with high incomes and those with lower and middle incomes. StatsCan documents that government policies are aggravating this problem. While European countries are relatively successful in fighting poverty, the U.S. record is abysmal. Why? Because economic growth alone will not defeat poverty. Better income support and child care programs are needed.

Why does the government insist on mimicking the American approach?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, in fact we have worked very hard on that. Some of the statistics do not take into account the fact that we have instituted in Canada a national child benefit program. We are developing with the provinces a national children's agenda. We plan to lengthen employ-

*Oral Questions*

ment insurance benefits for parents to 12 months. We have many, many other programs that are in place at this moment that were in the Speech from the Throne and in the last budget. We are making a lot of progress.

At the same time Canadians now have more revenue than they had before. There were a lot of changes in the last budget to help the lower—

**The Speaker:** The hon. leader of the New Democratic Party.

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, if this government were serious about defeating poverty, it would be willing to learn the lessons in the recent income report. If we adopt U.S. style tax policy, then we are going to get U.S. style social policy and the growing income gaps that come with it. Sadly, that is the goal the government is pursuing. As UNICEF reports, countries that make up their minds to tackle poverty succeed, but in Canada, the odds are that a child of a lone parent is poor.

How can the government be so complacent about its record on poverty?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, it has been one of the items that we have devoted a lot of time to. Statistics Canada yesterday reported that now our policies are beginning to pay off and said that fewer Canadian families are living in poverty today than there were some years ago. We are making progress but the job is not over. We have to keep working at it.

\* \* \*

• (1430)

**BANKS**

**Mr. Scott Brison (Kings—Hants, PC):** Mr. Speaker, the finance minister proposes in his financial services reform bill to grant himself unfettered power to say yes or no to bank mergers. If merger proponents pass all the hurdles of his public impact review process, will he say yes to the mergers?

**The Speaker:** That is a hypothetical question. I see the minister is on his feet. If he wishes to respond he may do so.

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, I am afraid the hon. member misunderstands the nature of the reforms. The fact is that ultimately the Government of Canada has the right to make the decision and in fact must make a decision either yea or nay, and obviously that voice is expressed through that of the Minister of Finance.

The fact is that in this particular process we have introduced a number of steps, including the mandatory public hearings by the House of Commons finance committee and the advice from the Superintendent of Financial Institutions and the Competition Bureau.

I can assure the hon. member that any decisions would be very well taken after a full examination in the public interest.

**Mr. Scott Brison (Kings—Hants, PC):** Mr. Speaker, Canadians have waited seven years for this government to introduce its financial services sector reform package which will not see royal assent until at least a year and may in fact be derailed by a general election.

With the changes in the global financial services sector occurring at web speed, why is this government moving at a snail's pace?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, the government is certainly not moving at a snail's pace. We intend to push as aggressively as we possibly can, obviously subject to the prerogatives of parliament, to make sure that this legislation is passed as quickly as possible.

However, we do want to have the public debate on the legislation. That is why fact we commissioned the MacKay report about 18 months to 2 years ago. We wanted to examine every possible avenue open to make sure that on the one hand our banks are able to grow as much as possible and, on the other hand, that our consumers are protected as much as possible.

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**DEPARTMENT OF FINANCE**

**Mr. Richard M. Harris (Prince George—Bulkley Valley, Canadian Alliance):** Mr. Speaker, it looks like the finance minister has been getting some lessons from the human resources minister.

It turns out that the human resources minister is not the only one with a dodgy set of books. An internal finance department audit wonders whether the finance department's contracting practices could "be defensible if disclosed in the public eye".

I would like to ask the finance minister if he can tell the House why his department's contracting practices are not publicly defensible?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, the problem is of course that the hon. member opposite perhaps read the newspaper report. What he should have done was to have read the report of the internal audit.

If I can just quote, it states:

Our review of CI&S controllable expenses indicated they were generally processed in compliance with applicable policies and procedures.

We also observed a desire on the part of CI&S staff to do things right.

All professional service contracts adequately demonstrates CI&S's organizational needs.

In other words, there were obviously defects in what the hon. member was pointing to but overwhelmingly the report was positive for CI&S.

*Oral Questions*

**Mr. Richard M. Harris (Prince George—Bulkley Valley, Canadian Alliance):** Mr. Speaker, they wonder “if the contracting practices would be defensible if disclosed in the public eye”. There is a problem there.

We are perhaps talking about some suspect contracting services in the Department of Finance. This minister is the keeper of the cash, the taker of our taxes. If there is suspect in his department, how can any Canadian trust anything the government says or does?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, the premise of the hon. member’s question just simply does not bear any kind of scrutiny.

Let me give one more quote from the report, following up on what the member said. It states:

In all professional service contracts reviewed, the fact that the contractors had excellent qualifications for the tasks defined was adequately demonstrated.

\* \* \*

[Translation]

**BANKING**

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, the Quebec government, through its Minister of Finance, is demanding legislative guarantees from the federal government regarding the conditions that must exist before authorizing a takeover of Quebec banks by a buyer.

However, in the 871 page document tabled by the federal Minister of Finance, there is no indication that such guarantees exist.

Will the Minister of Finance confirm that the only guarantee that exists in his bill is the discretionary power he is assuming, and nothing else?

• (1435)

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, in the case of the acquisition of a bank, such as the National Bank, the criteria will be exactly the same—and this is provided in the legislation—as those for major bank mergers.

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, there is no guarantee in the act to protect Quebecers.

Why should we feel confident? Why should we be reassured about the possible acquisition of Quebec banks by a potential buyer, since the only guarantee we have is the decision of the federal Minister of Finance or of his successors? Mr. Speaker, you will agree that there is nothing reassuring in this situation.

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, I just said that the criteria in the case of an acquisition are exactly the same as in the case of major bank mergers.

Now, if the hon. member thinks that we should have more elaborate criteria for major bank mergers, his colleagues are certainly free to make that suggestion in committee.

But I am telling the House that, in the case of an acquisition and of the criteria, if not the process, things would be exactly the same as in the case of a bank merger.

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[English]

**HUMAN RESOURCES DEVELOPMENT**

**Mr. Jay Hill (Prince George—Peace River, Canadian Alliance):** Mr. Speaker, here is HRDC’s idea of a good business venture in Strathroy, Ontario: One, buy a motorhome; two, fill it with computer equipment; three, register the motorhome in an individual’s name; four, pay out \$127,000 in salaries with no job descriptions; and five, park it in a garage and terminate the project.

How did this boondoggle on wheels benefit taxpayers?

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, with regard to this particular project, I can say that it is under review.

In the context of the questions and commentary of members of that party opposite, it is clear that from their point of view they think it is a boondoggle for Canadians to invest in improving the literacy levels of Canadians. They think it is a boondoggle for Canadians to invest in ensuring that Canadians with disabilities can participate in the economy. They think it is a boondoggle for us to support aboriginal people in getting the training they need to participate in the economy.

After five months, that is the result of the discussions here.

**Mr. Jay Hill (Prince George—Peace River, Canadian Alliance):** Mr. Speaker, in this particular case, we think it is a boondoggle that taxpayers are buying people motorhomes. That is what we think.

**Some hon. members:** Oh, oh.

**The Speaker:** Order, please. The hon. chief opposition whip may begin his question.

**Mr. Jay Hill:** Mr. Speaker, Canadian taxpayers deserve to know where all their money is being spent. The original proposal was approved for a \$30,000 lease of a motorhome. The used RV was in fact purchased for \$30,000 and subsequently registered in an individual’s name. I do not think this needs to be reviewed. I think it needs to be investigated properly by the RCMP.

Has the HRDC minister decided to make a gift of this RV, or has it been sold so taxpayers can recover at least part of their investment?

*Oral Questions*

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, I repeat that in this particular case a forensic audit is under way.

I want to make clear that hon. members opposite focus on isolated cases and bring to the attention of the Canadian people individual grants and contributions, while at the same time making it absolutely clear that from their point of view there is nothing that the Government of Canada can do to help those in need. That is the real message here, and I think it has become very clear to Canadians that this is the approach of that party.

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[Translation]

**BANKING**

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, could the Minister of Finance tell us where his bill mentions the conditions governing the ownership of up to 65% of National Bank shares by a single shareholder, the conditions on the maintenance of available services, the maintenance of professional positions or those requiring a particular expertise in Quebec, the benefits for the economy of Quebec and its technological development and the benefits for Quebec's financial sector?

Where in the bill did he provide for these assessment criteria?

• (1440)

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, if the member would care to look at clause 396, he will find there a list, which, following another determination, will tell him what is included in the public interest. As I have said to Mr. Landry, the public interest involves really all the issues he raised in his letter.

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, can the minister tell us who will decide whether it is in the public interest and in the interest of Quebecers? Who will decide which conditions will be met? What evaluation criteria and what sort of analysis will be used? Will he not be the one ultimately deciding? Is he not looking more and more like a minister in a banana republic?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, Jacques Parizeau's puppet has to know that the Canadian government will decide.

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[English]

**GUN REGISTRY**

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, my question is for the Prime Minister.

In 1995 the justice minister tabled a document titled "Financial Framework for Bill C-68" that projected a deficit of \$2 million over five years for implementation of the gun registration scheme.

It is now five years later and the deficit is \$320 million. That is 150 times larger than the deficit first projected.

What is responsible for this huge waste of money, the previous minister's ridiculous estimate or the current minister's mismanagement of the scheme?

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I should think that most Canadians are now at a point where they believe it is time for the Canadian Alliance to realize that this is an issue about public safety. That is why the vast majority of Canadians support gun control and that is why we are able to reassure Canadians that this program is delivering safer communities and safer streets.

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, I wish somebody would take the batteries out of the Liberal pink bunny that keeps spending, spending, spending.

One would think that a deficit 150 times larger than expected would cause the Liberals concern. Now we find out that everything is a mess at the gun registry headquarters and \$129 million for this year is not enough.

**Some hon. members:** Oh, oh.

**The Speaker:** Order, please. We all deserve to be able to hear the question. I ask members once again to please reserve their comments.

**Mr. Garry Breitkreuz:** Mr. Speaker, we do not even know what the latest advertizing and outreach blitz will cost, and only 5% of guns have been registered. If we reached this huge deficit with only a fraction of the guns being registered, how many more hundreds of millions will have to be spent, or is the justice minister trying to divert attention away from the HRDC minister with her own billion dollar boondoggle?

**Some hon. members:** Oh, oh.

**The Speaker:** Order, please. We have heard the question and I believe we owe it to ourselves to hear the answer.

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, on this side of the House we do not spend a lot of time worrying about conspiracy theories that may float around in the minds of the Canadian Alliance members.

We on this side of the House are concerned about the safety of Canadians. That is why this government is committed to ensuring that we have a gun control program that works for all Canadians. Hon. members might be interested to know that, for example, 750 licence applications have been refused and 970 licences have been

*Oral Questions*

revoked from individuals who were deemed not eligible to have them. That is about public safety.

\* \* \*

• (1445)

[Translation]

**PORT OF MONTREAL**

**Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ):** Mr. Speaker, my question is for the Prime Minister.

The Port of Montreal's board of directors is meeting this evening to decide whether or not to sell the Bickerdike pier to the Technodôme group for a project worth \$1.4 billion which has the support of the City of Montreal, the Government of Quebec and many leaders of Quebec's business community.

Since the only position not yet known to date is that of the Prime Minister, will he tell us where his government stands on this major project for Montreal involving 14,000 jobs? Not 14, but 14,000.

**Hon. David M. Collenette (Minister of Transport, Lib.):** Mr. Speaker, the decision on the future of the Port of Montreal is in the hands of the authorities directing affairs at the Port of Montreal. There will be a meeting this evening and we await their decision.

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[English]

**YOUTH EMPLOYMENT**

**Ms. Sophia Leung (Vancouver Kingsway, Lib.):** Mr. Speaker, every summer thousands of students find jobs, but others have a difficult time getting a summer job.

Can the Secretary of State for Children and Youth inform the House what initiatives she is taking to promote summer employment for students?

**Hon. Ethel Blondin-Andrew (Secretary of State (Children and Youth), Lib.):** Mr. Speaker, the government has a number of measures in place.

Overall this year we will spend \$120 million in our attempts to hire students. Last year we hoped to achieve the hiring of 60,000 students. We exceeded that number by 10,000 last summer. We are hoping that employers who have not taken advantage of this program will do so and hire a student.

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**FIREARMS**

**Mr. Lee Morrison (Cypress Hills—Grasslands, Canadian Alliance):** Mr. Speaker, as of June 4 the Canadian Firearms Centre had issued only 183,353 personal licences and had a backlog of about 144,000 applications in process or awaiting attention.

At that rate, even using the justice department's lowball estimate of three million gun owners in Canada, it would take about 25 years to complete the licensing process.

I ask the justice minister, what is going to happen on the deadline date of December 31 of this year?

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, in response let me simply suggest to the hon. member and others across the way that perhaps they should stop being pawns of the gun lobby and get concerned about the safety of the nation.

**Mr. Lee Morrison (Cypress Hills—Grasslands, Canadian Alliance):** Mr. Speaker, perhaps the minister should some day answer a question.

On June 4 only 382,498 firearms had been registered under the new system and about 103,000 were in process. Depending upon how many firearms are actually in circulation, completion of that process will take somewhere between 18 and 50 years.

How many thousands of employees does the minister estimate will be required to supplement the 1,600 who are already employed in this idiotic fiasco?

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, would it not be refreshing if the official opposition actually got behind Canadians and supported gun control and public safety?

Would it not be useful if this party, as opposed to attempting to undermine Canadians' confidence in the gun licensing and registry program, actually worked with Canadians, their families and their communities to support this program?

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**BANKS**

**Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP):** Mr. Speaker, my question is for the Minister of Finance.

Today's financial services bill concentrates more and more power in the hands of the Minister of Finance: the power to make regulations, the power to decide on ownership, and the power to decide about mergers. All of this comes at the expense of parliamentary democracy, making this place less and less relevant to the Canadian people.

• (1450)

Can the minister explain why hoarding all that extra power in his hands, in effect making himself a banking czar in this country, is in the public interest?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, that is not the case.

First of all, the Minister of Finance is accountable to parliament.

*Oral Questions*

Second, the bulk of the areas in which his discretion lies has to do with the holding companies that are permitted investments in that area as opposed to other places.

In terms of parliament, the hon. member will know that under the previous legislation the Minister of Finance had total discretion. Under the new legislation parliamentary hearings will be mandatory.

**Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP):** Mr. Speaker, under the new legislation the Minister of Finance still has the final power, as he knows.

I want to ask him about rural communities. Banks are important to people and small businesses in rural communities. Yet this legislation only requires six months' notice before they pull out. In six months they are gone.

Why does the minister not bring in legislation that would make it a requirement that the banks not be allowed to close a branch in a rural community and that as long as that branch is making a profit in a community it should stay in the community?

**Hon. Paul Martin (Minister of Finance, Lib.):** Mr. Speaker, on the one hand we have brought in legislation that will make it eminently possible for a number of new banks, including credit unions, to provide smaller communities with a great deal more access to banking.

We have also brought in guaranteed access to bank accounts. We have now provided a guaranteed low cost account for Canadians.

In terms of closure, as the hon. member said, we are already finding that mandatory delays on closure so that the communities and the banks can come together are bearing great fruit.

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**NATIONAL DEFENCE**

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, things must not only be right, they must appear to be right. For obvious reasons I take any discussion about the frigate program very seriously, as it is dear to my heart.

When contracts are being bid on for the frigates and DND officials are leaking sensitive documents to certain companies, that is not right.

With this unacceptable practice, will the Minister of National Defence tell the House why he will not have an independent RCMP investigation into these leaks?

**Hon. Arthur C. Eggleton (Minister of National Defence, Lib.):** Mr. Speaker, I have confidence that the provost marshal, General Samson, will get to the bottom of this matter. We will soon

see from the results of the investigation what will be done in this case. We take this matter most seriously.

I do note that most of the contracts were investigated and most of the work was done during the time that the hon. member's party was in government.

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, all I can say to the minister on that one is, like his shipbuilding policy today, that statement simply does not float.

Throughout the situation of leaks the Minister of National Defence has praised the frigates built in the Saint John shipyard and the Quebec shipyard, and rightfully so, he should praise them. However, the Department of National Defence and the companies involved in the frigate program have seen their reputations tarnished as a result of charges not being laid.

Why will the minister not do an independent RCMP investigation?

**Hon. Arthur C. Eggleton (Minister of National Defence, Lib.):** Mr. Speaker, this matter is fully under investigation. As I indicated a few moments ago, we want to get to the bottom of the matter.

Regarding the allegation about the two companies getting information, neither one of them got any contracts whatsoever.

This matter is still being fully examined and will be reported on fully. Meanwhile, the investigation is still very much afloat, even though the Tories certainly sunk in their time in dealing with it.

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**STATUS OF WOMEN**

**Mrs. Sue Barnes (London West, Lib.):** Mr. Speaker, my question is for the Secretary of State for the Status of Woman.

We have heard reports that at the recent Beijing +5 United Nations conference on gender equality, Canada's agenda was narrow in scope and addressed only the needs of women in our country.

● (1455)

What did we accomplish not only for women in Canada, but for women around the world, specifically those in developing countries, the women and girls in those countries who are in extreme need in many cases?

**Hon. Hedy Fry (Secretary of State (Multiculturalism)(Status of Women), Lib.):** Mr. Speaker, Canada took to the Beijing +5 United Nations conference an extensive list of issues that we felt would not only benefit Canada, but specifically women of the developing world; issues like how the diversity of ethnicity and race and poverty cause trafficking in women and children, cause forced marriages for girls of eight years old and cause the buying

and selling of women and children in the world. We brought issues to the table like armed conflict and land mines, concerns about the fact that HIV and AIDS are decimating women and villages around the world. Those are the issues Canada brought to the conference.

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### HEALTH

**Mr. Bob Mills (Red Deer, Canadian Alliance):** Mr. Speaker, we seem to have a contradiction. The Minister of Health says he will spend more money on health care. The Prime Minister says that enough money has been spent on health care. Canadians on waiting lists deserve to know. Who should they believe, the Minister of Health who wants to spend more money, or the Prime Minister who says they have spent enough?

**Hon. Allan Rock (Minister of Health, Lib.):** Mr. Speaker, Canadians know better than to listen to the Canadian Alliance when it comes to health care, the party that would walk away from the Canada Health Act and give us American style, two tier medicine.

The Prime Minister has made it quite clear that we want to reach common ground with the provinces and have a common vision for the future of health care. We will be there with more money in transfers for health care. In addition to the 25% increase in cash transfers over the last two years, we are prepared to invest more to improve the Canadian health care system to provide quality services to all Canadians.

\* \* \*

[Translation]

### CINAR

**Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ):** Mr. Speaker, in 1997, a crown prosecutor called on the sister-in-law of a vice-president of CINAR to validate the evidence gathered against this firm by the RCMP.

Will the Minister of Justice stop hiding behind the RCMP investigation, admit that this situation is ridiculous, and order a new internal investigation into this matter so that we may learn who took such an incredible decision and, more to the point, why?

[English]

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I have said before, information came to the attention of the crown prosecutor on June 6, 2000. That information was turned over to the RCMP immediately.

Let me reassure the hon. member that in fact I am in the process of investigating when the crown prosecutor came into possession of this information and other facts surrounding this event. Let me reassure the hon. member that anything, any information that came into the crown prosecutor's possession, was turned over to the—

**The Speaker:** The hon. member for Vancouver East.

### Oral Questions

#### POST-SECONDARY EDUCATION

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, the government's declining support for post-secondary education is creating havoc for students and institutions alike. Not only are students hurting from unprecedented high debt loads, but the government's new research chairs will actually widen the gap between have and have not universities, with three universities taking up close to one-third of the program.

Will the minister acknowledge that accessibility is being seriously undermined? Will he explain why the research chairs favour a few and neglect the majority?

**Hon. John Manley (Minister of Industry, Lib.):** Mr. Speaker, first of all, the research chairs represent the biggest single investment in excellence in Canadian universities in generations. There are 2,000 chairs across Canada. There is not a university in this country that is not astonished at the number of chairs they have compared to what they had two years ago.

Secondly, the member mentioned declining support for post-secondary education. What does she think about? We have the Canada Foundation for Innovation. We are making the Networks of Centres of Excellence a permanent program. There are the Canadian Institutes of Health Research and the Canadian research chairs program. This government and this Prime Minister have been the best at—

**The Speaker:** The hon. member for Shefford.

\* \* \*

• (1500)

[Translation]

#### CHILD POVERTY

**Ms. Diane St-Jacques (Shefford, PC):** Mr. Speaker, according to the UNICEF report that came out today, 47 million children in developed countries are living in poverty. Canada occupies the No. 17 position in a list of 23 industrialized nations.

The reason for Canada's low standing is that one child in five lives in poverty. Even though this government has passed various budget measures, the problem of poverty still persists.

Will the Prime Minister make up his mind to take real measures to eliminate our children's poverty now?

[English]

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, we welcome the UNICEF report. Very clearly it suggests to all governments in Canada that we have to do better by our youngest citizens.

*Government Orders*

I hope the House will recognize that the report was based on 1994 data. We hope that the work we have undertaken with the provinces, particularly in the area of the national child benefit, will provide better results in subsequent reports.

Clearly we want to continue to work with other jurisdictions in support of Canadian children. That is why last week I spent time with my counterpart focusing specifically on the issue of Canada's children and early childhood development.

\* \* \*

**PRESENCE IN THE GALLERY**

**The Speaker:** A number of visitors are with us today. Members may receive them after I introduce each person or each group of persons. First I draw the attention of hon. members to the presence in our gallery of His Excellency Borys Tarasiuk, Minister of Foreign Affairs of Ukraine.

**Some hon. members:** Hear, hear.

**The Speaker:** I also draw the attention of hon. members to the presence in our gallery of two of our commissioners from the Territories: Glenna Hansen, Commissioner of the Northwest Territories, and Peter Irmig, Commissioner of Nunavut.

**Some hon. members:** Hear, hear.

**The Speaker:** I also draw the attention of hon. members to the presence in our gallery of two members of the New Brunswick Legislature: my brother Speaker, the Hon. Bev Harrison, Speaker of the Legislative Assembly of New Brunswick, and his colleague, the Hon. Kim Jardine, Minister of the Environment and Local Government of New Brunswick.

**Some hon. members:** Hear, hear.

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**GOVERNMENT ORDERS**

• (1505)

[*English*]

**CANADA NATIONAL PARKS ACT**

The House resumed consideration of the motion that Bill C-27, an act respecting the national parks of Canada, be read the third time and passed.

**The Acting Speaker (Mr. McClelland):** When debate ended the member for Lethbridge had some time left but he has indicated he will not use the rest of his time.

**Mr. Mark Muise (West Nova, PC):** Mr. Speaker, it is indeed a pleasure for me to rise before the House to participate in third and final reading of Bill C-27, an act respecting the national parks of Canada. We are talking about the national parks of Canada, which means that they belong to all Canadians and are for the benefit of all Canadians.

One of the real concerns I had with this government bill was that I believed the rights of some Canadians were being overlooked while the interests of others were being put forward in a very positive manner. I was concerned that the commercial interests within our parks communities were being ignored as the government focused greater attention on preserving the ecological integrity of our existing national parks. This increased focus on environmental issues relegated the concerns of our local entrepreneurs to the back burner.

I believe we could protect ecological integrity without having to sacrifice existing commercial interests. I believe the interests of both can coexist given the willingness of each side to work together for the benefit of our national parks and those who depend upon them for enjoyment.

It was for this reason I introduced an amendment to subclause 10(1) that specifically called for the inclusion of commercial interest among the groups that the minister should enter into agreements with for the purpose of carrying out the act. Although the government did not specifically adhere to the wording of my amendment it nevertheless amended the section to make it all inclusive, and it now includes commercial interests.

Another major concern brought forward by a number of witnesses who appeared before the committee was that the federal government could have terminated leases or failed to renew leases without having to justify its reasoning to the affected individuals. In effect, there was no recourse, no mechanism available for appeal by these individuals whose properties were effectively being confiscated by the federal government.

Our party insisted that the bill include a clause which would demand that any property to be reclaimed by the government be done only if there were just cause. These individuals are entitled to some kind of compensation in the event their leases are not renewed. Therefore I am pleased that the government recognized the seriousness of this issue by reinstating the provisions contained within the Expropriation Act.

• (1510)

[*Translation*]

I want to congratulate my colleagues who sit with me on the Standing Committee on Canadian Heritage. I especially want to acknowledge the efforts of my colleague, the member for Portneuf, whose amendments will give the committee more time to study the extension or the creation of future parks. I also want to mention the



efforts of his colleague from Manicouagan who made sure the opinions of the Mingan Archipelago residents would be taken into account.

[*English*]

I congratulate the member for Churchill River for introducing his amendment to delete subclause 7.3 which would have limited debate on a motion to concur in amendments to our national parks system to only three hours. That would have been a bad precedent to be set, the ability to legislate closure or the time allocated to debate a piece of legislation. I am very happy that change took place.

Throughout our deliberations one of the concerns I had was trying to ensure that residents living within our national parks were provided with an opportunity to voice their concerns about the future direction of their local communities. This concern was shared by all opposition members who through a number of proposed amendments tried to draw the government's attention to their need to have a voice in any future decision making.

For example, my colleague from Dauphin—Swan River introduced amendments at report stage that would have called for the inclusion of a “local government body” during any negotiations on the future of our parks communities. Similar amendments were also introduced at committee by me and the member from Churchill. Unfortunately the federal government refused the inclusion of any wording that referred to a local government body for fear, I would think, of creating another Banff.

As I mentioned during report stage, and I will repeat it again at third reading, I regret that the member for Dauphin—Swan River opted not to actively participate in the debate of these amendments during clause by clause deliberations at committee. Instead he opted to introduce his own amendments during report stage. His knowledge of parks communities, particularly having lived and operated near a national park for many years, would have provided all of us at committee very helpful insights into the unique problems facing individuals who reside within or just adjacent to our national parks.

I commend the member for Dauphin—Swan River for introducing an amendment accepted by the government that secures access to a traditional source of fresh water emanating from our national parks which flows into adjacent communities. This amendment was particularly important to the residents of Dauphin who have depended upon water from the Riding Mountain National Park since the early 1900s.

[*Translation*]

The priority of this government is undoubtedly to protect our national parks. We are all aware of the problems existing in our

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national parks. Many studies have been commissioned by the federal government and, each time, the consensus was that our parks are in jeopardy.

The federal government could no longer ignore the results of these studies. Something had to be done before the integrity of our national parks was imperilled for ever.

Just like most Canadians, I want to protect our national parks for future generations. As parliamentarians, we must take the appropriate measures to protect our parks, for our children and for our children's children.

[*English*]

The Progressive Conservative Party has a long history of wanting to protect and preserve representative areas of our unique and wonderful ecosystem. As I have mentioned before, Canada's first Prime Minister, Sir John A. Macdonald, created our first national park when in 1885 his Conservative government designated 26 square kilometres around the hot mineral springs near what is now the town of Banff, declaring it a national treasure.

Sir John A. Macdonald began a legacy that successive governments have continued to build upon. He recognized the intrinsic beauty of Canada's natural environment. It is this beauty that we are trying to protect in Bill C-27. Is it perfect? Far from it.

• (1515)

Will this piece of legislation respond to the need to protect the ecological integrity of our national parks? I personally believe it will go a long way to help preserve for generations to come the natural beauty we are so fortunate to have here in Canada.

The bill does not address all the concerns that were expressed before the committee. Residents in our national park communities, particularly in Jasper, are still concerned that their voices are not being heard by the Liberal government. The success of Bill C-27 will depend largely upon the goodwill of the federal government and particularly the Minister of Canadian Heritage.

Having said that, I can understand why the residents of Jasper are concerned. The government has failed to demonstrate any goodwill in its past dealings with the residents of Jasper. It is imperative that the government approach future negotiations with our park communities in a co-operative manner and not with the confrontational approach that has poisoned relations between Parks Canada officials and the local residents for years.

As I have said, the bill is not perfect. However I believe it goes a long way in helping the government maintain existing parks while also speeding up the process of creating new national parks. I suggest that we support Bill C-27.

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**Mr. Rick Laliberte (Churchill River, NDP):** Mr. Speaker, I rise to speak at third reading of Bill C-27, the Canada national parks act.

This is the final stage in the House of Commons legislative process where members of parliament can speak on the bill before it leaves this House to go to the other place. This may be the last time that the House of Commons reviews the national parks act for many years. I believe that for parliamentarians our national parks should be above politics. They are a trust for this and future generations of Canadians.

As stated by the parliamentary secretary, a high degree of co-operation existed during the legislative review by the Standing Committee on Canadian Heritage. I would like to state our appreciation for the outstanding levels of co-operation during the committee hearings and the support of Parks Canada personnel throughout the legislative process. I also wish to acknowledge the chair of the standing committee.

It was very important to overcome several shortcomings in the legislation. A good example of where Bill C-27 was strengthened by the committee working together right from the very start was on the definition of ecological integrity. Many members were surprised to find that there was no definition for the mandate of Parks Canada on ecological integrity.

Most opposition parties put forward a definition found in the ecological integrity panel report and the government put forward its own definition of ecological integrity. It was a definition that could have been construed or interpreted as simplified or weak. The committee members from both sides of the House, with the assistance of Parks Canada and experts, were able to hammer out a suitable compromise on a proper and adequate definition. The final agreed upon definition reads as follows:

“Ecological integrity” means, with respect to a park, a condition that is determined to be characteristic of its natural region and likely to persist, including abiotic components and the composition and abundance of native species and biological communities, rates of change and supporting processes.

This is quite a definition. There is a reason why I raised the example of co-operation that transcends political boundaries. The respect for Canada’s wilderness treasures has led to a stronger bill than the version that was first tabled in the House. The ecological panel spent several years identifying and describing the risks that parks face. “Parks are not islands” was the panel’s rallying cry.

There were other areas in the bill where improvements were made and others where improvements were not made at all. My colleagues have raised the necessity for improving community consultations, which I will address in a moment.

For now I will speak on proposed clause 8(3) which was defeated and which I hope the other place will discuss. The report stage

Motion No. 3 proposed by the NDP would have addressed the concerns put forward by the Canadian Nature Federation and some committee members. Those concerns were that many of the threats to Canada’s national parks are from developments and land use decisions external to the national park boundaries.

• (1520)

Indeed as the ecological panel stated, parks are not islands.

There is a growing appreciation and need for Parks Canada to work with adjacent landowners and decision makers to try and ensure the complementary management of national parks and adjacent lands.

Parks Canada must be able to provide its information and knowledge of greater park ecosystems to any authority or body, environmental assessment panels, et cetera, to ensure that the decisions account for their possible impact on these nationally significant landscapes.

Parliament is ultimately responsible for the national parks act, for ensuring that the national parks are passed on unimpaired for the enjoyment of future generations. It is our duty as parliamentarians to do our best to protect this country and our citizens.

Twice now, in 1988 and today, parliament has directed the minister and Parks Canada to make the restoration and maintenance of ecological integrity of Canada’s national parks the first priority in all management decisions. If these goals that parliament has set out are to be met, then the men and women who manage our national parks must be confident in the fact that parliament fully expects them to participate in the decision making processes that are reasonably expected to affect the ecological integrity of national parks.

The NDP motion would have assisted in this noble effort which is of great importance to all Canadians. The amendment sought to provide park managers with the assurance that while they may have no jurisdiction over land use decisions outside the parks, we do expect them to provide the best information and advice to those land use processes reviewing developments outside those parks.

Only by participating in such forums can we expect Parks Canada and other landowners to work co-operatively to achieve the conservation of the parks landscape both inside and outside the boundaries in such a way that native species survive and human aspirations and benefits from the natural places are realized.

The improvements to the bill are substantial and no bill is perfect. However, we are disappointed that the government voted against the amendment.

Another amendment we would like to see in the future is the Bill C-27 definition of ecological integrity included in the Parks Canada Agency Act. This would provide absolute clarity in the

agency's mandate. When parliament debated the agency act in the first session of the 36th Parliament, there was no definition of ecological integrity, although the term can be found in this bill now. Let us clarify it in both acts.

Of particular note for future discussion was a proposed amendment for clarifying "no net negative environmental impact" as part of the governor in council regulations and powers in relation to development. This was a written witness submission that followed the somewhat hurried committee hearings, a point to provide assurance to developers and communities that this expression would apply evenly and fairly, to ensure the heritage minister's commitment to no net negative environmental impact was not misunderstood by any cabinet minister in the future, especially if it is related to a new park for example in Atlantic Canada or in the northern regions.

I would like to thank the parliamentary secretary and Parks Canada staff for a particular improvement made to Bill C-27 during the committee stage. Witnesses and my colleague the member for Yukon raised specific concerns on the traditional and sacred gathering of objects and materials in national parks. The committee made a specific change for clarification in clause 25 to avoid a misunderstanding of the definition of trafficking in the bill, for example, to avoid traditional bartering of medicinal herbs as being defined as a crime.

The committee also struck down an attempt to limit the debate on the parks amendments to three hours. The NDP and most members of parliament are against time allocation and limitations on free speech and debate. Committee members agreed and the limitation on debate, a dangerous precedent for other legislation in this House, was defeated in committee.

My colleagues, this point brings me to a constant concern for this bill. As elected officials it is our duty to represent our constituents, our ridings and the majority views that these special places in Canada hold.

• (1525)

As stated by my colleagues, the recognition of parks communities was an important issue throughout the debate and hearings for the national parks act which led to this bill.

Prince Albert National Park is located in the Churchill River constituency. The community of Waskesiu in turn is located in the park, one of seven identified parks communities in Canada. Representatives are elected by the communities to participate in the Parks Canada process.

We acknowledge that the government in clause 12 of the bill drew attention to and recognizes the representatives of parks communities. This is an important step forward but the efforts should not have been limited there. At no time in the future should the important contributions that the residents, Canadian citizens,

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play in Canada parks development, maintenance and future direction be ignored.

In Waskesiu an elected community representative committee consists of people like Shelley Funk, Peter Strassen and Hervé Langlois working with Parks Canada constantly. There is a great working relationship with Parks Canada, especially with Superintendent Bill Fisher. Our office appreciates his hands-on and progressive approach, and his honesty and sincerity which are a reflection on Parks Canada's history and professional standards that Canadians have grown to expect and treasure. The degree of respect held by committee members, Shelley, Peter and Hervé in Waskesiu, should be considered no differently.

Tom Lee, the CEO of Parks Canada, stated on May 30:

First of all I would like to state before the committee because Waskesiu does have concerns and they have written me that this is a terrific organization to work with, they're supportive of the park, they're valued. We want to see that relationship maintained and we think they're important, we know they're important.

The NDP acknowledges that an effort was made by the reference in clause 12 but still maintains that the government could have gone further in recognizing parks communities. We do not state that more municipal power authorities were necessary, but more fair and just acknowledgement was required. Removing Jasper and leaving Banff in the bill was a political issue at best.

Community buy-in and participation in the new direction of saving our parks and not just limiting operations to a cost recovery Disneyland theme park approach is an absolute necessity. Parks communities such as Waskesiu have come a long way in recent years, overcoming distrust and shock at the degree of cutbacks inflicted during the government's slash and dash deficit years in the mid-1990s.

We have come a long way since my friend Cec Allen played on the shores of Kingsmere as a child, and watched as a decision from Ottawa removed the summer shacks that local residents enjoyed just because Ottawa's perception was that they were not pretty or aesthetic.

Jasper representatives described an emergency response vehicle ordered via the cookie-cutter approach in Ottawa that did not fit into the fire hall. That put people's lives at risk and Parks Canada and the community to shame. Communities are there daily and should be respected and heard. Then these blunders would not appear. There would be a smooth transition of community decisions and recommendations and parks delivery of the recommendations if they meet the appropriate standards.

Community participation could have been better defined. This was the government's political decision, and we were disappointed that it did not materialize.

Perhaps the most important point about the bill that Canadians would like to know is, where do we fit in now? Will access be

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closed to humans? Will recreation be stopped? I would like to state for the record, no. All this is about accessibility. Our population and international visitors will continue to enjoy our parks, perhaps in different ways, at different times and in different locations as parks grow in the country to offset seasonal peaks and breeding times.

Mr. Gérin, the panel chairperson, said that stopping visitor use was not the point at all. Better visitor use is needed. More education and interpretation is needed. A better respect for our natural treasures and the fragile nature of our parks must be taught and distributed.

The increase in aboriginal participation is welcome across the country and throughout the parks system. It is a welcome initiative for aboriginal communities to see parks take an open stance in delivering and preserving the natural heritage.

Although the government defeated our reference to traditional aboriginal ecological knowledge, the reference is found in other pieces of legislation in Canada. It could be brought in later. This is an important contribution that the original peoples and elders make to understanding our nature and national parks and is a key component for the future of our national parks.

• (1530)

I thank the heritage minister for the foresight and vision demonstrated by her support for the aboriginal secretariat for Parks Canada. Speaking of vision, I recognize that one reason for the new and improved parks act was to expedite the completion of Canada's national park system based on an eco-region approach. Of 39 eco-regions 14 remain unprotected. This is a repeated red book promise. The improved legislative capacity of Bill C-27 will help this process.

I thank the governor general for her specific mention of completing Canada's parks system in the throne speech. I know she shares the concern of the heritage minister and the Prime Minister that this legacy for our children and future generations be completed as soon as possible in this new century.

The NDP shared its surprise when the finance minister neglected to provide any money to fulfil this promise. It was an awakening when in the budget speech Parks Canada was totally missed. With the passing of this act perhaps the finance minister can provide a Christmas present for all Canadians this year by putting the 100 million dollars plus identified as necessary for this noble goal that the NGOs, parks communities and Canadians have called on, especially Parks Canada personnel who need these resources.

At the same time as there is sufficient funding to maintain let alone restore our national parks, our national wilderness treasures deserve respect, not neglect. That is another debate for another day, a day when there are the values Canadians can hold true.

We value our national parks. The national parks are hereby dedicated to the people of Canada for their benefit, education and enjoyment, subject to the act and regulations. The parks shall be maintained and made use of so as to leave them unimpaired for the future enjoyment of generations to come.

With those noble words that are a part of Bill C-27, we lend our support to the bill. We hope that Canadians will enjoy the national parks this summer and for future generations.

[*Translation*]

**Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.):** Mr. Speaker, in 1996, the Minister of Canadian Heritage did me the honour of asking me to act as liaison with the working group that was appointed to study ecological issues relating to Bow Valley, mainly around Banff National Park.

The working group, on completing its work, stated for the first time that the principle of ecological integrity needed to be applied in our national parks, especially those located in the Rockies, which were its main concern. Based on this principle, the working group called upon the minister to stop all commercial development, particularly in the city of Banff, which was continuing to expand commercially.

I must congratulate the minister for the courage it took and for the integrity she showed. All her actions since then, first of all in implementing the recommendations of the working group, have required a lot of abnegation and courage. It was a controversial decision to implement the recommendations of the Bow Valley working group, but it was an even more controversial decision to establish, two years later, in 1998, a national panel to look into the future of our parks, namely the panel on the ecological integrity of Canada's national parks.

That panel, which sat all through last year, was made up of 11 distinguished Canadians. I want to say a special thanks to the chairman, Jacques Gérin, and to other distinguished Canadians such as Stephanie Cairns, Louis Bélanger and Henry Lickers, who represented various segments of society, particularly in relation to their convictions with regard to the future of our parks. They came to some really striking conclusions. I want to quote here what their report said on the loss of habitats inside our parks.

• (1535)

[*English*]

In Canada over 90% of Carolinian forests have been converted to farmland or towns. On the prairies 99% of the native tall grass communities and 75% of mixed grass communities have disappeared. In Atlantic Canada 65% of the coastal marshes have been drained or filled. Across northern Canada only 35% of the boreal forest remains undisturbed. Largely as a result of this habitat loss many Canadian species are currently threatened.

*Government Orders*

[*Translation*]

As we know, the Committee on the Status of Endangered Wildlife in Canada detected 339 endangered species.

[*English*]

The amazing part of this report was that it developed a huge consensus in Canada. After broad consultations involving all sectors the report received great support from Canadians who value our parks beyond every other value in Canada, except perhaps certain things like the flag, the CBC and national identity. The parks represent all that is valuable to us in the sense of our well-being and our sense of values in Canada.

It included a panel on ecological integrity supported by industry, which again is a breakthrough. I will quote from an industry association submission to the panel which indicates that parks must become centres of learning and study of ecological processes to provide answers for those who wish to manage in the best ecological way possible. Parks must create research groups in partnership with universities and industry to build the body of knowledge necessary.

In 1997 the state of parks report of Canada indicated that out of 38 national parks then in existence only one showed no ecological impact or stress. Therefore 37 of the 38 parks showed some degree, mild to serious, of ecological impact or stress.

[*Translation*]

The ultimate recommendation of the panel on the ecological integrity of Canada's national parks to the Canadian government was that ecological integrity should become the management priority of our national parks. This led to Bill C-27, which we are debating today at third reading.

The legislation integrated the very principle of the ecological integrity for all aspects of the management of our national parks.

As my colleagues from the Progressive Conservative Party and the New Democratic Party said earlier, the Standing Committee on Canadian Heritage came to a true consensus on Bill C-27.

I take this opportunity to particularly thank the Parliamentary Secretary to the Minister of Canadian Heritage, the member for Ottawa—Vanier, who does a beautiful job listening to people and who has made himself available to all committee members in order to improve the act.

I would also like to particularly thank my colleagues in the opposition, the member for Dauphin—Swan River, as well as those for Portneuf, West Nova and Churchill River. All have shown a

positive, constructive attitude. All the members of the committee have worked together, in a non partisan spirit, to improve this act.

As my colleague for Churchill River said so eloquently, we believe that parks are above petty politics or partisan politics.

• (1540)

I think that we have demonstrated, in Committee as in the course of this debate, that this intrinsic value, for us Canadians, goes well beyond mere political boundaries.

Bill C-27 has established some marker points. From now on, it will be much easier to create new parks. Seven new parks will be created and the process will be much more open. There will be a much closer interaction with aboriginal peoples, with the first nations. There will also be—and this is very necessary—more fines for poaching and the trafficking of animals and wildlife species.

I would be remiss if I did not end by quoting the conclusion of the panel.

[*English*]

The commission used words of thanksgiving from the Haudenosaunee Nation which say so much that I would like to leave them with the House:

Today we have gathered and we see that the cycles of life continue. We have been given the duty to live in balance and harmony with each other and all living things. So now, we bring our minds together as one as we give greetings and thanks to each other as People.

We are all thankful to our Mother, the Earth, for she gives us all that we need for life. She supports our feet as we walk upon her. It gives us joy that she continues to care for us as she has from the beginnings of time. To our Mother, we send greetings and thanks.

[*Translation*]

I think that this is the spirit of the act.

[*English*]

We thank our mother, the earth, for all that is good, represented so beautifully by our national parks. I forgot to mention that I will be splitting my time with my colleague from Oak Ridges.

**Mr. Bryon Wilfert (Oak Ridges, Lib.):** Mr. Speaker, Bill C-27 proposes a number of important measures related to seven communities located within national parks. In order to understand these provisions we should examine the history of the communities and the prospects for their future.

All seven communities have their origins in the last part of the 19th century and the early part of the 20th century. In the Rocky Mountain parks of Banff, Jasper and Yoho, the development of our communities is tightly linked to the development of our national railway and road transportation corridors. The town of Banff was a

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railway construction and service centre some years before the national park was established.

Both the towns of Banff and Jasper even today continue to serve railway needs along with the national park needs. A small community which is an operational centre for the Canadian Pacific Railway as well as the administrative centre for the park, Field is essentially a residential community for railway and park employees. Lake Louise and Banff National Park were developed as a tourist centre by the CPR prior to being incorporated into the park.

Further south, the community of Waterton Park in Waterton Lakes National Park was developed with the primary purpose of serving park visitors. It operates seasonally and has a year round population of fewer than 100 residents. The same is true of Waskesiu in Prince Albert National Park, Saskatchewan, and Wasagaming in Riding Mountain National Park, Manitoba.

I note these facts to underscore the context within which the communities were established. It was at a time in Canada's history when we looked upon our nation as having unlimited wilderness. Extraction of natural resources was not perceived as being in conflict with that belief. Consequently forestry and mining were allowed within some national parks and communities which were established to serve those interests. For example, Anthracite and Bankhead were coal mining towns established in Banff National Park. Oil City, in Waterton Lakes National Park, served the first of our oil drilling operations. Although these extracting activities in the communities of Anthracite, Bankhead and Oil City have long vanished, they remind us of an era when such activities were deemed appropriate within national parks.

• (1545)

Today, however, we know that our wilderness is limited and we understand the need to preserve representative areas within our national park system. We no longer allow the commercial exploitation of natural resources within national parks.

Moreover, we understand that any development within a national park should be carefully limited so as to avoid impairment to its ecological integrity. We understand, too, that high quality environmental conditions are the foundations for the tourist industry and the very reason millions of people visit our parks annually. Therefore, no new communities will be located within national park boundaries. The existing communities will be managed in ways that support park values.

The Minister of Canadian Heritage has put great effort and thought into the drafting the community provisions in the bill before. She has been diligent in analyzing the key studies which identified problems and solutions within the national park system, which we discussed at committee.

The Banff-Bow Valley study of 1996, and the work of the ecological integrity panel, which reported to her this March, contained wide ranging recommendations which served as the basis for her ecological integrity action plan.

The previous version of this bill, Bill C-70, died on the order paper last year. One of its provisions related to the introduction of municipal taxation within park communities. These provisions would not have applied to Banff since it already has a municipal taxation regime as a municipality incorporated under Alberta legislation.

The proposal to introduce municipal taxation in the other communities led to concerns which could best be summarized in the phrase "taxation without representation". The taxation provisions have been removed and Parks Canada will continue to subsidize the administration of these communities.

At the same time, I want to reassure members of the House that the park community residents will be actively involved in the management of their communities. Each community is unique and the management model that evolves in a particular community will be tailored to that community.

Given that the communities are special, federal responsibilities situated on federal crown lands within a national park, it is important that parliament retain an overview of their role and development. To that effect, Bill C-27 proposes that community plans be tabled in each House as soon as possible after proclamation of the new Canada National Parks Act. The plans with respect to the provisions in this act will be consistent with the park management plan; an accord with guidelines for appropriate activities; and, provide a strategy for growth management.

Growth management will be achieved by describing the boundaries of the community and its commercial zones, along with a measure of maximum floor area permitted within the zones. The shaping of these plans will also be guided by principles stated in the bill, namely, no net environmental impact, responsible environmental stewardship and heritage conservation.

Concerns were raised by the park community representatives during the hearings on Bill C-27 and the standing committee responded. Regarding concerns with respect to the termination of the leases, the bill has been amended to state that the Expropriation Act applies. Community plan has been identified to mean a land use plan for the park community. This new definition serves two purposes. First, it ensures that there will be no confusion between the use of the term "community plan" and this legislation and how the term is used in the Alberta legislation.

Second, it signals to park community residents that there is no impediment to them undertaking their own planning for social, educational, health and related needs of their community.

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• (1550)

The section on public consultation now makes explicit reference to the representatives of park communities and requires that the minister consult with them on land use planning and development in park communities.

Implementing the provisions of Bill C-27 will ensure a proper evolution of the communities from the past century into the new millennium. They have gone from logging and mining to the prime purpose of maintaining the ecological integrity of national parks for the benefit, education and enjoyment of present and future generations.

The communities have an important role in this and in serving visitors. They will remain. They will be supported. We look forward to them becoming models for environmental stewardship.

**Mr. Myron Thompson (Wild Rose, Canadian Alliance):** Mr. Speaker, it gives me pleasure to have a short opportunity to speak to this bill, particularly with Banff National Park being in my riding, an area which I have enjoyed for many years because of its beauty, expanse, the people who reside there and who have pioneered that whole area and the number of individuals with whom I have met and talked with regard to what takes place there.

I have had the pleasure of living in that mountain range for over 60 years. I know quite a bit about mountains and wildlife. I certainly can appreciate any effort to try to maintain the natural beauty and the natural state of any area that is so appealing to the people of this great land. We must really continue to stress the fact that this land does belong to the people of Canada.

When I looked at the original bill, and then found out about Bill C-27, I have to admit that I was in total shock. I never believed for a moment that the Liberal Party would back down from a tax grab, but it did. That shock was a little too stressful. However, I certainly am glad to see that someone rattled the party's chain and brought it to its senses at least once in the time I have been here. It will no longer be required to take extra money from residents when it has no business doing that, because it is taxation without representation. I applaud them for that.

The thing that always bothers me about decision making in a park is the consultation factor. Consultation, to the Liberal government, has bothered me for a number of years. I have seen consultation on agriculture in my riding. The Liberals come in droves to get consultation but they do not seem to understand what the people are saying in my riding when it comes to agricultural issues, for example, their beliefs on how marketing of their product should take place. So much for consultation. They hear it but they do not do anything.

I sat in on the consultations that were supposed to take place throughout Banff National Park regarding a number of issues. The

strange thing about it was that some people did not even know about the consultations. They did not even know they were going to have an opportunity to speak, because in a lot of instances it is only a select few who get invited to the table when we have a consultation period.

If I am fortunate enough to get wind of it, I like to crash in on these consultation parties and listen to what is being said. It is not an open consultation process and it never has been. I do not know why they continue to say things like "What a broad consultation we have had. What a wonderful thing we are doing". I can name dozens and dozens of people who have lived in Banff National Park all their lives and who may have worked for the railroads or in the original mines. Believe me, these people have some knowledge about what should happen and what should not happen. Their consultation process just does not seem to occur.

• (1555)

I have good one-on-one visits. I try to hold meetings and get input. I had our critic out in Banff one night and we had a fair turnout. We wanted some input from people so we could bring their message to this Liberal government and to the heritage minister. I understand we have a heritage minister who was absolutely shocked that we had mountains in Banff, for goodness sakes. It is really strange to hear these things but that is what I hear. "Oh my, look at all the big mountains". She did not know we had those.

There is no way I can be convinced that public consultations will be held when it is not clear who will call for these things. The section states "The minister will have these discussions as appropriate". It will be the minister deciding if it is appropriate to have consultations, a minister who lives in the industrial area of Hamilton.

Perhaps some people in Banff might need to have consultations. Maybe they should make the decisions. Or, as Ralph Klein stated, "the lack of consultation that takes place with regard to stakeholders and park users indicates that Ottawa is dictating changes to park policy without input from even the provinces". Like it or not, that is the feeling out there. It does not matter whether the members jeer what I say or that they want to make a big noise about it.

I spend a lot of time in that park because it is in my riding. I talk to individuals. I know decisions are made *carte blanche* without any input whatsoever from them. They are getting a little tired of that kind of activity. There is also no consultation with anybody who is affiliated with the province.

Lake Louise is another beautiful little community in Banff National Park. I will tell a story to the House of what happened there, just to show the disgraceful way this government operates. When I was in the Samson Mall, a great stopping off place for people who pass through the park, a fellow told me he was glad to

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see me at Lake Louise and indicated that he would like to meet with me.

Three people wanted to meet with me behind a building and all three of them were park wardens. Why did they want to go behind the building to meet with me? As employees of Parks Canada, answerable to the Liberal government, they did not want to be seen talking to an official opposition member because it could mean they would be ostracised or punished for having done so without permission from park officials. We had to have a secret meeting.

The meeting lasted about 30 minutes and these individuals described to me the various reasons why they felt they needed to have sidearms. However, the experts on that side of the House do not think they need them. Have they ever consulted with park wardens who have lived there all their lives, who have confronted poachers and situations that are a little dangerous regarding wild animals, which those members also know nothing about?

Do not give me this crap about consultations. I had more consultation in 30 minutes out of sight because these guys, who are employees of this Liberal government, did not want to be seen talking about it. After all, it could mean their jobs. What a pathetic situation.

However, that is not surprising. When we go into communities and do our work as critics for prisons, guess who does not want their names being used if they talk to us? They are called prison guards and prison correctional officers. Why do they not want their names used? It is because they are considered to be employees of this government.

Consultation? No, I am afraid not. The government does not really know the meaning of the term. Consultation to them is to go out and put on a show. They put on a good front, pretend to know what they are talking about, come back to Ottawa, make all the decisions, and then do whatever they like.

• (1600)

When good amendments that make sense are presented by various members of different parties the government will not consider them. After all, they were put forward by members of the opposition who want to make it all political.

The preservation and the future of parks should never be a political issue. The value of the land of this great country is far more than economics. There is nothing more valuable than the natural beauty of the greatest country in the world.

This group of people does not want to shove politics aside and deal with the issues in a truly open and consultative way, with true willingness to accept good, solid ideas to make a bill better. When they take that approach then Ralph Klein is right. It is the

dictatorial attitude of government members, ignoring input from people, not allowing input from the provinces or anyone else that causes the real grief in our parks. The sooner we get rid of that attitude the better will be the chance for the future of our parks.

**The Acting Speaker (Mr. McClelland):** Before we go to questions and comments, in the flight of passionate debate the hon. member for Wild Rose used a word which has been deemed unparliamentary. I am sure that it was used in error, in the flight of debate. It was the term "crap". I wonder if the member for Wild Rose would retract that word. I know that it was not meant in any disrespectful way, but let us not leave it on the record.

**Mr. Myron Thompson:** Yes, Mr. Speaker, I will replace that word with fertilizer.

**The Acting Speaker (Mr. McClelland):** I was not exactly sure if he was referring to a political party's name that never made it or just where we were. Anyway, we are over it.

**Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.):** Mr. Speaker, maybe the word the member misused and then withdrew was typical of his oratory. His speech was full of exaggeration and venom. He talked about the minister not even knowing there was a mountain in Banff or that the Rockies existed.

I thought it was a pathetic display, considering that members in the opposition had just finished saying how much consensus and openness there was in the committee for reviewing amendments. Each one of them praised the spirit of co-operation that went beyond partisan politics, which he reintroduced. It is almost a slap in the face to his own colleague who leads the party in the committee, who was far more co-operative and viewed the whole exercise very differently.

The panel on ecological integrity sat after the Bow Valley study. I was involved in the Bow Valley study so I know how many people and groups were consulted. The panel sat for one year and listened to I do not know how many groups from all sectors. I quoted an industry association, but I could have quote many others that took part in the process.

The mayor of Banff himself came to our committee. He certainly did not speak like the member. I suppose he must know something about his town and his park. He spoke in very constructive terms about the legislation.

If the member felt so strongly about it to scream and shout and accuse everybody of wrongdoing, why he did not bother even once to turn up at our committee to propose amendments, to fight for his position and to tell us all he told us here? We never saw him. The committee sat and heard a lot of people. He could have taken the place of the member for Dauphin—Swan River, but he did not.



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The word he misused was probably very typical of what he said.

• (1605)

**Mr. Myron Thompson:** Mr. Speaker, I am not sure if there was a question, so I guess there is no answer to that kind of rhetoric either.

I would have loved to have gone to committee. However, I would never want to replace my critic in that role because he is doing an outstanding job. I would have loved to have had the opportunity to have been there, but we get these silly little heart attacks once in a while which do not give us the chance to be here when we would like to be.

We talk to a lot of people in our ridings who live in these areas. We do not wait for those people to come here to the mountain. We find that there are a lot more areas of consultation that could be dealt with. It is just not their way. That is my point. It is not their way. That is what Ralph Klein said. It is not their way when they do not even bother to consult with the provinces. It is a dictatorial method by which they operate in Ottawa which is unacceptable. Even Ralph Klein said it.

I do not care what kind of screaming the hon. member thinks I do, but I know one thing: we want consultation with the people of Banff and the people in communities like Lake Louise and others who are not represented by a government body. The Banff town council and the Banff mayor do an excellent job of looking after the town of Banff.

It is too bad there are not other government bodies in some of the communities within these parks where people are able to address their concerns. This government will not allow even a definition of a government body of any sort. I would be more than pleased to hear what the definition of a government body would be for Lake Louise. Is it the voluntary advisory committee, the voluntary housing committee, or the staffers committee? Who speaks on behalf of the people who have resided there forever?

The Liberals will not give us a definition of the government body for these towns. The town of Banff is the only exception, and I applaud the people of that town for their efforts. They do their best to make sure they do what needs to be done, in spite of the government. They can do a better job themselves without any help from the government.

It is too bad the government does not listen a little more to some of the good advice that comes from those areas. It is too bad it does not make it more available to the people who have lived there for years and years.

We would think that people as old and wise as the gentleman who asked the question would know how important it is to go to the

elderly people who have lived in these communities for years. They have a lot more wisdom than we give them credit for.

**Mr. Mauril Bélanger (Parliamentary Secretary to Minister of Canadian Heritage, Lib.):** Mr. Speaker, I want to correct the record.

In one of the comments the member for Wild Rose made he said that there were no amendments accepted to the bill from any of the opposition parties. The exact opposite is true. There were amendments made to the bill by every single opposition party. Those amendments were made as a result of listening to all who wished to be heard at the committee, including rank and file employees of the parks agency and everyone else who wanted to be heard, from Banff and Jasper, from the aboriginal communities, from Mingan and from all the environmental groups.

Every single opposition party in the House put amendments forward and every single party had some of its amendments accepted by the committee, including the Canadian Alliance members at report stage, because they would not put them forward at the committee stage, with all due respect to my colleague from Dauphin—Swan River.

I want to correct the record on what the member for Wild Rose said. It is the opposite which is true.

**Mr. Myron Thompson:** Mr. Speaker, I am aware of the amendment that was approved which the member for Dauphin—Swan River put forward.

What I am saying, and what I have said from the start when questioned about why I was not at committee, is that it has been my experience in the seven years I have been here that usually that is the case. This might have been the one time when it was not quite that usual. They may have put forward amendments and had one or two accepted. But most of them come in the front door and, because of the dictatorial attitude that exists on that side of the House, they usually go out the back door. That is the truth.

• (1610)

**Mr. Derrek Konrad (Prince Albert, Canadian Alliance):** Mr. Speaker, I agree to some extent with my hon. colleague. I do not have a park in my riding, but Prince Albert National Park, the home of Grey Owl, is located north of my riding. I think it is subject to creeping bureaucratization. It needs to be cut back and spending priorities need to be looked at again.

Last summer I probably had more phone calls, more petitions, more letters and more newspaper articles written on the lake that Grey Owl's cabin is on than on any other issue in my riding. Groups of people came to see me. I had to tour the park. They have finally managed to wrestle it to the ground, but it has been quite a

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task. The local people have to have their eyes open all the time. They have to be aware of what is going on.

Vigilance is always very important when dealing with bureaucracies. Legislation is important, but it is how people use legislation to accomplish their ends. Parks are not an end in themselves and people are not an unnecessary and unwelcome intrusion on the national parks, and I think that is important to say.

**Mr. Myron Thompson:** Mr. Speaker, I would like to point out another thing that occurs in my riding. Banff is close to the major city of Calgary and a lot of visitors go there. A number of seniors have shown up on my doorstep or at my office in Airdrie, just outside Calgary, who have reached the gates of Banff and have turned back because suddenly there was a fee increase that was totally unaffordable. All this was done without consultation or news to anybody. People said that they had gone to the gate and suddenly the rules had changed.

We have talked to the park superintendents and other people who work in the bureaucracy. They understand that they should correct it, and they do. I applaud most of the people who work there. They try to be very accommodating to me as the member of parliament and to the people who use the park. However, most of the time they are directed. From where do they get these directions to suddenly raise the fees? I am the member of parliament. People would think that I might be one of the first to know they were going to do this. Then maybe I would be able to defend their actions.

All of a sudden a trail will be closed in Banff. Nobody knows why, what is going on or what needs to be corrected to make it better. There are many things that happen out of the blue. The people who suffer the most are the ones who pioneered those parks, the seniors and other people in the territory who love to go for a weekend, have dinner and enjoy. Now they cannot afford it because the fees are too high. None of that is ever considered by the government. It just reacts. It does not seem to care whether it has a good reason or not.

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

**Some hon. members:** Question.

**The Acting Speaker (Mr. McClelland):** The question is on the motion for third reading of Bill C-27. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And more than five members having risen:*

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

*And the bells having rung:*

**The Acting Speaker (Mr. McClelland):** The vote stands deferred until 5.30 p.m. today.

\* \* \*

[*Translation*]

**SPECIES AT RISK ACT**

The House resumed from June 12 consideration of the motion that Bill C-33, an act respecting the protection of wildlife species at risk in Canada, be now read a second time and referred to a committee; and of the amendment.

**Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ):** Mr. Speaker, I am pleased to take part today to the debate on Bill C-33, an act respecting the protection of wildlife species at risk in Canada.

• (1615)

A motion was introduced by the Progressive Conservative member for Fundy—Royal, seconded by the hon. member for Shefford, asking that the second reading of this bill now before the House be hoisted for six month, which would be an excellent idea.

On the eve of a possible general election in Canada, I did not have a speech on species at risk on my agenda. I believe that this government is going too far. I cannot but denounce this bill and, at the same time, the government that introduced it.

It is amazing to see that the Liberal government which, I must point out, obtained the support of only 38% of the population of Quebec and Canada in the 1997 general election, is behaving as if political thinking were the same in Quebec and in Canada. Yet, in the House, for the first time in the history of parliament, we find ourselves with four opposition parties. There is in the democratic

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choices made by the people of Quebec and of Canada a message that the Liberal government does not want to understand.

What is more, this government's arrogance is leading it to hide things and act as if everything were fine. It keeps on introducing bills that do not reflect in the least the political realities in Quebec and Canada, which we represent collectively in the House, with five parties and not one only.

What has this government, which is on the verge of going to the voters for a third mandate, done since 1993? In spite of what it keeps repeating, it has kept none of its basic commitments from the 1993 and 1997 campaigns. The GST is still with us. We are turning increasingly to free trade. The employment insurance reform has been worse than the one announced by the Tories. Every social program has felt the impact of this government's budget cuts, health programs in particular, and this is jeopardizing the universality of these programs.

With the surplus derived from funds diverted to other purposes than those for which they were intended, the government now wants to hire spies who will go and lay down the law in the provinces on health.

Cultural budgets have also been reduced and the new president of the Canadian Broadcasting Corporation, CBC, is almost at the point of becoming the first CEO of a public federal organization to be out on the street if he continues to cut like he has.

I could go on with the list of promises that were not kept but I would not want to immediately start an election campaign and put the Liberal government on trial. The government will not get off lightly because the moment of truth will come and will have major consequences for those who are showing arrogance today.

In politics, promises must be kept. In politics, the affairs of the state must also be administered as though they were our own affairs and public funds must not be squandered. In politics, the affairs of the state must be administered with great attempts to reach consensus, and not with a confrontational approach, with quarrels and squabbles, as the federal Liberal Party has constantly done since taking office, particularly its leader, who is the specialist of the no, as though he did not have the chance to come out of his first identity crisis, which, in the normal development of a human being, happens traditionally around the age of two.

People are not fooled. They have had enough of this politicking that has been enriching the same people since Confederation. Whether they are liberal or conservative, this does not change anything in the scandals that have marked Canadian politics for so many years, at the expense of the little people who must be content with continuing to pay taxes.

People are starting to get the message. The government does as it pleases, grabs employment insurance funds, gets in bed with the oil

companies, enriches the wealthy minority and distributes poverty to most of the people of Quebec and Canada.

That said, let us move on to the debate on the order paper for today, Bill C-33, an act respecting the protection of wildlife species at risk in Canada.

Biodiversity, about which we are hearing more and more, represents the result of the evolution which the earth has undergone over billions of years.

• (1620)

That evolutionary process has provided the planet with a broad selection of living organisms and natural environments. These make up the ecosystems we know today, and all of them have a role to play within the food chain, as well as playing a part in the biological equilibrium of this planet.

In recent years, however, the scientists have been reminding us that we are seeing more and more species become extinct, as well as increasing numbers of others being threatened with extinction or becoming highly vulnerable.

The decrease or degradation of this biological diversity affects us all and can eventually have unexpected consequences on the environment in which we live. In Canada, as in a number of other countries in the world, attempts have been made in recent years to slow down this phenomenon.

To that end, ever since the 1970s, we have seen some international conventions being signed for the specific purpose of limiting trading in certain plant and animal species in order to keep them from extinction.

In 1992, there was the Rio Earth Summit and an important part of the international community, including Canada, signed the Convention on Biodiversity. Signatory countries pledged to develop and implement the legislation and regulations needed to protect endangered species and populations.

When Canada made that commitment, the government was led by Brian Mulroney's Progressive Conservative Party. That was enough for the Liberals to promise, in their red book, a long term protection for the species of our planet.

Following that commitment, in 1995, the then environment minister, the member for Hamilton, tabled a first bill which gave rise to an incredible number of protestations and critics, especially on the part of environmental groups.

In 1996, the federal government proposed to provincial and territorial environment ministers a Canada-wide agreement entitled, "Accord for the Protection of Species at Risk." In October of the same year, the ministers responsible for wildlife approved the principle of that accord.

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At that time, the Quebec government was represented at the table by David Cliche, the environment minister. He signed the accord in good faith. However, he immediately issued an independent press release where he stated very clearly that he could not remain indifferent to the fact that this accord was probably opening the door to overlapping and that it would be necessary to observe closely what ensued.

Just a few weeks later the federal government, through its environment minister, Sergio Marchi, introduced Bill C-65, an act respecting the protection of wildlife species in Canada from extirpation or extinction, a bill which too was harshly criticized by the provinces mainly because of the broad powers it gave the federal government with respect to the protection of endangered species.

Many denounced the minister for his about face as his legislation was flying in the face of comments he had made a few weeks earlier saying he wanted to harmonize federal policies with the provinces instead of imposing standards and overlapping with provincial jurisdiction.

Early elections called by the Prime Minister and member for Saint-Maurice caused bill C-65 to die on the order paper. Now the government is telling us that Bill C-33 is a new improved version of Bill C-65. If the Prime Minister keeps us here in the House long enough and does not again call an early election, we must send this bill back and not pass it under its present form.

We must find a way to respect each other's jurisdiction while finding a real solution to the problem of migratory species, that unfortunately know no border. It is obvious that if we are serious about finding a real solution to the problem of endangered species, a concerted effort is needed both nationally and internationally.

Since this is an area of shared jurisdiction, greater consultation and closer co-operation among various levels of government are needed as it is imperative to improve the protection of endangered species both in Canada and Quebec. Again, this will not happen though confrontation but rather through a consensual approach.

• (1625)

Does Bill C-33 really provide an additional protection that is enforceable? Will it really do something to improve the protection of our ecosystems and of the threatened species that are part of them? What good is it? What is in it?

There is sufficient cause for worry that the bill is suspicious. While lines 25 to 30 of the preamble state that responsibility for the conservation of wildlife in Canada is shared among the various orders of government in this country and that it is important for them to work co-operatively to pursue the establishment of complementary legislation and programs to protect species, the bill's wording does not reflect this. It does not reflect reality, which is that protection of habitats is essentially a provincial responsibility.

Everything in fact suggests that the minister holds the power to impose his vision of protection on the provinces. In other words, his legislation will take *de facto* precedence over existing provincial legislation, even if the habitats fall solely under provincial jurisdiction.

By doing so, the federal government is assuming the right to impose its own way of protecting species. It is not at all clear that force and fines would always be a province's preferred approach.

Not only does the bill give broad discretionary powers to the Minister of the Environment, but it does not respect the division of powers as stated in the constitution and as interpreted over the years. This bill truly interferes in an area under provincial and territorial jurisdiction and excludes the provinces and the territories from any real and direct input into the process. Existing legislation is totally ignored.

It is true that the protection of species can only be effective if habitats are also protected, but it is the responsibility of the provinces and the territories to manage these issues in co-operation with the various stakeholders.

Even though the minister supports, theoretically, the shared responsibility between the federal government and the provinces with regard to the protection of species, in reality, first, he disregards the division of powers and the provinces' responsibility with regard to the management of habitats and the protection of species; second, he ignores existing legislation; and, third, he assumes very broad powers with regard to the protection of species. By acting this way, the federal government is going against true environmental harmonization between the various levels of government.

Now, what about the position of environmental groups? How did they receive this government bill?

Those who should be the minister's allies in any attempt to improve the protection of wildlife species find this bill totally useless and even dangerous, and they oppose it. Indeed, there has been much protest and criticism since the minister introduced his bill.

Most stakeholders find the bill too weak. Even organizations representing the industry feel that the bill will not provide greater protection for species or specify the appropriate approach to protecting species living on a site under development.

Also, it must be noted that, in its present form, Bill C-33 is a bit scary for the representatives of certain industries. As for the representative of the Mining Association of Canada, he said that the fines and legal proceedings were excessive in cases where a species was not deliberately killed.

However, the main problem that seems to be raised by all environmental groups is the fact that the decisions on the designa-

tion of species will be taken by the minister and his cabinet, and not by scientists.

This has led some activists, such as the president of the Canadian Campaign for Endangered Species, to state that Bill C-33 was a dismal failure and that it will not ensure the protection of Canadian species.

Others, like one of the lawyers of the Sierra Club, made more qualified statements, but still denounced the weakness of the legislation and described as disgraceful the fact that such a discretionary power with respect to the designation of species be granted to politicians.

• (1630)

The sponsor of the bill is being criticized for resorting to a piecemeal approach dictated by cabinet, instead of a set of gentle measures promoting negotiation, but supported by compelling legal measures if an agreement cannot be reached.

For his part, Paul Bégin said that the proposed legislation was just another example of useless duplication for Quebec. Indeed, the Quebec minister indicated that the bill introduced by the federal government sought not only to create a safety net for endangered species and their habitat on federal lands, but also on the whole Quebec territory.

While it may be appropriate for the federal government to legislate to protect migrating species, this government has no constitutional authority regarding the management of habitats on provincial and territorial lands. The Quebec government cannot accept that the federal government would infringe upon areas of provincial jurisdiction and dictate to Quebec how to protect its ecosystems when Quebec already has its own legislation protecting endangered species and their habitats.

In fact, the Quebec government believes an act such as Bill C-33 would be acceptable if it excluded any species or habitat under provincial jurisdiction and applied to a province or territory only if this province or territory had explicitly asked that it did.

Considering the increasing rate of species extinction, the situation is serious and it is true that we must take effective measures. But Bill C-33 is not the answer to the questions I asked at the beginning of my speech.

The principle of providing greater protection to endangered species is in itself one the Bloc Québécois readily supports. However, the Bloc does not believe that Bill C-33 will improve the protection of species at risk. In fact, the Bloc opposes the bill because it constitutes a direct intrusion into many areas of Quebec's jurisdiction. It even overlaps the act Quebec passed in 1989, which is having good results.

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The bill could very well increase the paper burden and it will not allow for an efficient use of already scarce resources. The Quebec

government has already legislated in areas covered by Bill C-33 and while recognizing that it is urgent to improve the legislation, the Bloc does not believe that Bill C-33 will give the expected results.

The Bloc also recognizes that responsibility for the environment is shared between the federal government and the provinces. It is becoming very clear now that the federal government is ignoring this fact and is working against true harmonization of environmental issues by the various levels of government. Instead of assuming its major responsibilities in an appropriate way, the federal government is insisting on trampling on other governments' jurisdictions.

I said at the outset that I fully support the motion of my colleagues from the Progressive Conservative Party. Whether or not a general election is called, I sincerely hope that this bill will be postponed indefinitely.

**Ms. Jocelyne Girard-Bujold (Jonquière, BQ):** Mr. Speaker, I would like to congratulate my colleague, the member for Rimouski—Mitis, for her very relevant comments.

She has dotted the *is* for the government, which persists in utterly invading areas under provincial jurisdiction. All the negative elements that the member for Rimouski—Métis has noted against this government suggest that this government believes it knows everything.

I would like my colleague to give us other examples that prove, beyond a shadow of a doubt, as she says, that this bill should be postponed indefinitely.

**Mrs. Suzanne Tremblay:** Mr. Speaker, I thank my colleague from Jonquière. What I find striking in this bill, is that there is overwhelming agreement against it. This is quite something.

First, the member for Hamilton East introduced a bill that was a complete failure. Nobody wanted anything to do with it. But they did not learn their lesson. Her colleague, Sergio Marchi, also introduced a bill. He had time to retire before it was passed.

• (1635)

An elections was held and now we are presented with a third bill, by another minister who has no more understanding than the other two, which tends to prove beyond a doubt, that in Canada, ministers are nothing but puppets. Those who really count are the deputy ministers. They stay, while ministers move on.

**Mrs. Pauline Picard (Drummond, BQ):** Mr. Speaker, I would like to advise you that I will be splitting my time with the hon. member for Louis-Hébert.

*Government Orders*

I am very pleased to take part in this debate. I would like to congratulate my hon. colleague from Jonquière, who is the Bloc Québécois environment critic. She has done a lot of work and put a lot of heart into her defence of the interests of her fellow citizens, of everybody in Quebec, and by the same token, in Canada.

I would also like to indicate that I support the amendment by the Progressive Conservative Party. It is clear to us that this bill should be reconsidered, or at least hoisted for six months.

The title of Bill C-33 is an act respecting the protection of wildlife species at risk in Canada. Biological diversity in itself is the result of evolution, which has been going on on our planet for more than 4.5 billion years.

In the last few years, scientists have indicated that more and more species are becoming extinct and that more and more of them are becoming endangered or highly vulnerable.

In 1992, during the Rio summit, a large part of the international community, including Canada, signed the Convention on Biological Diversity. Canada agreed to draft or maintain the legislative and regulatory provisions required to protect endangered species and populations. Needless to say, on this side of the House, we know what the current government's signature is worth. It always claims to be acting in good faith, but in fact, that is not always what happens once it has signed a document.

In 1995, the Liberal environment minister of the day introduced a first bill, which was heavily criticized, especially by environmental groups. We all know what happened to that bill.

In 1996, the federal government, through its environment minister of the day, Sergio Marchi, who has since retired, as mentioned by my colleague from Rimouski—Mitis, introduced Bill C-65, which was essentially the precursor of Bill C-33. Once again, the bill was heavily criticized. The Liberals called an election and, fortunately for them, Bill C-65 died on the order paper.

They still do not seem to have learned their lesson. They have brought this issue forward again by introducing a bill, which they say contains improvements. It is worth noting that the federal government can play a role in protecting wildlife species under certain statutes such as those dealing with fisheries or with our national parks. However, no federal legislation exists for this specific purpose.

If passed, Bill C-33 would be the first Canadian legal instrument dealing specifically with the protection of wildlife species at risk.

• (1640)

Since pollution and migratory species ignore boundaries, a concerted effort is obviously required at the international level. Logically, the same goes on a smaller scale within Canada.

Canadian federalism calls for co-operation between the provinces on this issue, since this is an area of shared jurisdiction in our country.

Improved protection of wildlife species at risk in Canada is necessary. The number of known species living in Canada is estimated at 70,000, and apparently many of those exist only in Canada. To date, the committee on the status of endangered wildlife in Canada has designated 340 wildlife species as being at risk. Of these, 12 are now extinct, 15 are extirpated species or no longer exist in the wild in Canada, 87 are endangered, 75 are threatened and 151 are vulnerable, which means that there are concerns about these species. Of the 97 species whose status was reassessed in the last few years, 26 are now closer to becoming extinct.

Needless to say that without proper federal or provincial legislation, without enforcement measures and adequate resources, the COSEWIC initiatives are insignificant, and their impact is limited. With the increase in the number of species facing extinction, the situation is critical. An efficient response is therefore needed.

But does Bill C-33 really provide an additional protection that is enforceable? Will this bill really ensure better protection of our ecosystems and of the threatened species that are part of them? We do not think so.

I wish to convey to the members of the House the position of environmental groups and industry. Most environmental groups are opposed to the bill put forward by the Minister for the Environment. Those who should be his allies in any attempt to improve the protection of wild species find the bill useless and dangerous.

As a matter of fact, the minister has been facing a lot of protest and criticism since he introduced his bill. Most stakeholders find the bill too weak. Even organizations representing the industry feel that the bill will not provide greater protection for species or specify the course of action they should adopt concerning the protection of the species living where they run their operations.

It is not only the Bloc Québécois and the bad separatists who are saying this; environmental groups and industry representatives are saying the same thing. If anyone knows what they are doing, working year after year to protect those species, if there are any scientists who are experts in their field, it is the people in these environmentalist groups. And they have voiced strong opposition to and severe criticism of the bill.

We believe, among other things, that this bill intrudes on provincial jurisdiction, in particular the jurisdiction of Quebec, which already has its own legislation. Quebec is one of the few Canadian provinces that has legislated to protect wildlife and species at risk. Why not co-operate then?

This government is stubborn, set in its own ways, and this is especially true of the Prime Minister, who should have a maple leaf stuck to his forehead to satisfy his desire for visibility.

*Government Orders*

As I am running out of time, I simply wish to read a few lines from a news release issued by the Quebec minister of environment on April 11, 2000. It says:

Quebec has always acted in a responsible and adequate way to protect its most fragile wild animals and plants, and it intends to continue to exercise its jurisdiction in this area.

We will never accept an umbrella legislation for all action in this area. It is out of the question for Quebec to accept federal intrusion on its jurisdiction. This bill must exclude all species, sites or habitats under Quebec's jurisdiction and must only be implemented at the request of the provinces or territories.

• (1645)

Quebec has always taken good care of its species at risk and it will not need to use this legislation.

Why does the government insist on intruding on provincial jurisdictions? It does this in all areas, as for parental leave, right now. Why insist on overlapping and intruding on existing legislation that works?

**Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ):** Mr. Speaker, on behalf of all my colleagues, I want first to congratulate our colleague from Drummond for her rather enlightening presentation. I think that our colleague from Beauce also agrees with the warning that the hon. member for Drummond gave—

**Mr. Claude Drouin:** Not at all.

**Mr. Réal Ménard:** My colleague says he does not agree.

I want not only to congratulate our colleague but also pay tribute to our environment critic, for she has worked very diligently and seriously in committee. She worked very hard to defend Quebec's interests. In fact, that is the difference between government members and Bloc members.

We can rise and on each issue and dedicate ourselves exclusively to the interests of Quebec, because we do not have to work out compromises for Prince Edward Island, Alberta and Saskatchewan.

I want to ask my hon. colleague, who is obviously a seasoned parliamentarian since she has been here since 1993, like me for that matter, if she could tell us why a bill like this one is harmful to Quebec and give us many examples of the federal government's absolutely despicable reflex of interfering in areas of provincial jurisdiction.

Before yielding to my hon. colleague, I could refer to health. In this area, the government wants visibility. It has no principles. It has no respect for provincial prerogatives because it wants to do what it calls nation building.

There is in this House a former minister of the environment in the Bourassa government. Under a rather austere exterior, he is a

rather nice man. I believe he broke away from his party during the language crisis.

I would like to make a wish before giving the floor back to my colleague. Could we count on the support of all the Quebecers in this House, regardless of their political convictions? It is not a matter of nationalists versus federalists. I am convinced that when it comes to the environment, our debate can rise above partisanship and we can decide on general directions for the future, which will be in the best interest of Quebec.

Therefore I am asking my colleague, based on her seven years as a parliamentarian, if she could show how this government has steadfastly refused to stay within its own jurisdiction and has shamelessly infringed on Quebec's jurisdiction?

**Mrs. Pauline Picard:** Madam Speaker, I thank my colleague from Hochelaga—Maisonneuve for his very relevant remarks. I also want to congratulate him. He highlighted the good job the Bloc members have been doing in the House since 1993. He is one of those who has been doing an excellent job defending the interests of the people of Quebec.

• (1650)

My colleague asked me to give a few examples of infringement and overlap. We have seen quite a few since 1993. This government is always trying, with every new bill, to encroach on and stick its foot in areas of provincial jurisdiction. It has been its leitmotif across Canada. This is what it was seeking with the social union. When they signed the social union agreement, the provinces sold out their birthright. They are now realizing it with the health care issue.

Health care is one example. If there is an area of exclusive provincial jurisdiction, it is health care. We can see what the government is doing these days.

Education, with the millennium fund, is another example. We have been a prime target in Quebec. It took a number of interventions and a great deal of efforts on the part of the Bloc Québécois to denounce this state of affairs. And what about parental leave.

Now we have this environment bill on endangered species.

**The Acting Speaker (Ms. Thibeault):** I am sorry to interrupt, but the hon. member's time is up.

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 New Brunswick Southwest, Health; the hon. member for Québec, Parental Leave.

**Ms. Hélène Alarie (Louis-Hébert, BQ):** Madam Speaker, it is both interesting and important for me to be able to speak this afternoon on second reading of Bill C-33, an act respecting the protection of wildlife species at risk in Canada.

*Government Orders*

I wish to begin by saying that I oppose this bill in its present form and that, moreover, I support the amendment by the Conservative member for Fundy—Royal for a six month hoist, if not a permanent one.

Obviously, this will be very repetitious because we often keep coming back to the same points when we are addressing the same bill. One learns early on in politics, however, that the best way to get a point of view across properly is to say the same thing often, even the simplest of things.

I would like to start with an overview of the situation. At the present time, there are 70,000 known species in Canada and a good number of them apparently are found solely in Canada. So, we have 70,000 species and of that number 340 that are endangered. Obviously there are degrees to this. Some are already gone, some are vanishing, some are more endangered than others. Some can be saved with human intervention.

I imagine that the purpose of Bill C-33 was to allow human intervention, although this bill does not include the necessary resources to satisfy that need.

Would there be some additional protection that might be applicable? Is this bill really going to contribute to improving the protection of our ecosystems and the endangered species that constitute them? Let us have a look at the salient points of the bill.

The preamble is interesting, because it appropriately refers to the importance of protecting Canada's natural heritage and also reminds us of Canada's international commitments, for instance, under the convention on biodiversity, at the Rio summit, in 1992. The government had already examined the issue and was prepared to take some action.

This preamble also says that responsibility for the conservation of wildlife is shared among the various levels of government and that co-operation between them is essential.

In clauses 1 to 6, the purposes of the bill are further specified, as well as the definitions—definitions are always quite important in a bill—that determine what land is involved.

The previous bill, Bill C-65, dealt only with federal land.

• (1655)

In other words, the land was limited to what was part of the federal land, while the present bill goes further and deals with Canada's land in general, whether federal or provincial.

I would also like to remind the House of some other clauses in the bill. For example, in clauses 8 to 13, it says the heritage minister, the fisheries and oceans minister and any competent minister must be consulted before the establishment of committees or the signing of agreements with other levels of government.

There is already a lot of people around the table, but the bill does affect several sectors of government operations.

At clauses 14 to 31, the bill provides for the committee on the status of endangered wildlife in Canada, COSEWIC, which will have an official status and, from all appearances, will operate independently.

In other clauses, for example clauses 37 to 73, the bill talks of action plans, of recovery of endangered and threatened species and management plans for species of special concern. These interventions will be carried out in co-operation with the provinces, territories and the management boards, supervised, I imagine by COSEWIC.

I am passing quickly over all the enforcement aspects of the bill, over the infractions and penalties to reach clauses 126, 127 and 128, which provide that the minister will prepare a report, which he will table in the House, on the administration of the act over the previous year. Every five years, an assessment will be tabled as well to enable us to see whether the action plans formulated have had effect or done nothing.

When we look at this, we can see that the bill provides food for thought. Some aspects of it are interesting. Some aspects should be examined, but some of them should go further. However, what we find embarrassing is that this legislation will immediately take precedence over existing provincial legislation, even when the habitats are completely under provincial jurisdiction.

We must remember that endangered species are found solely on provincial territory. The government has ignored this and caps everything off with federal legislation that will take precedence over everything.

Other things made me smile. Clause 2 provides that the minister "may"—not must—"enter into an agreement". Clause 39 provides that the competent minister must, "to the extent possible", develop programs. A little further, in clauses 47 and 48, we find again the expression "to the extent possible".

I do not know which jurist put the words "to the extent possible" in the bill, but that expression leads me to believe that there will be black holes, or grey areas, in that legislation.

The bill does not respect the division of powers, as established under the constitution and interpreted over the years. It squarely interferes with the jurisdictions of the provinces and it excludes the latter from any real and direct input in the process. Existing laws are thus ignored.

We support the protection of endangered species, of species at risk. We support it so much that we have already done something about it in Quebec. What bothers us is the fact that this government is proposing a bill that does not go as far as what we already have. To go backwards has never done any good to anyone.



*Government Orders*

Indeed, even though the minister supports in theory the notion of shared responsibility between the federal government and the provinces concerning the protection of species, he ignores the division of powers and the provinces' responsibilities regarding habitat management and the protection of species. He ignores existing laws and gives himself very broad powers with regard to the protection of species.

In so doing, the federal government goes against true environmental harmonization between the various levels of government. This bill is too weak and it interferes with our jurisdictions. It must be reviewed. I do not know when, but the later the better, because an incredible amount of work needs to be done.

• (1700)

Many associations, such as the Canadian Pulp and Paper Association and the mining associations, which cover large areas, huge forests, as well as wetlands, know the pressure that such a bill can bring if guidelines are not clearly established. In the bill before us, they are not.

We all know that after the act come regulations, but we also understand the concerns of these large companies, because they occupy huge areas in all provinces of Canada, including Quebec.

I have mentioned some of the weaknesses of this bill. I wanted to avoid mentioning all the environmentalists who have doubts in this regard.

In Quebec, we have often acted reasonably. In the case of migratory birds—and this is a good example, because migratory birds come under federal jurisdiction—Quebec, in co-operation with private organizations and the federal government has, for decades now, done an exemplary job of managing these wetlands and migratory birds.

We are therefore able to co-operate, but we really want to call the shots in an area we are already handling fairly well. Nothing is perfect, I admit, but, as I say, we are handling it “fairly well”.

In conclusion, I wish to thank the member for Jonquière and congratulate her on the great job she has done for the environment.

**Mrs. Monique Guay (Laurentides, BQ):** Madam Speaker, I was the Bloc Québécois environment critic for several years in the last parliament. My colleague has now taken over. I was among those who fought Bill C-65 and I will briefly tell you why.

At the time, Bill C-65 was introduced with haste because the Rio summit was to be held a few months later. Canada wanted to look good at that summit, and the government was rushing to introduce environmental bills so it would look good on the international scene, which is not a bad idea as such, but which can be very harmful to the environment.

The government cannot introduce a bill just like that. The first thing to consider when dealing with environmental issues is that the environment department should not be used for partisan purposes. The environment should be excluded from any form of partisanship, yet partisanship could be felt at the environment committee. This is not how it should be, however.

This issue is used for partisan purposes when it really should not. The environment should be a matter of concern to all parties and to all Canadians, and everybody should be willing to do their share.

Quebec has proved it. We have legislation to protect species at risk. We are willing to work with the federal government, but it should not stick its nose in our business and tell us what to do with our species at risk. We are already looking after things. We want to do it in harmony, but that is not what we are seeing in this bill. This is the same bill which has been brought back one more time. The problems are the same, and this bill will never solve the issue of species at risk.

I advise my colleagues to examine this bill very carefully. This is just the second reading stage. Major amendments must be made to this bill to meet the needs that exist both at the federal and provincial levels, and even at the international level. We cannot simply say that this kind of bill will solve the whole problem with regard to the environment. It is not true.

• (1705)

**Ms. Hélène Alarie:** Madam Speaker, I agree wholeheartedly with my colleague's comments, since she has referred to the legislation Quebec has enacted, that is the act respecting threatened or vulnerable species, the fisheries act and the act respecting the conservation and development of wildlife.

I also agree with my colleague that not all environmental issues are transborder issues. They are issues that are constrained by the limits we impose through other laws and policies. We need a great deal of harmonization and co-operation to get things done.

We should be wise enough to examine what is being done, and what is being done well. Quebec is not the only place where things are done well. Other provinces too have worked very hard to protect wetland habitats. What is being done right should be our starting point, and then we should develop our bill, instead of taking the top down approach.

**Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.):** Madam Speaker, I would like to point out to my colleague from Laurentides that the Rio summit took place in 1992 and Bill C-65 came along at least five years later, but that is just an aside.

I agree that there must be no politics where the environment is concerned. In fact, the hon. member for Jonquière will acknowledge that, when the Environment Act was revised recently, members of all parties voted together, I do not know how many times.

*Government Orders*

What I wanted to point out was that we on this side of the House find that in this bill the federal government is not making use of its own jurisdiction. That is what I criticized yesterday. In fact, quite the opposite. Instead of infringing on provincial jurisdictions, we are not doing enough in our own area for migratory birds, for habitats and for transborder species.

I would also like to ask the hon. member for Louis-Hébert, for whom I have a great deal of respect and esteem, whether she was aware that I am the one who introduced the Quebec legislation on endangered species, so I am very very familiar with it. Under the Quebec legislation, when a species was listed as endangered, the habitat was automatically protected. What was done recently was that, at the request of Hydro-Québec, in a case on which I can provide my hon. colleague the details later, cabinet recently passed an order in council separating the list of habitats, making—

**The Acting Speaker (Ms. Thibeault):** I am truly sorry to have to interrupt the hon. member for Lac-Saint-Louis, but the hon. member for Louis-Hébert has the floor.

**Ms. Hélène Alarie:** Madam Speaker, I thank my colleague for his comment. We always learn something new with this hon. member. I am grateful to him for introducing this legislation, which I hope will be applied in the best possible way in Quebec.

[*English*]

**Mr. Dennis Gruending (Saskatoon—Rosetown—Biggar, NDP):** Madam Speaker, it is my pleasure to speak to the amendment to Bill C-33. The amendment was put forth by our colleague the member for Fundy—Royal. I want to state at the outset that I support the member's amendment.

I previously spoke on the main bill so I do not intend to go into the detail I did at that time. I will summarize what I had to say a number of weeks ago about Bill C-33, an act respecting the protection of wildlife species at risk in Canada.

I indicated that although the Minister of the Environment says the bill will do the job, it is weak in the protection of species at risk and their habitats. I may have previously mentioned that the bill makes it discretionary to protect species at risk even on government lands. Government lands account for a small percentage of the total land mass in Canada. The bill is weak in that sense. It also does not protect migratory birds and birds do not know borders so we have to do better than that.

The bill invites political consideration and lobbying as I and other members have said. The minister has chosen to allow a group of scientists under COSEWIC to continue to list species at risk, but at the end of the day, the determination of what will be considered

as species at risk will be made by the federal cabinet. There has been widespread criticism of that because it does invite lobbying.

• (1710)

A company which maybe is endangering a whale through mining or some other activity could now go to the cabinet and try to prevent that species from being listed. I just use that as an example, but it is clear in that sense that the bill allows far too much ministerial discretion.

The bill also fails to include compensation provisions for workers and communities affected economically by action plans to rescue species at risk. I am thinking of people working in the forest. If it is decided that a patch of forest has to be saved, then of course we would support a patch of forest being saved, but what about the people who work in that patch of forest?

I want to very briefly indicate the NDP policy on this. I did not do that the last time I spoke on the bill. Our policy is clear on what such a law should do. This one really does not come close.

The policy was carefully thought out and debated at our last New Democratic Party federal convention. We passed a resolution at our 19th biennial convention which said that the New Democratic Party supports comprehensive federal endangered species legislation developed in co-operation with other governments which includes the benefits of traditional aboriginal knowledge as well and ensures, first, identification and listing of species at risk by an independent committee of scientists, wherein scientific evidence is the primary consideration and not political interpretation of this evidence. As I have said, the bill gives the minister far too much discretion.

Second, the NDP convention called for comprehensive nationwide natural habitat protection, including protection for species that range or migrate over Canada's domestic and international borders. I have already referred to that.

Third, the NDP convention called for legislation which would include stakeholders in the development of species recovery plans, provision of adequate support to those whose livelihood is disrupted by a species recovery plan, and provision for just transition to workers and communities by any recovery plan.

That is a very thorough, well thought out resolution about species at risk legislation. I know the government does not always come to the NDP for advice, but had it done so, we would have a better piece of legislation before us than what we have now.

When I first spoke to the legislation, it was very shortly after the bill was introduced. I was going by my own party's response, again based on our resolution in convention and the homework we had done. It has now been some time since the legislation was introduced and perhaps it is worthwhile to spend a minute or two

looking at what people are saying about it. Let us call this a focus group for the minister for lack of a better term.

The Hamilton *Spectator* of Tuesday, May 2 stated:

In its current form, the proposed Canadian Species at Risk Act will serve as little more than a token document, of little benefit to those species truly at risk in our country.

On the day following the tabling of the legislation in the House, Stewart Elgie of the Sierra Legal Defence Fund had this to say:

We are very disappointed. This bill will do little to ensure that endangered species and their habitat are protected—it leaves everything up to political discretion.

Kevin Scott, director of the Vancouver based Defenders of Wildlife, said:

The legislation, as we have reviewed it, is in my opinion an international embarrassment.

An international embarrassment, that is how it is being described.

Sarah Dover of the Canadian Endangered Species Campaign said:

I do not think this environment minister... has been given the political capital in the cabinet room to affect serious change.

People are quite critical of this legislation. That includes some former supreme court justices.

**The Acting Speaker (Ms. Thibeault):** I am afraid that I have to interrupt the hon. member since it is 5.15 p.m.

\* \* \*

[*Translation*]

## PARLIAMENT OF CANADA ACT

The House resumed from June 12 consideration of the motion that Bill C-37, an act to amend the Parliament of Canada Act and the Members of Parliament Retiring Allowances Act, be read a second time and referred to committee of the whole.

**The Acting Speaker (Ms. Thibeault):** Pursuant to order made on Monday, June 12, 2000, the House will now proceed to the taking of the deferred division on the motion for second reading of Bill C-37.

Call in the members.

• (1750)

[*English*]

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

## Government Orders

(*Division No. 1355*)

## YEAS

### Members

Adams	Alarie
Anderson	Assad
Assadourian	Asselin
Augustine	Bachand (Saint-Jean)
Baker	Bakopanos
Barnes	Beaumier
Bélaïr	Bélanger
Bellehumeur	Bellemare
Bennett	Bergeron
Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok)	Bertrand
Bertrand	Bevilacqua
Bigras	Blaikie
Blondin-Andrew	Bonin
Bonwick	Boudria
Bradshaw	Brown
Bryden	Bulte
Byrne	Caccia
Cadman	Calder
Cannis	Caplan
Cardin	Carroll
Catterall	Cauchon
Chamberlain	Chan
Charbonneau	Chrétien (Frontenac—Mégantic)
Chrétien (Saint-Maurice)	Clouthier
Coderre	Collenette
Comuzzi	Copps
Cotler	Crête
Cullen	Cummins
Dalphond-Guiral	Davies
de Savoye	Debien
Desrochers	DeVillers
Dhaliwal	Dion
Discepola	Dockrill
Dromisky	Drouin
Dubé (Lévis-et-Chutes-de-la-Chaudière)	Duceppe
Duhamel	Dumas
Duncan	Earle
Easter	Eggleton
Finlay	Folco
Fontana	Fournier
Fry	Gagliano
Gagnon	Galloway
Gauthier	Gilmour
Girard-Bujold	Godfrey
Godin (Acadie—Bathurst)	Godin (Châteauguay)
Goodale	Graham
Gray (Windsor West)	Gruending
Guamieri	Guay
Guimond	Harb
Hardy	Hart
Harvard	Hubbard
Ianno	Iftody
Jackson	Jennings
Jordan	Karetak-Lindell
Karygiannis	Keyes
Kilger (Stormont—Dundas—Charlottenburgh)	Kilgour (Edmonton Southeast)
Knutson	Laliberte
Lalonde	Lastewka
Laurin	Lavigne
Lebel	Lee
Leung	Lill
Limoges	Lincoln
Longfield	MacAulay
Mahoney	Malhi
Maloney	Mancini
Manley	Marceau
Mark	Marleau
Martin (LaSalle—Émard)	Martin (Winnipeg Centre)
Matthews	Mayfield
McCormick	McDonough
McGuire	McKay (Scarborough East)

*Private Members' Business*

McLellan (Edmonton West)	McTeague
McWhinney	Ménard
Mercier	Mifflin
Mills (Broadview—Greenwood)	Minna
Mitchell	Murray
Myers	Nault
Nystrom	O'Brien (Labrador)
O'Brien (London—Fanshawe)	O'Reilly
Pagtakhan	Paradis
Parrish	Patry
Peric	Perron
Peterson	Pettigrew
Phinney	Picard (Drummond)
Pillitteri	Pratt
Proctor	Proud
Proulx	Provenzano
Redman	Reed
Reynolds	Richardson
Riis	Robillard
Robinson	Rocheleau
Rock	Saada
Sauvageau	Scott (Fredericton)
Sekora	Serré
Sgro	Shepherd
Solomon	Speller
St. Denis	St-Hilaire
St-Julien	Steckle
Stewart (Brant)	Stewart (Northumberland)
Stinson	Stoffer
Szabo	Telegdi
Thibeault	Torsney
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Mitis)
Turp	Ur
Valeri	Vanclief
Venne	Wasylcia-Leis
Whelan	White (North Vancouver)
Wilfert	Wood—215

**NAYS**

## Members

Ablonczy	Anders
Bachand (Richmond—Arthabaska)	Benoit
Bernier (Tobique—Mactaquac)	Borotsik
Breitkreuz (Yellowhead)	Brien
Brisson	Casey
Casson	Chatters
Doyle	Elley
Epp	Forseth
Grey (Edmonton North)	Grose
Hearn	Herron
Hill (Macleod)	Hill (Prince George—Peace River)
Hillstrom	Hoepfner
Johnston	Keddy (South Shore)
Kenney (Calgary Southeast)	MacKay (Pictou—Antigonish—Guysborough)
Meredith	Mills (Red Deer)
Morrison	Muise
Penson	Plamondon
Schmidt	St-Jacques
Strahl	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Vautour
Wayne—41	

**PAIRED MEMBERS**

Anderson	Lefebvre
Normand	Nunziata

**The Speaker:** I declare the motion carried.

(Bill read the second time)

**PRIVATE MEMBERS' BUSINESS**

[English]

**INTERNATIONAL CIRCUMPOLAR COMMUNITY**

The House resumed from June 7 consideration of the motion and of the amendment.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on Motion No. 237 under Private Members' Business. The question is on the amendment.

• (1800 )

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

(Division No. 1356)

**YEAS**

## Members

Alarie	Anders
Asselin	Bachand (Saint-Jean)
Bellehumeur	Bergeron
Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok)	Blaikie
Bigras	Cardin
Brien	Chrétien (Frontenac—Mégantic)
Casson	Cummins
Crête	Davies
Dalphonf-Guiral	Debien
de Savoye	Dockrill
Desrochers	Duceppe
Dubé (Lévis-et-Chutes-de-la-Chaudière)	Duncan
Dumas	Fournier
Earle	Gauthier
Gagnon	Godin (Acadie—Bathurst)
Girard-Bujold	Gruending
Godin (Châteauguay)	Guimond
Guay	Herron
Hardy	Laliberte
Hoepfner	Laurin
Lalonde	Lill
Lebel	Marceau
Mancini	McDonough
Martin (Winnipeg Centre)	Mercier
Ménard	Penson
Nystrom	Picard (Drummond)
Perron	Proctor
Plamondon	Riis
Reynolds	Rocheleau
Robinson	Solomon
Sauvageau	St-Julien
St-Hilaire	Tremblay (Lac-Saint-Jean)
Stoffer	Turp
Tremblay (Rimouski—Mitis)	Wasylcia-Leis—69
Venne	

**NAYS**

## Members

Ablonczy	Anderson
Assad	Assadourian
Augustine	Bachand (Richmond—Arthabaska)
Baker	Bakopanos
Barnes	Beaumier
Bélaïr	Bélangier
Bellemare	Bennett
Benoit	Bernier (Tobique—Mactaquac)

*Private Members' Business*

Bertrand  
Blondin-Andrew  
Borotsik  
Bradshaw  
Brown  
Bulte  
Caccia  
Calder  
Caplan  
Casey  
Cauchon  
Chan  
Chatters  
Coderre  
Comuzzi  
Cullen  
Dhaliwal  
Discepola  
Dromisky  
Duhamel  
Eggleton  
Epp  
Folco  
Forseth  
Gagliano  
Gilmour  
Goodale  
Gray (Windsor West)  
Grey (Edmonton North)  
Guarnieri  
Harris  
Harvard  
Hill (MacLeod)  
Hilstrom  
Ianno  
Jackson  
Johnston  
Karygiannis  
Kenney (Calgary Southeast)  
Kilger (Stormont—Dundas—Charlottenburgh)  
Knutson  
Kraft Sloan  
Lavigne  
Leung  
Lincoln  
MacAulay  
Mahoney  
Maloney  
Mark  
Martin (LaSalle—Émard)  
Mayfield  
McKay (Scarborough East)  
McTeague  
Meredith  
Mills (Broadview—Greenwood)  
Minna  
Morrison  
Murray  
Nault  
O'Reilly  
Paradis  
Patry  
Peterson  
Phinney  
Pillitteri  
Proud  
Provenzano  
Reed  
Ritz  
Rock  
Schmidt  
Sekora  
Sgro  
Speller  
St-Jacques  
Stewart (Brant)  
Stinson  
Telegdi  
Thompson (New Brunswick Southwest)  
Torsney

Bevilacqua  
Bonin  
Boudria  
Brison  
Bryden  
Byrne  
Cadman  
Cannis  
Carroll  
Catterall  
Chamberlain  
Charbonneau  
Clouthier  
Collenette  
Copps  
DeVillers  
Dion  
Doyle  
Drouin  
Easter  
Elley  
Finlay  
Fontana  
Fry  
Gallaway  
Godfrey  
Graham  
Grewal  
Grose  
Harb  
Hart  
Hearn  
Hill (Prince George—Peace River)  
Hubbard  
Iftody  
Jennings  
Jordan  
Keddy (South Shore)  
Keys  
Kilgour (Edmonton Southeast)  
Konrad  
Lastewka  
Lee  
Limoges  
Longfield  
MacKay (Pictou—Antigonish—Guysborough)  
Malhi  
Manley  
Marleau  
Matthews  
McGuire  
McLellan (Edmonton West)  
McWhinney  
Mifflin  
Mills (Red Deer)  
Mitchell  
Muise  
Myers  
O'Brien (London—Fanshawe)  
Pagtakhan  
Parrish  
Peric  
Pettigrew  
Pickard (Chatham—Kent Essex)  
Pratt  
Proulx  
Redman  
Richardson  
Robillard  
Saada  
Scott (Fredericton)  
Serré  
Shepherd  
St. Denis  
Steckle  
Stewart (Northumberland)  
Szabo  
Thibeault  
Thompson (Wild Rose)  
Ur

Valeri  
Volpe  
Whelan  
Wilfert

Vanclief  
Wayne  
White (North Vancouver)  
Wood —184

## PAIRED MEMBERS

Anderson  
Normand

Lefebvre  
Nunziata

**The Speaker:** I declare the amendment lost.

● (1805)

The next question is on the main motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And more than five members having risen:*

● (1815)

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

(Division No. 1357)

## YEAS

## Members

Adams  
Caccia  
Dockrill  
Godin (Acadie—Bathurst)  
Hardy  
Hoepfner  
Jordan  
Laliberte  
Lincoln  
Martin (Winnipeg Centre)  
Nystrom  
Proctor  
Robinson  
St-Julien  
Wasylcia-Leis—29

Blaikie  
Davies  
Earle  
Gruending  
Herron  
Jennings  
Kraft Sloan  
Lill  
Mancini  
McDonough  
Penson  
Riis  
Solomon  
Stoffer

## NAYS

## Members

Ablonczy  
Anders

Alarie  
Anderson

*Private Members' Business*

Assad	Assadourian
Asselin	Augustine
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Baker	Bakopanos
Barnes	Beaumier
Bélaïr	Bélangier
Bellehumeur	Bellemare
Bennett	Benoit
Bergeron	Bernier (Bonaventure—Gaspé—
Îles-de-la-Madeleine—Pabok)	Bernier (Tobique—Mactaquac)
Bertrand	Bevilacqua
Bigras	Blondin-Andrew
Bonin	Bonwick
Borotsik	Boudria
Bradshaw	Brien
Brison	Brown
Bryden	Bulte
Byrne	Cadman
Calder	Cannis
Caplan	Cardin
Carroll	Casey
Casson	Catterall
Cauchon	Chamberlain
Chan	Charbonneau
Chatters	Chrétien (Frontenac—Mégantic)
Clouthier	Coderre
Collenette	Comuzzi
Copps	Crête
Cullen	Cummins
Dalphond-Guiral	de Savoye
Debien	Desrochers
DeVillers	Dhaliwal
Dion	Discepola
Doyle	Dromisky
Drouin	Duceppe
Duhamel	Dumas
Duncan	Easter
Eggleton	Elley
Epp	Finlay
Folco	Fontana
Forseth	Fournier
Fry	Gagliano
Gagnon	Galloway
Gauthier	Gilmour
Girard-Bujold	Godfrey
Godin (Châteauguay)	Goodale
Graham	Gray (Windsor West)
Grewal	Grey (Edmonton North)
Grose	Guarnieri
Guay	Guimond
Harb	Harris
Hart	Harvard
Hearn	Hill (Macleod)
Hill (Prince George—Peace River)	Hilstrom
Hubbard	Ianno
Iftody	Jackson
Johnston	Karygiannis
Keddy (South Shore)	Kenney (Calgary Southeast)
Keys	Kilger (Stormont—Dundas—Charlottenburgh)
Kilgour (Edmonton Southeast)	Knutson
Konrad	Lalonde
Lastewka	Laurin
Lavigne	Lebel
Lee	Leung
Limoges	Longfield
MacAulay	MacKay (Pictou—Antigonish—Guysborough)
Mahoney	Maloney
Manley	Marceau
Mark	Marleau
Martin (LaSalle—Émard)	Matthews
Mayfield	McGuire
McKay (Scarborough East)	McLellan (Edmonton West)
McTeague	McWhinney
Ménard	Mercier
Meredith	Mifflin
Mills (Broadview—Greenwood)	Mills (Red Deer)
Minna	Mitchell
Morrison	Muise
Murray	

Myers	Nault
O'Brien (London—Fanshawe)	O'Reilly
Pagtakhan	Paradis
Parrish	Patry
Peric	Perron
Peterson	Pettigrew
Phinney	Picard (Drummond)
Pickard (Chatham—Kent Essex)	Pillitteri
Plamondon	Pratt
Proud	Proulx
Provenzano	Redman
Reed	Reynolds
Richardson	Ritz
Robillard	Rocheleau
Rock	Saada
Sauvageau	Schmidt
Scott (Fredericton)	Sekora
Serré	Sgro
Shepherd	Speller
St. Denis	St-Hilaire
St-Jacques	Steckle
Stewart (Brant)	Stewart (Northumberland)
Stinson	Strahl
Szabo	Telegdi
Thibeault	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Torsney
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Mitis)
Turp	Ur
Valeri	Vanclief
Venne	Volpe
Wayne	Whelan
White (North Vancouver)	Wilfert
Williams	Wood—226

## PAIRED MEMBERS

Anderson	Lefebvre
Normand	Nunziata

**The Speaker:** I declare the motion lost.

\* \* \*

## TREATIES ACT

The House resumed from June 8 consideration of the motion that Bill C-214, an act to provide for the participation of the House of Commons when treaties are concluded, be read the second time and referred to a committee.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-214 under Private Members' Business.

● (1825)

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

(Division No. 1358)

## YEAS

## Members

Ablonczy	Alarie
Anders	Asselin
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Bellehumeur	Benoit
Bergeron	Bernier (Bonaventure—Gaspé—
Îles-de-la-Madeleine—Pabok)	

*Government Orders*

Bernier (Tobique—Mactaquac)	Bigras	Drouin	Duhamel
Blaikie	Borotsik	Easter	Eggleton
Brien	Brisson	Finlay	Folco
Cadman	Cardin	Fontana	Fry
Casey	Casson	Gagliano	Galloway
Chatters	Chrétien (Frontenac—Mégantic)	Godfrey	Goodale
Crête	Cummins	Graham	Gray (Windsor West)
Dalphond-Guiral	Davies	Grose	Guarnieri
de Savoye	Debien	Harb	Harvard
Desrochers	Dockrill	Hoepfner	Hubbard
Doyle	Dubé (Lévis-et-Chutes-de-la-Chaudière)	Ianno	Iftody
Duceppe	Dumas	Jackson	Jennings
Duncan	Earle	Jordan	Karetak-Lindell
Elley	Epp	Karygiannis	Keys
Forseth	Fournier	Kilger (Stormont—Dundas—Charlottenburgh)	Kilgour (Edmonton Southeast)
Gagnon	Gauthier	Knutson	Kraft Sloan
Gilmour	Girard-Bujold	Lastewka	Lavigne
Godin (Acadie—Bathurst)	Godin (Châteauguay)	Lee	Leung
Grewal	Grey (Edmonton North)	Limoges	Lincoln
Gruending	Guay	Longfield	MacAulay
Guimond	Hardy	Mahoney	Malhi
Harris	Hart	Maloney	Manley
Hearn	Herron	Marleau	Martin (LaSalle—Émard)
Hill (Macleod)	Hill (Prince George—Peace River)	Matthews	McGuire
Hilstrom	Johnston	McKay (Scarborough East)	McLellan (Edmonton West)
Keddy (South Shore)	Kenney (Calgary Southeast)	McTeague	McWhinney
Konrad	Laliberte	Mifflin	Mills (Broadview—Greenwood)
Lalonde	Laurin	Minna	Mitchell
Lebel	Lill	Murray	Myers
MacKay (Pictou—Antigonish—Guysborough)	Mancini	Nault	O'Brien (Labrador)
Marceau	Mark	O'Brien (London—Fanshawe)	O'Reilly
Martin (Winnipeg Centre)	Mayfield	Pagtakhan	Paradis
McDonough	Ménard	Parrish	Patry
Mercier	Meredith	Penson	Peric
Mills (Red Deer)	Morrison	Peterson	Pettigrew
Muise	Nystrom	Phinney	Pickard (Chatham—Kent Essex)
Perron	Picard (Drummond)	Pillitteri	Pratt
Plamondon	Proctor	Proud	Proulx
Reynolds	Riis	Provenzano	Redman
Ritz	Robinson	Reed	Richardson
Rocheleau	Sauvageau	Robillard	Rock
Schmidt	Solomon	Saada	Scott (Fredericton)
St-Hilaire	St-Jacques	Sekora	Serré
Stinson	Stoffer	Sgro	Shepherd
Strahl	Thompson (New Brunswick Southwest)	Speller	St. Denis
Thompson (Wild Rose)	Tremblay (Lac-Saint-Jean)	St-Julien	Steckle
Tremblay (Rimouski—Mitis)	Turp	Stewart (Brant)	Stewart (Northumberland)
Vautour	Venne	Szabo	Telegdi
Wasylcia-Leis	Wayne	Thibeault	Torsney
White (North Vancouver)	Williams—110	Ur	Valeri
		Vanclief	Volpe
		Whelan	Wilfert
		Wood—151	

## PAIRED MEMBERS

Anderson	Lefebvre
Normand	Nunziata

**The Speaker:** I declare the motion lost.

**GOVERNMENT ORDERS**

[English]

**CANADIAN TOURISM COMMISSION ACT**

The House resumed from June 12 consideration of the motion that Bill C-5, an act to establish the Canadian Tourism Commission, be read the third time and passed.

## NAYS

## Members

Adams	Anderson
Assad	Assadourian
Augustine	Baker
Bakopanos	Barnes
Beaumier	Bélaïr
Bélangier	Bellemare
Bennett	Bertrand
Bevilacqua	Blondin-Andrew
Bonin	Bonwick
Boudria	Bradshaw
Brown	Bryden
Bulte	Byrne
Caccia	Calder
Cannis	Caplan
Carroll	Catterall
Cauchon	Chamberlain
Chan	Charbonneau
Clouthier	Coderre
Collenette	Comuzzi
Copps	Cotler
Cullen	DeVillers
Dhaliwal	Dion
Discepolo	Dromisky

*Government Orders*

**The Speaker:** The House will now proceed to the taking of the deferred record division on the motion at third reading stage of Bill C-5.

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

**The Speaker:** Is there agreement to proceed in such a fashion?

**Some hon. members:** Agreed.

**Mr. Jay Hill:** Mr. Speaker, Canadian Alliance members present this evening will be voting against the motion.

[*Translation*]

**Mr. Stéphane Bergeron:** Mr. Speaker, Bloc Québécois members will be voting against this motion.

**Mr. Yvon Godin:** Mr. Speaker, NDP members will be voting in favour of this motion.

[*English*]

**Mr. Norman Doyle:** Mr. Speaker, Progressive Conservative members will vote in favour of this motion.

**Mr. Jake E. Hoepfner:** Mr. Speaker, I will vote no to this motion.

**Mr. Larry McCormick:** Mr. Speaker, I rise on a point of order. I would like to add my name to the list as voting with the government on this motion.

• (1830)

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

(*Division No. 1359*)

## YEAS

## Members

Adams	Anderson
Assad	Assadourian
Augustine	Bachand (Richmond—Arthabaska)
Baker	Bakopanos
Barnes	Beaumier
Bélair	Bélangier
Bellemare	Bennett
Bernier (Tobique—Mactaquac)	Bertrand
Bevilacqua	Blaikie
Blondin-Andrew	Bonin
Bonwick	Borotsik
Boudria	Bradshaw
Brisson	Brown
Bryden	Bulte
Byrne	Caccia
Calder	Cannis
Caplan	Carroll

Casey
Cauchon
Chan
Cloutier
Collenette
Copps
Cullen
DeVillers
Dion
Dockrill
Dromisky
Duhamel
Easter
Finlay
Fontana
Gagliano
Godfrey
Goodale
Gray (Windsor West)
Gruending
Harb
Harvard
Herron
Ianno
Jackson
Jordan
Karygiannis
Keys
Kilgour (Edmonton Southeast)
Kraft Sloan
Lastewka
Lee
Lill
Lincoln
MacAulay
Mahoney
Maloney
Manley
Martin (LaSalle—Émard)
Matthews
McDonough
McKay (Scarborough East)
McTeague
Mifflin
Minna
Muise
Myers
Nystrom
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proud
Provenzano
Reed
Riis
Robinson
Saada
Sekora
Sgro
Solomon
St. Denis
St-Julien
Stewart (Brant)
Stoffer
Telegdi
Thompson (New Brunswick Southwest)
Ur
Vanclief
Volpe
Wayne
Wilfert

Catterall
Chamberlain
Charbonneau
Coderre
Comuzzi
Cotler
Davies
Dhaliwal
Discepola
Doyle
Drouin
Earle
Eggleton
Folco
Fry
Galloway
Godin (Acadie—Bathurst)
Graham
Grose
Guarnieri
Hardy
Hearn
Hubbard
Iftody
Jennings
Karetak-Lindell
Keddy (South Shore)
Kilger (Stormont—Dundas—Charlottenburgh)
Knutson
Laliberte
Lavigne
Leung
Limoges
Longfield
MacKay (Pictou—Antigonish—Guysborough)
Malhi
Mancini
Marleau
Martin (Winnipeg Centre)
McCormick
McGuire
McLellan (Edmonton West)
McWhinney
Mills (Broadview—Greenwood)
Mitchell
Murray
Nault
O'Brien (Labrador)
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Proctor
Proulx
Redman
Richardson
Robillard
Rock
Scott (Fredericton)
Serré
Shepherd
Speller
St-Jacques
Steckle
Stewart (Northumberland)
Szabo
Thibeault
Torsney
Valeri
Vautour
Wasylcia-Leis
Whelan
Wood—184

## NAYS

## Members

Ablonczy	Alarie
Anders	Asselin
Bachand (Saint-Jean)	Bellehumeur



*Government Orders*

Benoit	Bergeron
Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok)	Madeleine—Pabok)
Bigras	Brien
Cadman	Cardin
Casson	Chatters
Chrétien (Frontenac—Mégantic)	Crête
Cummins	Dalphond-Guiral
de Savoye	Debien
Desrochers	Dubé (Lévis-et-Chutes-de-la-Chaudière)
Duceppe	Dumas
Duncan	Elley
Epp	Forseth
Fournier	Gagnon
Gauthier	Gilmour
Girard-Bujold	Godin (Châteauguay)
Grewal	Grey (Edmonton North)
Guay	Guimond
Harris	Hart
Hill (Macleod)	Hill (Prince George—Peace River)
Hilstrom	Hoepfner
Johnston	Kenney (Calgary Southeast)
Konrad	Lalonde
Laurin	Lebel
Marceau	Mark
Mayfield	Ménard
Mercier	Meredith
Mills (Red Deer)	Morrison
Penson	Perron
Picard (Drummond)	Plamondon
Reynolds	Ritz
Rocheleau	Sauvageau
Schmidt	St-Hilaire
Stinson	Strahl
Thompson (Wild Rose)	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Mitis)	Turp
Venne	White (North Vancouver)
Williams—78	

## PAIRED MEMBERS

Anderson	Lefebvre
Normand	Nunziata

**The Speaker:** I declare the motion carried.

(Bill read the third time and passed)

\* \* \*

### SALES TAX AND EXCISE TAX AMENDMENTS ACT, 1999

The House resumed from June 12 consideration of the motion that Bill C-24, an act to amend the Excise Tax Act, a related act, the Bankruptcy and Insolvency Act, the Budget Implementation Act, 1997, the Budget Implementation Act, 1998, the Budget Implementation Act, 1999, the Canada pension plan, the Companies' Creditors Arrangement Act, the Cultural Property Export and Import Act, the Customs Act, the Customs Tariff, the Employment Insurance Act, the Excise Act, the Income Tax Act, the Tax Court of Canada Act and the Unemployment Insurance Act, be read the third time and passed.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at third reading stage of Bill C-24.

**Mr. Bob Kilger:** Mr. Speaker, I rise on a point of order. If the House would agree, I would propose that you seek unanimous consent that members who voted on the previous motion, and I draw to the table's attention that the hon. member for Haldimand—Norfolk—Brant had to leave the Chamber, be recorded as having voted on the motion now before the House, with Liberal members voting yea.

**The Speaker:** Is there agreement to proceed in such a fashion?

**Some hon. members:** Agreed.

**Mr. Jay Hill:** Mr. Speaker, Canadian Alliance members present this evening will be voting nay on this motion.

[Translation]

**Mr. Stéphane Bergeron:** Mr. Speaker, Bloc Québécois members will be voting against the motion.

[English]

**Mr. Yvon Godin:** Mr. Speaker, members of the NDP will be voting no to this motion.

**Mr. Norman Doyle:** Mr. Speaker, Progressive Conservative members will be voting no to this motion.

**Mr. Jake E. Hoepfner:** Mr. Speaker, I will be voting nay on this motion.

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

(Division No. 1360)

## YEAS

## Members

Adams	Anderson
Assad	Assadourian
Augustine	Baker
Bakopoulos	Barnes
Beaumont	Bélair
Bélanger	Bellemare
Bennett	Bertrand
Bevilacqua	Blondin-Andrew
Bonin	Bonwick
Boudria	Bradshaw
Brown	Bryden
Bulte	Byrne
Caccia	Calder
Cannis	Caplan
Carroll	Catterall
Cauchon	Chamberlain
Chan	Charbonneau
Cloutier	Coderre
Collenette	Comuzzi
Copps	Cotler
Cullen	DeVillers
Dhaliwal	Dion
Discepola	Dromisky
Drouin	Duhamel
Easter	Eggleton
Finlay	Folco
Fontana	Fry
Gagliano	Galloway
Godfrey	Goodale
Graham	Gray (Windsor West)

*Government Orders*

Grose  
Harb  
Hubbard  
Iftody  
Jennings  
Karetak-Lindell  
Keys  
Kilgour (Edmonton Southeast)  
Kraft Sloan  
Lavigne  
Leung  
Lincoln  
MacAulay  
Malhi  
Manley  
Martin (LaSalle—Émard)  
McCormick  
McKay (Scarborough East)  
McTeague  
Mifflin  
Minna  
Murray  
Nault  
O'Brien (London—Fanshawe)  
Pagtakhan  
Parrish  
Peric  
Pettigrew  
Pickard (Chatham—Kent Essex)  
Pratt  
Proulx  
Redman  
Richardson  
Rock  
Scott (Fredericton)  
Serré  
Shepherd  
St-Julien  
Stewart (Brant)  
Szabo  
Thibeault  
Ur  
Vanclief  
Whelan  
Wood—149

Guarnieri  
Harvard  
Ianno  
Jackson  
Jordan  
Karygiannis  
Kilger (Stormont—Dundas—Charlottenburgh)  
Knutson  
Lastewka  
Lee  
Limoges  
Longfield  
Mahoney  
Maloney  
Marleau  
Matthews  
McGuire  
McLellan (Edmonton West)  
McWhinney  
Mills (Broadview—Greenwood)  
Mitchell  
Myers  
O'Brien (Labrador)  
O'Reilly  
Paradis  
Patry  
Peterson  
Phinney  
Pillitteri  
Proud  
Provenzano  
Reed  
Robillard  
Saada  
Sekora  
Sgro  
St. Denis  
Steckle  
Stewart (Northumberland)  
Telegdi  
Torsney  
Valeri  
Volpe  
Wilfert

Hill (MacLeod)  
Hilstrom  
Johnston  
Kenney (Calgary Southeast)  
Laliberte  
Laurin  
Lill  
Mancini  
Mark  
Mayfield  
Ménard  
Meredith  
Morrison  
Nystrom  
Perron  
Plamondon  
Reynolds  
Ritz  
Rocheleau  
Schmidt  
St-Hilaire  
Stinson  
Strahl  
Thompson (Wild Rose)  
Tremblay (Rimouski—Mitis)  
Vautour  
Wasylcia-Leis  
White (North Vancouver)

Hill (Prince George—Peace River)  
Hoepfner  
Keddy (South Shore)  
Konrad  
Lalonde  
Lebel  
MacKay (Pictou—Antigonish—Guysborough)  
Marceau  
Martin (Winnipeg Centre)  
McDonough  
Mercier  
Mills (Red Deer)  
Muise  
Penson  
Picard (Drummond)  
Proctor  
Riis  
Robinson  
Sauvageau  
Solomon  
St-Jacques  
Stoffer  
Thompson (New Brunswick Southwest)  
Tremblay (Lac-Saint-Jean)  
Turp  
Venne  
Wayne  
Williams—112

## PAIRED MEMBERS

Anderson  
Normand

Lefebvre  
Nunziata

**The Speaker:** I declare the motion carried.

(Bill read the third time and passed)

\* \* \*

## CRIMINAL CODE

The House resumed consideration of Bill C-18, an act to amend the Criminal Code (impaired driving causing death and other matters), as reported (without amendment) from the committee.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division at the report stage of Bill C-18. The question is on Motion No. 1.

[*Translation*]

**Mr. Bob Kilger:** Mr. Speaker, I draw to the attention of the House that the hon. member for Barrie—Simcoe—Bradford has had to leave. I think you will find unanimous consent to have members who voted on the preceding motion recorded as having voted on the motion now before the House, with Liberal members voting nay.

[*English*]

**The Speaker:** Is there agreement to proceed in such a fashion?

**Some hon. members:** Agreed.

**Mr. Jay Hill:** Mr. Speaker, Canadian Alliance members present this evening are opposed to this motion.

## NAYS

## Members

Ablonczy  
Anders  
Bachand (Richmond—Arthabaska)  
Bellehumeur  
Bergeron  
Îles-de-la-Madeleine—Pabok)  
Bigras  
Borotsik  
Brison  
Cardin  
Casson  
Chrétien (Frontenac—Mégantic)  
Cummins  
Davies  
Debien  
Dockrill  
Dubé (Lévis-et-Chutes-de-la-Chaudière)  
Dumas  
Earle  
Epp  
Fournier  
Gauthier  
Girard-Bujold  
Godin (Châteauguay)  
Grey (Edmonton North)  
Guay  
Hardy  
Hart  
Herron

Alarie  
Asselin  
Bachand (Saint-Jean)  
Benoit  
Bernier (Bonaventure—Gaspé—  
Bernier (Tobique—Mactaquac)  
Blaikie  
Brien  
Cadman  
Casey  
Chatters  
Crête  
Dalphond-Guiral  
de Savoye  
Desrochers  
Doyle  
Duceppe  
Duncan  
Elley  
Forseth  
Gagnon  
Gilmour  
Godin (Acadie—Bathurst)  
Grewal  
Gruending  
Guimond  
Harris  
Hearn

*Government Orders*

[Translation]

**Mr. Stéphane Bergeron:** Mr. Speaker, Bloc Québécois members will be voting in favour of this excellent motion.

**Mr. Yvon Godin:** Mr. Speaker, NDP members will be voting against this motion.

[English]

**Mr. Norman Doyle:** Mr. Speaker, the members of the Progressive Conservative Party are voting no to this motion.

**Mr. Jake E. Hoepfner:** I will be voting no on this motion.

**Mr. Bob Speller:** Mr. Speaker, I rise on a point of order. I was called out of the House. I have now returned and want to have my vote applied with the government party.

• (1835 )

(The House divided on Motion No. 1, which was negated on the following division:)

*(Division No. 1361)***YEAS**

## Members

Alarie	Asselin
Bachand (Saint-Jean)	Bellehumeur
Bergeron	Bernier (Bonaventure—Gaspé—
Îles-de-la-Madeleine—Pabok)	Bigras
Brien	Cardin
Chrétien (Frontenac—Mégantic)	Crête
Dalphond-Guiral	de Savoye
Debien	Desrochers
Dubé (Lévis-et-Chutes-de-la-Chaudière)	Duceppe
Dumas	Fournier
Gagnon	Gauthier
Girard-Bujold	Godin (Châteauguay)
Guay	Guimond
Lalonde	Laurin
Lebel	Marceau
Ménard	Mercier
Perron	Picard (Drummond)
Plamondon	Rocheleau
Sauvageau	St-Hilaire
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Mitis)
Turp	Venne —41

**NAYS**

## Members

Ablonczy	Adams
Anders	Anderson
Assad	Assadourian
Augustine	Bachand (Richmond—Arthabaska)
Baker	Bakopanos
Barnes	Beaumier
Béclair	Bélangier
Bellemare	Bennett
Benoit	Bernier (Tobique—Mactaquac)
Bertrand	Bevilacqua
Blaikie	Blondin-Andrew
Bonin	Bonwick
Borotsik	Boudria
Bradshaw	Brisson
Brown	Bryden
Bulte	Byrne

Caccia	Cadman
Calder	Cannis
Caplan	Casey
Casson	Catterall
Cauchon	Chamberlain
Chan	Charbonneau
Chatters	Clouthier
Coderre	Collenette
Comuzzi	Copps
Cotler	Cullen
Cummins	Davies
DeVillers	Dhaliwal
Dion	Discepola
Dockrill	Doyle
Dromisky	Drouin
Duhamel	Duncan
Earle	Easter
Eggleton	Elley
Epp	Finlay
Folco	Fontana
Forseith	Fry
Gagliano	Galloway
Gilmour	Godfrey
Godin (Acadie—Bathurst)	Goodale
Graham	Gray (Windsor West)
Grewal	Grey (Edmonton North)
Grose	Gruending
Guarnieri	Harb
Hardy	Harris
Hart	Harvard
Hearn	Herron
Hill (Macleod)	Hill (Prince George—Peace River)
Hilstrom	Hoepfner
Hubbard	Ianno
Iftody	Jackson
Jennings	Johnston
Jordan	Karetak-Lindell
Karygiannis	Keddy (South Shore)
Kenney (Calgary Southeast)	Keyes
Kilger (Stormont—Dundas—Charlottenburgh)	Kilgour (Edmonton Southeast)
Knutson	Konrad
Kraft Sloan	Laliberte
Lastewka	Lavigne
Lee	Leung
Lill	Limoges
Lincoln	Longfield
MacAulay	MacKay (Pictou—Antigonish—Guysborough)
Mahoney	Malhi
Maloney	Mancini
Manley	Mark
Marleau	Martin (LaSalle—Énard)
Martin (Winnipeg Centre)	Matthews
Mayfield	McCormick
McDonough	McGuire
McKay (Scarborough East)	McLellan (Edmonton West)
McTeague	McWhinney
Meredith	Mifflin
Mills (Broadview—Greenwood)	Mills (Red Deer)
Minna	Mitchell
Morrison	Muise
Murray	Myers
Nault	Nystrom
O'Brien (Labrador)	O'Brien (London—Fanshawe)
O'Reilly	Pagtakhan
Paradis	Parrish
Patry	Penson
Peric	Peterson
Pettigrew	Phinney
Pickard (Chatham—Kent Essex)	Pillitteri
Pratt	Proctor
Proud	Proulx
Provenzano	Redman
Reed	Reynolds
Richardson	Riis
Ritz	Robillard
Robinson	Rock
Saada	Schmidt
Scott (Fredericton)	Sekora
Serré	Sgro

*Government Orders*

Shepherd  
Speller  
St-Jacques  
Steckle  
Stewart (Northumberland)  
Stoffer  
Szabo  
Thibeault  
Thompson (Wild Rose)  
Ur  
Vanclief  
Volpe  
Wayne  
White (North Vancouver)  
Williams

Solomon  
St. Denis  
St-Julien  
Stewart (Brant)  
Stinson  
Strahl  
Telegdi  
Thompson (New Brunswick Southwest)  
Torsney  
Valeri  
Vautour  
Wasylycia-Leis  
Whelan  
Wilfert  
Wood—220

Davies  
Dhaliwal  
Discepola  
Doyle  
Drouin  
Duncan  
Easter  
Elley  
Finlay  
Fontana  
Fry  
Galloway  
Godfrey  
Goodale  
Gray (Windsor West)  
Grey (Edmonton North)  
Gruending  
Harb  
Harris  
Harvard  
Herron  
Hill (Prince George—Peace River)  
Hoepfner  
Ianno  
Jackson  
Johnston  
Karetak-Lindell  
Keddy (South Shore)  
Keys  
Kilgour (Edmonton Southeast)  
Konrad  
Laliberte  
Lavigne  
Leung  
Limoges  
Longfield  
MacKay (Pictou—Antigonish—Guysborough)  
Malhi  
Mancini  
Mark  
Martin (LaSalle—Émard)  
Matthews  
McCormick  
McGuire  
McLellan (Edmonton West)  
McWhinney  
Mifflin  
Mills (Red Deer)  
Mitchell  
Muisse  
Myers  
Nystrom  
O'Brien (London—Fanshawe)  
Pagtakhan  
Parrish  
Penson  
Peterson  
Phinney  
Pillitteri  
Proctor  
Proulx  
Redman  
Reynolds  
Riis  
Robillard  
Rock  
Schmidt  
Sekora  
Sgro  
Solomon  
St. Denis  
St-Julien  
Stewart (Brant)  
Stinson  
Strahl  
Telegdi  
Thompson (New Brunswick Southwest)  
Torsney  
Valeri  
Vautour

DeVillers  
Dion  
Dockrill  
Dromisky  
Duhamel  
Earle  
Eggleton  
Epp  
Folco  
Forseth  
Gagliano  
Gilmour  
Godin (Acadie—Bathurst)  
Graham  
Grewal  
Grose  
Guarnieri  
Hardy  
Hart  
Hearn  
Hill (Macleod)  
Hilstrom  
Hubbard  
Iftody  
Jennings  
Jordan  
Karygiannis  
Kenney (Calgary Southeast)  
Kilger (Stormont—Dundas—Charlottenburgh)  
Knutson  
Kraft Sloan  
Lastewka  
Lee  
Lill  
Lincoln  
MacAulay  
Mahoney  
Maloney  
Manley  
Marleau  
Martin (Winnipeg Centre)  
Mayfield  
McDonough  
McKay (Scarborough East)  
McTeague  
Meredith  
Mills (Broadview—Greenwood)  
Minna  
Morrison  
Murray  
Nault  
O'Brien (Labrador)  
O'Reilly  
Paradis  
Petry  
Peric  
Pettigrew  
Pickard (Chatham—Kent Essex)  
Pratt  
Proud  
Provenzano  
Reed  
Richardson  
Ritz  
Robinson  
Saada  
Scott (Fredericton)  
Serré  
Shepherd  
Speller  
St-Jacques  
Steckle  
Stewart (Northumberland)  
Stoffer  
Szabo  
Thibeault  
Thompson (Wild Rose)  
Ur  
Vanclief

## PAIRED MEMBERS

Anderson  
Normand

Lefebvre  
Nunziata

**The Speaker:** I declare Motion No. 1 lost.

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.)** moved that the bill be concurred in.

**Mr. Bob Kilger:** Mr. Speaker, I rise on a point of order. The member for Ottawa—Vanier had to leave the Chamber. Otherwise I believe you would find consent to apply in reverse the results of the vote just taken to the motion now before the House.

**The Speaker:** Is there agreement to proceed in such a fashion?

**Some hon. members:** Agreed.

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

(Division No. 1362)

## YEAS

## Members

Ablonczy  
Anders  
Assad  
Augustine  
Baker  
Barnes  
Bélair  
Bennett  
Bernier (Tobique—Mactaquac)  
Bevilacqua  
Blondin-Andrew  
Bonwick  
Boudria  
Brisson  
Bryden  
Byrne  
Cadman  
Cannis  
Casey  
Catterall  
Chamberlain  
Charbonneau  
Clouthier  
Collenette  
Coppes  
Cullen

Adams  
Anderson  
Assadourian  
Bachand (Richmond—Arthabaska)  
Bakopanos  
Beaumier  
Bellemare  
Benoit  
Bertrand  
Blaikie  
Bonin  
Borotsik  
Bradshaw  
Brown  
Bulte  
Caccia  
Calder  
Caplan  
Casson  
Cauchon  
Chan  
Chatters  
Coderre  
Comuzzi  
Cotler  
Cummins

*Government Orders*

Volpe  
Wayne  
White (North Vancouver)  
Williams

Wasylycia-Leis  
Whelan  
Wilfert  
Wood—219

## NAYS

## Members

Alarie  
Bachand (Saint-Jean)  
Bergeron  
Îles-de-la-Madeleine—Pabok  
Brien  
Chrétien (Frontenac—Mégantic)  
Dalphond-Guiral  
Debien  
Dubé (Lévis-et-Chutes-de-la-Chaudière)  
Dumas  
Gagnon  
Girard-Bujold  
Guay  
Lalonde  
Lebel  
Ménard  
Perron  
Plamondon  
Sauvageau  
Tremblay (Lac-Saint-Jean)  
Turp

Asselin  
Bellehumeur  
Bernier (Bonaventure—Gaspé—  
Bigras  
Cardin  
Crête  
de Savoye  
Desrochers  
Duceppe  
Fournier  
Gauthier  
Godin (Châteauguay)  
Guimond  
Laurin  
Marceau  
Mercier  
Picard (Drummond)  
Rocheleau  
St-Hilaire  
Tremblay (Rimouski—Mitis)  
Venne—41

## PAIRED MEMBERS

Anderson  
Normand

Lefebvre  
Nunziata

**The Speaker:** I declare the motion carried.

\* \* \*

## CRIMES AGAINST HUMANITY ACT

The House resumed from June 9 consideration of the motion that Bill C-19, an act respecting genocide, crimes against humanity and war crimes and to implement the Rome Statute of the International Criminal Court, and to make consequential amendments to other acts, be read the third time and passed.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at third reading stage of Bill C-19.

**Mr. Bob Kilger:** Mr. Speaker, I rise on a point of order. If the House would agree, I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yea.

**The Speaker:** Is there agreement to proceed in such a fashion?

**Some hon. members:** Agreed.

**Mr. Jay Hill:** Mr. Speaker, Canadian Alliance members present this evening are opposed to this motion.

[Translation]

**Mr. Stéphane Bergeron:** Mr. Speaker, Bloc Québécois members will be voting in favour of this motion.

[English]

**Mr. Yvon Godin:** Mr. Speaker, NDP members are in agreement with this motion.

**Mr. Norman Doyle:** Mr. Speaker, Progressive Conservative members are voting in favour of this motion.

**Mr. Jake E. Hoepfner:** Mr. Speaker, I vote yea to this motion.

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

(Division No. 1363)

## YEAS

## Members

Adams  
Anderson  
Assadourian  
Augustine  
Bachand (Saint-Jean)  
Bakopanos  
Beaumier  
Bellehumeur  
Bennett  
Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok)  
Bernier (Tobique—Mactaquac)  
Bevilacqua  
Blaikie  
Bonin  
Borotsik  
Bradshaw  
Brison  
Bryden  
Byrne  
Calder  
Caplan  
Casey  
Cauchon  
Chan  
Chrétien (Frontenac—Mégantic)  
Coderre  
Comuzzi  
Cotler  
Cullen  
Davies  
Debien  
DeVillers  
Dion  
Dockrill  
Dromisky  
Dubé (Lévis-et-Chutes-de-la-Chaudière)  
Duhamel  
Earle  
Eggleton  
Folco  
Fournier  
Gagliano  
Galloway  
Girard-Bujold  
Godin (Acadie—Bathurst)  
Goodale  
Gray (Windsor West)  
Gruending  
Guay  
Harb  
Harvard  
Herron

Alarie  
Assad  
Asselin  
Bachand (Richmond—Arthabaska)  
Baker  
Barnes  
Belair  
Bellemare  
Bergeron  
Bertrand  
Bigras  
Blondin-Andrew  
Bonwick  
Boudria  
Brien  
Brown  
Bulte  
Caccia  
Cannis  
Cardin  
Catterall  
Chamberlain  
Charbonneau  
Clouthier  
Collenette  
Copps  
Crête  
Dalphond-Guiral  
de Savoye  
Desrochers  
Dhaliwal  
Discepola  
Doyle  
Drouin  
Duceppe  
Dumas  
Easter  
Finlay  
Fontana  
Fry  
Gagnon  
Gauthier  
Godfrey  
Godin (Châteauguay)  
Graham  
Grose  
Guarnieri  
Guimond  
Hardy  
Hearn  
Hoepfner

*Government Orders*

Hubbard	Ianno
Iftody	Jackson
Jennings	Jordan
Karetak-Lindell	Karygiannis
Keddy (South Shore)	Keyes
Kilger (Stormont—Dundas—Charlottenburgh)	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Laliberte	Lalonde
Lastewka	Laurin
Lavigne	Lebel
Lee	Leung
Lill	Limoges
Lincoln	Longfield
MacAulay	MacKay (Pictou—Antigonish—Guysborough)
Mahoney	Malhi
Maloney	Mancini
Manley	Marceau
Marleau	Martin (LaSalle—Émard)
Martin (Winnipeg Centre)	Matthews
McCormick	McDonough
McGuire	McKay (Scarborough East)
McLellan (Edmonton West)	McTeague
McWhinney	Ménard
Mercier	Mifflin
Mills (Broadview—Greenwood)	Minna
Mitchell	Muise
Murray	Myers
Nault	Nystrom
O'Brien (Labrador)	O'Brien (London—Fanshawe)
O'Reilly	Pagtakhan
Paradis	Parrish
Patry	Peric
Perron	Peterson
Pettigrew	Phinney
Picard (Drummond)	Pickard (Chatham—Kent Essex)
Pillitteri	Plamondon
Pratt	Proctor
Proud	Proulx
Provenzano	Redman
Reed	Richardson
Riis	Robillard
Robinson	Rocheleau
Rock	Saada
Sauvageau	Scott (Fredericton)
Sekora	Serré
Sgro	Shepherd
Solomon	Speller
St. Denis	St-Hilaire
St-Jacques	St-Julien
Steckle	Stewart (Brant)
Stewart (Northumberland)	Stoffer
Szabo	Telegdi
Thibeault	Thompson (New Brunswick Southwest)
Torsney	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Mitis)	Turp
Ur	Valeri
Vanclief	Vautour
Venne	Volpe
Wasylycia-Leis	Wayne
Whelan	Wilfert
Wood—224	

**NAYS**

## Members

Ablonczy	Anders
Benoit	Cadman
Casson	Chatters
Cummins	Duncan
Elley	Epp
Forseth	Gilmour
Grewal	Grey (Edmonton North)
Harris	Hart
Hill (Macleod)	Hill (Prince George—Peace River)
Hilstrom	Johnston
Kenney (Calgary Southeast)	Konrad
Mark	Mayfield

Meredith	Mills (Red Deer)
Morrison	Penson
Reynolds	Ritz
Schmidt	Stinson
Strahl	Thompson (Wild Rose)
White (North Vancouver)	Williams—36

**PAIRED MEMBERS**

Anderson	Lefebvre
Normand	Nunziata

**The Speaker:** I declare the motion carried.

(Bill read the third time and passed)

\* \* \*

**CANADA NATIONAL PARKS ACT**

The House resumed from June 9 consideration of the motion that Bill C-27, an act respecting the national parks of Canada, be read the third time and passed.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at third reading stage of Bill C-27.

**Mr. Bob Kilger:** Mr. Speaker, I rise on a point of order. Please take note that the member for Ottawa—Vanier is back in the Chamber. I believe you would find consent to apply the results of the vote just taken to the motion now before the House.

**The Speaker:** Is there agreement to proceed in such a fashion?

**Some hon. members:** Agreed.

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

(Division No. 1364)

**YEAS**

## Members

Adams	Alarie
Anderson	Assad
Assadourian	Asselin
Augustine	Bachand (Richmond—Arthabaska)
Bachand (Saint-Jean)	Baker
Bakopanos	Barnes
Beaumier	Bélair
Bélangier	Bellehumeur
Bellemare	Bennett
Bergeron	Bernier (Bonaventure—Gaspé—)
Îles-de-la-Madeleine—Pabok)	Bernier (Tobique—Mactaquac)
Bertrand	Bevilacqua
Bigras	Blaikie
Blondin-Andrew	Bonin
Bonwick	Borotsik
Boudria	Bradshaw
Brien	Brison
Brown	Bryden
Bulte	Byrne
Caccia	Calder
Cannis	Caplan
Cardin	Casey
Catterall	Cauchon
Chamberlain	

*Private Members' Business*

Chan  
 Chrétien (Frontenac—Mégantic)  
 Coderre  
 Comuzzi  
 Cotler  
 Cullen  
 Davies  
 Debien  
 DeVilliers  
 Dion  
 Dockrill  
 Dromisky  
 Dubé (Lévis-et-Chutes-de-la-Chaudière)  
 Duhamel  
 Earle  
 Eggleton  
 Folco  
 Fournier  
 Gagliano  
 Gallaway  
 Girard-Bujold  
 Godin (Acadie—Bathurst)  
 Goodale  
 Gray (Windsor West)  
 Gruending  
 Guay  
 Harb  
 Harvard  
 Herron  
 Hubbard  
 Ifody  
 Jennings  
 Karetak-Lindell  
 Keddy (South Shore)  
 Kilger (Stormont—Dundas—Charlottenburgh)  
 Knutson  
 Laliberté  
 Lastewka  
 Lavigne  
 Lee  
 Lill  
 Lincoln  
 MacAulay  
 Mahoney  
 Maloney  
 Manley  
 Marleau  
 Martin (Winnipeg Centre)  
 McCormick  
 McGuire  
 McLellan (Edmonton West)  
 McWhinney  
 Mercier  
 Mills (Broadview—Greenwood)  
 Mitchell  
 Murray  
 Nault  
 O'Brien (Labrador)  
 O'Reilly  
 Paradis  
 Patry  
 Perron  
 Pettigrew  
 Picard (Drummond)  
 Pillitteri  
 Pratt  
 Proud  
 Provenzano  
 Reed  
 Riis  
 Robinson  
 Rock  
 Sauvageau  
 Sekora  
 Sgro  
 Solomon  
 St. Denis  
 St-Jacques  
 Steckle  
 Stewart (Northumberland)  
 Szabo

Charbonneau  
 Clouthier  
 Collenette  
 Copps  
 Crête  
 Dalphond-Guiral  
 de Savoye  
 Desrochers  
 Dhaliwal  
 Discepola  
 Doyle  
 Drouin  
 Duceppe  
 Dumas  
 Easter  
 Finlay  
 Fontana  
 Fry  
 Gagnon  
 Gauthier  
 Godfrey  
 Godin (Châteauguay)  
 Graham  
 Grose  
 Guarnieri  
 Guimond  
 Hardy  
 Hearn  
 Hoepfner  
 Ianno  
 Jackson  
 Jordan  
 Karygiannis  
 Keyes  
 Kilgour (Edmonton Southeast)  
 Kraft Sloan  
 Lalonde  
 Laurin  
 Lebel  
 Leung  
 Limoges  
 Longfield  
 MacKay (Pictou—Antigonish—Guysborough)  
 Malhi  
 Mancini  
 Marceau  
 Martin (LaSalle—Émard)  
 Matthews  
 McDonough  
 McKay (Scarborough East)  
 McTeague  
 Ménard  
 Mifflin  
 Minna  
 Muise  
 Myers  
 Nystrom  
 O'Brien (London—Fanshawe)  
 Pagtakhan  
 Parrish  
 Peric  
 Peterson  
 Phinney  
 Pickard (Chatham—Kent Essex)  
 Plamondon  
 Proctor  
 Proulx  
 Redman  
 Richardson  
 Robillard  
 Rocheleau  
 Saada  
 Scott (Fredericton)  
 Serré  
 Shepherd  
 Speller  
 St-Hilaire  
 St-Julien  
 Stewart (Brant)  
 Stoffer

Telegdi  
 Thompson (New Brunswick Southwest)  
 Tremblay (Lac-Saint-Jean)  
 Turp  
 Valeri  
 Vautour  
 Volpe  
 Wayne  
 Wilfert

Thibeault  
 Torsney  
 Tremblay (Rimouski—Mitis)  
 Ur  
 Vanclief  
 Venne  
 Wasylcia-Leis  
 Whelan  
 Wood—225

## NAYS

## Members

Abлонczy  
 Benoit  
 Casson  
 Cummins  
 Elley  
 Forseth  
 Grewal  
 Harris  
 Hill (Macleod)  
 Hilstrom  
 Kenney (Calgary Southeast)  
 Mark  
 Meredith  
 Morrison  
 Reynolds  
 Schmidt  
 Strahl  
 White (North Vancouver)

Anders  
 Cadman  
 Chatters  
 Duncan  
 Epp  
 Gilmour  
 Grey (Edmonton North)  
 Hart  
 Hill (Prince George—Peace River)  
 Johnston  
 Konrad  
 Mayfield  
 Mills (Red Deer)  
 Penson  
 Ritz  
 Stinson  
 Thompson (Wild Rose)  
 Williams—36

## PAIRED MEMBERS

Anderson  
 Normand

Lefebvre  
 Nunziata

**The Speaker:** I declare the motion carried.

(Bill read the third time and passed)

• (1840)

[*Translation*]

**The Acting Speaker (Ms. Thibeault):** The House will now proceed to the consideration of Private Members' Business as listed on today's order paper.

## PRIVATE MEMBERS' BUSINESS

[*English*]

## YOUNG OFFENDERS ACT

The House proceeded to the consideration of Bill C-297, an act to amend the Young Offenders Act, as deemed reported (without amendment) from the committee.

**Mr. Chuck Cadman (Surrey North, Canadian Alliance)** moved that Bill C-297, an act to amend the Young Offenders Act, be concurred in at report stage.

**The Acting Speaker (Ms. Thibeault):** Is it the pleasure of the House to adopt the motion?

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**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Ms. Thibeault):** All those in favour of the motion will please say ye.

**Some hon. members:** Yea.

**The Acting Speaker (Ms. Thibeault):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Ms. Thibeault):** In my opinion the yeas have it. I declare the motion carried.

(Motion agreed to)

**Mr. Chuck Cadman** moved that the bill be read the third time and passed.

He said: Madam Speaker, I request consent to split my time with the hon. member for West Vancouver—Sunshine Coast.

**The Acting Speaker (Ms. Thibeault):** Is there unanimous consent?

**Some hon. members:** Agreed.

**Mr. Chuck Cadman:** Madam Speaker, Bill C-297, an act to amend the Young Offenders Act, has been around this place for a number of years now. It was first introduced as Bill C-260 in October 1997. In fact it was my first effort as a private member.

In May last year the government attempted to kill this private member's bill through a hoist motion. Fortunately the government subsequently reconsidered to withdraw its motion. The bill was allowed to proceed to a vote where all members of the House could exercise their voting rights. On May 25, 1999 it passed second reading by a vote of 164 to 75. My friends in the Bloc, most of the NDP and some Liberals voted against the bill but the vast majority of the House voted in favour of it. As is the process, the bill was sent to the Standing Committee on Justice and Human Rights.

With the prorogation of parliament it was reintroduced as Bill C-297 in November last year. According to the rules of the House it was then placed in the same position as previously and referred back to the justice committee.

On March 27 the bill was deemed to have been reported back to the House without amendment. We are now at the third and final stage of this legislation.

Madam Speaker, while I appreciate that you know the particulars of Bill C-297, I will briefly state them for the folks who may be watching the debate through the benefit of television tonight. There are some very serious misconceptions in the public, in the media and among some of my colleagues in this place about just what this bill proposes.

• (1845 )

The bill itself is relatively simple. It merely changes a sanction section of the Young Offenders Act from a simple summary conviction offence to a dual procedure or hybrid offence. What this means is that the crown attorney has the option, and I repeat the word option, of proceeding by summary conviction or by indictable offence. Indictable offences, of course, are reserved for the most serious of circumstances. The maximum sentence in this case is two years. In other words, offenders will receive provincial and not federal time at the top end; that is, the maximum.

What is the offence that is covered by this sanction, we may ask. It has to do with section 7.2 of the Young Offenders Act that covers the offence of wilfully failing to comply with a court undertaking to supervise a young person. As we all know, some young people come into conflict with our laws. Occasionally some of these young persons are considered to be a danger to the safety and security of the rest of our society and are held in custody until their case may be resolved.

Section 7.1 of the Young Offenders Act permits a responsible adult to sign an agreement with the court to supervise the young person. The young person is then permitted to leave custody under the supervision of that adult. The young person and the adult sign a form of contract with the court, agreeing that certain conditions will be followed for the protection and security of other citizens. These conditions might include refraining from alcohol use, geographic restrictions, not associating with specified individuals, curfews and any other condition the court deems appropriate. If the adult wilfully fails, and I stress the word wilfully, to properly supervise, as promised to the court, section 7.2 holds that adult accountable.

As I stated previously, the only real criticism of this bill comes from a misunderstanding or an unwillingness of some individuals to accept that this legislation has nothing whatsoever to do with parental responsibility to their children. We are not holding parents responsible for delinquent children through this bill. The parent of the child who throws a rock through a window or gets into a schoolyard fight is not affected by this bill. We are holding responsible only those adults who deliberately and voluntarily enter into a form of contract with the court to carry out certain defined duties of supervision. These adults are to be held accountable for their wilful failure to obey that contract.



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Those adults who make reasonable attempts to supervise or control their charges will not be subject to prosecution and conviction. Those adults who find they cannot control the young person can always advise the authorities and withdraw from their agreement to supervise. As I have said many times before, all the person who makes an undertaking has to do is to make a phone call to the authorities and advise of the difficulty in controlling that particular youth.

All this bill is attempting to do is to impress upon those who sign an undertaking and impress upon the young person the seriousness of the situation and to hold accountable those who wilfully fail to carry out their end of the bargain with the courts. We are only attempting to protect our citizens from additional crime and victimization by the young person who has been released into our community prior to the resolution of the initial charge or charges.

As has been stated many times by myself and others, including the Minister of Justice, this legislation has been incorporated within Bill C-3, which is essentially a re-writing of the Young Offenders Act. Some may well ask why I am pursuing Bill C-297 when the minister and cabinet through Bill C-3 have accepted the same initiative. The answer, of course, is quite simple: We can never be assured that Bill C-3 will become law.

Simply put, as of now, the Young Offenders Act is the law of the land. Bill C-297 amends the Young Offenders Act. Each and every day we do not have this change to our law results in another day in which the failing of the Young Offenders Act in respect of the criminal breach of an undertaking order is permitted to continue.

The minister recognized the problems of these undertakings when she incorporated my Bill C-297 almost word for word in her youth criminal justice legislation known as Bill C-3. All we are doing with Bill C-297 is bringing into law a portion of Bill C-3 to address the Young Offenders Act, the current law of Canada. Given the history of Bill C-3, we do not know when it will become law. Indeed, we do not even know if it will become law. If and when it does, we do not know if it will remain in its present format.

In fact, yesterday, when I asked the minister if we would have new legislation before an election call, she declined to give a direct answer.

• (1850)

However, we do know that Bill C-297 is acceptable to the Minister of Justice because she used it when she prepared Bill C-3. We do know that the majority of this place voted at second reading to pass the legislation and send it to the justice committee. We do know that the bill was returned to this place without amendment.

It is good law. It is one of the primary reasons I sought election to parliament. I think many members know that I have a very personal reason for proposing the legislation. If it succeeds in

addressing justice in even one instance during the anticipated limited existence of the Young Offenders Act, then we as parliamentarians will have fulfilled some of our responsibilities as legislators.

I appreciate that some may question the placing of this legislation on our agenda when the government plans to address the issue with its own legislation. However, that legislation is severely stalled. It may be shelved or radically changed. It may never see the light of day. We simply do not know what will happen to it.

Bill C-297 is on the parliamentary calendar. It is a private member's initiative. I understand it has the support of a significant portion of members. It is my understanding that most, if not all, of my colleagues in the Canadian Alliance will be supporting the bill. It is my hope that many, if not all, members of the government will support the legislation as it does exactly as proposed by the Minister of Justice in Bill C-3.

The minister has incorporated my initiative into her legislation, and I thank her for her support. Members of the New Democratic Party and the Progressive Conservative Party have spoken in support of the bill. I urge everyone to carefully consider its aim, its content and its consequences for victims of crime and for the support and respect of our justice system. I urge all members to support the bill.

**Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance):** Madam Speaker, it is indeed a pleasure to contribute to the debate and add my support to Bill C-297 introduced by my colleague, the member for Surrey North.

The legislation now before us is testament to the determination and dedication of the member for Surrey North in his campaign to bring some semblance of rationale to the Young Offenders Act and to put some emphasis and focus on an area that cries out for attention.

As most members of the House now know, the member for Surrey North and his family have been visited upon by youth crime. In 1992 the member's son, Jesse, was killed by a young offender. This young offender was in the community on what is called, under the Young Offenders Act, a section 7.1 undertaking. We are here today to address this section by way of the member's initiative to ensure such a tragedy, like the kind that befell the member for Surrey North and his family, can from this point on be averted.

As the member for Surrey North has said, the bill is simple and minor. However, the consequences of the bill are profound, addressing an issue that begs for attention and justice. In short, Bill C-297 calls for parents and guardians of young offenders to account when they fail to discharge their responsibility to supervise. One would not think that we would have to tell parents and guardians of their responsibilities in such instances, but alas, some

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parents and guardians are less responsible than the young offender in their charge. It is sad but true. The son of the member for Surrey North was a victim of this irresponsible and reprehensible parenting.

Bill C-297 changes section 7.2 of the Young Offenders Act from a simple summary conviction offence to a dual procedure or hybrid offence. If passed, Bill C-297 would make offenders of section 7.1 of the Young Offenders Act subject to either imprisonment of up to two years or the normal summary conviction penalties.

This amendment, by way of this private member's bill, should not cause the government much concern. In fact this initiative forms part of the new Youth Criminal Justice Act, Bill C-3. Sometimes it takes a Canadian Alliance initiative to make things right, even if the government cannot admit it.

Allow me to outline the genesis of Bill C-297 and what it attempts to accomplish. Section 7.1 of the Young Offenders Act permits a youth court judge to allow an accused person, who would otherwise be held in custody, to be placed in the care of a responsible person who must undertake in writing to be responsible for the attendance of the young person in court as required, and to ensure compliance with such other conditions as the youth court judge may specify. At the same time, the accused youth must also undertake in writing to comply with the aforementioned arrangements and to comply with any other arrangements as specified by the youth court judge. It seems fairly straightforward and easy to understand. It simply allows a parent or guardian to supervise the young person until charges are decided by the court. It is a form of custody outside of formal detention and can be considered bail.

One would think that any responsible parent or guardian would enter this contract with the courts in good conscience and abide by the terms and conditions. One would think that no matter what the penalty would be for breaking the contract, the parent would be mature enough to comply. Sadly, as was the case involving my colleague for Surrey North, some parents wilfully fail to provide proper and sufficient supervision. It is this negligence on the part of the parent or guardian that Bill C-297 seeks to address. It is a shame that some parents are less responsible than the young person who is supposed to be in their custody. This bill would make it clear for those irresponsible types that the penalties for breaking the contract are very severe.

• (1855)

During his opening remarks in earlier debate on Bill C-297, the member for Surrey North painted a tragic and bleak picture, which I will paraphrase. For example, suppose one of the terms and conditions of the handing over of the young person to the parent or guardian is a parent agreeing to a curfew to ensure that the young person, while awaiting court, is not tempted to fall back into a

situation where friends can influence the person and cause that person further criminal charges. What if the parent has always been the problem, never raising the young person properly to begin with, running loosey-goosey rules of curfew and never paying much attention to the young person's lifestyle? Is it not time for that parent to be held accountable for this irresponsibility?

There is no doubt that most Canadians have come to realize that parents have to take more responsibility in raising their children and that they should not start after they offend. It should be a deeper responsibility. Raising children is a commitment. It means more than having them around as accessories. Bill C-297 reinforces that premise.

In Bill C-297, if a young person merely breaks a condition of release, then the parent may face a summary conviction procedure for this failure to comply with the undertaking to supervise. If the breach of the release condition leads to the commission of a serious offence by the young person, that same parent may be subject to an indictable proceeding. Like all hybrid offences, the crown has the option. In the final analysis, the judge naturally has the final say on the appropriate punishment.

We must impose on parents the gravity of improper, irresponsible parenting, particularly when they have entered into a contract with the courts. We have a responsibility to society to protect the innocent, the innocent like Jesse Cadman. If a parent thwarts this responsibility by not complying and wilfully breaks this trust they accepted, then penalties should be imposed.

Some will say that Bill C-297 blames the parents for crimes committed by their children. This is not the intent of Bill C-297, as the member for Surrey North pointed out. Young persons are responsible for their actions. Bill C-297 simply says that parents or guardians are guilty of an offence for failing to comply with an undertaking they entered into with the courts. It is a serious commitment and not to be taken lightly. If they cannot comply or have no intention of honouring the commitment, they should never have entered into the contract in the first place.

Bill C-297 requires our support now. We cannot wait for Bill C-3 which contains the essence of this private member's bill. I ask my colleagues on the government side and opposition members, who have already agreed, to acknowledge the urgency of this legislation and add their support.

Finally, I congratulate the member for Surrey North for his tenacity, in the three years we have been here since the last election, in getting his private member's bill to this stage and for the great work that he has done. Most constituents never see it when their people are working in committee. There is no more dedicated member than the member for Surrey North when working in committees of the House of Commons. I and I know all members of the House congratulate him for that. He has worked

very hard since he has been here. I hope and trust that we will see this bill passed and become law so that what happened to his family will never happen to another family in Canada again.

[*Translation*]

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Madam Speaker, I must say at the outset that I understand what can motivate the member to present such a bill. However, I will surprise no one by saying that we, in the Bloc Québécois, cannot support a bill aimed at changing certain rules provided for in the Young Offenders Act, which is working well at this time.

I am not saying that the Young Offenders Act is the answer to all the questions and all the problems and that it cannot be touched. That is not what I am saying.

However, with regard to the subject matter of the bill proposed by the member from the Canadian Alliance, it works. We must not change the whole procedure and change legislative provisions based on a single unfortunate incident.

• (1900)

Obviously, out of a large number of cases, there will always be one, two or three cases where people did not meet their commitments, which is unfortunate. It happens with young offenders as well as with adults, and each time people do not meet their commitments or honour their signatures, there must be a penalty. Certain penalties are currently provided for in the Young Offenders Act, and we must not touch that.

Before getting into the details of the bill, I would like to comment on some of the things the Canadian Alliance member said in order to set the record straight.

The member said he could not trust the government on this, simply because Bill C-3, the government bill that treats young people as criminals and increasingly turns the youth justice system into an adult system, is somehow a rewrite of the Young Offenders Act. Nothing is further from the truth. It is totally false.

I must confess I am extremely proud to say that I am the one to blame for Bill C-3 not being passed before the end of this session in June. I am the one, and I am proud of it. I am preventing its going through committee stage with my endless speeches, and this is why the government decided to move on to something else.

Why am I doing this? Simply because, in Quebec, we enforce the Young Offenders Act the way it should be enforced, and it is bearing fruit. When I am saying that, I am not just talking through my hat. We have the statistics to prove it, the same Canadian government statistics the minister is using to do her sell job, except that she makes a selective use of statistics.

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These statistics show that Quebec has the lowest youth crime rate and the lowest recidivism rate in all of Canada. Why? Because we invest where it counts, namely in the reintegration and social rehabilitation of young offenders. We did not start yesterday and we are not about to stop either.

If the member really wanted to improve certain things, he could ask his provincial government to look at the Quebec model and see to it that his province does the same thing.

If I said that we have been at it for a long time and that we have not stopped, it is because recently the Quebec government decided to deal with delinquency at its onset, because it is well known that delinquency starts at a very early age, especially in low income families. The poorer you are, the more likely you are one day to have a brush with the law. Quebec is poised to invest up to \$20,000 per child in the zero to five age group. In total, Quebec is willing to invest \$100,000 per young person to prevent delinquency and assist the very parents the member wants to help with his bill.

Here again we have the statistics to prove that there is less violence in Quebec. There is still some violence, but less so than in other provinces. And as long as there is violence, we will have to intervene, I am quite aware of it.

In Quebec, we have civil provisions as well providing that parents have the right and duty of guardianship, supervision and education of their child. I believe there is similar legislation in other provinces also. On the civil level, then, the parent has a certain degree of responsibility if the child causes damage.

On the criminal level, there have been some very sweeping studies done in Quebec, one of them the Jasmin report, to which I have referred a number of times. Justice Jasmin, the co-ordinating judge of the youth court, carried out an exhaustive study of this matter and reached the conclusion that—to connect this directly with the hon. member's bill—what the member wants to do must not be done, that is criminalize parental non-compliance with an undertaking they have signed in relation to a commitment to release or support their child who is experiencing problems.

• (1905)

All parents cannot be lumped together. The situations must be analyzed case by case and discretion must be left for the head of the tribunal, the judge who examines the situation and will bring down the decision required to attain the objective of returning the young person to society as soon as possible.

We know that Bill C-297 has a negative effect on three major points in terms of youth rehabilitation. That is why we are opposed to it. A potential two year jail sentence for the parents is not going to help their child fit back into society, when he has the example of parents who have not honoured an undertaking and have ended up behind bars.

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I think the government must support and accompany such parents so they realize the importance of the undertaking they have signed, but not to make them criminals by doing so because of something their child did.

The second thing concerns the parents dealing with the situation. As I said earlier, it is often parents who have nothing, who are living in poverty, are needy and do not understand the whys and wherefores of the undertaking they have signed. I am not saying that all those who sign it do not understand it, but I can say that, with the way the courts proceed and given the volume of cases presented, parents sign undertakings and often leave the court without understanding the implications of the undertaking they have signed.

The third point concerns a situation that could arise through a young person's abuse of his parents. We know that at certain stages of their development, adolescents go through periods of rebellion. Who is to say that, with a bill such as the one the hon. member would like passed, the young person would not use it to blackmail his parents, saying "Listen Dad, Mum, you signed that. If I make a mistake or if I go back to court, you will pay for it. What is more, you could end up in prison".

At present, the law contains a certain balance, especially as concerns parental undertakings. The undertaking must be honoured and nothing must be done that would alter the balance of parent-child pressure. These things work well, as I said earlier and should remain in force.

In conclusion, I wish to say that before trying to amend individual sections of the Young Offenders Act because of situations in our riding or our province, we must look at the overall picture.

I have a question for the member to put to his provincial legislature, to the police in his province, and to all those with direct or indirect responsibility for enforcing the Young Offenders Act: How are they applying the legislation and what is their policy with respect to young offenders? Very often, he will see that the answer is next to nothing. That is where he needs to direct his efforts, to harp on this as often as possible so that the provinces apply the legislation properly and invest properly in retraining and rehabilitation, as the Young Offenders Act now in force requires them to do.

[English]

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Madam Speaker, I am pleased to rise to take part in this important debate that deals with youth in this country.

I want to begin by commending the hon. member for Surrey North who has been tireless in his efforts on this subject. The hon. member has much credibility and great sincerity with respect to this issue, as it holds great personal importance for him. I

commend him for this, for all the work he does on the justice committee and for the contributions he makes.

• (1910)

Bill C-260 was the forerunner to the present bill, Bill C-297, which would amend the Young Offenders Act in its current form and place significantly more responsibility on persons who agree to ensure that young persons will abide by specific court conditions. They would be sureties that the judge would look to to give the public the confidence that in fact conditions that are placed on a young person will be adhered to. Most often it would involve parents, but there would certainly be guardian situations and times when agencies would be involved in the assumption of these responsibilities.

In the time that has passed since October 1997 the government has had ample time to revamp the Young Offenders Act and could very easily have incorporated much of the same spirit that is behind Bill C-297.

In that time the youth criminal justice bill has been brought forward in parliament and has been before the justice committee. Sadly, it is hopelessly bogged down in that committee and will not see the light of day in the remaining time we have in this parliament. The majority of witnesses who appeared during the deliberations on Bill C-3 consistently denounced the bill in its present form. They were very much in opposition to the bill itself and the manner in which it was drafted. For these reasons and many others, it brings us to the current day where a new bill is sitting on the order paper in the committee and, because of a number of factors, the country will be deprived of very common sense and very positive amendments that could have been made, much like the premise of the private member's bill.

Public pressure is very much on the Liberal government to change this legislation because there is an active feeling in the country that the youth criminal justice system is not working. It has in fact failed Canadians and exacerbated the situation to such a degree that there are many young people in the country who feel that the current legislation protects them rather than Canadians.

I would be the first to acknowledge that there are parts of the country where the current legislation works better than others. One of those provinces is Quebec. The initiatives taken within the justice system in the province of Quebec are quite innovative. It leads the country in many regards in the application of programs and the positive initiatives that can and do in fact take place under the current legislation. That province has interpreted this legislation in such a way that it works better there than it does in many other provinces. We have to be quick to acknowledge that. It signals that the problem is something that can be addressed.

Sadly, one of the most overriding flaws in our current young offenders system is the lack of funding, the lack of resources which

the current government has allotted to address the issue. We know that the original intent of the Young Offenders Act was that the funding would be shared 50:50. The federal government has never approached that level of funding commitment. It has never held up its end of the bargain. In spite of this, Quebec has been able to be very innovative and use programs to move into areas of restorative justice, early intervention, police counselling and community policing.

That is what was behind the spirit of the new youth criminal justice bill, minus the funding. In fact, what we saw was a bill that became very convoluted and very cumbersome in terms of the references, new interpretations and new processes that we would be putting into place. There were things like a parole system for young individuals that would undermine any concept of truth in sentencing that currently exists.

We would see a new type of system that would determine whether an offence was a violent offence or a serious violent offence; very esoteric and subjective notions which would be a make-work program for many lawyers. I know that there are many criminal defence lawyers in the country and we heard from many of them at the committee. They were wringing their hands in anticipation of the work that was going to be created by this new youth criminal justice act.

There is a great and dire need for the government to introduce legislation that will be effective, and effective in a way that will address the current problems, but will also streamline the way the system is working and address the issues of funding, not only for those in the policing community, but also for those in social services upon whom much of the responsibility of the current system falls.

• (1915)

There have been many high profile cases in recent years. The previous speakers would be very aware of them. Many of the cases have tragic implications. I am speaking of cases involving victims such as Clayton McGloan, Matti Baranovski and Jonathan Wamback.

I had the pleasure of meeting Jonathan Wamback's parents quite recently in Newmarket, Ontario, and again recently in February. We heard from Mr. Wamback at the justice committee. He raised many of the same concerns we are discussing which form the premise of this debate.

Their teenage son Jonathan was brutally attacked by a group of teenage thugs and is still recovering from life threatening injuries. As a result of this incident, his father Joseph Wamback is actively involved in a petition drive that has currently received over 800,000 signatures. The petition calls for mandatory adult court trials of youths charged with serious violent offences with sentencing changes which involve strict incarceration, mandatory treatment programs and compulsory follow-ups, to mention a few of the initiatives.

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It is the action of concerned citizens like Mr. Wamback as well as the actions of members of the House that are needed to bring about legislative change. Bill C-297 is a very good beginning in dealing with but one of the many complex mosaic of issues that arise in our youth criminal justice system.

Sadly Bill C-3 will very likely die in committee. It is too complicated. It establishes too many hurdles. Most of all it accomplishes persistent, experienced, repeat offenders preying upon a system that does not address their needs and does not address the needs of the public.

Teenage victims like Matti Baranovski and Clayton McGloan lost their lives in violent attacks by young offenders. Their cases and that of Jonathan Wamback are glaring examples of what is currently wrong with our system and our ability to address serious violent offences. If Bill C-3 were to pass it would only aggravate and further undermine the confidence of Canadians in an overloaded and overburdened system.

As a crown attorney I have had firsthand experience in dealing with young individuals, the victims and their families, and the fallout. When I was elected as a member of parliament I came to this place on a platform that included changing in whatever way I could the way in which the system and the Young Offenders Act were operating.

The Progressive Conservative Party has advocated changes. One of the changes is to give judges more power to impose mandatory treatment on troubled youths, those in need of therapy, those in need of an attitudinal adjustment that came about through no fault of their own. Many young people who find themselves involved in the criminal justice system have been victims themselves and have come from extremely troubled homes. They have been involved in alcohol and substance abuse and have never had an example or a guiding hand. With early intervention and the attention and counselling that sometimes come with it, those individuals would have a chance.

We in the Conservative Party would also be advocating an ability to make it easier to transfer serious violent crime cases involving young offenders to adult court. Much of that has been accomplished. We would also enact parental responsibility into our system in the way in which young offenders would be held financially responsible, as would their parents if there was in fact culpability.

We would lower the age of accountability to include violent criminals of all ages. Currently violent offenders below the age of 12 face no criminal punishment under our system. I saw on many occasions the failings of our system up close and personal.

I commend the efforts of the member for bringing the bill forward. It is a bill that we support. It is a bill that we very much embrace in the need and the drive to change our system.

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With Bill C-3 the focus is correct. The focus is on rehabilitative front end justice, modelled after what they are doing in the province of Quebec. I support that. However, to have front end preventive measures enacted it is necessary that the resources and the focus be there to help those programs reach fruition.

The type of initiative before us in the form of a private member's bill is very much a step in the right direction. We need to broaden the approach and create more accountability, and this is what the bill seeks to do. By putting greater emphasis on protecting the public Bill C-297—

**The Acting Speaker (Ms. Thibeault):** I am sorry to interrupt the hon. member but his time is over.

• (1920)

[*Translation*]

**Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ):** Madam Speaker, I want to say at the onset, as mentioned by my colleague, the member for Berthier—Montcalm, our party's justice critic, that even though the Bloc Québécois is not in favour of the bill, we have the greatest of respect for what motivated its mover.

We understand that very private event in his life, which I am told was the reason he entered public life, led him to look at the role of parental responsibility within the context of delinquency, I would even say of the criminalization of young persons.

However we have to be very consistent with the approach and the values we have always adhered to in this regard and that are somehow part of the Quebec model.

There is a Quebec model in philanthropy, economic development and cultural affirmation. There is also one in the way we see equal opportunity. This vision of equal opportunity makes us realize that we are not all born equal, and I will get back to this later.

My colleague from Berthier—Montcalm established a somewhat mathematical link between the potential for crime in young persons and the environment they live in. As the member for Hochelaga—Maisonneuve, I am keenly aware when I rise in this House with the ardour, enthusiasm and determination that are my trademark, that, unfortunately, without prevention some of my constituents may in the future join the ranks of these youths who may, at one time or another, turn to abuse and delinquency.

The Quebec model leads us to believe that there must be a difference. I wholeheartedly subscribe to what the member for Berthier—Montcalm said. There must be a difference between the way we administer justice for young offenders and for adults. This

difference must be centered on the potential for rehabilitation we believe in.

As a member of parliament, I have often seen young people of 14 or 15, and sometimes as young as 13, who belonged to gangs. They were subject to what was not always a positive influence, even though there were very often parents in the picture, parents who did their best to be good role models for their children. This can happen at a time when young people are vulnerable also.

Why are we vulnerable at 13, 14 or 15? We were all that age once. For some of us, that was longer ago, but we were all 13, 14 or 15 at one time. That is a time when we rebel. There are some for whom that rebellion goes on for quite some time, but we were all members of gangs at one time. At that particular time in our lives, we try to distance ourselves from parental authority. We ask ourselves questions. It is a time of life when physical transformations occur and we do not always understand them. It is a time when we wonder whether we have a place in society. It is a time when we ask ourselves questions about the future.

If we do not find satisfactory answers, we may try various ways to attract people's attention and look for ways to challenge the social order. Some young people may choose delinquency.

In Quebec, we have always believed in rehabilitation. Incidentally, I must say that the Bloc Québécois is extremely disappointed to see that the government decided to make the Young Offenders Act, which will become the youth criminal justice act, much harsher.

• (1925)

We do not understand. Still, we are well aware that the Minister of Justice, who is from Alberta, is moved by electoral motives. She must be more to the right than the Liberal Party's natural position. Why is such a thing happening in the year 2000? It is because there are clear indications—and political intuition never fails—that we are on the eve of an election. And on the eve of an election campaign, the whole issue of the reform of the Young Offenders Act is of particular importance in western Canada.

We all know that in Alberta and Saskatchewan and, to a lesser degree in British Columbia, there is the issue of radicalization. It involves discovering whether the Liberal Party or the Canadian Alliance Party will go farther in radicalizing justice and the treatment of young people.

I congratulate myself and the member for Berthier—Montcalm for not having lost sight of the values of justice and rehabilitation of young Quebecers.

Members will recall 1988, which was an important year in parliamentary annals. The year 1988-89 is important because, as the member for Québec and critic on poverty reminded us frequently, this parliament decided to eliminate poverty. A resolution was

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passed by all parties in the House. It was a time when politics lived without the Bloc Québécois, with the litany of injustices against Quebec that that meant.

I want to remind members that in 1988-89 all political parties represented in the House passed a resolution to ask this government to reduce poverty substantially over 10 years. There was even talk of eliminating child poverty.

To add to this fight against poverty, the Progressive Conservative Party, whose political weight we are aware of at the moment—and I do not want to bring back bad memories for anyone—which was in government at the time passed the CAPC program, the community action program for children.

Why am I mentioning this program? Some may say that the member for Hochelaga—Maisonneuve is wandering off topic, which is not like him. One of the objectives of this program was to develop parenting skills. In my riding, there were several projects.

We do not always learn how to become parents. There are no courses on becoming parents. It sometimes happens in life that one is faced with a pregnancy and one sets out on this adventure that most of us find exciting, but one does not always have the parenting skills to cope with the various human development challenges that arise.

The community action program for children was designed to provide parents with tools for developing a meaningful relationship with their children and keeping them from turning to delinquency.

If Bill C-297 were passed, it would mean that we could find ourselves in a situation where this vital parent-child relationship could be destroyed. When I say this, I do not in any way wish to downplay the importance of parental responsibility. In the Quebec system, the civil law system, there is full provision for parental responsibility. There are even mechanisms for the loss of parental authority.

I will conclude by saying that we understand the hon. member's entirely legitimate motivations. We hope that he will decide, as the Bloc Québécois has done, to invest in prevention and to believe that one cannot have the same justice system for both young people and adults.

It is with these considerations in mind that the Bloc Québécois, with its usual sense of responsibility, has unfortunately concluded that it will be unable to support the bill before us.

• (1930)

[*English*]

**Mr. Derrek Konrad (Prince Albert, Canadian Alliance):** Madam Speaker, it seems that some people construe this bill as an

attempt to oppress people, throw kids in jail and throw away the key. It is actually about accountability and accepting responsibility and consequences for one's actions and undertakings.

I am grateful for the opportunity to rise today to speak to the private member's bill of my hon. colleague from Surrey North, Bill C-297. Last November I was ready to speak to Bill C-3, the new youth criminal justice act, which incorporated the entire substance of Bill C-297. Unfortunately, the hon. member's words and remarks of last year have come true. He said of the government's legislation "Quite simply, I do not anticipate that the new youth justice legislation will be implemented for some time yet. I have heard possibly by year's end at the earliest, but even that may be wishful thinking".

He also thought that this amendment was sufficiently important to be incorporated within the present Young Offenders Act. As there is much to complain about the current legislation, it seems that we are left to reform by amendment rather than come up with new legislation that will do the job. We will wait to see if Bill C-3 can get out of committee before the next election. In the meantime, I certainly wish this bill success because the government's legislation seems to be bogged down.

The hon. member for Surrey North is right. This legislation is of sufficient importance. From all accounts, it has sufficient support from most members of the House to succeed, despite the actions of the Bloc Québécois in committee, which is filibustering the whole youth criminal justice bill. Consequently, this bill had to be brought back to the House in its present form, rather than incorporated in the new legislation that was meant to cover the entire range of youth justice.

I was going to say that it will be interesting to see if Bloc members will support this private member's bill, but according to the speeches we have just heard, obviously they are not interested in accountability and responsibility.

Bill C-297 seeks to amend section 7.2 of the Young Offenders Act by allowing a youth court judge or a justice to allow an accused young offender to be placed in the care of a responsible person. This person would undertake in writing to be responsible for the attendance of a young person in court when required and comply with other conditions that a youth court judge or justice may specify, such as curfews. The young person would also comply in writing with the arrangements and other conditions specified by the youth judge or justice. It is a form of bail. It is also a contract, with all the inherent elements of a contract, such as responsibility, terms, conditions and penalties for breaching the contract.

Bill C-297 seeks to broaden the accountability of those who have in writing agreed to provide proper supervision for the young person involved. This amendment would broaden the consequence of failure of compliance to the conditions of the contract from a

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simple summary conviction to a dual procedure or a hybrid offence. Failure to comply under the new amendment would be punishable by up to two years of imprisonment. It is a fairly serious punishment.

Currently, failure to supervise constitutes a summary offence punishable by a fine of up to \$2,000 or six months of imprisonment, or both, which for some offenders is a very small requirement. One could argue that serious incidents seldom happen with such breaches under the current system. This may or may not be so. However, no matter if there were absolutely no incidents, such an amendment would still be necessary because the seriousness of the issue would still exist.

This is definitely not a frivolous amendment, as the Bloc would construe it. It is obvious, merely by the inclusion of this amendment in the legislation of the Minister of Justice, Bill C-3, that there is widespread support for this initiative.

• (1935 )

It is important to note what this legislation is not. It is not the sins of the sons or daughters being visited upon the parents. This is a common misconception of the bill. No adult will vicariously suffer any penalty for the misdeeds of a youth. The circle of accountability has been broadened with this amendment, as has the circle of responsibility.

Both the adults and the courts will have agreed to take on this responsibility. With the passage of this bill the courts would have a choice of summary conviction or to proceed by way of indictment. That is a choice for the courts to make.

If those responsible for the accused decide that the responsibility would be too much for them to handle, if circumstances change during that time, or even if the young person violates the agreement, the adult has the means to change the contract or has the option to inform the authorities. In fact, I would say that the adult has the responsibility to inform the authorities.

Taking on such a responsibility as that of parents and guardians for youth charged with crimes would be a tall order, requiring a serious commitment to the task. For instance, if a youth had ADD or ADHD the parents would have to consider carefully their capacity to supervise and to comply with the agreement. Such a disorder has a huge effect on behaviour. Parents of youth with ADD or ADHD would say that it is difficult to manage at the best of times. It would be almost impossible to ask parents or guardians to be responsible for such an unpredictable situation and person.

The amendment would also bring to bear the gravity of the agreement that would well address the relationship of the youth to the parents or guardians. Rather than exacerbate the situation between the parents and the youth, this amendment would call upon the parents to acknowledge responsibility where perhaps none existed before. Rather than avoiding the situation of lack of

parental supervision, which may have contributed to the charges in the first place, a positive reaction would be the clarity in the issue of responsibility brought to the attention of the parents or guardians. A clear choice would be made by the parents and a serious consequence would be the result of failure to comply with an agreement. Again, I must reinforce that this is not a forced choice, but a serious one nonetheless.

I was glad to read of the support from members of both the government and the opposition for this bill. We know that we are on the right track and that my hon. colleague is right to have this amendment in a private member's bill, given the state of Bill C-3 being bogged down in a Bloc engineered filibuster in the standing committee.

In this amendment we do not see a "throw the book at them" approach, of which we on this side are sometimes accused. We do see the bar of accountability and responsibility raised for both the courts and those who seek to enter such an agreement. The punishment for failure is greater because the stakes are higher and the cost of failure of compliance can be great. People experience and in fact my hon. colleague from Surrey North experienced the cost of failure to comply. No one knows the price of the failure of the current system better than he does.

Reading the speeches of the various members of the parties in the House I see a common refrain: Canadians want more accountability on the part of parents for the criminal actions of their children. We also hear from some quarters that society is to blame and that accountability is somehow everyone's responsible. We know that when we say everyone is responsible, that usually means no one is responsible.

We must get to the root of crime. Peer pressure, poverty and a myriad of other conditions contribute to the decision to break the law, but we also know that there are many young offenders for whom social conditions were not a factor. It is a complex issue, but let me say that it is also a decidedly simple one. Our personal actions are ours alone. We take on responsibility individually and our accountability is personal.

The bill strikes a chord at all levels: the courts, the adult population and youth. The act, by enlisting the co-operation of parents or guardians in the courts, illustrates to the young offender that even adults must act with some sense of responsibility.

This seemingly tiny bill, the purpose of which is to make a common sense amendment to the Young Offenders Act, illustrates clearly that while people may forgive, circumstances can be very unforgiving. The circumstances which resulted in the death of the son of the hon. member for Surrey North were the result of a series of wrong decisions made by individuals. He and his wife and daughter will never recover from the loss. He and his family have turned their tragedy into a positive crusade to save others from similar pain. He is to be commended for his courage in acting upon his convictions.



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• (1940)

I call upon all hon. members of the House to put aside partisan concerns, consider not only where the bill came from, but the possible consequences to people and their families if we fail to enact the bill. I call upon all members of the House to please support this legislation.

**The Deputy Speaker:** The time provided for the consideration of Private Members' Business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

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## GOVERNMENT ORDERS

[*Translation*]

### PARLIAMENT OF CANADA ACT

**The Deputy Speaker:** Pursuant to order made on Monday, June 12, 2000, the House in committee of the whole will now proceed to the consideration of Bill C-37, an act to amend the Parliament of Canada Act and the Members of Parliament Retiring Allowances Act.

I do now leave the chair for the House to go into committee of the whole.

(The House went into committee thereon, Mr. Milliken in the chair)

[*English*]

**The Chairman:** Shall clause 1 carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Clause 1 agreed to)

**The Chairman:** Shall clause 2 carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Clause 2 agreed to)

**The Chairman:** Shall clause 3 carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Clause 3 agreed to)

**The Chairman:** Shall clause 4 carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Clause 4 agreed to)

**The Chairman:** Shall clause 5 carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Clause 5 agreed to)

**The Chairman:** Shall clause 6 carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Clause 6 agreed to)

**The Chairman:** Shall clause 7 carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Clause 7 agreed to)

**The Chairman:** Shall clause 8 carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Clause 8 agreed to)

**The Chairman:** Shall the title carry?

(On the title)

**Mr. Greg Thompson (New Brunswick Southwest, PC):** Mr. Chairman, I have a question on the bill. Am I allowed at this point to question any aspect of the bill?

**The Chairman:** Yes, we are on the title. I think the member can ask a question.

**Mr. Greg Thompson:** Mr. Chairman, the question is in regard to the title, an act to amend the Parliament of Canada Act and the Members of Parliament Retiring Allowances Act.

My question for the minister is, who was involved in the negotiations on the details of this bill? Individual members of parliament were not involved. I am asking him, in terms of transparency, how this came about. I hope the minister is prepared at least to answer that one question, if nothing else.

• (1945)

**Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.):** Mr. Chairman, I am prepared to answer not

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only this question but indeed all questions that members may want to pose about the content of the bill.

To answer the question the hon. member asked, it has been my practice as a minister in the rather unusual portfolio of Leader of the Government in the House of Commons to consult colleagues from all political parties through the leadership of the parties as assigned by the party leaders for the purpose of the administration of the House.

In other words, there is rarely a day without my consulting the respective leaders of the parties in the House: the opposition House leader, the House leader for the Bloc, the House leader for the NDP and the House leader for the Conservatives. That is the traditional way by which House leaders consult each other.

As a minister there is not a requirement to consult per se opposition parties before drafting legislation, but given the particular nature of this bill and given the particular role that I have as minister of state and Leader of the Government in the House of Commons, I have consulted very widely with other political parties through their House leaders.

Might I take this occasion to congratulate the House leaders of other parties for their valuable contributions, each one of them speaking very eloquently on various issues that assisted in the drafting of the legislation. They have always been very courteous in making themselves available and in contributing. For that I thank them immensely. That is the way in which the consultations were held. I am sure most members would agree that is the fair and appropriate way to have consultations in this regard.

**Mr. Greg Thompson:** Mr. Chairman, on that same point, this bill was presented to members of parliament exactly 24 hours ago. It is unprecedented that a bill as complicated as this one would be laid on the desks of all members of parliament 24 hours before we proceed to clause by clause consideration.

The Canadian public watching tonight should understand that the minister because of the complexity of the bill has three officials with him at the table. He has three officials with him to interpret a bill, which members of parliament cannot do in a 24 hour period. We do not have the resources in a 24 hour period to go through the details of the bill.

The question I have for the minister would be simple. Why would he attempt in the old fashioned sense to rush through a bill like this one in the dying days of this session without consulting members of parliament and without having the bill before members of parliament so that they could examine it as closely as he has been able to do with the aid of assistants? I point to the three technical advisers that the minister has with him tonight. They were not available to individual members of parliament.

I would like to quote from the editorial section of the *Hill Times*. It deals with the point of individual members of parliament, and I

am talking about the member of parliament from the Ontario region. The article suggests that everything is conducted by the Prime Minister's Office, basically keeping members of parliament, in fact Liberal members of parliament, out of the circle. We have Liberal members of parliament not knowing what the government is doing. They are being blindsided by their own ministers, particularly the PMO, and in this case I might suggest the minister responsible for this bill.

● (1950)

I want to quote from the article. The member says that there are at least 50 potential Guy Fawkes in the Liberal caucus. Historians would know that Guy Fawkes led a group of rebels who wanted to blow up King James I and parliament in 1605 in what was known as the gunpowder plot.

I guess the member is suggesting that there are a number of very disgruntled members of parliament on that side, the government side of the House. Obviously the government was pressured by the official opposition. The history of the bill will reveal that it has been brought in to appease what is now known as the Canadian Alliance, formerly known as the Reform Party.

Many Reform members landed in this place in 1993 because they railed against everything that we would consider the rightful duty of members of parliament. In other words, they pretended to be everything but parliamentarians. They exercised their lungs to a great extent on the benefits individual members of parliament would receive when they retired. They railed against it because it was a very convenient thing to do.

Now we have the CA members of parliament having second thoughts about what they did in the 1993 and 1997 elections. The interim leader of the CA, the member who formerly represented Beaver River, talked about pigs at the trough in terms of pensions. They made the Canadian people believe that every member of parliament would retire as millionaires if they were in this place for as little as six years because of the pension plan, only to find out that it was not the case.

The example I used last night was the member for Saint John, formerly the interim leader of the Conservative Party. She has spent the good part of her adult life in public life. In fact she has spent from 1993 to the present day in the House of Commons. If she were to retire today she would get a pension of about \$20,000 a year. She would have to live to be 117 years old if it were to become a million dollar pension. If we simply multiple \$20,000 by 50, that would put it in the \$1 million range.

That type of absurdity, which the Reform Party preached in 1993 making all members of parliament look greedy and as if they were pigs at the trough, got them into this place. Now they suddenly realize that it was not as good as they thought it was. However, they did rail against it and it did get them into this place. Now there is a certain sense of reality.

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It is like a lynching in the morning. They are now realizing that they are not quite as popular as they were back in 1993. There is a strong possibility that they will be defeated at the polls when the next election comes.

Let us think about it. They do not have a leader. They are still trying to determine if the leader will be coming from Ontario in the name of Tom Long, or from Alberta in the name of Stockwell Day, or the individual who formerly led the Reform Party whose name I cannot mention in the House because of the rules. He is the member who represents Calgary Southwest.

They are suddenly realizing that they are caught in a vacuum. Things are not going quite as well as they thought they were for them politically. Some of those members are saying that they have been in this place since 1993 and if they suddenly leave they will not have pensions.

• (1955)

They are realizing they may not run in the next election because it does not look quite as easy as it was back in 1993, or indeed in 1997 when they won again out west. They are saying they need a bit of a safety net, and understandably so. We do not argue with that.

Most intelligent people would say that when we dedicate 6, 8, 10, 12 or 15 years of our lives to public life, at the sacrifice of our families in many cases, we are entitled to some kind of a package at the end of the day.

In fact, some of the wives of the CA members are now saying that their husbands went to Ottawa and railed against the pension and are asking where it leaves them as spouses or as widows if something should happen to their husbands. That is the sad reality. It is a sad reality that some of us will not be here forever and some of us will leave a spouse back home alone. We are saying that they are entitled to pensions. We have always said that as members of the Conservative Party, and rightfully so the Liberals have said the same.

When I die my wife is entitled to some kind of compensation. This is a sad reality for CA members. They are willing to swallow themselves whole on this issue because they realize that they made a huge mistake back in 1993. Here is an example of the hypocritical nature of their position.

One of our members ran against a Reform member in the last election. I will not identify the member, but I can if necessary. The Reform candidate was railing about the pension the particular MP would get if he were re-elected: he was going to get a million dollar pension if he were re-elected to the House of Commons, which was absolutely not the truth. At that time that member was to get a \$16,000 pension, not even equalling the \$20,000 this member will get after eight years of service. The million dollar pension turned out to be a \$16,000 at the age of 55.

The Reform candidate was railing against a golden pension of a million dollars that turned into a meagre \$16,000 pension. The candidate for the Reform Party was yacking in that fashion, condemning that little pension if the other candidate were re-elected. If the Reform candidate had been eligible for a pension as a school bus driver, it would have surpassed by 100% the pension of the re-elected member of the House of Commons. In other words, his pension would be \$32,000 a year as a bus driver, but he wanted to deny a pension to a member of parliament who had come to this place week in and week out, leaving his family behind, because it was fashionable at the time.

I want to quote from a former member of this place who did not come back as a Reformer. His name is Stephen Harper. This is what he had to say about the process we are now going through. It was very accurate.

I am trying to lay out that the official opposition, the CA formerly known as the Reform Party, has scrambled in the last number of weeks to make this happen. That is how it usually works. It is sort of like the Friday night special. It is getting late in the session, late in the week, and they will just kind of slide this thing through. Guess what? They are not going to force it to a vote or to a debate.

• (2000)

It will be a conspiracy of silence to put this bill through the House of Commons without any public input, without any transparency. There is no transparency. As I mentioned, the bill was laid on every member's desk last night at six o'clock.

**Mr. Leon E. Benoit:** You should have had your House leader talk to you about that.

**Mr. Greg Thompson:** That is pure nonsense and he knows it.

In any event, Stephen Harper, who refused to run for the Reform Party in the 1997 election said this about the case of the Reformers swallowing themselves whole or flip-flopping on this pension issue. I am quoting from the *National Post*, the official Reform Party CA publication. The owner of the paper is Conrad Black but at least he had the decency to print this.

Stephen Harper said, "It is a case of you scratch my back, I will scratch yours and all the skin comes off the taxpayers". Stephen Harper is president of the National Citizens' Coalition. He said, "It is a terrible betrayal of all the people who voted Reform". It is a betrayal of the people who voted Reform because many of those members, and I can point at them now, came in here in that bit of rage against pensions.

Some of them came here because they defied everything that parliament stood for. For example the present leader of the CA, formerly the leader of the Reform Party, the member for Calgary Southwest, is the guy who took the keys. They handed him the keys

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to a chauffeur driven car in 1993. He made a point of having the press there when he eagerly passed the keys back and said, "This is a perk, I do not want this car".

In 1997 after having walked to the House of Commons on shoe leather as most of us do, he decided, "That car might have been a good idea. Why don't I keep the car? It is four years later and people will have forgotten what we did in 1993". It was a publicity stunt. People will forget. He is quoted as saying that people have 20 second memories. I guess he figured that the 20 second memory would kick in or kick out. People would not remember, but they did. It is on tape. We watch it on the evening news from time to time. They love to replay that one.

There was a major flip-flop on that one. That was a perk. That is one thing most of us intelligently think when we look at a minister's or the Prime Minister's life and how busy they are going from here to there. I think they are entitled to a driver to get around the city to go from meeting to meeting.

Then there was the Stornoway issue. For those people who do not know but I think most people do, Stornoway is the official residence of the official opposition leader. That is at public expense as is 24 Sussex Drive. We are saying the Leader of the Opposition is entitled to a home because that person is sacrificing a lot to lead a party and it is a very responsible position. It is the same for the Prime Minister. No one would deny the Prime Minister 24 Sussex Drive and what goes with it.

In this case the Leader of the Opposition mocked it. He said, "Stornoway is nothing more than a fancy bingo hall. I am not going to stay there. Forget about it. It is not in the cards". Except when he got elected as Leader of the Official Opposition he changed his mind. He suddenly forgot what he said. It looked pretty attractive from his point of view after he became Leader of the Official Opposition. So guess what? He moved into Stornoway. How did he get there? He got there in that car provided to him by the taxpayers of Canada, the very car he said he would never drive in.

He moved into the hall and, insult of all insults, he did not turn it into a bingo hall as he said he would. That could have offset the expenses of running Stornoway if he wished. If he took in 500 bucks a night on bingo he could turn it over to general revenue. Is the finance minister or the minister responsible for the treasury board here? I do not see them. I guess that was part of the scenario, "I will turn it into a bingo hall and hand over the 500 bucks or whatever we take in each night and that will help offset the expenses". But no, he did not do that. He is living there with his family which he is entitled to do. We do not deny that. But the truth is he railed against it.

• (2005)

That is the type of flip-flop which I think the Canadian people find unsavoury. In fact supporters of the former Reform Party find

it unsavoury. That is exactly what Stephen Harper is referring to in the *National Post* article. I think the headline on the article tells it all. It reads in big print in the *National Post* of June 13, 2000, "Grit pension ploy divides alliance" and it is subtitled, "Bill prompts party to drop hardline stance against system it had often attacked". Those members attacked it often and ferociously for a number of years. I could read a number of other quotes of what they had to say about the pension plan.

The point I am attempting to make is simply how could any party rail against a pension plan the way those members did simply to get a seat in the House of Commons? It was a convenient thing to rail against. Then they came into this place and completely changed their position. Hence, they were swallowing themselves whole. What other party could get away with it?

This is pretty cute. We are going through the bill clause by clause, not to lose focus on the bill itself. There is a provision which gives them a year. Maybe the officials at the desk can point this out when it is their turn to consult with the minister. This is quite cute. This is part of their scenario. They are hoping against hope that the election will be held within the year. Then they could safely get away with what they are doing.

Tonight in the House I noticed how clever they are. We have to give them points for being clever. About half of them stood up to vote for the bill and they were looking around to see if their neighbour would stand up to vote for it. Some of them, and I will give them credit for this, had the backbone to stand up tonight to vote for this pension change. Many of them did not. They were looking over their shoulders to see what might happen. Paranoia surrounds that party to begin with.

There was certainly no free vote which is another thing they railed and chatted about almost continuously between 1993 and 1997.

Anyway, they now will have a year. They have to decide within a year whether they are going to buy into the pension plan. This is their second go around.

**An hon. member:** The third go around.

**Mr. Greg Thompson:** Oh, it is the third go around. The first time some of them opted in, they were relegated to the back benches for defying their leader because they chose to buy into the pension plan. That was at about the same time when their leader was sitting in the second or third row. The leader of the Reform Party, when he first came to the House of Commons said, "Hey, listen. This is new. I do not want to be special. I am going to sit in the second or third row. This is going to be great and wonderful. It is a new sense of equality in the House of Commons".

That was a very popular thing to say and do until after about three or four weeks he decided that he was getting lost in the crowd.

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Yes, there are such things as television cameras. Yes, there is something to be said for sitting in the front row. I would just love to be sitting beside my deputy leader in the front row but that privilege is given to our House leader. He is the honoured gentleman to sit beside this wonderful lady day after day and night after night in the House of Commons.

Guess what the Leader of the Opposition did on this one. He completely changed his mind. "Hey, listen, that sounded good but it does not work so off I go to the front row". He did not look too good in the front row. He had to have his hair changed. This is true as I am standing here. He said, "I do not like the look of my hair". I think they did a focus group.

• (2010)

It is like me, Mr. Chairman. You can remember when I had a pretty good hairdo about 12 years ago. My wife does not brag about my hair anymore for obvious reasons. I do not have much.

That did not stop the Reform Party leader. Guess what he did? He had a makeover, which is fine. There is nothing wrong with doing that. A lot of people do it. He got a new hairdo and a dye job to go with it. He did not like his voice because the focus group said it was too high and squeaky and he had better change it. He attempted to change his voice in his makeover. He got rid of the glasses as well and used contact lenses because apparently that gives a better impression on television.

The point I am making is that these are major flip-flops, some of them personal, to which we are entitled. I guess dress is important in this business. The way we comb our hair and the colour of it are all important. Those are major flip-flops by the Leader of the Opposition.

**Mr. Peter MacKay:** Let us get rid of those phoney in Ottawa.

**Mr. Greg Thompson:** He is quoted as saying, "Let us get rid of those phoneys in Ottawa". Exactly. He mentioned that time and again, those phoney politicians in Ottawa. He railed against anyone who was a "professional politician".

We notice that he does not rail against these professional politicians anymore. Why? Because he is a professional politician. He is the consummate politician. He is the politician who came to Ottawa. This was an intellectual flip-flop but I am not sure that he will pull this one off. Remember the slogan was that the west wants in, "We want a voice from western Canada that will go there and set the tone for the rest of the nation". That is what they wanted.

The west wants in was his slogan. It got him here in 1993, among other things which I have already mentioned. He came to Ottawa but suddenly realized that his so-called right-wing agenda, if one wants to call it that because I hate mixing up left and right, would not make him Prime Minister of Canada.

Talk about this makeover; this was a complete flip-flop. We can change our hairstyle, dye our hair, cap our teeth, put in contact lenses or whatever we have to do, even lose weight if we have to. The major flip-flop is he said, "I cannot get elected on this right-wing agenda so I am going to have to put a little water in my wine to temper down my policies. We are going to do a number of things". This was the leader of the Reform Party speaking at the time.

First, he said the party would change its name.

**Mr. Jay Hill:** Mr. Chairman, I rise on a point of order. I have been listening very attentively for quite some time to the hon. member, my colleague from the Progressive Conservative Party. I wonder what this has to do with the title of the bill because that is what I thought we were supposed to be debating.

**Mr. Greg Thompson:** I am getting to that.

**The Chairman:** The member says he is coming to the title so we will look forward to those pertinent parts of his remarks.

**Mr. Greg Thompson:** Mr. Chairman, I am getting to the title. That is a good point and I will move in that direction. We are getting at the major flip-flop and it has to do with the title of the bill, and I will suggest a new title once I reach that point. I do not dare to say it out loud at this point but eventually we will get there.

He decided that despite everything he has done he cannot become Prime Minister of Canada because he will have to water down his policies. He will have to change direction a little and the first thing he will do is change the name of the party.

It went from the Reform Party to CA. We have had a lot of jokes in this place, some of them played out by the Prime Minister, and the Minister of Canadian Heritage has had some fun with that title as well. Talk about chameleons, Canadian Alliance members not only changed their image, they changed the name of their party in the hopes of broadening the base. They have changed their policy to broaden the base.

• (2015)

We have to remember that they came into this place with the idea that the west wants in. Now they are flirting around with the big blue machine in Ontario. Bay Street will now run the party because they have a man by the name of Tom Long up there who has pockets deeper than all of us combined.

**Mr. Chuck Strahl:** Mr. Chairman, I rise on a point of order. It does seem to me that we should be debating the title of the bill. I wonder if the member is just running off at the mouth like this because his party is down to 9% in the polls. Is that part of it? I just wonder if he could work that into his comments.

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**The Chairman:** I appreciate the assistance of the House leader of the official opposition. We are under a time limit, as hon. members know, with respect to the committee of the whole and there are some other members who have given notice to the Chair that they would like to ask some questions of the minister.

Might I suggest we move on to questions? The hon. member for New Brunswick Southwest of course will have the opportunity to make a 20 minute speech, at the very least, on third reading later this day. Perhaps we can deal with the bill. Is that agreeable to the committee?

**Some hon. members:** Agreed.

**Mr. Greg Thompson:** Mr. Chairman, with your tolerance and understanding, I want to move to the question regarding the title of the bill.

**The Chairman:** I think it might be wise, in fairness to other hon. members who do want to ask some questions, that we allow some time for that, given the time constraints on the committee. I would urge the hon. member to exercise a little judicious restraint, particularly when he seems to be straying a bit far from the title in his remarks.

**Mr. Greg Thompson:** Mr. Speaker, I respectfully submit that the name of the bill should be changed to the reversal of fortunes bill for the reform party.

**Hon. Don Boudria:** Mr. Chairmann, if nothing else, this has been somewhat entertaining.

I want to answer a few of the initial questions that have been asked. In the first part there were questions, but I think we eventually strayed somewhat from the questions. I will leave other members to judge as to whether or not the word somewhat is appropriate.

One the first point, whether or not this bill was rushed, I do not think that is the case. I submit to the House that there were wide consultations. As a matter of fact, the consultations were so wide that things being what they are, some of them were even leaked to the media.

Even if one claims that he or she was not consulted, it was reasonably easy to find out from one's House leader whether or not consultations had taken place because it was front page news in several media, much to my chagrin. I still have a few scars from that particular episode not that many weeks ago. I do not believe that anyone can claim to be surprised that this bill is before the House.

The second thing is that there were some comments on whether or not this was a partisan effort on the part of the government

against its own backbench, and stuff like this. I have not made this a partisan issue at all. Even if provoked, I have not touched this and I will not. I will gladly engage tomorrow in a partisan argument on policy with my colleagues across the way. I am looking forward to tomorrow's question period. If hon. members across want to give it their best shot before we leave here on questions that are of interest on policy issues, I will gladly do that. However, I have not and I will not take part in the debate on this bill in terms of a partisan accusation against anybody, nor will I say who wanted what portion of the bill to be enacted as opposed to another portion, which party, which group of MPs or which individual MP wanted a particular clause as opposed to another clause, as opposed to an amendment. I have not done that and I will not, even though there has been some provocation to do so. I believe I have to be true to the admonition I gave to colleagues yesterday in the House at the second reading debate. If I want to be consistent with that, and I believe that I am, then I will not reveal that.

● (2020)

I am of the view that the only reason this parliament has worked at all, and I happen to believe that it has worked quite well, has been that the House leaders of all parties have been able to speak to each other on a variety of issues at any time, without notice, and to consult each other for the benefit of making this great institution work. They have been able to do that in full confidence knowing they would not have to stand in front of a microphone five minutes later and explain what they might have said in a remark to their colleagues of other parties.

I am not just saying that about the relations between myself as the government House leader and any one of the House leaders of other parties. I believe it has been true of relations between opposition parties as well, and I compliment all House leaders for that. Again on that score, I do not believe that it would be appropriate for me to say that this clause is beneficial for someone or that there was a deal made this way or that way, and so on. I will not do that.

In the initial remarks, I heard an hon. member say that I had experts available this evening. I do not apologize for that. I believe they are here to answer questions about an individual clause and how this bill will work. These same officials and others will be available tomorrow and in the weeks to come for individual members of parliament because this is, after all, a bill that affects individual members of parliament.

When it is all said and done, I am told that the House of Commons officials will distribute a circular informing members on which officials can answer questions, whether it has to do with accrual or how one buys back time, if that happens to be the case for a particular member.

I was informed earlier this day by the very competent people who are sitting with me here in the House of Commons that officials will be available to answer the following questions: How will it affect the tax treatment? How does it do so if a person has

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already full contributed to their registered retirement savings plan? How does one transfer that? What is the percentage of interest that one has to pay if one is buying back time? All this will be made available for members of parliament. Those are the kinds of questions I thought we would be engaging in regarding this bill.

Something has been said here that I do not think is accurate. There is this business of the election to buy back and the limitation of a year in that regard. On this score, I will say that no one lobbied me on any side of the House for that provision to be there that way. That provision is there that way because it is the one that already exists in the act.

In other words, someone who was, hypothetically, elected in 1984, defeated in 1988, and came back in 1997 had one year to buy back or to make up his or her mind to buy back the time. If we are going to have a provision here whereby members can elect to buy back the time, why should we treat members of the House differently than we would treat someone who was defeated and came back? My argument is that they are entitled to the same thing and that is why that is the case. However, that is not a provision of this bill. That is already the case for anyone who has ever served and came back later and bought back their service. That was not invented for anyone sitting in the House now. Finally, to repeat what I said, I was not asked by anyone to put that in as one of the conditions. It is an automatic one that exists already.

• (2025 )

**Mr. Rob Anders (Calgary West, Canadian Alliance):** Mr. Chairman, I have a question for the government House leader pertaining to the title of the bill, namely, the retiring allowances act. I was wondering if the minister might be able to comment on a bill that was recently passed not so long ago with regard to retirement allowances.

When I look around the Chamber I see the guards who represent us here in the House of Commons and who do their jobs dutifully. I note that the government rated the pension plans of the public service employees not so long ago, yet it is ready to once again tinker with the pensions of the members of parliament. I think that speaks to a real contradiction and conflict of interest when members of parliament can decide on their own pay, pension and perks, but other people in the country are not allowed that same type of privilege.

As a matter of fact, other people in the country do not decide on legislation that directly affects their net worth because they are not ministers and they are not members of parliament. People like the guards in this place do not set their own levels of remuneration. They do not have pension plans that are above and beyond what the private sector has.

What I would like to ask of the government House leader is this. Why does he feel that it is okay for members of parliament to be

making these decisions on their remunerations? In a sense it begs the question, who guards the guards? I noticed that he had a particularly broad smile on his face, going from ear to ear, as the member for the Progressive Conservative Party was speaking. I have no doubt that the government House leader takes great glee in his Machiavellian manoeuvres with regard to the MP pension bill.

With regard to the title, would it not be better for everyone in the country to have a system whereby a certain percentage of their wages went to a mandatory retirement savings plan and a certain percentage went toward a mandatory unemployment savings plan, whether the person is the grass cutter in this place or the Prime Minister?

**Hon. Don Boudria:** Mr. Chairman, I am glad the hon. member has asked a question about employees of the House.

He perhaps knows, or perhaps does not because he is somewhat newer than other colleagues, that I am the only House of Commons employee ever to have been elected to this place. I think that at least on this score I know something about it. Without any pretension, I would like to say to the hon. member that I probably know a little more than he does about working conditions on Parliament Hill.

I also contributed to the House of Commons employees' plan. When I ceased to be a member of the House of Commons staff and was elected to the Ontario legislature, I was handed back my premiums with 2% interest. I was not permitted to transfer it to the plan that I had as an elected official.

When I came back as a member of parliament for the federal House of Commons, the federal civil service contributions could not be bought back and included in this plan. How many Canadians know that? How many Canadians know that even though I served in the House for 14 years, I was never able to apply one cent of that service toward another federal pension plan, namely the members of parliament plan?

Whereas, for instance, if one worked for Nortel in an Ottawa plant and was then transferred to Nortel in a Toronto plant, that person is entitled to transfer the pension plan. In my case, not only was I in the same plant, I was in the same room but was not entitled to transfer. How many people know that?

It is fine to say that the plan is generous, and perhaps there are aspects of it that are, but there are also sectors in which it is hopelessly deficient compared to plans elsewhere.

Let us not portray this thing as being a way to get rich. That is not factually correct. There are many people who have very generous plans in the private sector where the employee contributes one dollar toward a registered retirement savings account and the employer contributes a similar amount, or even stock options. Officials in the private sector are treated not only as generously but, in many cases, far better than we are.

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• (2030)

In terms of the public service pension plan generally, I am pleased to answer that question too, because members of the House will know that for many, many years the public service pension plan was deficient. It did not have enough contributions for its payout and the taxpayers of Canada, through the Government of Canada, supplemented that account in order to have enough money to pay the pensions.

In another period, because of demographics and so on, the most recent one, when that account experienced a surplus, is it not normal that the taxpayers of Canada would get some of that back, given that they had contributed to it in the first place?

Finally, we have made the plan self-sustaining. We have made the public service pension plan self-sustaining. I believe that was the right thing to do for the long term.

Even the Canada pension plan has that self-sustaining ability which the U.S. social security does not have. Many things have been done in public sector pensions, and pensions generally, even pensions in the private sector, that did not exist before. I will not give too much detail about that—

**Mr. Greg Thompson:** Mr. Chairman, I rise on a point of order. I was gracious enough to get off my feet so that other members who have legitimate questions could ask them.

The minister is filibustering. He is filibustering to take up the hour. I graciously submit that other members should be on their feet asking questions. The minister is taking too much time.

**The Chairman:** I have given the minister signals previously that he might curtail his remarks and he responded favourably to that request, as did certain other hon. members to whom I have given signals. The minister is answering the question. He may be taking a little longer, but I sense he has almost concluded.

**Hon. Don Boudria:** No, Mr. Chairman, I am finished.

**The Chairman:** All right. We will have a question from the hon. member for Winnipeg Transcona.

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Chairman, I have a question for the government House leader, which carries on the dialogue that has been established.

The government House leader said, and I would certainly agree at one level, that House leaders and others who are privy to the consultations that preceded the tabling of the bill should not have to have a microphone stuck in their face and answer questions. I think that was the phrase he used. However, I wonder whether he thinks it proper, having said that, that they should be able to have a microphone stuck in their face and have it both ways.

I am referring to the fact, as the minister said, that there were wide consultations preceding the tabling of this legislation. In my judgment, the final form of the legislation, particularly with respect to the fact that the legislation legislates all members who had opted out back into the plan, is a feature of the legislation that was sought by the party which had the majority of the people who opted out.

The only reason this is before the House is because it was fast tracked, because there was unanimous consent sought and given to deal with this in the manner in which we are dealing with it, that is to say, in a fast track sort of way. People sought what we have before us and gave unanimous consent to fast track it.

• (2035)

Then, much to my dismay—and I mean this as sincerely as I can possibly say it—after seeking it, after giving unanimous consent for it to be fast tracked, they then voted against it at second reading.

I admire the government House leader's determination to be a gentleman about this. Yesterday I stood in this place and I said that I thought an ugly chapter in Canadian politics was over, and I meant it. That is because I thought that at the very least the people who had helped bring this legislation into being, who went out and defended the legislation, who justified it and said why they needed it, because of medical insurance, life insurance and the fact that they had brought this situation on themselves—all of those things I was prepared to listen to with the understanding that they would not then walk into the House, as they did this afternoon, and put the rest of us in a position of voting for a bill which they now have voted against, in the majority.

I say to the government House leader that I cannot find this anything but reprehensible. I wonder, are the people who voted against this provision not going to exercise their right to buy back, if that is one of the options that is open to them?

I just find it incomprehensible, I say to the government House leader, and I seek his view on this, that this could have happened this way. I understood, yes, that there might be the odd backbencher, that there might be the odd person who would not accept what had been negotiated between the parties, but not that the leadership of the party and the majority of the caucus, after having sought this, after having fast tracked it, would then stand to vote against it. I find it absolutely incomprehensible.

I have no more to say. In 21 years I have never seen anything like this.

**Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.):** Mr. Chairman, first I want to congratulate the hon. House leader of the New Democratic Party for the excellent speech he gave last night in the House. It was certainly the hon. member at his best. He is a fine orator, and we all know it. I am sure that he meant very much that which he said.



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Again I am trying to respect the way in which I have done this work, not only over the last number of months but over the last number of years, and I am afraid I will have to say to my colleague that I will not say publicly which clause of the bill was requested by whom. I said I would not do that yesterday and I will not do it now.

In terms of the fast tracking, we are at the end of the session. There are bills which we deal with more rapidly than otherwise would be the case by consent among the House leaders. This is certainly one of them. There is no doubt about that.

Perhaps we should take a moment to reflect on what all of this does. This does not create a new law. This does not even create a new benefit. This does not add benefits. It only does two things. One, it corrects an historical wrong in terms of the severance component. In other words, some people have a particular benefit while others do not. However, nowhere does it raise the benefits.

Secondly, it permits people who are eligible otherwise to be part of a group in terms of pension contributions to be part of the group that they should have been part of from the very beginning. It actually makes it such that everyone starts contributing from the day the bill receives royal assent. I for one believe that if there is a group package, whether it is group life insurance or whatever, everyone should pay the premiums.

I have said that all along. I have said that when some members of parliament were disagreeing with me. Today, of course, I will say it when people are agreeing with me. The proposition is the same. If it was the right thing to do then, I have to say that it is the right thing to do now.

• (2040 )

I am being asked about how people should have voted on this. I am not going to reflect upon a vote of the House that has already been held. Perhaps, in a little while, when we have the third reading of the bill, we could show some solidarity, if that is the appropriate word.

Although not everyone wants the bill, since nothing is unanimous in this world, at the very least we could show that there is a form of consensus that we all know exists by having this bill carried on third reading without a recorded division. Perhaps that would be the correct thing to do. It would help to re-establish the balance that the hon. member is seeking.

Obviously we cannot undo anything that has been done before, but that might be a good way to restore that balance.

**Mr. Chuck Strahl (Fraser Valley, Canadian Alliance):** Mr. Chairman, could I ask how much time is left?

**The Chairman:** Two minutes.

**Mr. Chuck Strahl:** Perhaps I will leave some of my remarks to third reading.

This bill is somewhat different from most. Most bills come through the departmental system. They go through the department, the minister and the departmental consultation process. There is quite a process in the development of a bill.

This one, as the House leader has already mentioned, has come through a somewhat different process. Cabinet still has to approve a bill that goes to the House, but the process to get this bill to this stage is somewhat different than would normally be the case.

Could the hon. member tell me whether there was any consideration given in the drafting of this bill to the recommendations of the Blais commission report, which was the last independent commission report that we had before the House during the last parliament? Was that part of the consideration in the drafting of this bill?

**Hon. Don Boudria:** Mr. Chairman, in fact, the regular system of consultation did operate. I am a minister and, obviously, other ministers had to be involved. This bill has an implication for the treasury board. It has an implication for other departments of government. The usual consultations certainly were held, which is only normal.

The hon. member also asked whether consideration was given to the Blais commission report. Yes, in fact, that was done.

For instance, in my remarks last night I quoted the Blais commission report at page 40, and I would like to do so again.

The report stated:

Departing members are entitled to a relatively financially secure transition from Parliament to the work force or to retirement, as the case might be.

There is another recommendation in the Blais commission report which states that the members of parliament retirement plan, the pension plan in other words, may appear on the surface to be generous, but it is not all that generous. It is one which is, in the grand scheme of things, reasonable.

The report states at page 139:

The pension plan for Members of Parliament, while appearing generous, is not necessarily out of line with public and private sector plans that recognize the impact of the mid-career hire aspect of the career path of their senior employees.

**The Chairman:** Pursuant to order made on Monday, June 12, it is my duty to interrupt the proceedings. Shall the title carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Title agreed to)

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• (2045)

(Bill reported)

**The Deputy Speaker:** Pursuant to order made on Monday, June 12, a motion for concurrence in Bill C-37 is deemed moved, seconded and carried on division.

(Motion agreed to)

**Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.)** moved that the bill be read the third time and passed.

He said: Mr. Speaker, I am quite pleased to participate in the third reading stage of the bill. My comments will be very brief.

I thank all hon. members for their contribution to the debate. I also say to hon. members that whether or not they avail themselves of the privilege of buying back previous contributions is their decision. I hope they all do so. Whether they do or do not is their business. On an individual basis that information is quite appropriately confidential.

More important, as the House leader of the New Democratic Party said quite eloquently yesterday, we have put a page behind us with regard to issues of MP pensions, salaries and so on.

Recent reports have indicated quite clearly that members of parliament are not overly paid. Anyone who was ever a high school teacher, high school principal, director of education and so on, would obviously know that salaries of MPs are not out of line compared with those professions. Many other professions are paid even better. We all know that is the case.

I remember in the 1993 campaign when it became fashionable for some people to say "Vote for me and I will reduce my salary", and so on. I resisted that and I took the following position. I was asked if I would take a pay cut and I said "No. If you do not think I am worth the salary there are five other people on the platform with me. Pick the one who is. Do not debase the currency". My majority went up in that election campaign so it is not an issue that necessarily brings a higher level of support. I do not believe that it does, if that is a concern of some people.

What is more important is what is right, and what is right is to have not a compensation package that makes members of parliament rich but one which is sufficient to attract a high level of candidates to participate in public life.

[*Translation*]

The report of the Blais commission told us that on average a Canadian parliamentarian earned less than 40% of the salary of a member of the U.S. Congress. Of course, we are not here to

become rich, far from it. But one should not claim that our compensation and benefit package is generous. It may be adequate, but it is certainly not generous, and I would not claim it is.

I just would like to say that, in my opinion, what parliamentarians earn is far from excessive. Benefits provided under this bill are not excessive either. They are reasonable, no more no less, and I strongly recommend them to the House.

I hope all parliamentarians will vote in support of the bill at third reading. Finally, as the bill will be sent to the other house after the debate in a few minutes, I hope members in the other place will be able to pass it without delay. This is my hope.

• (2050)

I thank my colleagues from all political parties for their support for what I believe is an excellent bill, not only for us as individuals, but also, and more importantly I believe, for this institution we so dearly love, the parliament of our country.

[*English*]

**Mr. Chuck Strahl (Fraser Valley, Canadian Alliance):** Madam Speaker, I am pleased to speak to third reading of this bill. As I mentioned last night, I still have the feeling of unease as anyone does when talking about one's own salary and trying to justify one's self-worth.

As the House leader has already mentioned, at times we have to get up on our hind legs and do such a thing. Tonight is one of those moments when we must talk about something that is very personal. Different members of parliament find themselves with different financial needs in different stages of their lives and careers. That is to be acknowledged.

I wish to address two or three points. There is not much doubt the House leader of the NDP was referring to me when he said he did not feel I should vote against the bill when I did this afternoon. He was offended by that. I should like to speak briefly on the principle I was trying to follow.

I have been absolutely consistent when speaking in the House, in what I have written in papers, and what I have said in scrums outside the House. I have admitted that the issue being addressed by the NDP House leader is in large part a problem of our own making. I have said that before. I will say it again.

I understand that by making the MP pension plan as big an issue as we did back in 1993 we are held to a different standard than everyone else in this place. I understand that. I understand we have taken some political heat. There has been a good discussion down at the far end of this place about that this evening. However I still maintain that by holding our ground, especially in 1993, important changes were made to the old pension plan.

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People started to consider what is fair to the taxpayers of Canada as part of the equation. That was an important change. It was a change that would not have happened unless people forcibly made remuneration and the pension issues in the 1993 election. That is just a fact. I do not apologize for it. It had to be done. It was done with a lot of passion, and some changes were made.

The fact that changes were made opens the door. The fact that we are on our third different pension bill since I have been elected to parliament means that change will be possible down the road. This deal is not set in concrete. It will be reviewed again after the next parliament. There is a statutory requirement to review it. The government has a requirement to appoint an independent commission as it did last time. Parts of such commission reports deal with public perception and the public expectations in terms of pensions for MPs. I hope the recommendations, whatever they are, will be adopted by the House. It takes the kind of debate we are having tonight out of the parliamentary area.

As I have said in scums, as I have said here and as I would say anywhere, it is too difficult for members of parliament to say to everybody that this is what they will pay themselves out of taxpayers' pockets. If as MPs we say that we are worth \$70,000 per year, someone might say we are greedy, self-righteous or hypocritical. Whatever members might say they cannot fight. They cannot win the debate. The debate is always slanted by the audience that wants to hear the message.

There is a better way to do it in the future, and I am hopeful it can be done that way. We have seen three changes in less than seven years. The last change is not so much about the content but about the way we handle it. I still believe there is a better way to do it. We would not be having this debate tonight had the Blais commission report been adopted in its entirety. That would have been a much better outcome, but that was not to happen and we have to deal with it. We have to play the cards that are dealt to us.

• (2055)

I reiterate that the policy of this party has always been that members of parliament deserve a pension. It was the Reform Party's policy previous to the Canadian Alliance. The Canadian Alliance policy is that members of parliament should get a pension plan. That has never been in dispute.

One good thing about the bill is that the debate in the future will no longer be whether MPs get a pension. We have turned a page. There will still be a debate on what kind of pension MPs should get, which is the proper debate. The public will engage in it. The National Citizens' Coalition is sure to give us a pound or two in the next while. Others will get into it. That is fine because a debate on what kind of pension is appropriate. That is fine enough question and a fine enough debate.

The mistake, if there was one made or at least the impression that was left at one time, was that some MPs do not deserve a

pension. That double standard was wrong. If people think I am coughing up crow feathers, or whatever it is I have to do, I just say the debate should have never been about whether some MPs should receive any pension at all. All MPs should receive a pension. We have said that. It has been our policy.

There was an honest attempt and effective pressure was brought on the government to change the pension plan. Part of that effectiveness unfortunately was that some members of parliament received no pension. It was part of a pressure tactic, part of an effort to bring in changes and to bring in the recommendations of the Blais commission. That tactic was taken to pressure the government. It was somewhat effective, but the mistake in the end result was that some MPs were told they would receive nothing for the rest of their lives, whatever that might be. That was contrary to party policy. It always was and it still is.

The party policy of the former Reform Party was that we should have a pension in line with the private sector. The party policy for the Canadian Alliance is similar. I can get more specific and say that we should live with the results of an independent commission that reports to parliament. We would take its recommendations as binding. If the commission says we should get rid of the tax free allowance, gross it all up and base our pension on a totally taxable amount, we will salute the flag and we will do it. If it says we should have to work so many years before receiving a pension, if it says we will get a pension at such and such an age, or whatever it thinks appropriate is based on an independent commission, I will thank it kindly, shake hands, and we will pass it. That is the way to do it. Then there is no more debate as to how we handled ourselves or whether we scored or whatever. All MPs would receive a pension plan as they should, but it would be reasonable because an independent commission brought it down.

There was a lot of talk last night about the fast tracking of the bill. A couple of points need to be said. It is true the entire House gave consent to bringing the bill in without 48 hours notice. As I said to the media earlier today, if we had as much time to debate all bills in the House of Commons as we will have to debate this one we would be thrilled. Every member who wants to speak is allowed to speak to this bill. If we had as much time as that on the Nisga'a agreement, if we had as much time as that on the Clarity Act, if we had as much time as that on dozens of different pieces of legislation, as a House leader I would be thrilled to death.

There is no restriction on this debate. We brought it in 48 hours early, but as our caucus and members over there know as many members as want can get up on their hind legs today to talk about whatever they want to talk about. They are free to do it. What a wonderful way to do it.

• (2100)

I am much more proud of the way we are handling this bill as a parliament than the changes we made last time, when we brought it in and passed it in a day just two years ago. When I went home I

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had more complaints about how we handled the passage of the bill than the contents of it.

Here it is a wide open debate. Yes, it was brought in without 48 hours notice, but what an improvement it is for all of us to stand up, and I will have to do it too, to go to the media, to go home and when they ask, "What did you say about the bill? Did you speak about it?" I will say, "Absolutely. I am on the record and you can read it in *Hansard* because no one was denied the right to speak". Not only that, but no one is denied the right to vote. This is the way legislation should be passed. We have a vote.

This brings me to my final point which is the vote itself. The House leader for the NDP is offended because I voted against this bill. I tell him as I told the media earlier, and as I will tell my constituents, I am voting against the bill because the bill is not consistent with our party policy. I am going to vote against it because I am going to be consistent with that. That being said, and I will say it here and I will say it back home, I am voting against it but my heart is not in it. That is the truth.

I am voting against it not because I think there are some shenanigans going on, not because I think that the government House leader has been sneaky or underhanded or anything else. And anyone who says that just has not worked with the government House leader. This is kind of shocking for me to say this, but those who say that the government House leader has not been honourable should be ashamed of themselves. I do not mind saying that. I think it makes cheap political points and I find that offensive.

All the time we allow bills to come to this place. We fast-track them so to speak. People should know how this works. It is no secret. There are negotiations. The House leaders get together and say, "How many speakers to you think you are going to have on this bill?" I will say, "I think we have about three or four speakers". The government House leader will say, "Okay, I have two or three. It looks like we are going to have three or four hours of debate. If we do that we are going to be pressed for time. Would you cut back to just two speakers so we can get the bill into committee?" I will say, "Okay, I can see the wisdom of that, but I am going to vote against it".

We are not supporting the bill. It is just part of how we handle it. I have opposed bills because they originated in the Senate, not for the contents of the bill but because I find it offensive that the Senate originates bills which I think should properly originate here.

I have already said that I am voting against this legislation. I have done and I will again if it is a standing vote and if we have a vote on third reading, not because I think something sneaky, underhanded or dirty has happened but because I think there is a better way to do it.

Often in this place we vote against legislation not because we think it is heinous, not because we think it is dastardly, underhand-

ed, sneaky or anything like that; we see what the government is trying to do but we think there is a better way to do it. I will vote against the bill because I think there is a better way. I explained it last night thoroughly. I will vote against it not because I want to smear anyone. I have not said a word against anyone here and I am not going to. It is not because I am trying to paint someone into a corner or take advantage of someone. I am doing it because there is a better way. That is the way it works. We do that consistently in this place, not because we think different bills are awful, but because there is a better way.

When there is a better way we have an obligation as an opposition party to stand up, explain that better way and then vote against the legislation. That is what I think. We do this routinely. I am thinking even of bills that we will support. We will bring in report stage amendments even though we know they are not going to pass, but we think they will improve the bill. We will bring in the amendments but we will not hold up the bill or stop it or make somebody down the road pay the price. However, in our opinion, there is a better way.

• (2105)

It is our obligation to put that better way on the table for everyone to see. They can say yes or no. They can say they do not like it or they think it is good, bad or indifferent. As the official opposition, it is our obligation not just to rubber stamp it, but to say there is an alternative and this is what we would like to do. It does not mean we do not think there is some other benefit in the bill. It means that our obligation is to be consistent with our party line, with what we proposed and campaigned on and propose those better ways in the House.

After what I have said I hope people can understand. I will vote against the bill not because I think MPs do not deserve a pension because they do. I will vote against it because it is inconsistent with our party policy. Our party policy is not that MPs get no pension. That has never been the deal. That is not going to be the deal. As long as I have anything to do with it, it will not be the deal. MPs deserve a pension.

The debate is what kind of pension they deserve and who should give it to them. I wish, I hope and I believe one day that is the way it will be done. It will take the pressure off all members of parliament. The debate and the rancour about this subject will be put behind us once and for all. We will all be able to go home and say that we got the pension that somebody allocated to us, not because we asked for it or snuck it through or negotiated it or anything else. We got it because it was an independent group of people who gave all of us a fitting remuneration and retirement package.

I look forward to that day. It is not likely to happen before the next parliament, but when we go through the statutory review I hope all members of parliament will consider what I have said

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tonight. There is a better way to handle this difficult issue for all members of parliament.

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Madam Speaker, like other members of parliament, I am not anxious to jump into this, but there is an element to all of this debate that we have to keep in mind and put into a certain context. It is very easy to say that we want to ensure fairness, that this bill is aimed at changing some anomalies that exist and that there are some technical adjustments that need to be made to ensure fairness. We have pointed them out ad nauseam as to the purpose of the bill.

Let us not kid ourselves for a minute. This bill is tailored to allow members of one particular party to opt back into a pension plan that they denounced. I take very much to heart the comments that have been made by the previous speaker. I believe him to be very sincere in what he has indicated. I do not do this with any great relish, but it is a matter of that was then and this is now. Those words were easy to say at one time and now they are a little bitter when they have to be swallowed.

I want to point out something that the hon. member for Fraser Valley said on this issue not that many years ago in debates in the House of Commons. On May 9, 1995 he said, "All Reform Party members are going to opt out of the pension plan because we stand on principle and do not swim in gravy. We are going to opt out".

His leader that same day in the course of the debate said, "It is the intention of Reform MPs to opt out of the pension plan. We call upon every member of the House to do likewise. Opt out or get out will be the cry in the constituencies. It is the cry which must be respected if fairness and leadership by example and integrity are to be restored to parliament on any budget it endorses".

That was obviously a bunch of malarkey. Now by virtue of this bill, as my colleague from New Brunswick Southwest has indicated, the reform members of the House are now swallowing themselves whole. They are completely capitulating on their earlier stances.

• (2110)

It was not so much what they said here that really hurts, that really makes it hard for some members like the member who was here in 1993 and was defeated. It is not just those members and the debate that is taking place here, but it is members that are not here who did not return and do not have the ability to collect a pension. They stated quite clearly where they stood and still stand, but now there has been a reversal of fortunes.

There has been a change in the mindset because individuals, in fairness, came here having said one thing and realized that things were a little different. The pension was not so sweet after all. It was not so easy to get on a plane and come to Ottawa and leave family

and friends and a previous occupation behind. It was not such a great deal after all.

What this comes down to is having said one thing and now turning completely around. They have made a complete reversal of fortunes in their favour and have opted back in by virtue of this bill. That is what this bill allows them to do.

I know they do not like to hear this, but the unravelling of Reform principle is what we are seeing here. There is a thinly veiled attempt at reinventing themselves and what they said. There was a name change but all the while they kept the same policy, the same membership and the same leadership. A futile redundant exercise. A cynical attempt at re-branding. That is what this is all part of in the big scheme of things.

It is easy to find integrity after the fact. It is easy to opt into the pension plan, the same plan that the Reform Party railed against. They screamed like banshees and suggested that somehow it was completely malicious and untenable that members of parliament would accept some remuneration after the fact for the hard work they do. That was an issue that was not put forward by any other party. This was an invention, a tool, a spear that was used to impale other members of the House. Now it is impaling them. They are going to have to go back to their constituents and explain how they can do this, how they can swallow their principle now and take the pension, vote against it perhaps.

This pension plan will now be mandatory. Make no mistake about it. All 301 members of the House of Commons are in. When this pension plan passes, they are all in. Nobody is out. We have an added bonus and it is a stroke of genius. I am not questioning the government House leader's intention, it is a beautiful thing. It is the ability to buy back retroactively all of that pensionable time. Fair enough. Why not?

Nobody is suggesting that members of one party work any harder than members of another. Those members are entitled to pensions and we do not dispute that for a minute, but they should not tell people they will not take the pension and then take it. They should not try to hide behind some guise, as was seen in the last attempt to bring in a severance package that would set up two separate types of plans. There is the evil pension plan that members of parliament get and then there is the fine severance package that will be a lump sum that will go to Reform members. That is okay. A big lump sum payment is fine, but a pension is bad.

This reminds me of George Orwell's classic novel *Animal Farm* which we all studied in grade 9 or 10 in high school. I know, Madam Speaker, that you are a scholar and you will recall this story. We all recall the premise of what was going to take place in that famous novel.

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The pigs were appalled at the farmer and the lavish life that he lived and the terrible conditions the animals were toiling in. In *Animal Farm* the animals gathered in the barnyard and talked about rebellion and what they were going to do to change things. They spoke in wild terms of equity and fairness and what they would not do if they had the reins of power. The animals continued to gather and whip each other into a frenzy.

Finally the rebellion came. Does this sound familiar? The animals gathered up their strength and courage and pumped each other up. They said they would do things differently if they ever had the chance. They chastised the farmer for his comfortable life. Remember the rallying cry, “four legs good, two legs bad”. When the rebellion was over the pigs moved into the house. They started walking on their hind legs and they took the comforts that the farmer used to enjoy and which they had previously opposed. Does this sound familiar?

• (2115)

In our current circumstances: reformers good, other MPs bad. That is what we have been hearing for 10 years. For 10 years we have been hearing “No pensions, no car, no clothing allowance, no Stornoway. That would never happen”. The list goes on.

The reform leader is standing in the House on hind legs. The barnyard buddies are also here. The moral of the story is that it is very easy to say one thing but when one is saddled with the actual reality of what is taking place it is a different story altogether.

That is what we have heard. We heard one story when that party wanted to achieve office, but now that it is in office it is a different story. The story does not apply anymore. The conditions are not the same. However, that will be for the Canadian people to decide. Opting into the pension plan, the same pension plan that everyone here is entitled to and reformers are entitled to as well, is not what a lot of them said they would do. Some of them did address the issue in an upfront way. What it comes down to is truth or consequences.

What happened to bring about the change? What was the crisis of conscience? What was the shallow pool of principle that caused things to turn around? It was simply the reality that some people may have to leave here and go home. They have families to support and, as my colleague said, they may have children or spouses who have made great sacrifices. Those are fundamental things that cannot be denied. They are fundamental things that every member of the House has to confront, yet that was put to one side when it was politically advantageous to pillar other members of the House of Commons on this issue. I would suggest that it was done with reckless abandon and malice aforethought.

It was easy to criticize something when reformers did not really know much about it. They came to the House, after having created

this atmosphere of fear and loathing—and it has taken almost 10 years to go that full circle—and completely swallowed themselves from head to tail. What we have seen is a reptilian transformation, a shedding of the skin. Now it is okay to have a pension.

It is very easy to get up, speak emotionally, tell us that it is fine and that we wish things were different, but I am just one small voice. There are many members of parliament who feel very offended by what has taken place, particularly members who are not here and who were defeated, and perhaps very much on this one issue. It was made an issue. It was not something that was a creation of anyone other than themselves, which is what makes it so difficult and so distasteful. This is a bed that was made completely by the reform party, no one else.

It is very easy to criticize and vilify one's opponent, but at the end of the day, when it has come full circle, in the sharp light of day and the cameras are on, and we are being asked to explain ourselves, that is where it gets a little more dicey. That is where the reform party finds itself now.

The wrecking ball approach is simple: come in, destroy institutions, strike everything down and criticize. However, when harnessed with the reins of power, as we know this party never will be, it is different.

That is what the Liberal government has had to do. It is nothing new for the Liberal government. The reform party has been very critical of the current government but even this exercise cannot hold a candle to swallowing itself whole: the GST, free trade, privatization, helicopter programs. This government has not even begun to hold a candle to that record except the red book promises and the red faces that now exist in conjunction with that. I suppose there is some comparison with the green book and the envy and greed that might be associated with what is taking place now.

• (2120)

This debate, unfortunately, does take a bit of a nasty turn because it is personal for members of parliament, having suffered the slings and arrows of what was deemed to be outrageous fortune by the reform party, which now it wants to delve into it. We no longer see the plastic pink pigs being stuck in the front lawn of the House of Commons. Of course, that was part of the new dignity that was coming to this place, just like the mariachi band in front of the Senate, a class act. Those things certainly raised the profile and the feeling of dignity that members of parliament have for this place. Double that up with the Canadian flags being tossed on the floor and the old jalopy with the Canadian flags painted on it circling the parliamentary precinct, it certainly raised the profile of parliament. A new dignity.

**An hon. member:** What about taking off their jackets to fight?

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**Mr. Peter MacKay:** Yes, they were challenging members of the House of Commons to fight. That was reminiscent of a new way of doing things, of saying one thing and doing another.

In simple terms, there has been a reality check that has taken place. I hope Canadians are paying attention because I think we sometimes fool ourselves. We think Canadians are watching this place with a close eye. I would suggest it is becoming more and more of a jaded eye because of this type of, dare I say, hypocrisy. The Greek god, Hippocrates, would be looking down on us right now with a very wry smile.

When we arrive in this place we learn in very short order that this is an onerous task and a heavy responsibility. We have to choose our words carefully and we have to be prepared to stand by them. I think the next election is going to be very much about truth and about restoring some semblance of faith and belief that Canadians might have in their elected officials again. This exercise is certainly not going to help that task.

When it is all over, when it is all said and done, if we are prepared to say something to get elected, we had better be prepared to follow through with it. We had better be prepared to stand by those words. The inflamed passions that we see here today are only the beginning of what may be a very rigorous campaign that is potentially going to take place this fall. The spears being used to lampoon one another here may be repeated out on the hustings.

Canadians deserve to know where we stand. They deserve to be able to check up after the fact to see if we have followed through on it. I sincerely hope that members of parliament, particularly members of the reform party, can go back and look their constituents in the eye and say that, yes, they have followed through with their promise in this regard because they chose to make it an issue. They did make it an issue. There is no doubt about that. Pages and pages of *Hansard* have chronicled the commentary that has taken place in the House.

This bill is about fairness and, in principle, all Progressive Conservative members of the House of Commons support what this bill attempts to achieve, which is a fair and equitable system that brings parity in for all members of this place. What we do not accept is that this pension plan was used as a club with a nail in it to beat other members of parliament. We oppose the fact that the reform party is now very quick to embrace this same pension plan and gather it in.

However, that was then and this is now. What we have seen is that there are no more references to gold-plated pensions. That seems to have dissipated. The rancour has somehow died. The righteousness has disappeared somewhat. Well, lo and behold, all the reformers are accepting what they once rejected, embracing what they once despised, counting and caressing what they once so vehemently opposed.

Similarly, they cast aside this previous commitment to their constituents. In simple terms, that was then and this is now.

• (2125 )

On that principle, although I accept the magnanimous remarks of the reform party House leader, it is a bit of bitter medicine to have to swallow. He has talked about changes. I think we can all agree that we want to see any sort of change that will be inclusive and recognize the value and worth of members of parliament in their efforts, their daily tasks, what they do for their constituents, what they do here and what they do on the national scene. We diminish that when we embark on this type of partisan exercise.

I will not deny that we are engaged in a partisan exercise. It is necessary to point to the record on how quickly we sometimes forget what was said. That has been much of the case in Canadian politics and with the government. It will have its record to defend. It will have to explain to Canadians what happened to all that money in the HRDC department. It will have to explain why the Prime Minister was so quick to talk about tearing up the free trade agreement and then expand it when elected. It will have to explain why the Prime Minister said very clearly that he would axe the tax and get rid of the GST and it is still here. If we go to the store we see that we are still paying the GST. It was expanded and harmonized in the maritimes.

However, it was convenient. It is always easy to tell people what they want to hear. There is a public appetite for it, just like this issue with the pensions. People wanted to hear that and the reformers fed it. They fanned those flames to their benefit. Now it is only fair and just that this has come back, and that it has come back, in what some would describe as a very nefarious way, in the last dying days of parliament.

I know that members of my own caucus take issue with the way in which this was brought about. I am certainly not proud of the way this has arrived before us. I, as the House leader of the Progressive Conservative Party, have been a part of it.

However, that is why, at the end of this debate, we will be saying that we cannot support this legislation. We cannot support the way this has been brought about, not because we are against fairness or any form of pension that recognizes work, labour and input, but because we are against hypocrisy. We are against saying one thing because it is politically advantageous and then doing another.

I know that members of the reform party do not want to hear that. It is not consistent with what they have done. There have been all sorts of examples of this as well. It is played out here in the House of Commons on a partisan level every day. However this is one occasion where there is nothing that can be said that will exonerate members of that party. There is nothing that will replace those words in the minds of constituents who voted for reform members after hearing that they were not going to be a part

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of the pension plan. Guess what? They are in, they are a part of it and those promises are long gone, just like the promises on the other side of the House that we heard before the previous election.

**An hon. member:** They'll be long gone.

**Mr. Peter MacKay:** Yes, there will be other members who will be long gone, too, if Canadians choose to dwell on this issue.

Should members of parliament therefore receive a pension? Yes, they should. Should we look at making further changes in the future? Perhaps we should look at something that is more consistent with the private sector. However, we have to look at the whole picture. We know that members of parliament are not remunerated on the same level as those working in the private sector, for example, in certain positions.

If we are going to look at this issue we should do it in a holistic way, not holus-bolus and not to the benefit of one party and to the detriment of another.

I will conclude my remarks by saying that I hope there is sufficient attention being paid to what is playing out before us here, this morality play that was so convenient in years past that has now come home to roost. I hope all members of parliament, including members of the reform party, will reflect on their conscience and review their words. Maybe they will not be so quick to shoot from the hip the next time.

**Mr. Lee Morrison (Cypress Hills—Grasslands, Canadian Alliance):** Madam Speaker, here we go again. I thought all this had been put behind us back in 1998 but this pension issue is kind of like a smelly dead animal. The dog buried it in 1995 and then he dug it up in 1998 and then he buried it again. Now he has dug it up again within the last few days. Maybe, just maybe, some day the public will be sufficiently offended by the smell of this dead animal that they will react against the Liberal Party and make it pay a price for its Machiavellian games.

• (2130)

This bill, this action on the part of the government, has had the effect of reinforcing the very unfortunate public perception that politics is a dishonourable profession and that MPs as a group are self-serving and venal.

As an institution, why on earth would we do this to ourselves? Why do we want to send out that message? More properly, I would say, what motivated the government to do this?

The most charitable interpretation is that it was simple mischief. It wanted to start the type of debate that we have heard going on in this House for the last 20 minutes, which went on last night and which will probably continue on interminably and forever. I would have to say that unfortunately there is a more probable cause than

simple mischief, which is simple venality on the part of some of government members.

The member for Edmonton West, for example, with her defeat imminent, has to be protected, along with many of her colleagues who want to have the best of both worlds. They want to have their pension at 55, but they would like to have severance pay as well. It is a new twist on double-dipping. However, even if mischief were not the prime consideration, it did give the member for Pictou—Antigonish—Guysborough the opportunity to make a campaign speech tonight.

Did he attack the government for its perfidy? Of course not. He raised this silly fiction that somehow the government is doing this to help the official opposition.

I have been around this place for seven years and I have yet to see the government do anything to help the official opposition. That is not the way the game is played. The hon. member for Pictou—Antigonish—Guysborough should know that. It would be extraordinarily naive to think that we could move the government. We cannot even move it on the really big, important stuff. How on earth could we move it on something like this?

Anyway, the member supported his good friends on the government side, irrationally attacked the official opposition on a great variety of issues, and no doubt will have his reward in heaven or will be rewarded by his good buddies across the aisle. It must be really tough to belong to a dying political party and be reduced to licking the hands of government members.

This pension scheme was wrong in 1995 and it is still wrong. It gives members of this House an indecent advantage over ordinary citizens. It is as simple as that. People who sit in parliament should in no way receive a greater public benefit than that to which ordinary citizens are entitled. This is quite fundamental in my view to the way democracy is supposed to work.

People who rationalize and say that we work hard and we really deserve this pension forget that a lot of them would not have had a pension of any kind if they had not been elected to parliament. Now that they are here, they say it is a good idea.

• (2135)

I am not saying that a pension per se would be wrong. I never have said that. However, the pension that we are talking about today is wrong, wrong, wrong. It is an indecent assault on the taxpayers of Canada. I do not know of a single member of parliament who was dragged kicking and screaming into the House of Commons and forced to work for menial wages. Then, to take a pension at the end of that work perhaps would not fit with his views of what is right and what is wrong. We are all volunteers.



I simply cannot go back to my constituents and say that I have changed my mind and that I will buy my way back into this pension plan because I sure could use the money. My self-respect precludes that. I have to look in the mirror every morning when I shave. We cannot do that if we do not feel good about ourselves.

Five years ago, two years ago and again this week the government could have fixed this plan. It could have made it acceptable to all, but it did not. Originally it could have abided by the recommendations of the Blais commission. It ignored it. It had to have the lollipops inserted into the legislation, and the lollipops have stayed all the way through the various ramifications of the legislation that we have seen over the past few years.

I would like to comment on a comment which was made by the member for Winnipeg—Transcona which suggested that our party was not playing by “the rules” because some of our officers, after having agreed to let the government bring this legislation forward on a fast track, then followed our party policy for heaven’s sake and voted against it. How terrible to vote against something to support the policies of one’s own party. How dare we do that.

With respect to the hon. member for Winnipeg—Transcona, I would like to point out that some years ago I had a long and spirited but friendly correspondence with the late Stanley Knowles, one of my political icons. If Stanley Knowles were alive today he would be horrified. He is probably spinning in his grave when he sees his party supporting this perfidious pension scheme. This is a party that has, unfortunately, forgotten its roots.

Well, by God, I have not forgotten mine. I know where I came from. I know who my constituents are. I know who pays the bills around this place. I will not support legislation which unfairly takes money from the pockets of ordinary, decent, taxpaying Canadians in order to create a completely unacceptable and immoral pension scheme for members of parliament.

The hon. government House leader alluded to private pension plans, which he said are just as rich as the one we are discussing here. I wish that he would name one as a specific example. In his statement he talked about a one to one contributory rate, to which I say amen. That has been our policy forever, a one to one contributory rate, but we get \$3.61 of taxpayer funding for every dollar which members put into this plan. That is why it is not right. It is both fiscally and morally unacceptable to me and I believe to the great majority of my colleagues.

• (2140)

Let us not kid ourselves. It is easy to rationalize. It is easy to throw out one’s chest, as the hon. member for Pictou—Antigonish—Guysborough who is going to get his pension has done, and criticize the rest of us. The bottom line is that it is a bad plan. It smells. It is that dead animal dug up for the third time. I hope that

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this time we bury it and bury it for good, and that the next government of Canada will again revisit this situation, appoint a completely neutral commission, with no ties whatsoever to this place, and say “Gentlemen and ladies, sit down and give us a plan. What is an MP worth? Show us the remuneration. Show us what the pension should be and then we will act on it”. Then we would not have to have these nasty, divisive debates again and again. It is unproductive and I am getting sick of it.

**Mrs. Elsie Wayne (Saint John, PC):** Madam Speaker, in listening to the hon. member of the Reform Party speak about the pension—

**An hon. member:** Alliance. Members of the Canadian Alliance.

**Mrs. Elsie Wayne:** I forgot. Yes, they changed the name. Is it CCRAP? No, it is CA.

**Mr. Leon E. Benoit:** That is really classy, Elsie.

**Mrs. Elsie Wayne:** It was not real classy when you did it either.

**Mr. Chuck Strahl:** Madam Speaker, I rise on a point of order. I think the Speaker has mentioned many times that people should use the proper names of the parties. I would specifically say before the member gets started that if she wants to be a class act she should change the way she is heading into this.

**The Acting Speaker (Ms. Thibeault):** Yes, indeed, I must remind the hon. member that the Speaker has ruled that in the House we call the official opposition the Canadian Alliance.

**Mrs. Elsie Wayne:** Madam Speaker, if we are talking about a class act, I would say that we would not be debating this issue if members of the official opposition had conducted themselves in a class act fashion in the past. We would not even be discussing this.

I brought forth a private member’s bill to change the pension plan. Oh, yes. They are smiling. My private member’s bill did change the pension plan. I had asked that no one be entitled to a pension until the age of 60, and the government lowered it to the age of 55. Others can take all the credit they want, but it came through my private member’s bill.

When I listen tonight to the comments being made by the official opposition about money being wasted, I have to say that 90% of those who are sitting in the House when they leave will not get a pension until the age of 55, if they have been here for six consecutive years. Some of them will have a long wait. Some members of the official opposition probably have about 25 years to wait before they will get anything.

When we talk about taking all of this money from the taxpayers, that really is not painting the picture that should be painted.

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My hon. colleague, who is not in the House right now, who comes from the southern end of the province, mentioned that if I were to go out on a pension it would be \$21,000, but it would not. If I were to go out on a pension for the length of time that I have been here, it would be about \$17,000, probably a little less than the vice-principals of our schools back home would receive.

That is fine. That is very fine with me. That does not bother me one bit. However, I want to say this. I listened to the quotes that were made, the things that were said about the people here who have given from their hearts and souls to do what is right for Canadians from coast to coast. I heard the things that members said. They called us names.

• (2145)

**The Acting Speaker (Ms. Thibeault):** I must interrupt the hon. member once more. I just want to make sure that she understands this is questions and comments. If she wants to comment, she can do so as long as she wants.

**Mrs. Elsie Wayne:** On September 12, 1995, an MP from B.C. who at that time was a Reformer said that MPs were still at the trough. Others did not think it was being at the trough. They thought they owed it to their offspring.

I have been hurt by the statements and comments made in the House about members of parliament. I cannot believe what some members said about those of us who have given over 25 years of our lives to make for a better quality of life for our people. I would never say that about any member of the House. I have never ever said it. I have never used that kind of language. I do not intend to use it tonight. I will quote what members of the official opposition have said about everybody else in the House, but I have never referred to any of them in that way. Nor will I do it tonight.

The member for Fraser Valley stated that all Reform Party members would opt out of the pension plan because they stand on principle and do not swim in gravy. I have never swam in gravy. I am pleased that I am known in my riding as someone of principle.

Last week I was asked to go to a Baptist convention in Moncton. I was the guest speaker for a pro-life meeting. Representatives from all across Canada were there. They did not ask others to do it. I was humbled and proud to be there. I am a person of principle. I take great offence at the statements that have been made by members of the official opposition about me, about others in my party and about others who sit on the government side. We are people of principle. Most of us would not even think of being here if it were not that we wanted to do something that was best for the people of Canada.

I think about why members would come here if they did not want to do something that was better for their people. Why would they want to be here and do and say the things they do? If members of

the official opposition wish to come into the pension plan it is up to them. Fine and dandy. We have heard all kinds of rumours in the House about the large numbers in that party who want to have a pension. That is fine, but they should not say derogatory things about other people.

**Mr. Charlie Penson:** Madam Speaker, I rise on a point of order. We are in questions and comments. I think the member for Cypress Hills—Grasslands should be allowed time to respond to this comment. I hope you would take that into consideration.

**The Acting Speaker (Ms. Thibeault):** Yes, indeed. I will ask the hon. member for Saint John to allow a couple of minutes for the member to respond.

**Mrs. Elsie Wayne:** Unlike members of the official opposition I will say yes because I do not have a problem listening to other people. I will listen for a couple of minutes.

• (2150)

**Mr. Lee Morrison:** Madam Speaker, I guess there was a question in there somewhere. I was touched to hear that the hon. member was hurt by the tone of debate in the last parliament, as the practitioner of some of the most vicious debate that I have ever heard in this place. It brings to mind the old proverb of the pot calling the kettle black. This is one for the books.

The hon. member mentioned that she will only get a pension of \$17,000. I do not know what she did wrong or why she will be punished. Anyone else with her number of years of service would be getting \$19,096. Perhaps she was bad and they took away some of her money.

**Mr. Jay Hill (Prince George—Peace River, Canadian Alliance):** Madam Speaker, hon. members down the way and members of the Progressive Conservative Party seem to be suggesting somehow what Canadian Alliance members ran on in the last election as Reformers. I have here a copy of our quick facts policy handbook for Reform Party candidates from the 1997 election which says that a Reform government would abolish the MP pension plan and replace it with pensions comparable to those in the private sector. That is our position.

I note that the Tories had a position. They promised a privatized plan like those of other Canadians. Yet they were in government from 1984 all the way to 1993. They had a massive majority. They could have changed the plan but they did not. Would my hon. colleague comment on that?

**Mr. Lee Morrison:** Madam Speaker, my comment would be that between 1984 and 1993 the Tories could have done a lot of things that they did not do. This is just a very small example. They could have balanced the budget for openers, but all they did was whine about it after they finally got booted out.

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**Mrs. Elsie Wayne (Saint John, PC):** Madam Speaker, as usual the comments of members of the official opposition do not surprise me, but I will inform them of what it was like in my riding when we were in government.

When we were in government we had 4,000 men working at our shipyard, contributing to our economy and educating their young people. It was a beautiful time for our city. We also had a sugar refinery which dates back to 1903 with over 300 men working. It is closing at the end of this month. We had VIA Canada with over 300 men working. None of them had to go to the United States to work. They had their dignity. I have to say it was about the best time I had ever seen in Saint John, New Brunswick. I have nothing negative to say about our people when they were in power. They did an excellent job.

I read the comments that have been made. People will never forget the comments made in the House of Commons about everyone who sits in the House and whether or not they will take a pension. In the next election the comments that were made here will certainly be repeated. There is no question about that, but they will be repeated by other parties. They will remind the people of the statements that have been made.

This is not what one does. One does not rise in the House of Commons to say the derogatory things that were said about all other members. I look at our members who have contributed so much to try to stabilize the foundation of our country for our young people. Yet Reformers say we should never have a pension at age 55.

• (2155)

We lost one member of the House before she became 55 years of age. All kinds of nasty things can be said but the people do not appreciate that. The people do not want that and the people will never forgive members of the official opposition for the things they have said.

**Mr. Bill Casey (Cumberland—Colchester, PC):** Madam Speaker, I was one of the members who ran in 1993 and was defeated in 1993. We have heard a lot about what happened at that time. It was a split vote from the right. The vote I achieved in 1988 which put me in office was split in 1993. A big argument that was used to take the votes away from me was that the Reformers would not allow the pension plan to stay in place, that they would not participate in the pension plan.

I was hammered with it day and night in that election campaign. Many Reform members gained their seats based on that argument. That was the sole, main or prime argument they used against members of parliament like me who had served one term.

I remember it just like it was yesterday. They accused me of coming back only for the pension. I did not run in the first place for

the pension. I did not run in the second place for the pension. It is part of being a member of parliament. They hammered away at that and I lost my seat because the vote was split.

I wonder if the hon. member could comment on another issue in that campaign, that members of parliament should be subject to recall if they do not honour their promises. Reform members at that time said they were not interested in participating in the pension and that they would do away with the pension. I wonder if the member for Saint John would comment.

Considering that the former Reform Party members who are now Canadian Alliance members say that members of parliament should be subject to recall, does the hon. member for Saint John think, if Reform members accept the pension and vote to go into the pension again, they should be subject to recall? That is the first part of my question.

The second part of my question is: Does the member think that the leadership candidates for the Canadian Alliance Party should state their positions? I propose that each candidate should state his position on the pension plan. They should indicate whether or not they support the pension plan and whether or not they support members of the Canadian Alliance Party opting back into the plan and buying back their former service. I wonder what her thoughts would be.

**Mrs. Elsie Wayne:** Madam Speaker, I say to my hon. colleague that when it comes to the maritime provinces and Newfoundland we have absolutely nothing to worry about in the next election because the people will not vote for the official opposition. The member does not even have to worry about that. The opposition got only 2% of the vote in Newfoundland.

Should there be a recall? Certainly there should be a recall if any one of them joins in the pension plan. We should be watching that on both sides of the House. We can look at the comments they made. On November 2, 1999, they said that 34 Reform MPs, including all second term Reformers from Alberta, fought for, won and exercised the right to opt out of the MPs pension plan. However, reflecting on the difficulty of going without a pension does not mean any of these principled MPs have changed their minds. In any event they could not legally opt back into the plan even if they wanted to at that time.

They can opt into the plan now. We certainly will be watching to see who opts in to the plan in view of the statements that have been made in the House about everyone else who has been part of the pension plan.

• (2200)

When I ran in 1993 I did not even know there was a pension. I never got a pension after 18 years at the local level. I never knew there was a pension plan up here. I did not run for a pension. I

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would not have dreamed that there was a pension. My hon. colleague asked me about the candidates who are running to be the leader of the Canadian Alliance. There is one and that is the person who was the leader of the Reform Party who stated just this week, and I believe it is in *Quorum*, that if he becomes the leader none of them will be able to take the MPs pension because he will not allow it. It will be interesting to see what happens.

**Mr. Leon E. Benoit (Lakeland, Canadian Alliance):** Madam Speaker, tonight we have heard members of the Conservative Party talk about the two times the Reform Party reversed its position on issues. One was to do with Stornoway and the other one, according to them, dealt with taking a car for the leader of the party. They have dwelt on that and they have brought that up again and again yet in 1984 their party ran on balancing the budget and lowering taxes. I remember it well because I voted for them in 1984. They reversed their position on those issues.

Would the member lay it out before the people of Canada as to how important she sees the issues are of taking a car and living in Stornoway as compared to the issues that her party reversed their position on? That was the issue of balancing the budget. When they left they had a \$42 billion deficit that year. They ran on reducing the debt, but they more than tripled the debt in their nine years in office. They ran on lowering taxes but they increased taxes more than 100 times in the nine years they were in office.

I would like the member to clearly lay out for the Canadian public how she sees the importance of the Stornoway and the car issues compared to the importance of the issues they reversed their positions on, which was the issue of running a \$42 billion deficit, the issue of tripling the debt during their nine years in power, and the issue of raising taxes which they did over 100 times. Would she very clearly lay out how she feels the importance of these issues relate?

**Mrs. Elsie Wayne:** Madam Speaker, I know that the hon. member from the Canadian Alliance would like to change the subject to something dealing with the economy instead of dealing with whether or not they are going to take a pension.

I want the member to know that when Brian Mulroney became the Prime Minister there was a \$39 billion debt that was left to him by Pierre Elliot Trudeau. A \$39 billion debt was left to the PC Party by Pierre Elliot Trudeau and no one even talks about it.

Back in the maritimes there is no prayer for the Canadian Alliance because our people understand the different regions of Canada and that different needs in different regions must be addressed. I look at the flip-flops that have come from members of the official opposition, and they even flip-flop on their own name. They flip-flop on everything. They flipped out of the pension plan. Now they would like to flip-flop back into the pension plan. They flipped out from the Reform Party name and went to another name

and I believe they said it was CCRAP. We did not say it; they said it. Now they are down to Canadian Alliance. They are flip-flopping all over the place. The stability is gone. People have seen it and we know that.

When it comes to the pension plan, certainly as our House leader stated tonight, we feel they should all have had a pension. Certainly they should have been in the pension plan. There is no question about it. There is no reason in the world for them not to be in it. We could change it so that no one gets a pension until a certain age. It was 60 for me. Now it is down to 55 and the majority of the people do not get one when they leave here.

• (2205)

There have been major changes that have come about. In the class of 1988 the immediate pension was about \$37,000. Now the immediate pension is around \$18,000 or \$19,000. That is only since the class of 1993. There have been major changes and people in all communities across the nation respect that.

**Mr. Dale Johnston (Wetaskiwin, Canadian Alliance):** Madam Speaker, I would like to split my time with my colleague from Prince Albert.

I cannot say that this is a great pleasure to speak on this bill because it is not. Back in 1992 I had just finished serving six years on council and I did not get a pension after I left.

I found out from talking to many people, as a person at the municipal level does, that there was great discomfort in the country about the fact that there had been successive deficits run for years and years. We had managed to amass a \$600 billion in debt, yet the members of parliament had rewarded themselves by giving themselves a pension plan that was not available to anyone else. It was a plan that was topped up by their employer six to one. For every dollar put in by the member, the taxpayers of Canada, the poor beleaguered people who had already been taxed into submission and into \$600 billion worth of debt, had to fund the members of parliament pension plan six to one.

It was not my idea to bring this to the Parliament of Canada. It was my constituents' idea. When I sought this nomination, I thought that one of the things we would have to put a stop to was the runaway spending and the unnecessary taxation of people.

I will never forget the day when Don Mazankowski was the newly minted finance minister. I had a lot of respect for that man and thought maybe he was someone who would give us a budget that was somewhere near balanced. My hopes were dashed. I think his deficit that year was a meagre \$22 billion. At that point I said I had to get out of municipal politics and into federal politics because it was absolutely horrendous; I had children whom I hoped soon would have children and I was very concerned about the state of the nation.

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What options do ordinary Canadians who pay taxes to this place have for retirement benefits? If they are lucky and have any money left after tax, they can put a few dollars into an RRSP to pay taxes on at later date. They do not have a pension plan. I suggest that a lot of the people who came to this place from some other business did not have a pension plan. Now that they are here they say they have to have a pension plan, that someone else is paying for it, so why not.

There is a lot of talk about the changes which have taken place to this very plan. It is extremely significant that there have been three bills in seven years to deal with it. If it had not been for pressure put on by the former Reform Party, those changes very likely would never have taken place.

• (2210)

When we came here we were the Reform Party. We made some changes to the pension plan by putting the pressure on the government. That is how that happened.

Let us see what people have available to them. They have the famed, or is it fabled, CPP. They have the Canada pension plan and for the low, low price of 10% of what they earn, they can enrol in it. The premium will soon be 10%. By 2003 that plan to which self-employed Canadians, and lots and lots of the people in my constituency are self-employed, will pay \$3,270 per year for an annual pension of \$8,800. That is a whopping \$733 a month, and certainly they will have money left over from that to pay taxes, to make sure that members of parliament retire in the manner befitting members of parliament. Would that be reasonable? I think not.

Today it takes a record 20% of Canadians' average earnings just to pay their taxes. In the small amount of time we have been here we have made changes to this plan. Taxpayers were putting in \$6 for every \$1 a member put in. It was six to one. It has been reduced to \$3.61 for every \$1. That is still pretty rich and it is still too rich for me.

I concur with my colleagues that the only way to handle this is to put it to an independent arm's length group who will come in, assess the job and the fact that we have to spend time away from our families.

I have heard people down at the other end say, "We spend time away from our families. We have to get on an airplane". Where did they think MPs went to work? Did they not know they had to come to Ottawa to go to work? Did they not know that the House sits 135 days a year? Was this some surprise, that after election day they said, "Oh my God, I did not realize I had to go to Ottawa". Of course they have to go to Ottawa.

There are people out there who are struggling. They do not know where their next paycheque is coming from and we are worried about a pension plan.

I submit that anybody who has the wherewithal to get themselves elected to this place should have some wherewithal to make a living once they leave here. If they have not, how in the world did they ever get here? I think every one of us has that wherewithal.

There has been a lot of talk that we co-operated with the government to bring in the bill. Yes, we did. We did that so we would get an opportunity to talk to the bill. If we had not co-operated with the House leader, he very likely would have brought it in anyway. He very likely would have put closure on every aspect of the bill. He very likely would have got his bill and we would not have had any say. We would have looked totally complicit in the whole affair.

I do not want to eat into my colleague's time because I know that he has things he wants to get on the agenda, too.

Members of parliament have families and they do have to prepare for their golden years. However, I would like to see a pension plan that is fair, one that is reasonable, one that is somewhere near the ones that my neighbours have. My neighbours manage to get along just fine and they do not have a cheque arriving from the Government of Canada every month.

• (2215)

At no time have I ever said that members of parliament do not deserve a pension plan. What they do deserve is a pension where they can hold their head up high and say that this pension is somewhere in the neighbourhood of what their neighbours, their friends and the people who fund this place have available to them.

This bill, in my opinion, and the whole approach to the pension issue, is just one more reason that I believe this government should be sent packing. We have heard people down at the other end say that there will be nobody who will vote for the Alliance Party. There will be people who vote for the Canadian Alliance. I want to put them on notice that an election is in the offing. I am sure the Prime Minister is a man of his word. He said that we can rely on having an election within a year's time. I would like to put the party down at the end of the hall on notice that a lot of them are not going to be here next time around.

**Mr. Lee Morrison (Cypress Hills—Grasslands, Canadian Alliance):** Madam Speaker, I have a question for the member for Wetaskiwin. I have a bit of a theory about the Liberal House leader out on a fishing expedition and casting flies. Lo and behold, a fly fell in front of the hon. member for Pictou—Antigonish—Guysborough and he leapt on it like a big trout. He and his colleagues have been doing the work in this place of the government.

As members of the House may have noticed, the government members have had nothing to say all night. They have been sitting there smiling like Buddha while that group over there does their dirty work for them. I think this a little delicious.

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I would like to ask the member for Wetaskiwin if he believes that the other party, the fifth party, licking the hands of the hon. House leader for the government, is the shape of things to come?

**Mr. Dale Johnston:** Madam Speaker, if ever there was a loaded or leading question that would probably be it.

If my hon. colleague from Cypress Hills—Grasslands truly expects me to answer that, we will have to have a beer and talk that one over in private. I am not prepared to make statements like that in the House of Commons.

The question from my colleague does give me an opportunity to let him know that I do recall that when we first arrived here after the fall election of 1993, my good friend from Cypress Hills—Grasslands, my colleague from Prince George—Peace River and myself went over to pay and benefits. We said that we wanted to get out of the pension plan. The people in pay and benefits, after they had quit laughing and had picked themselves up off the floor, said that nobody gets out of this pension plan. They said that there was no way for anyone to get out of the pension plan. They told us that we were in it and that was all there was to it.

There has been a lot of talk tonight about all the Canadian Alliance members being in the pension plan. I would just like to point out to you, Madam Speaker, and I know that you have a grasp on this, no one is vested in this plan until they have served six years.

At this point, I do not think it is entirely accurate to say that the Canadian Alliance people are in the pension plan. They are making contributions to a pension plan that will absolutely ruin their RRSP eligibility which will be all but taken up by the contributions to this registered plan. Therefore, to say that all the Canadian Alliance members are in the plan is absolutely inaccurate. There will be no more Canadian Alliance members in this plan than there are at the moment. Members will only be in once they have served their six years.

• (2220)

**Mr. Derrek Konrad (Prince Albert, Canadian Alliance):** Madam Speaker, I would like to talk a little bit about an image that comes to mind when we get to the debate about pay, pensions and things like that.

I will go back to the Trudeau years. I did not pay too much attention to politics in those days, but we were into hyperinflation in some of those years. All of a sudden, Trudeau, his cabinet and the Liberal Party slapped handcuffs on the wage aspirations of the average Canadian worker of 5% and 6%. Can anybody in the House forget where they were the night that happened, when Trudeau sat there in his expensive suit with a flower in his lapel and

locked us into 5% and 6% wage increases over the next couple of years? Before he did that, he made big wage increases to two classes of people: members of parliament and senators, and federal judges. The political and judicial elite of Canada were exempt from the laws they made for every other person in the country.

Madam Speaker, could there be a little less cross-talk in the House so I can speak and be heard?

**Some hon. members:** Oh, oh.

**The Acting Speaker (Ms. Thibeault):** The hon. member is asking for a little silence as he makes his speech. I suppose that it can be very disturbing, so I would ask hon. members to please respect that.

**Some hon. members:** Oh, oh.

**An hon. member:** Put a sock in it.

**Mr. Derrek Konrad:** Thank you, Madam Speaker, for asking them, as my colleague said, to put a sock in it. It is hard enough to speak here when these people are talking over what one is trying to say.

The Trudeau era is the primary image I have of what happens when the political elite takes control of its own wages and benefits, and passes legislation that is not to the benefit of every other person in the country. That is why this needs to be taken out of the hands of the political elite and given to an independent commission to make those kinds of recommendations.

I am sure that in those days maybe even the Trudeau Liberals could have been re-elected—if they had not done something like that—if they had put it in the hands of somebody else outside the system. No, they made sure that their pocketbooks were good and thick at the expense of Canadian taxpayers who were held back at a time when they were losing their homes, farms, businesses and everything else as a result of inflation.

I want to talk a little about the pain the PC Party down at the end of the building here seems to be feeling as a result of the MP pension issue. Members of that party think they were defeated because of the MP pension plan. They think that was the major issue in the last election.

Let me tell the House that the last Conservative to be elected in my riding was John Diefenbaker. No other Conservative has been elected since. We have had Liberals but they were defeated because they did not happen to know there was a place called western Canada. It was just where another automatic vote came from. It was good-bye to Gordon Kirkby who was one of the primary architects of Bill C-68, the firearms legislation. Prior to that it was a NDP member. It has been back and forth as they searched for an alternative who would make a difference.

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As for Mr. Diefenbaker, most of his supporters, workers and campaigners are now members of the Canadian Alliance. They came through the reform party. They have had it with the Progressive Conservatives.

Those are the many reasons why the antipathy toward the Conservative Party runs so deep, so longstanding and is so visceral. It is based on a number of factors.

The national energy program instituted by the Liberals was supposed to be done away with immediately when Mulroney and the rest of the Conservatives were elected. They left it in place for years and took billions more out of western Canada. That is one good reason.

The aircraft maintenance contract was taken from Winnipeg by force and transferred to Bombardier in Quebec by an act of cabinet after it was fairly awarded by a competitive contract.

They wonder why they do not elect anybody in western Canada? Let them think about it: the ongoing deficits, the spiralling debt, increasing taxation.

In Saskatchewan there was a bush league boondoggle called gigatext where they thought they could translate French into English and English into French just by pushing a button. The only button that was pushed was the voters of Saskatchewan who awarded the Progressive Conservative Party roughly 7% in the last election. I do not think it got much more in the previous election. It had nothing to do with MP pensions. It had to do with the things that I have just mentioned.

• (2225)

Added to that were ongoing, well documented excesses and scandals. There is a book written about it, *On The Take* that most of us have read if we are from Saskatchewan. In case the Progressive Conservatives are under any misapprehensions, they should read the text of what I have said tomorrow and they will understand why they have no voice, no members and no representation in western Canada.

Getting away from the historical aspects, we had an opportunity to do it right by adopting the recommendations of the Blais Commission report last time. That was rejected out of hand by the government, which is a total waste of more tax dollars. We could have converted the non-taxable allowance to taxable and put the pension on a commercial basis, but we lost the opportunity. This is just another example of a process that is flawed when it is in the hands of MPs. It needs to be taken out.

The Canadian Alliance is governed by its members meeting in biennial assemblies and they set the policy. We are just asked to implement policy. I think it is rather a good idea. They get to set the stage.

Some parties have a policy similar to ours but they have zero chance of bringing it into effect. What is the purpose of having a policy if we cannot bring it into effect? For instance, the NDP wants Canadians to elect 20 of them so they can be the conscience of parliament. Big deal. When have the Liberals or the Conservatives ever listened to their conscience? Why would anybody elect a party like that or any of its members? For goodness sakes, that is just too much to hope for.

I abstained from the previous vote to send the bill to second reading. I will be opposing the bill in the upcoming vote.

**Mr. John Herron (Fundy—Royal, PC):** Madam Speaker, I have a simple question relating to the reform platform. There are some aspects of it that I actually agree with from time to time, especially on tax policy and the need to lower taxes and pay down the debt. Those are the kinds of things where a broader Conservative consensus can be built some time in the future.

One aspect that I am curious about is the issue of recall. How many signatures are required under the reform formula for recall? If we could obtain those signatures on this particular issue, would reform respect that petition?

**Mr. Derrek Konrad:** Madam Speaker, as the hon. member is well aware, there is no reform policy any more because we are now members of the Canadian Alliance.

I did make a commitment to my voters that if a majority of them got together and recalled in a petition, which has not happened by the way, then I would honour it. I think that is the best answer I can give the hon. member. Until a party becomes government it cannot implement recall. I am quite sure that if a recall policy had been in effect in the last years of the Mulroney government, we would not have had to put up with so many years of mismanagement by the Tory Party.

I am glad to hear that the Conservatives agree with our taxation policies. That is important but it is only half the game. There is parliamentary reform, which they are not interested in, and a whole list of things that need to be dealt with.

**Mr. John Herron:** Madam Speaker, I just want to explore this issue a little further. We do have some concurrence on how we grow an economy by paying down debt and lowering taxes, so we do agree on that side of the equation. On the parliamentary reform aspect of things, he said I did not have any interest. I am trying to get more interested as we speak.

• (2230)

In that regard, the question is quite simple. How many signatures under the Reform formula that exists, which now represents individuals from the Canadian Alliance, are required to have a recall on any particular issue? How many signatures are required

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to do that? That is my question. It is a direct question. What is the number of signatures required for a recall under the platform on which the hon. member ran?

**Mr. Derrek Konrad:** Madam Speaker, I wish I had the blue book with me. I believe it is about 25%, but he is asking for an absolute figure. If we are talking percentages we cannot give an absolute number because numbers in ridings continue to change.

I do not know, but maybe he is interested in recall because someone in his riding is planning to start a campaign against him, or something to that effect. He is afraid people are going to ask why he does not pay attention to the previous Reform Party policies so that they can get rid of him.

For me, it is no worry. Nobody is that unhappy with me as their member of parliament.

**Mr. Leon E. Benoit (Lakeland, Canadian Alliance):** Madam Speaker, the member of the Conservative Party brought forward the issue of recall in a way that he seems to think is somewhat threatening to us.

I would ask the member for Prince Albert directly, if this government were to bring in a bill tomorrow on recall, would he support that bill?

**Mr. Derrek Konrad:** Madam Speaker, that is a hypothetical question which does not require an answer, I am sure to say, because the government would never do such a thing. If the Canadian Alliance did it, yes, I would support it.

I rather doubt whether we would ever see such a piece of legislation coming from any other party in the House, but the answer is yes.

**Mr. John Herron (Fundy—Royal, PC):** Madam Speaker, I am pleased to have the opportunity to make some remarks in the debate this evening. The course I will take in terms of the presentation I will make over the next number of minutes will reflect on the comments that I made in last night's debate. I will speak very much to the politics of this particular issue, more so than to the substance of it.

I think it would be wrong for me to stand and accuse members of the CA, the party formerly known as Reform, of being people without principles because I clearly know that is not the case. They are individuals who believe in their country and they want to make a better country.

The energy of the debate comes from the stunts, the antics, the rhetoric, the visceral attacks that members of the former Reform Party make against numerous members of parliament. I could refer to the Minister of the Environment. They chose to put that individual's picture on a billboard with one of Canada's most

horrendous mass murderers to illustrate an issue with respect to the feint hope clause, section 745.

That was done not only by Reform candidates. To be fair, it was also done by a special interest group. The point is, no one deserves to be put on a billboard or to be subjected to that kind of tactic.

I can also point to the stunts they pulled on the House of Commons lawn, where they actually had replicas of pigs to represent parliamentarians feeding from the trough.

• (2235 )

We also remember the stunts that they pulled with respect to giving away the keys to a car which was meant for the leader of a political party.

The hon. members for West Nova and Pictou—Antigonish—Guysborough and I in my riding of Fundy—Royal like to play bingo. It is an institution that exists very much in rural Canada. I know that my constituents who have pensions play bingo. Bingo cannot be played in Stornoway, as the member for Calgary Southwest advocated, because it was not turned into a bingo parlour. It is now the home of the Leader of the Official Opposition. Reform members made a stunt out of it.

They also said that they did not need a chauffeur, but now the member for Edmonton North has a chauffeur driving her car. Those are the stunts and the language these members choose to use.

My comments are made in tribute to principled individuals who sat in the Progressive Conservative government between 1984 and 1993, individuals who lost their seats because they were attacked with that same kind of rhetoric. Some of these comments may be applicable today, but they would be against their own internal mechanism.

The member for Calgary Southeast commented in the Vancouver *Sun* that MPs who opt back in are liars or hypocrites. He went on to refer to one member of parliament who had opted in. He said that he had told the voters he was opting out and that he had broken his word.

The leader of the party formerly known as Reform said in September 1995 "Canadians will know which MPs are greedy and which really care about taxpayers. Believe me, the voters won't soon forget those MPs who promised integrity in government but decided to pig-out while the trough was still full".

It is this sort of visceral attack that actually precipitated a fair amount of the energy of the debate we have before us at this time.

On February 28, 1995 the former leader of the Reform Party stated "It is the intention of Reform MPs to opt out of the MP pension plan. We call upon every other member of the House to do likewise. Opt out or get out will be the cry in the constituencies. It



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is a cry which must be respected if fairness and leadership by example and integrity are to be restored to parliament and any budget it endorses". Those comments were made by the member for Calgary Southwest.

What are the big picture issues that Canadians are concerned about? They are concerned about the fact that we still have a \$600 billion national debt. We owe it to every young person and future generations to pay down the national debt in a very deliberate way.

We also owe it to the Canadian economy so that we can maintain our place in the world. We must address the fact that we have the second highest corporate tax rate in the industrialized world as a percentage of our economy and the highest personal income tax rates.

Those are the issues Canadians want us to talk about in this place. Instead, time and time again we have ratcheted up the rhetoric using the kinds of quotes I just read. They are very visceral attacks made in the course of campaigns for crass political gain. That is the issue that we have before us.

• (2240)

A few weeks ago in my riding the member for Edmonton North said "We are going to send the member for Saint John, the member for New Brunswick Southwest and the member for Fundy—Royal home after the next election whether they receive their pension or not". The fact is, there is not one poll to substantiate the fact that they would even have one iota of a chance of winning a seat in Atlantic Canada. The point is, they were still willing to use the pension card only a few days ago.

I was very happy to celebrate my nomination, at which there was a very articulate speaker. Bernard Lord is one of the youngest and most dynamic leaders that we have in this country. As the Premier of New Brunswick he has done some very special things in his first year in government. He has been able to lower taxes, balance the budget and put more money into priorities such as health care and education.

I am very pleased that he had a chance to speak at that nomination meeting, which was attended by 300 people. All eight MLAs were either there in person or sent letters of endorsement. A couple of cabinet ministers attended. More importantly, 300 grass-roots members came to support and endorse that campaign.

I want to pay tribute to my president, Glen Baxter, whom I regard as one of the strongest presidents of any political party in the country, for putting together such a positive event.

What that illustrates is that with all eight riding associations supporting my campaign provincially, all eight MLAs, we know that we will be very strong in the riding of Fundy—Royal the next time around.

The debate that we have before us today gives us a chance to illustrate the stunts of sombrero dances against the Senate, visceral

attacks against a great Albertan, Ron Ghitter, the stunts with respect to the car, Stornoway, the pension plan and the changing of the party name.

All of these stunts come down to one issue. I refer to the comment which came from across the way from the parliamentary secretary for heritage. He said that they were going to do politics differently, in a more mature fashion. What Canadians have witnessed on numerous occasions over these last seven years has been exactly the opposite.

I will not taint all members of the Canadian Alliance or Reform, but the fact is, that is what they did. They assailed our leaders. They assailed people like Brian Mulroney, who was the prime minister between 1984 and 1993.

They were very quick to point out that the economy was in a worldwide downturn, but they went at it as if we were the only country not to have a balanced budget during that era. Margaret Thatcher was a Conservative. She had some of the same challenges in Great Britain. I do not know if they would attack Ronald Reagan or George Bush in the same way, but they faced the same challenges over that timeframe.

They forget to comment on the fact that the Progressive Conservative Party from 1984 to 1993 was indeed a prosperity builder. It was able to upgrade our trade with the Americans from around \$100 billion each and every year to over \$320 billion. That is why we have growth in our economy today.

Those are the issues that Canadians need to hear and talk about. That is the legacy that we need to point out. The debate comes down to one issue: the visceral attacks, almost hatred, being uttered by so many of those members.

• (2245)

I will not repeat the comments that were uttered time and time again in yesterday's debate. But we should probably take the lead from the House leader of the Canadian Alliance when he said, "We have no one to blame for this but ourselves. This is a bit of a dilemma of our own making. Let us not kid ourselves". My comment to the members of the alliance is if they sincerely want to do politics differently, if they sincerely want to build a broader coalition of conservative voters, they have to do one thing and that is to tell the truth and apologize for the stunts and the antics which they performed.

The Progressive Conservative Party has taken the time to speak here tonight to point out the hypocrisy that was demonstrated by those members. A good number of them are now choosing to participate in the pension plan. I do not begrudge them believing they should have some kind of compensatory regime upon retirement. I will even tip my hat and say that the pension plan is more palatable to Canadians currently because we cannot collect it until we are 55, that of the amount of contribution dollars required there is a higher input from members than from the taxpayer. I will tip

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my hat to the Canadian Alliance for helping moving the yardstick and helping to correct the issue.

But the issue of concern here is that they have an awful lot of crow to eat. There is the pensions, the bingo hall, the car keys, the chauffeur. In the election of 2000 or 2001 the voters will remember this issue more than anybody can imagine.

**Mr. Greg Thompson (New Brunswick Southwest, PC):** Madam Speaker, I might suggest coming from a House leader, I think we could probably wind up this debate. I want to make a few comments to capsulize what we have been saying with regard to Bill C-37.

To remind people who may be channel surfing and watching this ordeal, Bill C-37 is an act to amend the Parliament of Canada Act and the Members of Parliament Retiring Allowances Act. Being a former educator, I think it is important to lay out what the debate is all about in such a fashion that the Canadian viewers understand. From time to time we tend to get off track to make our point and I am no exception.

This bill will allow members of parliament who opted out of the pension plan to get back in. This is the third go around for what was formerly known as the Reform Party. Those members have basically swallowed themselves whole. I have used that expression a couple of times tonight.

Members of that party, as my hon. friend mentioned, railed against pensions for years until they came to this place. Many of them got elected on that issue. There are other issues and we concede that, but many of them got elected on that issue because it was a popular thing to say, only to find out that once they were here it does put limitations on what they can do back home in terms of a business and what they can do in the future when they leave this place. They have suddenly realized they might need it. They actually conceded that last night in the debate.

How this was brought about was there were secret meetings on this issue between the House leader of the Canadian Alliance, formerly known as the Reform Party, and the government House leader. They did it behind closed doors. They were pressured by members of the Canadian Alliance to do something about the state of their pensions because obviously they had since found out that they may need a little bit of a safety net when they leave this place, understandably. They had to do it in such a fashion that it would not appear that they were pushing that agenda. They were pretty clever at it. They almost succeeded until our party decided to rail against it and vote against it, which we did.

• (2250)

Whatever twisted logic the CA wants to use in terms of our position, it just ain't going to work. The fact is we will vote against

the bill in the way in which it was brought about. It was brought about by secret meetings between the House leader of the former Reform Party and the government House leader.

The *National Post* tells it just about as well as anybody else in its June 13, 2000 edition. That would be today's, almost yesterday's edition by now. The headline reads, "Grit pension plan ploy divides alliance" and goes on to say, "Bill prompts party to drop hardline stance against system it has often attacked". Our House leader often refers to the *National Post* as the Reform Party daily bugle, I guess with a little sense of humour to be fair. This capsulizes what we are talking about tonight. That is why we have been up on our feet so much on this. The *National Post* article said:

The pension bill, introduced in the dying days of Parliament's spring session, also allows dozens of Alliance MPs who were elected as Reformers in 1993 to "buy back" years of forgone contributions to the plan. The party which once threatened MPs with punishment for joining the plan has apparently dropped its opposition. Its MPs agreed to give unanimous consent to the tabling of the legislation last night, which ensures its speedy passage through the House of Commons before Parliament's spring session ends this week.

They did exactly that. They gave unanimous consent to push the bill through the House truly without debate. They did not want a debate on it. They did not want to vote on it. They did not want members to express their feelings on it, as we are doing tonight. I would say it was a conspiracy of silence on their part. They simply wanted to slide it through in the dying days of this session, which in fact they have done on a couple of occasions, pressuring the government to do so.

The government has a legitimate interest in this as well. We do not want to deny that. But the fact is that MPs were left outside of the process. Again this is to educate the people back home. Hopefully as the final speaker we can get a sense of what is actually happening. We will not deviate onto the national debt and past history.

The bill was laid on the desks of members of parliament one-half hour before we came into this place last night. That rarely happens unless the government is trying to push something through quickly without debate. That is what it is attempting to do with the help of the Reform Party. There was unanimous consent to push it through, ram it through.

The bill is complex. Tonight in the House of Commons the minister responsible for this bill, the hon. government House leader, who is still here with us to give him credit, had three officials with him, three technical advisers to explain to him what the bill is about if he got questions from the floor of the House of Commons.

• (2255)

This bill was laid on our desks one-half hour before it was debated. There was no opportunity to review it or to get any kind

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of consultation or advice on it. The House leader tonight had the audacity to say, “We are going to pass this bill and you people will have an opportunity to ask these officials exactly what you want to know about it. Let us get it through the House of Commons”. That is truly what he said tonight, let us get it through the House of Commons.

I am going to quote from the bill, just to give an idea of how complex it is. We have to go back into a lot of past history and bills that preceded this to truly understand it. I am reading from page 1 of the bill. Listen to this:

Section 1(1)(70)(4) of the Parliament of Canada Act is replaced by the following:

(4) Subject to subsections (4.1) and (5), the severance allowance to be paid to or in respect of a person under subsection (1) or (2) shall be a lump sum amount equal to 50% of the aggregate of

(a) the sessional allowance under section 55;

(b) any salary or allowance under section 60, 61 or 62 of this act or section 4 or 5 of the Salaries Act.

That tells us exactly the complexity of this bill. And it was laid on the desk of every member of parliament minutes before it was going to be introduced and debated. They did not want debate. We have to remember that. They did not want debate on this issue.

What has to be known when this bill is read is that the Reformers are now in the pension plan. They have achieved exactly what they wanted to do. They have done it by stealth.

Last night the Canadian Alliance House leader spoke in this House. To quote from the *Hansard* of Monday, June 12, he said, “We have to vote on this issue”. He was talking about the bill in question here.

We will have to move on it and defend it and explain it. All of the speeches and all of the debate will give people confidence that members of parliament have applied themselves to this thoughtfully and have come to a conclusion collectively.

That is the member for Fraser Valley who happens to be the House leader for the Canadian Alliance. He went on to say:

It is very unfortunate that those of us who have remained out of the pension plan have run that gauntlet and, as I said earlier, have reaped what we have sown. We had hoped that by staying out of the plan we could press for a more modest and acceptable plan but alas, it was not to be.

He went on to talk about the Blais commission.

The *National Post* actually picked up on part of what he had to say. He is basically saying they railed against this in 1993; they railed against it for almost 10 years, actually long before 1993 leading up to the 1993 election. The House leader of the Canadian Alliance, the member for Fraser Valley said, “We have no one to blame for this but ourselves. This is a bit of a dilemma of our own

making”. Imagine. He was being quite modest, “This is a bit of a dilemma of our own making. Let us not kid ourselves”.

He got up in the House tonight and 24 hours has given him enough time to spin his story. As the member for Winnipeg—Transcona said tonight, it is almost unbelievable that the same House leader of the Canadian Alliance allowed his party to give unanimous consent to push this bill through without debate.

● (2300 )

Now, after 24 hours of reflection and probably getting some calls from back home, he has completely flip-flopped on his position. It has basically allowed him to massage the message that he was giving last night. Although every one of them unanimously consented to ram the legislation through the House, they stood in their places tonight and voted against it. They want to have the best of both worlds.

I have received a note from my House leader which says that Reformers are in an suspended existence of purgatory, caught between the devil and the deep blue sea: what they said to get elected and what they truly want and desire. They now walk softly and avoid the big stick with which they like to club other members of the House. That is pretty good humour, but does it not tell the whole story about exactly what they are attempting to do.

That pretty well winds it up from our point of view. They truly have swallowed themselves whole. That is the long and the short of it. I think the Canadian people have basically figured them out. They have attempted everything. We have talked about some of the things they have attempted to do in terms of watering down their policies, trying to broaden the base of their party, changing the name of their party, and so on and so forth. We could go on and on forever on some of the things they have attempted to do.

The truth is they wanted this to slide through the House in the dying days of this session without any opposition. They conspired secretly with the House leader of the Liberal Party to make this happen. In terms of the cynicism that is sometimes expressed about the way this place works, that is living proof of it. The House leader of the government does not have a lot to be proud of. Certainly the House leader of the CA has nothing much to brag about on the particular bill. It is a sad day for parliament when we see a display of arrogance like we have seen in the last couple of days. On that note, I rest my case.

**Mr. Jay Hill (Prince George—Peace River, Canadian Alliance):** Madam Speaker, I have a few comments to make and hopefully the hon. member will keep his comments short. I know a couple of my colleagues would like to have some time during the 10 minute question and comment to make some comments about the hon. member’s intervention. He raised a number of issues

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during his intervention. If I can understand where he was going with it, one was—

**An hon. member:** He wasn't going anywhere.

**Mr. Jay Hill:** One of my colleagues says "He wasn't going anywhere". During the committee of whole process he said that he did not have an opportunity to direct questions to the officials or to the hon. government House leader. Anybody who has been watching the debate tonight at home and anybody who has been participating in the Chamber knows that is rubbish, as one of my colleagues said. The hon. member used the majority of that time.

We had one hour in committee of the whole during which opposition members and members of the government could ask questions pertaining to the bill of the minister responsible, in this case the government House leader, and the officials he has asked to be present. The hon. member used 20 minutes or 25 minutes of that time to rant and rail against the Canadian Alliance. Anybody watching the debate saw that. He had lots of time to put questions to the officials or to the government House leader, yet he chose not to do so. That is the first fallacy in what he stated.

**Mr. John Herron:** Madam Speaker, I rise on a point of order. When bills are brought forth in the House they are normally sent to a parliamentary committee where they are scrutinized and Canadians participate, as opposed to being sent to committee of the whole.

**The Acting Speaker (Ms. Thibeault):** I am afraid the hon. member is into debate right now.

• (2305)

**Mr. Jay Hill:** Madam Speaker, as you correctly pointed out, even though it is eleven o'clock at night that certainly was not a point of order. The hon. member knew it before he rose in his place.

The second assertion of the hon. member from New Brunswick was that somehow my House leader, the member for Fraser Valley, and the Canadian Alliance had an opportunity to spin their story. Let us look at who is spinning what story.

The hon. member represents a party that had a massive majority government between the years 1984 and 1993. If I am not mistaken, the father of his House leader, the hon. member for Pictou—Antigonish—Guysborough, was a member of that government for a portion of that time as a cabinet minister. These individuals in the Progressive Conservative caucus are somehow trying to point the finger during this debate. They had a majority government for nine years. At that time they promised the Canadian people a privatized pension plan like those used by other Canadians. They had a massive majority government for nine years and did nothing to change the MP pension plan.

Since we were elected in 1993 we have tried for seven years to bring about changes to this plan, and we are in opposition. We have tried everything we can including opting out of the plan to draw public attention to what we believe is an unfair plan. We have tried to get changes that we all can participate in. We have tried to get a plan that we can all participate in, hold our heads up, look at ourselves in the mirror, and participate in.

The Progressive Conservatives were in government between 1984 and 1993. They had a massive majority, indeed the largest majority in Canadian history. They had 212 of the 285 seats and they never changed the pension plan. They have the audacity to stand and attack others who have tried to change it. They should be ashamed of themselves.

**Mr. Greg Thompson:** Madam Speaker, I hate to say it but I think I am getting under the hon. member's skin. I certainly would not want to do that. This is the famous old bait and switch tactic. He wants to get us off the topic. The truth is that they are attempting to spin their story and they are not succeeding. The truth is they conspired with the government House leader to sneak the bill into the House of Commons in the dying days of this session. That is what they attempted to do and they will not get away with it.

The reason for that is pretty simple. Now that they are going into an election they realize they have been here long enough to be pensionable. Most of them have been here at least six or seven, going on eight years. They realize they need a little safety net for themselves. They are saying they may not run as Reformers so they do not really care.

All they want is to get locked into a pension in some fashion even though they railed against it for the two terms they have been here. When they leave, when they wave goodbye as one of them is doing now, they will have the golden parachute, the thing they railed against.

That is what is getting under their skin. They have truly flip-flopped on this issue as they have on every other issue including changing the name of the party. They went from being a party that would bring in the west. Its rallying cry was that it would let the west into this thing called Confederation because the west wanted in.

Now that they are courting with Bay Street, the big blue machine in Ontario and Tom Long. They risk losing their party to the very people they railed against. They are going from a western based party to a Bay Street party, from a populous party to a corporate board party.

In the meantime they will do whatever they have to do to land on their feet back home. If it means a safety net that is fine. They might have railed against it, but the fact is that is what they want and that is what they will get. They conspired with the government to move this through the House very quietly, very silently.

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Unfortunately some of us stood up on our hind legs and railed against exactly that type of manoeuvring.

• (2310)

**Mr. Charlie Penson:** Madam Speaker, I rise on a point of order. The hon. member from New Brunswick Southwest knows that his House leader was involved in those discussions.

**The Acting Speaker (Ms. Thibeault):** I do not believe that is a point of order.

**Mr. Greg Thompson:** Madam Speaker, that is rhetorical nonsense and he knows it. Again he is attempting to find a scapegoat as they normally attempt to do on any issue they are not comfortable with. The truth of the matter is that his House leader conspired in secret with the House leader of the government to bring their members into a pension plan which they railed against for 10 years of their elected life. That is the sad reality.

We are talking about a simple plan that no other member of parliament including House leaders were involved in. We have always made pretty clear where we stand on pensions, as do the NDP and for the most part the Liberals. They conspired with the House leader of the government to bring this about very quietly in the dying days of this session of parliament.

**Mr. Charlie Penson:** Madam Speaker, I rise on a point of order. I would like you to rule on whether the term that the hon. member used is parliamentary. I do not believe you will find that it is. He is saying that the alliance conspired.

**The Acting Speaker (Ms. Thibeault):** After researching in our reference book the word is not considered unparliamentary, especially in that context.

**Mr. Greg Thompson:** Madam Speaker, that was a great ruling and I appreciate it. I just want to remind the House of one thing. CA members said that they would never take a pension, that pigs would fly first. All I can say is that there is a lot of pork in the air tonight.

**Mr. Jason Kenney (Calgary Southeast, Canadian Alliance):** Madam Speaker, I am delighted to rise to debate Bill C-37 at third reading. It is a matter of great concern to me and has been for some time.

I want to mention that the hon. member for Cypress Hills—Grasslands suggested during his remarks that the bill represented a carcass which is being dug up for the third time by a dog. He asked me to correct the record on his behalf and suggest that it was a herd of pigs which was digging up this carcass for the third time, or hogs as the case may be.

• (2315)

This is a serious matter and it rests with a very basic principle that ought to govern our affairs, the simple principle of fairness.

It is fairly well known in these environs that I have a long, outspoken record on this issue as former president of the Canadian Taxpayers Federation. The hon. member for Pictou—Antigonish—Guysborough earlier suggested that in fact it was the reform party that was responsible for making issues, such as extraordinarily generous parliamentary perks and pensions, issues in the past. No. I think that citizens advocacy organizations, such as the Canadian Taxpayers Federation, can take the lion's share of the credit for having amplified public concern about the double standard to which parliamentarians here and in the provincial legislatures had begun to treat themselves through the 1980s.

Let us just revisit the history because we have heard various comments from various shrill members of the regional fringe party to my extreme left, the fifth party. We have heard all sorts of huing and crying this evening about the parliamentary pension plan. In that process, I have not heard a single word of contrition or humility from that party which was reduced to two seats, in large part because of the overstuffed attitude and arrogance of its former government, which was typified by its unrelenting defence of a then platinum-plated pension plan that provided pensions of \$6.50 for every dollar provided by the parliamentarian.

Those members seemed to have remembered everything but to have learned nothing from their experience in government. One of the things they seem to have forgotten is that Canadians were disgusted with the party that refused to accept the simple principle of fairness. I have heard them stand in this place all night long and criticize this party and Canadians for wanting a fair pension plan that operates on a self-funding, dollar for dollar, actuarially sound basis.

The history of this is that before the early 1970s there was no pension remuneration for members of parliament. I hear some defenders of the status quo ante often say that if we do not provide super rich benefits far in addition to what one could expect in the private sector, that we will not be able to attract high calibre parliamentarians.

I think most Canadians would suspect that before the days of great largesse, in the 1940s, 1950s and 1960s, before the gold-plated pension plan was introduced, we had some pretty sound public servants working in this Chamber on behalf of Canadians. To suggest that these benefits, at the levels introduced in the 1980s, are necessary to attract talent, I think is rather specious. In fact, there seems to be a direct inverse relationship between the generosity of pension benefits and the quality of members of parliament.

It was in the early 1980s that the then Liberal government introduced a pension plan with a 5% accrual rate at its maximum generosity. It was shortly thereafter that we had nearly 200 Tory

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members of parliament in this place, supposedly attracted by that generous benefit, who decided to double the country's national debt, double federal spending, increase taxes 72 times and help bring about the longest and most painful recession in post-depression history. Boy, did we not get our money's worth by juicing up those benefits to attract those Tories to this place, benefits for which they still shamelessly apologize?

I am proud to say that members of the former Reform Party stood on principle in the lead-up to the 1993 election and thereafter by the principle of fairness when they said, as we do today in the Canadian Alliance, that members of parliament and public servants ought not to be given access to benefits, pensions or remuneration that is any more generous than what is available to ordinary working Canadians. That is a very simple principle. It ought not to be difficult to understand but it seems to be for the regional party on my extreme left.

• (2320)

I want to point out that what the Canadian Alliance policy stands for is to allow an independent commission to determine the compensation for members of parliament so that it removes us from this intolerable conflict in which we are placed every time a bill such as this is brought before the House of Commons.

In fact, we see that virtually every province has undergone a major overhaul of their compensation packages for MLAs, MPPs, MNAs and so forth. For instance, the provinces of Saskatchewan, Manitoba, British Columbia, Ontario and, I believe, New Brunswick have all trashed their old, gold-plated, unfunded, actuarially unsound, taxpayer subsidized pension plans and replaced them with what our party has long advocated, which is a simple dollar for dollar, actuarially sound, money purchase style pension plan, the kind of plan available to all Canadians.

What does the current plan do that this legislation maintains? It creates and perpetuates a defined benefit pension plan that provides for benefits far in excess of what the MP contributions plus matching government contributions could possibly fund. It is a recipe for an unfunded, future liability, otherwise known as a taxpayer IOU, an IOU which will be picked up by future taxpayers. How does it do this? It does this because it has in it a 4% benefit accrual rate.

The members of the regional party on my left do not seem to understand how this pension operates. In fact, I heard the member for Pictou—Antigonish—Guysborough completely disingenuously and shamelessly suggest that the one time severance package brought in in the last legislation was somehow comparable to the generous benefits under the current pension plan before us this evening. That is totally facetious and completely inaccurate.

This is a 4% benefit accrual rate. What does that mean? That is a technical term, so let me explain it. The Income Tax Act of Canada

has certain limits for what constitute registered pension plans. Registered pension plans are those to which contributions by employers and employees are tax deductible. There is a certain maximum that the Income Tax Act creates in terms of the generosity for registered pension plans. The maximum benefit accrual rate under the Income Tax Act is 2%. This is a 4% plan. In other words, the benefits are twice as rich as the income tax allows.

The Tories love it. We hear them rushing to the defence of that system. Fortunately, because of the efforts of my colleagues in this party and the Reform Party in the last parliament, the benefits were slightly modified from a 5% accrual rate to a 4% accrual rate and certain other peripheral changes occurred, such as an increase of the age of vesting to 55 and a certain restriction on the practice known as double dipping.

By and large, this plan is not an actuarially sound plan. It is a plan that is available to fewer than 2% of Canadians. In fact, it is so extraordinarily generous that the government in this legislation must actually go outside of the Income Tax Act to top up the contributions that are not tax deductible. This is essentially twice as generous as the average defined benefit plan available to Canadians in the private sector.

**Mr. Dale Johnston:** By law.

**Mr. Jason Kenney:** Yes, by law. The legislatures of British Columbia, Saskatchewan, Manitoba, Ontario and other provinces looked at these unfunded, actuarially unsound pensions and they decided that they would bring in the same fair dollar for dollar money contribution plans that would be fully funded. Guess what they did?

**Mr. Joe Jordan:** Mike Harris got \$1 million when they closed that pension plan.

**Mr. Jason Kenney:** They trashed the defined benefit plan and introduced a defined contribution plan.

**Mr. Joe Jordan:** Ernie Eves got \$850,000. You are full of nonsense.

**Mr. Jason Kenney:** The member across the floor points out that the members of the Ontario legislature, in the process of converting from a gold-plated, defined benefit pension plan to a self-funding defined contribution plan, received a certain lump sum payment to be invested into an annuity. He is absolutely right. They invested that money into an annuity and the money that went into that annuity is a fraction of the defined benefits they would have been paid through the unfunded liability. Mike Harris did what was fiscally responsible.

• (2325)

I wish the members of the regional party on my extreme left would follow the example of Mike Harris or Gary Filmon on this issue, or of Ralph Klein who followed the leadership of the reform

party in moderating these benefits and putting them on the same level that average Canadians expect and anticipate. Yes, they got an annuity, the annuity being a fraction of the benefits that would have been paid to them under the old status quo ante.

The point that we raise here is one of simple fairness. Why could we not simply have introduced and passed in legislation the recommendations of the Blais Commission. Honest, hardworking Canadians volunteered, such as a former colleague, Ray Speaker, to sit on the Blais Commission, look at parliamentary compensation and determine what would be fair by analyzing the workload and responsibilities of members of parliament and senators and comparing those responsibilities to compensation packages in the private sector.

The commission came up with some very sensible recommendations, first among which was to take the defined benefit plan we have now, the actuarially unsound plan, and convert it into a self-funding, dollar for dollar, standard pension plan, the type of which has been adopted in Ontario and several other provinces. That was the Blais Commission's recommendation.

This government, instead of accepting the recommendations of that hardworking, thoughtful and objective independent commission, decided that it was going to continue with the status quo. Incidentally, that commission also recommended that we eliminate the completely odious practice of allowing MPs to hide a portion of their income and shelter it from taxes. Elected officials, alone amongst Canadians, are allowed, through a special provision in the Income Tax Act, to exempt one-third of their ordinary income from the same taxes that we impose upon Canadians.

I have a private member's bill that would eliminate the so-called tax free expense allowances which, of course, are effectively a proportion of our salary, and make that money fully taxable. This would create full transparency so that Canadian taxpayers could see what they are actually paying their members of parliament.

The Blais Commission made the same recommendation that we eliminate the tax free status proportion of our income and gross it up for full transparency. However, again the government decided it did not want Canadians to see what we are actually being paid. It does not want Canadians to see that the \$21,000 tax free allowance is actually worth about 40,000 pre-tax gross dollars. It does not want Canadians to see that so it ignored the recommendations of the Blais Commission on issue after issue.

Why does the government continue to put us in this conflict of interest position? It makes absolutely no sense to me.

I voted against this bill at second reading because it fails to implement the recommendations of the Blais Commission. It fails to live up to the spirit of fairness that has swept the legislatures of this country which have reformed their legislative compensation

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packages. It also fails to simply respect the basic principle of fairness.

I want to make it absolutely clear, as a former president of the Canadian Taxpayers Federation and somebody who has raised the issue of fairness, that I for one have never advocated that parliamentarians or legislators in Canada ought to have no retirement benefits. Quite to the contrary.

I remember appearing before committees in this place in the last parliament as a lay witness and suggesting the kind of pension plan that Canadians would accept, the sort that has been adopted by the various provincial legislatures, a defined contribution, completely actuarially sound pension.

I never suggested as president of that organization that any member of parliament be required to opt out of the pension plan. In fact, we never asked for an opting out provision. I want to make it clear that those who have been fighting for fairness in MP compensation have been fighting for reasonable fairness. They have not been fighting for a double standard where MPs of one party would be set at a disadvantage compared to MPs of another party. We think MPs of all parties should have the same standard as all Canadians, and that is what this debate is about.

• (2330 )

I can understand why my colleagues in the fifth party are shrill. After all, they are not only fifth in number of seats but I think they are now fifth in the public opinion polls. They are sad and tired with a retread leader from the 1970s who cannot even figure out whether or not he wants to run in a byelection,

It has been postulated to me by members of the PC Party that one of the reasons their leader will not run for election to this place is that he is receiving very generous pension plan benefits right now, whilst at the same time receiving from his party a compensation package equivalent to that of the leader of his party in this place. Talk about double dipping.

These shameless advocates of the old status quo have learned absolutely nothing. Their leader will not run, in part because he is getting that very generous pension and a very generous salary from his debt ridden party. Is it not interesting that the party which doubled the national debt, which ran the longest and largest string of deficits in Canadian history but never apologized for it, all the while defending a six to one parliamentary pension plan, should now have for a leader a man who continues to collect that pension plan and a generous salary from a party that is in as much debt as it put the country in?

What a delicious irony. They have learned absolutely nothing. The shrill partisan squawking we hear from that extreme and narrow fringe of Canadian politics will continue. I think that they should do themselves and this place a favour. I would be willing to exempt my principles on the question of euthanasia because I would like to see that party die a dignified death.

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What we see before us now is anything but dignified, as the Conservatives continue to apologize for the grandiosity and the pomposity of the regime which they represented and the six to one pension plan which Canadians have said enough about.

I am proud of my colleagues for having taken a stand on this issue, for having forced the moderation of these benefits. I look forward to the day when we sit on the other side and one of the very first pieces of legislation we introduce will be to institute an independent commission, which I fully anticipate will come back with recommendations to create a self-funding, actuarially sound pension plan.

**Mr. John Herron:** Mr. Speaker, I rise on a point. I just want to help out the hon. member. His members have taken great pains to point out that they should be called the Canadian Alliance and not the Reform Party. He called himself the Reform Party.

**Mr. Jason Kenney:** Mr. Speaker, that party is in such a pathetic state that it cannot even use progressive political terminology such as reform without getting nervous.

The reality is that I am proud of my colleagues for having led the fight on this issue over the past two parliaments, for having forced the moderation of these benefits, something that party on the fringe has never advocated, has never stood for and is fighting against here tonight.

I look forward to the moment when we will see under an alliance government a commission report back that we should have an actuarially sound, fully funded pension plan. As the Blais commission recommended, we ought to eliminate the hide and seek game of the tax free expense allowances. We ought to put ourselves on the same standard as the rest of Canadians and remove the conflict of interest which we are now in. I look forward to that moment. Unfortunately the only bitterness for me is that members at the other end will not be in this place to enjoy our retroactive reduction of their pension benefits.

**Mr. Mark Muise (West Nova, PC):** Mr. Speaker, I have a very simple question for my hon. colleague.

**Mr. Lee Morrison:** Do you have any other kind?

**Mr. Mark Muise:** Wow, we are full of interesting comments tonight. I would like to ask my hon. colleague a very simple question.

• (2335)

**Mr. Loyola Hearn:** Simple colleague.

**Mr. Mark Muise:** Mr. Speaker, I did not say my simple colleague. I said I had a simple question for my hon. colleague.

Today my hon. colleague's successor, Walter Robinson, called what the alliance was doing slimy, slimy politics. I would like my hon. colleague to respond to that comment.

**Mr. Jason Kenney:** Mr. Speaker, I concur with that comment with respect to this government, its approach to this issue and its legislation. I think it is irresponsible and that is why I will vote against it. I think it is irresponsible not to accept the recommendations of the independent commission. I think it is irresponsible not to bring in legislation which adopted the recommendations of the Blais commission. I agree completely with Mr. Robinson and the Canadian Taxpayers Federation when they fully and heartily endorsed the recommendations of the Blais commission.

However, let me tell the House what is really slimy. It is a party that continues to defend a pension plan which Canadians do not think is reasonable. It does so without any shred of humility. It pains me to see my colleagues at that end, after all of these years, refusing to learn the lessons of their tragic defeat in 1993. It was a tragic fall. Tragic falls come after the hubris. They still have not divested themselves of the hubris of their government. Had they simply taken the steps recommended by the Blais commission in 1984, I suspect there might still be a Tory party worth talking about in this place.

**Mr. Joe Jordan (Leeds—Grenville, Lib.):** Mr. Speaker, I want to ask the member quite a specific question. He talked about the Canadian Alliance's intention if it is elected. Let us hope that never happens. It will retroactively change the pension. He sang the praises of Mike Harris. Mike Harris took action in Ontario. I do not care what hat he wants to wear, the former president of whatever. Mike Harris got \$900,000 when he changed that pension. Bob Runciman got \$900,000. Ernie Eves got \$850,000. Norm Sterling got \$800,000.

In other words, they calculated the unfunded liability, what an annuity would be, and rather than put the annuity in trust they gave themselves the principal. It is a heck of a deal. Just before Christmas an order in council in the Ontario government allowed them to access that money immediately.

Is the member singing the praises of Mike Harris style of pension reform? Is that what he is talking about? The silence was deafening. The silence in this regard from the Canadian Taxpayers Federation and from the Reform Party was deafening. They made instant millionaires out of these people. Yet they parade themselves around as great pension reformers.

**Mr. Jason Kenney:** Mr. Speaker, that member was shouting so loudly a few moments ago that he was deafening himself with his heckling. I pointed out to the member that the annuities paid out to those MPPs of the Progressive Conservative Government of Ontario were substantially less than the benefits would have been paid



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under the status quo defined benefit pension plan. That was clearly the case. That was clearly the intention.

**Mr. Mauril Bélanger:** Not bad. The member can say that with a straight face, but the member beside him cannot listen to it with a straight face.

**Mr. Jason Kenney:** Mr. Speaker, perhaps the member for Ottawa—Vanier is not an actuary. Perhaps he is not familiar with the figures. I looked very closely at that issue and understand that the members of the Government of Ontario saved the Ontario taxpayers millions of dollars by reforming the pension plan. They received a one time benefit based on years of service, based on what they had funded in terms of contributions.

It is marvellous that the Ontario government decided by order of council to allow those MPPs to manage those dollars themselves through their own annuities to generate a higher rate of return than they would otherwise get through a government managed annuity. That is essentially the same principle that we advocate for all Canadians. They should be free to invest what belongs to them. Those are benefits vested in them for the future. They ought to be able to invest them to maximize the rate of return. The point is that the MPPs are then taking the risk and not the taxpayer, which is the case in an unfunded defined benefit plan.

**Mr. John Herron (Fundy—Royal, PC):** Mr. Speaker, the question at hand is the amount of rhetoric that we receive from the member when he talks about the hypocrisy of the situation and attacks our government.

• (2340)

This debate is about the unprecedented rhetoric and the stunts that were played by putting replicas of pigs in the House of Commons and by giving away keys to cars. They said they would not take the chauffeur and would not move into Stornoway.

On August 6, 1998, when a member of that party decided to opt into the pension plan this member said, according to an article in the *Vancouver Sun*, that MPs who opted back in were liars and hypocrites. He went on to say that he opted out and told the voters he was opting out. Now he has broken his word. This is the same pension.

My question is quite simple. Which one of the members who voted yes to Bill C-37 is a liar and which one is a hypocrite?

**The Acting Speaker (Mr. McClelland):** We settled this yesterday. I am going to refresh everybody's memory. We will not sanitize the English language to the point where it loses all its spice, but we will not use hypocrite or liar when we are directing those words directly at any member in any circumstance. I said yesterday that hypocrite in the general sense of an action that is

hypocritical in nature was fine. Hypocrite singularly will not be permitted.

**Mr. John Herron:** Mr. Speaker, I will rephrase the question. I think the way I phrased it was indeed over the top and I do apologize in that regard.

Which one of his members who voted yes to this bill would he add to the comments he made to the *Vancouver Sun*? Would the members who actually voted yes to this bill fall in the same class and receive the same kind of reaction on an internal basis?

**Mr. Jason Kenney:** Mr. Speaker, there are no members of parliament opting into this pension plan under this legislation. I think the question is immaterial. At the end of the day constituents will make a judgment about the conduct of their MPs in all these matters.

I can say with confidence that when they do so they will see that this party and its members have fought tirelessly for the moderation of these benefits so that they are put on a fair, fully funded basis. They will see that members of the regional party at the other end continue to this day not to have learned the lessons of 1993 and continue to apologize and promote a double standard for MPs.

They have not said a single word tonight about the Blais commission. I have not heard a Tory MP utter a single word about the principle that the compensation of MPs ought to be set independently and at arm's length. They seem not to care about the conflict of interest in which we are put by legislation such as this bill.

I have not heard a single word of concern about the unfunded liability which exists in this sort of pension plan. I have not heard a single word of commendation for the Progressive Conservative provincial governments which have brought in sensible legislation to moderate pensions plans, not a single constructive word, not a single word of humility, not a single word that would contribute positively to the debate about how to make the compensation of MPs a matter for independent scrutiny and not this kind of conflict of interest. Canadians will make a judgment and I think that the judgment will be on that party.

**Mr. Leon E. Benoit (Lakeland, Canadian Alliance):** Mr. Speaker, I will only take a couple of minutes. I think we have had all the fun we can probably stand for one night. I should like to correct some misconceptions that have been said tonight.

The first one was corrected by my colleagues. I am referring to the allegation by the fifth party, the Conservative Party, that Reform MPs and now Canadian Alliance MPs have always been against an MP pension plan. That is just simply not the case. What we have been against is a pension plan that is unfair and is out of line with what Canadians expect from us.

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The second one is that the bill is about the Canadian Alliance forcing the government into allowing Canadian Alliance members back into the pension plan. That is what one of the Conservative Party members said. That is so absurd we should think about it again. He said that the Canadian Alliance House leader somehow put pressure on the government House leader to bring in a pension bill to allow members of the Canadian Alliance party to get back into the pension.

● (2345)

If we are that powerful as the official opposition, imagine what we will do when we are in government a year from now. I would like to know why the Conservative members, the few who are left, are not rushing to join us given that kind of power. That was an interesting comment by the member from the Conservative Party.

The third thing is members of the Conservative Party have said that some kind of dealing went on which allowed the bill to go ahead with unanimous consent and that there would not be a debate or a vote.

Any member of the House can deny unanimous consent. There are still about 17 members in the Conservative Party. Where were they to deny unanimous consent? If they were doing their jobs, they would have denied unanimous consent. They went along with it too, because all that unanimous consent did was to allow the legislation to come to the House two days earlier than normal.

With full debate, we could debate it for the next 10 days if we chose to. That is what is allowed here. For the Conservative Party members to suggest that there was conniving which took place to allow this to go ahead and that they were tricked, I do not know what they are saying really. The fact is that any member of the Conservative Party could have denied unanimous consent to allow the bill to go ahead two days earlier than normal.

When the Canadian Alliance forms the government, we will change this plan. We will change it based on the recommendations of an independent commission. We supported the Blais commission recommendations. An independent commission is needed to set the pay and benefits of members of parliament. That is what will happen when we form the government, I believe a year from now. Because that has not been allowed to happen in this situation, I will vote against the bill at third reading, as I did at second reading.

There has been a lot said about the bill. I think we have had full debate on it. There is still a lot I could say about it but I think it has been said. I will leave my comments at that.

I agree with others who have said that our constituents will judge each one of us on this issue. I welcome that.

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, I listened with great interest to the member's comments. As with the previous speaker, it was a cross between vitriol, high octane fuel and pure adrenalin. At the end of the day it really boils down to a simple question. He has told us what he would do and we have heard about what they would do before. That seems to have dissipated. Why should Canadians believe the member now?

**Mr. Leon E. Benoit:** Mr. Speaker, the hon. member asks why Canadians should believe me now. The answer is that I am trustworthy. I make a point of speaking the truth. I would like the member to say so if he doubts that. That is my answer. I do not know what he was referring to beyond that.

● (2350)

**Mr. Chuck Strahl (Fraser Valley, Canadian Alliance):** Mr. Speaker, the member for Lakeland put to rest some of the absurd comments from the Progressive Conservatives tonight. I am not sure whether they were trying to be progressive or conservative or just completely irrelevant which I think they have succeeded in.

I do find it interesting that there is one thing that was not covered by the member for Lakeland. Many members of the Tory caucus said that they did not know anything about the bill and it was a complete and absolute surprise.

Perhaps the member for Lakeland could describe what exactly they think their House leader was doing for the past three or four weeks and if he is not talking to his own caucus what exactly he thinks his role is. It seems to me, and I am just guessing, that there were discussions about it. The government House leader said members did not even have to go to a caucus meeting. They could pick up a newspaper a month ago and read that people were talking about it.

The Tories seemed to be completely and utterly surprised at this, that it came out of nowhere. It was just laid on the table and then the Canadian Alliance gave unanimous consent, just like the Tories said they did, "Just like us in the Tory party, they gave unanimous consent". Whoops.

I do not mind someone giving unanimous consent because we knew this was being talked about. What I find remarkable is they gave unanimous consent to something they say they had no idea existed. They said, "We will give unanimous consent to something which we have not got a clue what we are talking about". I give up.

**Mr. Leon E. Benoit:** Mr. Speaker, I cannot say it as well as my colleague did. It shows the state of that party. Those members granted unanimous consent, obviously according to what they said, not knowing what is going on. It shows the state of communication within that party when the House leader who was involved in all of

these negotiations did not tell his own members what was going on. My question is what is going on over there?

**Mr. Ken Epp (Elk Island, Canadian Alliance):** Mr. Speaker, I want to take a few minutes to be on record at third reading of the bill. I greatly regret what is happening in the House these days. We should be debating what is good for Canadian taxpayers and we find that distant party over there has used pretty well all of the time to spread misinformation about us and to try to make political points in a very cheap way. That is very unfortunate and I also found it very hurtful. The things they said about me are things which are just not accurate. It reminds of the 1997 election campaign.

I will say this. In the 1993 election campaign the Conservative who was the sitting member of parliament was a real gentleman. He was a really good man. When we had the all-candidate debates in the different fora he was a real gentleman. He was thoughtful and considerate. I do not hesitate for a moment to give him, Mr. Brian O'Kurley, great accolades for the way he conducted himself.

Somehow the party which was defeated and annihilated in 1993 decided to use the approach of attacking people viscerally and personally. That was why the Conservative candidate in the 1997 election, whom I will not name, said things about me which anyone who knew knew were not true. They were just not true. When he said these things publicly on one occasion I remember I stood up and said at a meeting, "Mr. Chairman, anyone who knows me knows that what this candidate has said about me is untrue. Why should they consider even voting for a person who has so little regard for the truth?" As a matter of fact, that Conservative candidate did not even get his deposit back because people saw through that.

• (2355)

Earlier this evening things were attributed to me that I take personally because they were attributed to me as a member of the Canadian Alliance, formerly the Reform Party. Publicly and loudly the members of that distant party put me into a category which is frankly not true.

I came here with great ideals. I believed then and I believe now, that the MP pension, because it exceeded what was available to other Canadians under the Income Tax Act rules, was excessively generous. Very frankly, for them to say these things is very demeaning and I was hurt by it when they spoke that way.

Be that as it may, I guess one cannot be in this business and not expect to be falsely accused occasionally. However, I would like to say unequivocally that I have been committed for the last seven years and continue to be committed to bringing into this place a

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pension plan which a person of honour can participate in without shame. I do not believe that we are there yet.

It is important for me to also say that this plan is particularly bad for me because I decided in 1995 to opt out of the other plan. I have been making contributions to an RRSP. I am trying to organize my financial life so my wife and I will not be on welfare when we finally retire. This particular plan is a real dilemma for me. As soon as this plan is brought into place, money will be taken from my paycheque without my ability to stop it which will thereby take away my RRSP deposit room. I find that distressing because I had hoped to do it that way.

It was not my choice to change this system and plan. To be falsely accused that I wanted it and that I want back in is hurtful, harmful and simply is not true. I think it is unbecoming of the members who have made those accusations.

Nonetheless, it is almost midnight. I am on the record as saying that I am opposed to it and that I will vote against the bill again, as I did earlier. This is being done against my will. I want that to be clearly on the record. Very frankly, my integrity is not for sale and I really regret that even that implication is being made.

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

**Some hon. members:** Question.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And more than five members having risen:*

**The Acting Speaker (Mr. McClelland):** Pursuant to order made on Monday, June 12, 2000, the division stands deferred until Wednesday, June 14 at the expiry of the time provided for Government Orders.

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**Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, pursuant to the order made yesterday, I move:

That the House do now adjourn.

**The Acting Speaker (Mr. McClelland):** It being 11.59 p.m., the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 11.59 p.m.)

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