



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Monday, April 23, 2001**

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Monday, April 23, 2001

The House met at 11 a.m.

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*Prayers*

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• (1105)

## BUSINESS OF THE HOUSE

### WAYS AND MEANS

**Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, there has been consultation among House leaders and I think if you were to seek it you would find unanimous consent for the following motion. I move:

That divisions on ways and means proceedings number 4 and number 5 be deemed to have been requested and deferred to the end of the time for consideration of government orders this day.

**The Speaker:** Does the hon. government House leader have unanimous consent to present the motion?

**Some hon. members:** Agreed.

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

**Some hon. members:** Agreed.

(Motion agreed to)

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## PRIVATE MEMBERS' BUSINESS

[*English*]

### ACCESS TO INFORMATION ACT

**Mr. Rick Borotsik (Brandon—Souris, PC)** moved that Bill C-249, an act to amend the Access to Information Act (Crown corporations and the Canadian Wheat Board) be read the second time and referred to a committee.

He said: Mr. Speaker, it is certainly nice to be back in the House after the Easter break. It is also nice to see you in the Chair, as well

as my colleagues from the House, and to get back to the parry and thrust of the House and politics.

It is my pleasure to stand, as the first member in the House after the break, to talk about something that I am very passionate about and something I feel is very important with respect to governments of all kinds, that is, openness and transparency, where in fact governments and crown corporations should be accountable to the people that they serve.

In this case, the bill speaks to the Access to Information Act and openness and transparency, particularly by crown corporations but also by the Canadian Wheat Board. Being a member of parliament from an area in western Canada, I have a great deal of responsibility for the agricultural community. A lot of producers talk to me on a fairly regular basis with respect to not only agriculture but the role that is currently being played by the Canadian Wheat Board in western Canada and the marketing of particular products, such as wheat and barley.

Bill C-249 unfortunately, and I underline the term unfortunately, has been deemed to not be a votable item.

I also sit on the private members' business committee. We are currently looking at the possibility of having all private members' business, whether it be bills or motions, made votable. I personally believe a good first step to the renewal of this Chamber and this House would be to give all members of parliament the opportunity to put forward what they feel are necessary changes to government policy and to have their changes voted on.

Unfortunately this bill is not votable. Having sat on that committee, I do take some responsibility I suppose but I still suggest very strongly that this bill should be votable. I know other members of other parties will agree with me when I say that the Access to Information Act is not there simply for governments to be able to not put information forward but for members, not only of parliament but also of the public, to access information from crown corporations and government which they feel is rightfully theirs.

The bill raises a very important question for policymakers to answer. Should the Access to Information Act be extended to include crown corporations, including the Canadian Wheat Board

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as it is currently structured, as defined under the Financial Administrations Act?

Some crown corporations are already subject to the Access to Information Act, such as the Canada Mortgage and Housing Corporation. Others, such as Canada Post and the Atomic Energy of Canada Limited, are not.

• (1110)

The argument made most often by these companies and the federal government is that because they are subject to competitive pressures of the marketplace, they should be exempt from the Access to Information Act. Their legitimate fear is that their competitors will use the act to obtain sensitive information that could be used to undermine the corporation's competitive advantage. That is a legitimate concern.

What most people do not realize, however, is that under section 18 of the Access to Information Act, government institutions can exempt competitively sensitive information. The act says:

The head of a government institution may refuse to disclose any record requested under this Act that contains (a) trade secrets or financial, commercial, scientific or technical information that belongs to the Government of Canada or a government institution and has substantial value or is reasonably likely to have substantial value; (b) information the disclosure of which could reasonably be expected to prejudice the competitive position of a government institution;

The reason I read that section is that we already have the ability under the act to not provide information that would or could reasonably be expected to prejudice the competitive position of a government institution. We cannot use that excuse to not open up the boundaries of access to information to other crown corporations, including the Canadian Wheat Board.

It goes on to exclude information, the disclosure of which could reasonably be expected to be materially injurious to the financial interests of the Government of Canada. Section 18 then may offer exemptions significant enough under the act that crown corporations and the Canadian Wheat Board would be able to comply with the act without having to disclose sensitive, competitive information. What it would do is allow that openness and transparency of these corporations, including the Canadian Wheat Board, to be made mandatory to give information that does not fall within these categories. I will talk to that briefly in a moment.

The bill I have put forward today not only addresses some of the most paramount concerns farmers have with the Canadian Wheat Board but of all crown corporations that include transparency and accountability. As in any crown corporation or, as the Canadian Wheat Board is now known, a mixed corporation, Canadians expect no less and they should continue to expect no less.

When the Canadian Wheat Board was incorporated by the Canadian Wheat Board Act in 1935 it was established to market, interprovincially and for export, Canadian wheat and barley for

producers. The wheat board is a monopoly system. If a producer wants to sell wheat or barley outside the Canadian Wheat Board, he must apply for an export permit. This means he sells his product to the Canadian Wheat Board, obtains a permit, buys the wheat back from the Canadian Wheat Board and then sells it on the open market. In other words, the farmer has no choice as to how he markets his commodity. It has to go through the Canadian Wheat Board, a wheat board that generates sales of wheat and barley in excess of approximately \$6 billion annually.

The point I am getting at is that the farmers do not have a choice but to market through the Canadian Wheat Board. There is a lot of money at stake for the producers so why should the CWB not be accountable and transparent to those very producers, those very people it is there to serve?

Somewhere throughout the over 65 year history of the Canadian Wheat Board, farmers started to question the agency that was supposed to represent their best interests. They started to question its monopoly and the returns compared to that of the marketplace.

Most farmers in western Canada do not want to eliminate the Canadian Wheat Board. Others may speak to that comment and may well disagree with it, but the people I have talked to have initially said that they do not want necessarily to get rid of the Canadian Wheat Board. They simply want it to be able to compete in an open and transparent basis.

Canadians expect accountability for publicly funded institutions, as they should be. I firmly believe that the bill before us today would only add to that accountability.

I want to talk very briefly about why this particular piece of legislation is before the House today: openness and transparency.

In a previous life and in a previous form of government, I learned a long time ago that it is much better to be open to the people and the public we serve. In the municipal government there is nothing hidden behind closed doors.

• (1115)

I found out a long time ago when there is a closed door meeting, even if they are only talking about what to serve on the menu, immediately there is some distrust. When the doors are closed and the information is not flowing, something is happening behind those doors.

That is what is happening with the wheat board. I do not believe that there is anything sinister happening behind those closed doors. I believe that the Canadian Wheat Board is hiding behind those doors and not allowing the true information to come forward. If it does, I do not believe that it will be detrimental to the operations of the corporation.

I will give one small example. A number of months ago the Canadian Wheat Board commissioned a survey. It was its survey,

done of its producers. Some 1,500 people were surveyed. They were asked to answer questions. The questions were asked, the data were gathered, and that information is not available to the public. Although it was gathered from the public, gathered from the people who are the stakeholders in the corporation, the information from that survey is not made available publicly because, I am told, it is way too sensitive commercially.

I would even accept that the information gathered was too sensitive commercially. By the way, I went to the access to information office and was told quite emphatically that the corporation did not fall within the guidelines of access to information.

I then wrote a letter to the board and asked for the survey results and was told that I could not access them or be given the results. Then I asked a simple question: could I have the questions that were asked in the survey? I did not ask for the information that was gleaned or all the data gathered. It was a matter of the questions that were asked of the people who supplied the information. I was told that the information was way too sensitive and commercial. I could not even get the questions that they asked.

The board asked those questions of 1,500 people. They were not meant to be kept secret. It was simply a matter of giving me the questions asked, and I could not get them. Even though I believe the information the board would have given me would not have impacted on its operations at all, it tells me that there is a closed door mentality that it does not have to give information and therefore it will not.

That adds another nail into coffin of the Canadian Wheat Board. That is not what I want. I want openness and transparency from the wheat board.

Access to information is supposed to work quite simply. A person filing a request pays \$5 to ask for a range of records held by federal departments and agencies including memos, briefing notes, expense reports and audits. For the initial \$5 fee the person receives five hours of government search and preparation time, beyond which departments may charge additional costs.

Access to information does not go as smoothly as it is supposed to go. In fact a recent report by the information commissioner, Mr. John Reid, was highly critical of the federal government for undermining the spirit of openness by showing palpable animosity toward the process. The commissioner stated that some bureaucrats have even threatened the career prospects of their staff members that investigate complaints from dissatisfied people who have filed access to information requests.

This is totally contrary to the act. Moreover, Federal Court of Canada Justice Edmond Blanchard ruled recently that the federal government tried to circumvent the will of the information act by

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refusing to release papers explaining the reasons behind one of cabinet's environmental decisions relating to Ethyl Canada.

Ethyl Canada requested discussion papers from cabinet members referring to the decision to ban the fuel additive MMT. When access to the documents was denied, Ethyl Canada filed a complaint. Judge Blanchard subsequently found that Ethyl Canada had a well founded complaint under the Access to Information Act, noting that the purpose of the access law is to give the public greater access to the inner workings of government. That is what the act is there for.

That is exactly what brings us here today. It is an effort to open up government and its institutions to Canadians. A federal task force was also appointed last August, headed by Ms. Andrée Delagrave. It is currently studying and reviewing ways to improve the Access to Information Act. It is inviting the public to comment over the next two months on its improvements. The task force is meeting with bureaucrats who process the reports, historians, librarians, journalists and other users of the law.

● (1120)

I hope members of parliament would also be a part of that process. I know that my office and the offices of other members use access to information quite regularly in order to have openness and transparency.

The bill I have before the House today is non-votable. I find that somewhat disturbing. Hopefully in the not too distant future the House will allow these types of bills and motions to be voted on so that we can see where members of the House stand on accountability, openness and transparency.

I do not want to specifically target the Canadian Wheat Board, although it is mentioned specifically in the bill as are other crown corporations. When public funding is a major cornerstone of organizations, it is my belief that those organizations should be open and accountable.

Under the act there are safeguards with respect to commercially sensitive information, with respect to competitive interests, and that crown corporations can use to stop unnecessary information flow to individuals asking for it. However it does stop the closed door mentality of corporations that are not prepared to give the most minute details, which I believe is a right of the citizens they serve.

I will not stop here with the piece of legislation I have before the House. Other legislation will come forward and I suspect eventually the Access to Information Act, even through the task force, will be changed quite dramatically so that Canadians will have access to information they deserve.

**The Deputy Speaker:** Before resuming debate, allow me to return the good wishes of the member for Brandon—Souris and say

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how pleased I am to see him and all our colleagues on both sides of the House following the Easter recess, and particularly to find them in good spirits and good humour.

**Mr. Benoît Serré (Parliamentary Secretary to Minister of Natural Resources, Lib.):** Mr. Speaker, I am pleased to have the opportunity to speak to Bill C-249. If passed, the Canada Wheat Board would fall under the Access to Information Act.

I can only say that such a scenario, if realized, would be completely unacceptable, not because the government is not open to accountability of its agencies and departments, as it most certainly is, but because it would run contrary to common business sense.

One wonders if the hon. member who put forward the bill and represents a western Canadian rural riding does not realize how the Canadian Wheat Board operates.

The Canadian Wheat Board is not a government department, not a government agency or even a crown corporation. It is a rather unique entity in Canada and perhaps the world in that it is a single desk marketer founded by federal legislation but not funded by taxpayers. Rather it is co-operative in style and is paid for by the farmers whose grain it markets. It is financially accountable to those farmers rather than to Canadian taxpayers.

It is also a business. By no means is it an insignificant business. It is a huge, highly successful commercial operation selling billions of dollars worth of Canadian wheat and barley each year to scores of countries around the world. Its success, which I hasten to add could not have been attained without the high quality wheat and barley our western farmers produce, makes it both the envy and the bane of its competitors.

As a business it competes with the Australian wheat board and major transnational companies that are similarly huge, such as Cargill, ConAgra and ADM. It is run by a board of directors, two-thirds of whom are elected directly by prairie farmers. As a business and a single desk marketing organization, the Canadian Wheat Board is probably subject to more audit scrutiny than any corporation either public or private could ever be.

Suffice it to say, to suggest the Canadian Wheat Board should fall under the same information legislation as government departments is quite frankly ludicrous.

• (1125)

If it is to advance the interests of farmers it serves, the Canadian Wheat Board must remain competitive in the global marketplace. Certain commercial or strategic information, if known to its

competitors, could be used by them to gain commercial advantage, much to the detriment of Canadian grain producers.

Notwithstanding, the hon. member or any farmer, or any Canadian for that matter seeking information about the dealings of the Canadian Wheat Board, has several easily accessible options to pursue.

First, there is the CWB annual report, a comprehensive document which in terms of the information disclosed goes above and beyond the annual report of the Canadian Wheat Board's commercial competitors. The most recent annual report is 60 pages long and includes detailed information about stocks, market trends, export volumes, client countries and so on.

The Canadian Wheat Board, as with any other business, is audited every year by an independent, internationally known accounting firm. Detailed results of that audit are also part of the Canadian Wheat Board's annual report.

No, the Canadian Wheat Board does not release any information that would pertain to specific transactions or that would identify individual customers or shareholders. Nor do any of its competitors.

Farmers need to be knowledgeable about their wheat board and have every right to information pertaining to the CWB's performance and to facts that will help them make decisions about their own operations. The Canadian Wheat Board provides much of this information through market commentary, delivery related information, pool return outlooks, et cetera.

Farmers can also obtain facts about the Canadian Wheat Board through their elected directors. Directors have access to any and all of the Canadian Wheat Board's sales data and any other information pertaining to the wheat board's operations.

As with any business, nothing is off limits to those who sit on the board of the Canadian Wheat Board. It falls upon the directors to use their best judgment as to which pieces of information should be public and which should not.

Again I go back to a key point, which is that the Canadian Wheat Board is a commercial operation in a dog eat dog world. In these troubled times for grain producers, why would we add to their worries by making the board more vulnerable to its privately held secretive competitors? That is not to say that the Canadian Wheat Board is any less transparent than its competitors. To the contrary, it is more so.

Hon. members might recall that when the government made changes to the wheat board in 1998 it was with a view to making it more open and accountable to the farmers it serves.

Among the many actions the Canadian Wheat Board has taken to become more responsive and open to the farmers it serves was the



development of an information policy. Let me be clear. This is a policy created by the board of directors in order to be directly accountable to farmers. The preamble to the information policy states:

As a producer controlled marketing organization, the CWB has a responsibility to provide meaningful and relevant information to its farmer shareholders. Information is key to increasing producer knowledge and understanding of CWB operations and performance, and will ensure that the CWB is accountable and meets producers' needs.

It further states that goals of the information policy are to:

1. enable farmers to make a meaningful assessment of CWB performance; 2. provide meaningful and relevant information to farmers for use in their operations; and 3. ensure farmers' and the CWB's strategic and commercial interests are not placed at a competitive disadvantage by any information release.

• (1130)

A key element of the policy is if farmers want any information that is not disclosed through the usual audits and annual reports, meetings with the board of directors or other channels of communication they can simply request it.

I point out that the policy calls for the Canadian Wheat Board to respond to requests for information within 15 days or, if it cannot provide the information requested within 15 days, it must tell the requester how long it will take. In comparison, the Access to Information Act provides for a 30 day response period.

I have heard no great hue and cry from farmers wanting the Canadian Wheat Board to fall under the Access to Information Act. Is this bill the result of stacks of petitions as is often the case with private members' bills? Not likely.

I will leave it to others to speculate on the motive behind this bill. I would like to close by simply urging members to vote against Bill C-249 because a vote against this bill is a vote for the commercial interests of our western Canadian grain farmers.

**Mr. David Anderson (Cypress Hills—Grasslands, Canadian Alliance):** Mr. Speaker, I have just come back from southwestern Saskatchewan where the new crop year is beginning. Ranchers are out in their fields and calves are just being born. They are watching their new crops come to life. Farmers are beginning to go into their fields now to start their farming year, and within the next month will start to see their crops come to life, in the same way that western Canada is trying to come to life economically.

We are having a tough time in agriculture and producers are trying to respond and be successful. As we move into a new season and see it come to life, it is fair to ask: Should producers know about their product?

When growing a product there are some questions that are fair to ask and we should be able to get answers to those questions. It is

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reasonable to ask where the product is being sold and where the market is for it. It is reasonable to ask how much a product sold for, how is it blended and mixed out and if a maximum price was received. It is fair for the producers to ask if they got a fair price for their product. It is also fair to ask how much other people are benefiting from production.

These are a few of the areas that producers need to know about. They know very little today because of the lack of information coming from the system. Producers should know this, and the bill today begins to address that problem and process.

Bill C-249, an act to amend the Access to Information Act particularly with respect to the Canadian Wheat Board is important for several reasons.

First, we continue to live in a democracy. As we saw this weekend, people have the right to participate in and be a part of a democratic process. Farmers can be trusted. They do not need to be shielded from information about their own industry.

Second, producers need and can use this information. Farming is changing very rapidly these days. The old days when we trusted those above no longer exist. The days when everything was done in secrecy are not acceptable to producers.

The wheat board was developed during the war years to provide Europe with its source of cheap grain. It did that job. The wheat board did a good PR job from the beginning but there has been a culture of secrecy around since it was put in place. Basically farmers were told to trust it and not ask questions.

I remember as a young person on a farm being in a situation where farmers did not know what freight rates were and what they were paying to get their product to the market. They did not know what deductions were being taken off their crops. They did not know where their production went or how it was priced. Those days are over. It is not good enough any more.

It is only in the last 10 or 15 years that producers have realized that the wheat board and other organizations have not necessarily been looking after their best interests. One of the best examples I saw was in the early nineties with some frozen feed wheat. We were told by the board that it did not want it. It was not prepared to market much of it that winter. Farmers went out and found markets. They took their wheat across the border and arranged for pricing. They found out it was not quite as bad as it was thought to be in Canada.

• (1135)

They were prepared to go through the buyback system from the board. It was not the board that contacted them. It was the grain company in the United States that phoned and said it did not want

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to buy their wheat at the price which had been negotiated. It said it could get as much as it wanted at 85 cents less than what the farmers had negotiated.

It became obvious to the people who knew what was going on that our interests were not always being looked after but we could not get the information in any way, shape or form to prove it. I think we could agree that government organizations that withhold information have seen their day. We saw a good example of that this weekend.

Once it was stay at home and let someone else make decisions about the farm, but not anymore. The era of "we will look after you" is over. The farmers who are succeeding in agriculture today are some of the sharpest and most successful business people. They are usually the people who insist on managing their own resources in order to be successful.

Farming is a tough business today. Success means being on top of the industry. It means having all the information available to make decisions. Virtually every other commodity allows that. Wheat is one of the few that does not because we cannot get the information from the wheat board.

An example of an industry that has grown phenomenally and where people can get information is the pulse industry. Over the last few years pulse acres have grown by 2,000%. That industry continues to grow in western Canada. It is interesting that it has been one of the industries which has had the least government involvement of any industry in western Canada.

Producers need information which deals with the products they are growing. We need this bill for a number of reasons.

First, there is a desperate need for accountability at the Canadian Wheat Board. It has a long history of denying access to information. Without information there can be no accountability. Anyone who thinks about that statement will realize it is accurate. Without information no one can be held accountable.

There has been an information wall, almost a code of silence. We heard the member for Brandon—Souris speak about trying to get generic information and was absolutely stonewalled. It is a process familiar to those of us who have tried it.

The second area in which we need information is the buyback system. Over the years if farmers wanted to market their own grain they had to sell it to the wheat board and buy it back at an inflated price. This restricted and did not help producers. In particular it restricted diversification.

The western Canadian economy is struggling right now. One of the things we absolutely need is value added processing and diversification. The buyback which the board has in place hinders

that in every way. There is a restriction on getting information on how the buyback is calculated and why we should have to pay the price it is asking. Producers are not allowed to question the figures.

I believe that the beginning of accountability would be to open up the Canadian Wheat Board to the Access to Information Act. There is a principle which applies here. People should be able to make their own choices and be educated enough to make them. The only way to ensure accountability is to let people participate voluntarily. I would suggest that while this bill is a good start, we need to go further. We need to take a look at voluntary marketing of our wheat.

I will give three examples of producers who are hurt by the current system of forced participation and the inability to get information from the Canadian Wheat Board system.

The first example is western Canadian farmers who have been able to contract their grain. Farmers who have found markets for it have been restricted by the Canadian Wheat Board from marketing the grain themselves. Ontario farmers have a choice when it comes to marketing grain but not western Canadians. Not only can we not get information but we have no freedom to market.

The Liberals are sending out a task force to talk to western Canadians about agriculture. Maybe they can start with this. One reason why there is alienation there is that people are treated differently in different areas of this land when it comes to marketing their products.

The second example of producers who are hurt by the current system is the organic farmers. They do a very good job of selling to niche markets. In the last few years the wheat board has tried to step in and take that away from them. Organic farmer organizations have a tough time marketing their grain because the wheat board does not sell well to niche markets.

The third example is producers who want to add value to their communities. Right now, because of the buyback system and the entire wheat board system, there is an inability to diversify in rural communities. We absolutely have to do that.

• (1140)

We have no opportunity, no information and no choice. I believe we should have a voluntary marketing system that would remove the problem of not being able to get information. However I do not see anything that progressive coming from the government.

I conclude by saying that I do not think there is a need to oppose this bill. The Access to Information Act gives adequate protection to the Canadian Wheat Board. If it does not want to release information it feels is commercially sensitive, it does not have to. If people have ever seen an ATI, they will know that there are more black felt pens probably used than there is clear ink on the page.



I encourage the government to have the guts to use this bill as a good beginning. It leads to greater freedom and autonomy for producers. I call on the government to go further in establishing a voluntary Canadian Wheat Board.

My challenge to the government is that it quit being afraid to lead. It is time to treat western Canadians as grown-ups. We are all familiar with the Berlin Wall that surrounded its people. The results behind that wall were inefficiency, a huge bureaucracy, an air of intimidation when it was challenged and no accountability. I encourage the government to get over that mentality concerning the Canadian Wheat Board.

I fear the wheat board, with its lack of openness to its policies, will drive the prairie wheat producers into the ground. I ask that this bill be supported. Although I know it is not votable, I ask that its provisions be brought to reality in the House.

[*Translation*]

**Mrs. Suzanne Tremblay (Rimouski-Neigette-et-la-Mitis, BQ):** Mr. Speaker, I had a marvelous speech prepared but I am going to shelve it. It will end up in file 13 rather than on the record, because I am somewhat scandalized to learn that the decision has been made that this bill will not be votable. This is quite simply a very fine and very simple bill: an act to amend the Access to Information Act (Crown corporations and the Canadian Wheat Board).

Examining the Access to Information Act, hon. members will see that it contains a schedule several pages in length. It will be seen that the bodies not covered by the Access to Information Act include the Canadian Wheat Board and the Canadian Broadcasting Corporation.

It seems to me that, for a government that has just signed an agreement with 33 other countries and says that democracy is something important, it should start by having some democracy at home, before trying to lecture on law and morality to the 33 countries of the Americas. It should start by setting an example within the country, by ensuring that access to information is available in all crown corporations, particularly in the Canadian Wheat Board.

Enough time has already been wasted. The government got fed up with our constant questions about Grand-Mère. It said that we had nothing better to do, that we were wasting our time here in the House. This morning they are wasting our time by bringing us together to debate a bill in a vacuum, which will go nowhere. We will talk about it for an hour. This will be a wasted hour of the time of all House employees. Electricity will be wasted. The salaries of employees will be wasted, because we will have to work and debate

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for no reason. It is time to reform this parliament and to do something here.

It should not be possible to introduce bills that are not votable. They should all be votable, from the first to the last.

It is a real shame that we have a government that hides and is afraid to make information accessible. And yet, when we look at the work of the Canadian Wheat Board—it does its work quite decently—it is apparent that the directors have set themselves a code of conduct and follow it.

As for the auditor general, I will use a quote I had included in my text to praise the Canadian Wheat Board. I will not have worked for nothing.

**An hon. member:** We will get something out of it.

**Mrs. Suzanne Tremblay:** We will get something out of it. The auditor general wrote this in his report:

In the mid-1990s, the level of defaults, especially relating to the Prairie Grains Advance Payments program, threatened to undermine the viability of the entire cash advance program. When it became apparent that losses were becoming unacceptably high, the Department together with the Canadian Wheat Board took action to try to reduce the level of defaults. The changes they introduced to administrative practices contributed to reducing loan defaults from their peak of \$61.6 million in 1993-94.

• (1145)

In this excerpt, the auditor general praises the work of the Canadian Wheat Board. The directors came up with an acceptable code of ethics.

Why does the government refuse to let the Canadian Wheat Board be subjected to the Access to Information Act? Why does it prevent crown corporations, including the Canadian Broadcasting Corporation, which spends taxpayers' money to the tune of \$1 billion per year, from being subjected to the Access to Information Act? Why does the Liberal government reject transparency? What does it have to hide? This is shameful.

I will never stop saying that we must absolutely manage to implement a reform and live the way we should in the 21st century. Gone are the days of horses and buggies. In case the government does not realize it, we are living in the era of the high speed train.

Times have changed and, together in this House, we should be discussing important issues. But I will stop here, because it is pointless to carry on.

Mr. Speaker, perhaps we could get the unanimous consent of the House, so that this work will not have been done in vain and ask that the bill be deemed a votable item.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

*Private Members' Business*

[English]

**Mr. Dick Proctor (Palliser, NDP):** Mr. Speaker, on the first day back after the Easter break it is a pleasure to speak in the House on this private member's motion, which requests that there be a new definition of government institution to open up financial administration and which includes the Canadian Wheat Board.

Although I have not been here for a long time, this is for me a bit of *déjà vu* because we debated this issue in 1997 and 1998 when we were dealing with Bill C-4, the act to amend the Canadian Wheat Board. Certainly the New Democratic Party had a lot of difficulty with parts of that bill at that time and we subsequently voted against it.

However, we think there is some justification for lack of disclosure on this particular piece of legislation and in this particular area. The reason I say this is that the Canadian Wheat Board goes head to head with some of the largest multinational corporations in the world and we certainly do not see companies like Archer Daniels Midland and Cargill making available in minute detail all of the access to information that would be required should this motion ever be adopted.

At first blush, obviously, when we think of transparency and access to information we might wonder why anyone would be opposed to this. However, if we think beyond this a little bit and realize that we are dealing with some very large multinationals that the Canadian Wheat Board is in direct competition with, we can understand why the board has not made this available at this time. I find myself in support of that rationale.

It goes without saying that all directors will be entitled to the complete disclosure of all Canadian Wheat Board facts and figures, including but not limited to fully audited financial statements, so they will be able to examine the price at which grain is sold, the price premiums achieved, the operating costs, and whether or not the Canadian Wheat Board is being run efficiently. That is a result of one of the changes in the 1997-98 legislation, which opened up the Canadian Wheat Board by allowing an elected board of directors of farmers. It is a 15 member board, 10 of whom are elected and 5 of whom are appointed by the government. With the full knowledge these 15 directors have of the Canadian Wheat Board and its global competition, the directors would be, will be, and are in the best position to assess what information should be made public and what, for commercial reasons, should remain confidential.

• (1150)

Therefore, the New Democratic Party finds itself in opposition to the motion before the House. It is important to point out at the same time that not only the Canadian Wheat Board but the Export Development Corporation and Canada Post do not fall under the

Access to Information Act. There are reasons for that situation and, as I have tried to point out, they are logical and well founded.

I will note as an aside that at the moment under chapter 11 of NAFTA there is currently a very major dispute going on behind closed doors involving United Parcel Service and whether or not the Canadian government is going to be required to pay several hundreds of millions of dollars. UPS is arguing that Canada Post-Purolator is competing unfairly against it.

This is exactly the point that the Canadian Wheat Board finds itself at: by publishing that data we would put ourselves at a commercial disadvantage to the Cargills, the ADMs and the other multinational giants engaged in the wheat industry.

I know there are others who wish to take part in the debate and there is time allocation, so I will conclude by making three brief points. First, the Canadian Wheat Board is a commercial organization and information pertaining to sales and prices is restricted, as it would be in any private organization.

Second, a board of directors heads the Canadian Wheat Board. Ten of those fifteen directors, the majority on the board, are elected farmers. They and they alone are responsible for the performance of the organization and the information it releases to its farmer constituents.

Third, the Canadian Wheat Board is not responsible to the public at large as it is not a government department. It is paid for by the producers in western Canada. The corporation submits its annual report to parliament each year and, may I add, they do have an auditor. I believe Deloitte and Touche is the company that audits the books every year and presents those facts. I am also given to understand that the Auditor General of Canada, as part of the wheat board bill of 1997-98, the old Bill C-4, will be examining the books of the Canadian Wheat Board.

I hope I have satisfied the House as to why the New Democratic Party would not be in support of this motion.

**Mr. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I am very pleased to stand to oppose the motion by the member for Brandon—Souris, because the net impact of the bill would be to undermine the ability of the Canadian Wheat Board to do its job.

The bottom line is the fact that the bill could even hurt producers' returns by, as the member who just spoke said, providing the competition with all the commercial information, the marketing information, et cetera, that the Canadian Wheat Board has available through its diligence and through the good work of its market information section.

I should not be surprised by the tactics of the member for Brandon—Souris, who is now using this new tactic under the guise of the access to information bill he is pursuing here to again attack

the integrity of the Canadian Wheat Board. It seems to be commonplace for this member and members of the Canadian Alliance Party opposite to do that. They do it through the process of maybe stretching the facts a little and I would not want to go much further than that. They are building on myths about the Canadian Wheat Board.

I would use this as an example. In his closing remarks, the member for Brandon—Souris said, and I quote, “When public funding is a major cornerstone” of the organization then the Access to Information Act should apply.

The fact of the matter is the Canadian Wheat Board is not publicly funded. The Canadian Wheat Board operates under the legislation of the House. The Canadian Wheat Board is financed by farmers. The Canadian Wheat Board is controlled by a board of directors elected by farmers through legislation passed in the House.

• (1155)

In fact, there is no commercial organization in the country more transparent than the Canadian Wheat Board. It upholds its transparencies in a number of ways. First, there is the elected board of directors who have to stand for election. Second, there is the annual report that is presented to the minister of agriculture. In fact, the member for Brandon—Souris, if he so desired, and I imagine he does, would be able to bring the Canadian Wheat Board before the standing committee on agriculture and question the board in terms of its activities. Can he do that with Cargill Grain and those other commercial grain institutions that he seems to be supporting in the guise of attacking the Canadian Wheat Board?

Next, there are the district meetings held in all the elected districts across western Canada. As well, there is the monthly newsletter that goes out from the Canadian Wheat Board. Also, there is the auditor general, who looks at the annual report of the Canadian Wheat Board.

How much more transparent does this organization have to be in order for the member to understand the fact that certain commercial information should not be made available to the competition?

I also want to point out that the member for Cypress Hills—Grasslands was on the typical Canadian Alliance rant against the Canadian Wheat Board. I want to underline the fact, in disagreement with what he had to say, that the bill would hurt primary producers. It would seriously hurt farmers in western Canada.

If some of these members would tour the Canadian Wheat Board head office in Winnipeg, they would see how it gathers its market intelligence, how it is one of the best sellers out there in terms of being able to maximize returns, and how, through its system of pooling, it is able to prevent negative competition within Canada

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and maximize what is in the international market and efficiently get the maximum returns from the international marketplace back to primary producers. If they would look at that business operation, they would see why the Canadian Wheat Board is so often so able to beat the competition. If the members opposite did a little research, they would find that the Canadian Wheat Board, in terms of some analyses that have been done, has been able to beat the open market pretty nearly all the time, not all the time, but most of the time, in terms of maximizing returns to primary producers.

The member for Cypress Hills—Grasslands also talked about the culture of secrecy of the wheat board. That is another myth. Nothing is further from the truth. Earlier in my remarks I outlined the reports, the meetings, the annual report and the information base. There is no culture of secrecy at the Canadian Wheat Board. Indeed, it is the direct opposite.

In conclusion, the bill would very seriously hurt the farm community. As I said earlier, I should not be surprised, but I am amazed that the members opposite continue to use any vehicle to try to build on the myths that are out there rather than talking about the strengths of the Canadian Wheat Board and how it can be used to assist farmers in their time of need.

As I said earlier, the Canadian Wheat Board is farmer financed. This access to information proposal from the member for Brandon—Souris would in fact put it in the position of actually having to subsidize the competition. The member, through his efforts in the bill, would actually subsidize the competition, the likes of Cargill Grain and other grain export companies, by having the Canadian Wheat Board, through its farmer financed organization, provide information on markets, on the markets of other countries, on weather patterns and all that intelligence base that the Canadian Wheat Board uses to assist in its market intelligence to try to make the best sales possible.

Under the bill, all of this would possibly have to be turned over to the competition. In effect, the competition would have to spend far less time in research in terms of corporate operations because the member's bill would be actually subsidizing the competition against the very farm community he proposes to speak for.

• (1200)

It gives me great pleasure to stand and oppose a bill that would undermine our farm community in western Canada if it were allowed to pass in the House. It would also put the Canadian Wheat Board at a disadvantage with its commercial competition in terms of trying to maximize returns to primary producers.

**Mr. Rick Borotsik (Brandon—Souris, PC):** Mr. Speaker, I thank each member of the House who rose today to speak to the proposed legislation.

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It does not surprise me but it does disappoint me that the member for Malpeque still cloaks himself in the paranoia that is out there. He did not look at the content of the bill dealing with access to information, the honesty and the transparency. He would rather go on a rant as to what is right and what is wrong with the Canadian Wheat Board. That is not what the debate was meant to be about.

It seems obvious that some members were not able to grasp the issue at hand, which is that openness and transparency is the only way in which any type of organization can be effective.

The excuses I heard from the member for Malpeque, as well as from the member for Timiskaming—Cochrane, included the words never, ludicrous, not necessary, trust us and be happy. The member for Malpeque suggested that the bill was a way of backdooring the Canadian Wheat Board. If he had listened to what I had to say he would have heard that this was not meant to get rid of the Canadian Wheat Board in any way, shape or form. This was simply meant to strengthen its operations in a number of ways.

The question that it does open up, especially for the hon. member, is how information from the 1950s could be seen as sensitive and commercial in nature by the Canadian Wheat Board and yet that information is not forthcoming. When the wheat board hides behind closed doors and does not even answer questions in a survey, it conjures up an impression that it has no desire to be more open and transparent.

Let us get to the big picture which deals with access to information. The rules have to be expanded as we are having difficulties right now accessing information.

Have the two members on the government side ever filed an access to information request? Have they ever gone through the process of finding out what it is like to get access to information? Has the member for Timiskaming—Cochrane ever met with the board of directors of the Canadian Wheat Board? I have met with those people and I have filed access to information requests. Quite frankly, the questions the members have asked I have already gone through.

The bill should be votable but unfortunately it is not. I hope the debate has indicated that this is an issue that will not go away. It can be resolved. The wheat board can continue to operate. It can be open, honest and transparent if it is given the tools. The member for Malpeque never mentioned this, but the wheat board also has the ability under the act to stop access to sensitive commercial information. That does not have to happen. The nonsensitive and noncommercial information should be open and available, not only to myself but to the producers that the board serves.

One can use that excuse to go to the board of directors but it also signs pledges that it will not give any information outside the board. Changes have to come from the government so that the information is made accessible.

**The Deputy Speaker:** The time provided for the consideration of private members' business has now expired. As the motion has not been designated as a votable item, the order is dropped from the order paper.

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## GOVERNMENT ORDERS

• (1205)

[*Translation*]

### SALES TAX AND EXCISE TAX AMENDMENTS ACT, 2001

The House proceeded to the consideration of Bill C-13, an act to amend the Excise Tax Act, as reported (without amendment) from the committee.

**Hon. Claudette Bradshaw (for the Minister of Finance)** moved that the bill be concurred in at report stage.

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

**Some hon. members:** Agreed.

(Motion agreed to)

**The Deputy Speaker:** When shall the bill be read a third time? By leave, now?

**Some hon. members:** Agreed.

**Hon. Claudette Bradshaw (for the Minister of Finance)** moved that the bill be read the third time and passed.

[*English*]

**Mr. Tony Valeri (Stoney Creek, Lib.):** Mr. Speaker, I welcome the opportunity to speak today at third reading of Bill C-13, the Sales Tax and Excise Tax Amendments Act, 2001.

The bill would reaffirm the government's commitment to making our tax system simpler and fairer for individuals and for Canadian business. The principal purpose of the bill is to implement measures relating to the goods and services tax and harmonized sales tax that were announced in the 2000 budget, as well as the additional sales tax measures proposed in the notice of ways and means motion tabled in parliament on October 4, 2000.

The measures were aimed at improving the operation of the GST-HST in the affected areas and ensuring that the legislation accords with the policy intent. The bill would also implement two amendments to the Excise Tax Act relating to excise taxes on specific products.



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I would like to begin by outlining the measures contained in the bill that were proposed in budget 2000.

First, the GST-HST is designed to ensure that Canadian businesses and products are competitive in the export markets. A number of measures in Bill C-13 are aimed at achieving that specific objective. Specifically, these measures relate to the GST-HST treatment of export distribution activities.

The bill would implement an initiative referred to as the export distribution centre program. It is an initiative that addresses a cashflow issue faced by limited value added export oriented businesses. It would also help ensure that the GST-HST does not present an impediment to the establishment of North American distribution centres in Canada.

I will speak to the opportunities provided by the establishment of EDCs in a moment.

Bill C-13 contains a measure that would ensure that the GST-HST does not make Canadian suppliers of warranty repair or replacement services less competitive relative to foreign suppliers when in fact these services are provided to non-residents. It also expands on an existing program known as the exporters of processing services program. Refinements to the program would ensure that the GST-HST does not impose prohibitive cashflow costs for businesses that provide storage or distribution services for non-residents in respect of goods that are for export.

Another proposal in the bill relates to the cross-border transactions, in particular the sale of railway rolling stock to non-resident businesses. Bill C-13 proposes an amendment to ensure that the use of railway rolling stock to ship goods out of the country in the course of the exportation of the rolling stock itself would not disqualify it from tax-free treatment.

Bill C-13 introduces the new residential rental property rebate, another important sales tax initiative. The measure stems from the 2000 budget and would be of significant benefit to builders and purchasers of new residential rental accommodation. It would reduce the effective GST rate on newly constructed rental property by 2.5% which is the same federal tax rate reduction that applies to purchasers of new, owner occupied homes under the existing new housing rebate program.

Bill C-13 builds on the government's commitment to continue to work on improving health care and education in Canada. In the area of health care, the bill proposes an amendment to continue in force an existing GST-HST exemption for speech therapy services that are billed by individual practitioners but are not covered by applicable provincial health care plans.

• (1210)

With respect to education, Bill C-13 contains a measure which would ensure that vocational training provided in different prov-

inces receives the same GST-HST treatment regardless of the regulatory regime that exists in each province with respect to vocational schools.

The government recognizes, as do all members of the House, the important role that charities play in helping Canadians and in enriching our communities. The bill proposes amendments to ensure that the GST-HST legislation properly reflects the government's intended policy of generally exempting from sales tax the rental of real property and related goods by charities.

The legislation proposes a number of clarifying amendments to ensure that there could be no doubt as to the application of these provisions for both future and past transactions, for example the issue of excise tax on automobile air conditioners.

Bill C-13 reflects a number of improvements to the administration of the tax system, which is in keeping with the spirit of the government online initiative recently announced by the Prime Minister. There is a movement within government and in the public to ensure that it meets its target of getting on line in the very near future.

I would like to spend a few moments on a part of the bill which has not received the attention it should have received to date. I would like to raise the awareness of the creation of export distribution centres by explaining what they mean and their potential.

The creation of export distribution centres enhances Canada's ability to conduct export distribution activity. The program does not create any artificial advantages for any Canadian community. Instead, it unleashes their inherent geographic advantage. If the 49th parallel did not exist, in other words if the entire continent was Canada, our communities would be host to a significantly greater number of distribution centres for goods produced abroad because of our geographic advantage. That this is not the case today is due to legislative and regulatory barriers.

When we look at the U.S. foreign trade zone program, we find that an overwhelming number of such zones are located in the northern tier along the Canadian border. That is because the northern part of our continent provides the natural entry point gateways to the NAFTA economy.

The EDC program which would be created as a result of Bill C-13 would allow communities in every part of Canada to participate in the fast growing distribution and logistics industry. It is also important to note that the program is not zone specific; it would be market driven. Unlike the United States, which geographically decides where a trade zone is to locate, the Canadian export distribution centres would be market driven.

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It is a program that is universal. Any location in Canada and any business could seek to participate. Unlike programs in the U.S. and elsewhere, it does not create any unique privileges for specific locations. I am already aware, as are many close to this issue, of groups in Hamilton, Montreal, Vancouver, Gander and Regina that are pursuing the EDC opportunity. It is truly a coast to coast opportunity.

Many members of these groups have told us that the opportunity to engage in this kind of activity has been there for some time but it has been hindered by existing regulations. Bill C-13 removes this impediment for local community development.

• (1215)

In my riding of Stoney Creek the legislation would allow us to make full use of the John C. Munro Hamilton International Airport as an economic development engine. The airport is well placed and well prepared to attract logistics and distribution companies.

Tony Battaglia, president of TradePort International, the firm entrusted with managing the Hamilton airport, commented that the airport would be able to compete with similar facilities in the United States. The proposed changes in Bill C-13 would provide the necessary tools for Canadian facilities that move goods by air, road, water and rail. These tools would allow such Canadian firms to compete and attract global commerce.

What does that mean in terms of job creation? Professor Michael Trethewey of the University of British Columbia's transportation and logistics program has estimated that within 10 years Canada will be able to create up to 50,000 jobs in the distribution sector. Job creation can only be enabled if we can offer distribution firms in Canada the same advantages that locations in the United States offer to their distributors.

For example, existing programs in Canada allow the storage and re-export of goods in a duty and tax free environment. However they do not allow the addition of Canadian value to the goods being re-exported. The situation is paradoxical. On the one hand, the current program encourages distribution centre locations in Canada but, on the other hand, it discourages the adding of value and the job growth that results from it.

The legislation seeks to redress the imbalance by providing a program that allows the creation of distribution centres in Canada in a duty and tax free environment where value could be added when goods are intended for distribution into the broader NAFTA marketplace.

During the consultation period a concern was brought forward by a number of individuals that the legislation would enable growth in the distribution sector at the expense of Canada's domestic manufacturers. The program has strict limits so that it cannot be used for full manufacturing. Furthermore, 90% of the goods must

be re-exported. The program is intended to attract distribution centres for goods already being manufactured overseas and exported to the U.S. and broader NAFTA markets. There is no displacement of domestic manufacturers.

The proposed legislation is strongly supported by Canada's airports. The Canadian Airports Council has been a very strong supporter of the EDC program. It sees an opportunity to develop its airport lands for the benefit of its communities.

The EDC program would allow the airports council to lever its air service and ground transportation networks and build the flow of goods and jobs between Asia and Europe on the one hand and the U.S. and NAFTA economies on the other. Companies in Europe and Asia that wanted access to NAFTA markets were not looking to Canada for foreign trade zone possibilities. However, because of Bill C-13, they now can.

The measures in Bill C-13 that I have outlined today propose to refine, streamline and clarify the application of our tax system. The bill would provide an opportunity for economic development specifically through the creation of export distribution centres. At the same time, Bill C-13 reflects the government's commitment to ensure our tax system is fair. I urge all hon. members to pass the measures quickly.

**Mr. Gurmant Grewal (Surrey Central, Canadian Alliance):** Mr. Speaker, on behalf of the constituents of Surrey Central, I am pleased to participate in the debate today on Bill C-13, the sales tax and excise tax amendments.

Mr. Speaker, I point out that I will be sharing my time with the hon. member for Richmond.

The bill we are debating today has been before committee and is now going through its final debate in the House. The purpose of the bill is to simplify the tax code, but probably not to the extent Canadians would like. The measures are aimed principally at improving the operation and fairness of the GST or HST in affected areas and ensuring the legislation accords with the policy intent.

• (1220)

Bill C-13 implements two amendments to the Excise Tax Act. The first clarifies the deferral of tax on various automobiles and car products to the time of sale or importation to a manufacturer. The amendment is made to clarify the deferral of existing excise taxes on air conditioners, for example, installed in automobiles and on new heavy automobiles at the time of importation by a licensed manufacturer or sale to a licensed manufacturer.

The second amendment provides the Minister of National Revenue with the discretionary power to waive or cancel interest and/or penalties. The second amendment provides discretionary power to the minister, as I have said, to cancel penalties calculated in the same manner as interest under the excise tax system, which is



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consistent with the discretion already provided to the minister in relation to the sales tax and income tax systems.

The primary goal of the bill is therefore to correct some administrative oversights in the February 2000 budget concerning the application of the GST and HST. The bill is technical amending legislation. The official opposition therefore supports the bill, but we believe the government could have done more to address other pertinent issues relating to taxes.

There are a number of GST and HST measures in the bill. I will briefly describe them. The export distribution centre and export trading house programs amendment would implement new rules that ensure the GST and HST do not impede North American distribution centres in Canada. Businesses would be able to purchase or import inventory and customer goods on a tax-free basis rather than having to pay the tax and later claim a refund. This might help combat fraud, which is unfortunately part of the system.

The non-residents and cross-border transactions amendment ensures that no tax is payable on goods imported solely as replacements under warranty. It also ensures there is no tax on the service of storing goods for a non-resident business.

Another point is that the real property amendment implements the new residential rental property rebate, which is a partial rebate of GST on newly constructed or substantially renovated long term residential rental accommodation. I see many such accommodations in my constituency of Surrey Central. The builders or the people involved in that kind of construction will feel some relief in that area.

That is important because it permits a credit for work done on a new home used primarily as a place of residence or as short term public accommodation, for example a bed and breakfast establishment. Such establishments will get some sort of relief. That is particularly important because the previous rules disallowed homeowners the credit if they ran small businesses out of their homes.

● (1225)

There are other amendments. The health amendment continues to be in force. There are GST and HST exemptions for speech therapy services that are billed by individual practitioners and not covered by the applicable provincial health care plan. The bill will provide some relief for people who use such therapies.

The education amendment ensures that similar vocational training across the country is provided the same exempt treatment, regardless of how vocational schools are regulated in each province.

The electronic filing amendment removes the requirement to apply to the Minister of National Revenue for permission to file

GST or HST returns electronically over the telephone or Internet. Canadians are busy preparing their tax returns. If the bill is put into place it will probably give relief to people who must seek such permission. It allows anyone to file taxes that way, provided they meet the criteria set out by the minister.

Finally, there are miscellaneous amendments which correct ambiguities in existing provisions consistent with current industry practice, administrative interpretation and the underlying policy intent. These are some of the areas the bill focuses on.

For those who are watching I will quote from the Canadian Alliance policy, which is the grassroots members' policy.

We will restore public confidence in the fairness of the Canadian tax system by reducing its complexity. We will restore indexation and move towards a simpler tax system, built around a single rate of taxation to ensure lower taxes for all Canadians. We believe that all Canadians above a minimum income level should share in the cost of the services provided by government, which benefit us all.

There are other areas of concern. I was talking with my constituents during the two week break. They are concerned about gas prices because there are taxes on taxes on taxes. I regret that the sharp spike in the price of home heating oil and gasoline, which has hit us all so hard, is not addressed in the bill.

Canadians suffered this winter in the cold climate. The Liberals did not foresee or prevent the 70% hike in natural gas prices, which they should have if they had prudent practices in place. They did nothing about it except send out cheques for a couple of hundred dollars. The government completely missed the target. Instead of sending cheques to those most in need of assistance it sent them to people who probably do not pay heating bills such as students, prisoners and even deceased Canadians.

The Liberal finance minister has no sympathy for our seniors or for persons on fixed incomes. These people have so little money that they must choose between filling prescriptions, buying food or paying for heat. It is the Liberal government's fault because the government keeps our taxes high and our dollar weak. We are being hurt twice.

It is the tax on gas which has driven the price upward. The price we pay at the gas pumps includes a tremendous amount of tax. The price of crude gas is something like 29 cents, but these days we are paying 74 cents or so at the pumps.

That is why when the price of gas or oil on the world market is hiked we feel it more. Not only is the price hiked but the taxes go up accordingly. That exacerbates the increase in the wholesale price.

● (1230)

First, we have the federal excise and sales tax on gas. On top of that we have a provincial excise tax. On top of that we have a provincial sales tax. On top of all that we have the 7% GST. In

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other words, we are paying GST on the taxes as well which is wrong. We have a tax on a tax on tax on a tax. That is the kind of system we have in gas pricing and that is very unfair.

My province of British Columbia gets less than 5% of the amount of federal taxes paid on gas for transportation and infrastructure development. The federal Liberals rake in about \$700 million a year in fuel taxes from British Columbia alone, and this is the only province that does not have any four lane highways. We cannot even buy enough street lamps with the 5% the federal Liberals are returning to us for transportation and infrastructure development. That is the kind of situation we are facing with respect to that particular area.

However, we support this bill but we again urge the government to lower taxes for Canadian families, consumers and small businesses. Those lower taxes will help boost our economy. We want lower taxes and a simplified tax code. Our tax code is very complicated, probably one of the most complicated of any country which I have visited or heard about.

The clarifications in Bill C-13 should only be a temporary measure on the road to tax reform. The steps are in the right direction but they are baby steps.

The provisions of Bill C-13 enact corrections to last year's budget and the fall mini budget. The government should be moving toward simplifying and broadening the base of the tax code. If the tax code was simplified, endless exemptions and further clarifications would not be necessary. There may not be any need to do what we are doing today.

From this point, lowering the taxes of all Canadians will have a far more positive impact for everyone. With the exception of the new residential rental property debate, the amendments will have little impact on the government's revenue. Expected costs for the new residential rental property rebate are estimated at \$15 million for 2000-01, \$40 million for 2001-02 and \$45 million for subsequent years.

In conclusion, we will support the bill but we remind the government that it should lower taxes for Canadians and simplify the tax code. I believe Canada can be a competitive leader in the global economy of the future and I believe Canadians can enjoy a higher standard of living and a better quality of life.

However to get there we must blaze a trail of tax relief and debt reduction. We need to lower taxes such as payroll taxes. We need to cut the tax on investing. We should not be penalizing those investors who invest in Canada, who boost our economy and who help create jobs.

We should cut the taxes on high tech businesses. It is time these businesses be promoted. That is where our future lies. That is

where more jobs will be created. However the government does not realize that we have to cut taxes for high tech businesses as well as small businesses. Ninety-six per cent of jobs are created by small businesses.

These are some of the points I wanted to add to this debate.

• (1235)

**Mr. Joe Peschisolido (Richmond, Canadian Alliance):** Mr. Speaker, I would like to take this opportunity to reiterate the point which my colleague from the Alliance Party made that as the opposition party the Alliance supports Bill C-13. Our concern though is that this will be viewed as a final step and not as a temporary, necessary technical change in our tax system on the long road to full taxation reform.

I will not get into the details that were discussed by my colleague on the Alliance policy on tax reform. However I do want to speak about a luncheon I attended last Friday for the Vancouver Board of Trade. It was very illuminating for me. The guest speaker was the Governor of the Bank of Canada, Mr. Dodge. He spoke about the variety of variables that go into having a sound economy. It was like a lesson on 101 central banking. The unfortunate thing though was that he did not once mention the taxation system.

We all know in the House that there is a great link between monetary policy and fiscal policy. As my colleague just discussed, taxes are high and the Canadian dollar is low. What the Alliance puts forth, and I say, is that taxes are high therefore our Canadian dollar is low. More important, it does not allow the Governor of the Bank of Canada to do what is right with monetary policy, which would be to have lower interest rates at this time.

Mr. Greenspan, the chair of the federal reserve in the United States, dramatically and successfully used the proper monetary tools at his disposal and reduced interest rates a full half a per cent. Obviously, he believed there were further tough economic times. The Bank of Canada put forth a very anemic quarter per cent interest decrease.

It is not because the Governor of the Bank of Canada does not understand that we need a softening of monetary policy to deal with these tough times. It is simply that he cannot. His hands are tied because of the lax fiscal planning of the Liberal government.

I and the Alliance Party believe that the chair of the federal reserve of the United States will follow up with a further half per cent decrease. However our Governor of the Bank of Canada, legitimately so, is so concerned about the level of the Canadian dollar that his hands are tied. Why are his hands tied? They are tied because there is a direct correlation between economic performance which includes all of the variables and the level of the Canadian dollar.

The level of the Canadian dollar, outside of the fluctuations on a day to day basis, is simply a reflection of the economic health of the country. Tax policy is a key in that economic health. If Canada were a patient, it would not be doing very well right now because our economic policy is correctly reflected by our low Canadian dollar.

What should the Canadian government do? Bill C-13 is a positive step. Why? It deals with certain technical problems that the government itself created in the past seven to eight years. That is good.

My concern with Bill C-13 is not what is in the bill but what is not in the bill. As my colleague said so eloquently, the economic problems we face in Canada should be dealt with quickly.

Let me give one example. There is a severe housing shortage right across this country. Even in an area such as my constituency of Richmond, British Columbia, which is viewed as a middle class rather affluent part of Canada, we have a problem as well. It is the problem of not enough housing.

We all know about the tragic, and I use that word carefully, situation in Vancouver East which the member of parliament for that area eloquently spoke about. I do not agree with many of her proposals on how to fix the problem, but I do agree with the point that there is a problem and the Liberal government is ignoring it. Sure it throws \$25 million here and \$25 million there. I would argue that that is exacerbating a problem rather than fixing it.

• (1240)

Why not utilize the tax system to urge the creation of rental stock through the private sector? Yes, there is 5%, 10% or maybe 15% of the population who are marginalized and have other problems that have to be dealt with, such as alcoholism, drug abuse and coming from broken homes. The government has to play a role there. However on the creation of a housing stock, that is where the tax code can be utilized and it is not.

Why is it that apartment owners and builders are not treated as a business when it comes to capital gains, rollovers and loss allocations? It is a simple step. Rather than taking moneys and providing housing in a grandiose national plan, perhaps it would be a better approach to allow the private sector to build affordable housing with the provision that there is a segment of marginalized Canadians who have to be helped in a different way.

I commend the Liberal government for the variety of technical bills it has put forth in this session to deal with the inadequacies that it created. However it is a first step. I hope that in the next step of dealing with the economic morass that we are in, it will put forth more substantive tax reductions to deal with an economy that is declining. I do not say that with partisan vigour. Sure there is the parry and thrust of debate. Sure there is a partisan element of the

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electoral process. However I think we all agree that we do not want a more complicated tax system. I believe we all agree that the reduction of capital gains tax is a way to spur economic growth.

I hope that in the next few months we will have from the other side of the House real substantive tax reform and not simply necessary and technical amendments to problems that were created by this government.

**The Deputy Speaker:** The hon. member for Yorkton—Melville.

**Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP):** Mr. Speaker, I had the honour to represent Yorkton—Melville in the House for 25 years. I understand why you said Yorkton—Melville. I want to say a few words on the changes to the GST, which the bill before the House implement.

I remember the great debate in the House of Commons when the GST went through. I believe it was in 1991. There was a great debate about changing our taxation system. We used to have what was called a manufacturers' sales tax. The government of the day, the Mulroney Conservative government, decided to replace that tax with the goods and services tax.

We had a great debate in the finance committee. I was a member of the finance committee at the time as the NDP finance critic. We studied the issue ad nauseam. We had hearings on it. I remember spending several days writing a report on it with members of the finance committee. We made recommendations. There were all kinds of changes made at the time to the initial proposal of the government. The GST came in and the old manufacturers' sales tax disappeared. At the time we voiced a lot of concerns about the GST itself.

First, the problem with the GST is that it is a tax that the government likes. It takes in a lot of money, I believe \$23 million to \$24 million. Every point in the GST brings in roughly \$3.5 million of revenue.

Another problem with the GST is that it is all encompassing and taxes things like funerals. It taxes reading materials, books and a whole series of things that are necessities of life at the same level it taxes things that are not necessities or things that might be purchased for entertainment, luxury goods and things of that sort.

Another thing is that the GST is a very regressive tax. It does not matter what our income is, we still pay the same GST. We pay 7% for a haircut. Whether we are rich or poor, we still pay that same 7%. When we buy clothes we pay 7%. It is a very regressive tax in terms of having a fair and balanced tax system.

• (1245)

I have always believed that in a democratic society that looks after the common good we should pay taxes based on the ability to

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pay. If we make more money we should pay more in tax. The tax rate for those making \$100,000 should be higher than it should be for someone making \$30,000, \$40,000, \$20,000 or \$25,000 a year. For those making a million dollars a year the tax rate should be higher still. There has to be a progressive taxation system in the country. The problem with the GST is that it is not progressive. It hits everybody in the same way in terms of paying the same rate of tax on the same goods and commodities.

If we look around we see many necessities on which people pay GST. I mentioned haircuts, all kinds of clothing and a lot of the necessities of life on which we pay GST.

**An hon. member:** Home heating fuel.

**Hon. Lorne Nystrom:** Home heating fuel is a very good example as well. With the price of energy going up, particularly the price of natural gas, a lot of ordinary folks who are on a very tight budget or on a fixed income have real difficulty paying the 7% on a home heating bill that may have been \$75 or \$80 a few years ago and is today maybe \$150 or \$250, depending on where one lives. The GST adds an awful lot in costs for the ordinary consumer who is paying the heating bill.

I think a measure of a society is to have a taxation system based on the ability to pay. That is the most important part of this. It should be based on ability to pay. Our party, the NDP, realizes, of course, that there should be a very important role in our society for government. In the last few years the role of government has diminished too much in terms of deregulation, privatization and cutbacks to social programs. Health funding is the best example of that. We have a health funding crisis in the country. The federal government cut back by billions of dollars transfers to the provinces for health care. The member for Winnipeg North Centre, who is our critic, knows the cost of that to ordinary people across the country.

We do need taxation revenue coming in, but the principle is to find the money on the basis of the ability to pay. The taxation system in the country should become more progressive, not less progressive. To do that I think we eventually have to phase out the GST, to roll it back from 7% to 6% to 5% and to 4%. Eventually, when we have a fair taxation system and the economy grows and becomes stronger, we have to eliminate it altogether. Our party said that in 1991-92. That is what we said in the last campaign. That is what we say now. The goal is to eliminate the GST in the country in order to have a fairer taxation system.

**An hon. member:** The Liberals used to say that, it seems to me.

**Hon. Lorne Nystrom:** As the member from Winnipeg says, I remember the debates in the House of Commons in 1993 when members of the Liberal Party got up and said "elect us and we will get rid of the GST". I remember the Prime Minister saying that if he was elected Prime Minister he would get rid of the GST. That is

on tape and can be seen by looking up the old speeches from question period in 1992-93. I ask the Liberals across the way what happened to that fundamental promise they made to the Canadian people. What happened? The Liberal member across the way is clearing his throat in embarrassment. What happened to that campaign promise the Liberals made to the Canadian people in 1993?

No wonder people are cynical about the electoral process, politicians and political parties when a political party can make a very serious promise to the country and then break that promise. In hindsight, the only member across the way who did not break the promise was the minister of heritage, the member for Hamilton East. She was deputy prime minister. She resigned her seat in the House of Commons, probably in 1996, and went back to Hamilton East for a byelection. She said she had made a commitment on the GST, the government had changed its mind and she sought a new mandate for herself as the member of parliament for Hamilton East.

What about the rest of those members? They made the promise, they broke the promise and they are still in government. That is one reason why more and more people in the country give up on the political process and rank politicians so low in terms of credibility. The goal has to be to gradually eliminate the GST in order to make it a more progressive taxation system.

• (1250)

People are in the final process of filing their income tax, with the deadline being April 30, which is only a few days away. When Canadians file their income taxes they are reminded that too much of the taxation burden in Canada is still on low income and modest income people in Canada. These are people who have families and are struggling to make ends meet. I hear stories day in and day out about low income people having trouble with the taxes they have to pay.

Yet there are so many loopholes in our taxation system. We have the family trusts for the Bronfmans and the wealthy, and they can really get away from paying taxes, from paying their fair share. These very wealthy people, the billionaires, do not pay their fair share and we have the Liberals across the way who will not do anything about this.

**An hon. member:** Operation loophole.

**Hon. Lorne Nystrom:** Yes, there is the whole case of operation loophole, the court case that was launched in Manitoba by someone in the city of Winnipeg going after the Bronfman family and the wealthy people for the taxes they evade by moving their wealth offshore. That is not fair. When a person does that the ordinary person has to pick up the can and put more money into the taxation system.

What we have to do is have a more progressive taxation system. Many years ago we had seven or eight tax brackets in Canada. The



Mulroney government reduced that to three. In the last budget we had a fourth tax bracket added, which is a very minor step in the right direction. Also, the tax rate for middle income people in the country is gradually going down from 26% to 23% so we will have a taxation system that is a bit more graduated, except that the highest tax bracket still remains at 29%, I think. In the United States the highest tax bracket goes up to 45% or 50% for extremely wealthy people.

Even in the United States there is a more progressive taxation system than we have in this country, and the United States is the world's bastion of so-called capitalism, where they talk about making life as easy as possible for investors and people with a lot of money and a lot of wealth. Even in the United States there is a more progressive taxation system on the individual income tax side. We have to get back to that in Canada.

I see the Alliance across the way. The people of Canada should be aware that the Alliance Party is pushing a single flat tax system in the country. It is a single rate, a flat tax. That is the most regressive tax of all that we could have. Even the Republicans in the United States have dropped the idea of a flat tax. George Bush and the Republicans think it is too regressive for the Republicans in the United States.

**Mr. Pat Martin:** But not for the Alliance.

**Hon. Lorne Nystrom:** But not for the Alliance, not for the reformers. They are advocating a flat tax whereby a wealthy person would pay the same tax rate as somebody who is teaching in an elementary school in Halifax or working on the assembly line in Oshawa or in a grocery store in Moose Jaw, Saskatchewan.

I ask you, Mr. Speaker, if that is fair, if that is just. That is what the Alliance Party in Canada is advocating, even flattening it more, giving the wealthier a bigger break, giving the rich a bigger break and putting a heavier load on the ordinary people. Basically and fundamentally it wants to cut back on the role of government, just cut back and cut back on the role of government. The Alliance says it wants to reduce the role of government in our society to the lowest common denominator. I do not think that is the way to go.

We need a more progressive individual tax system and a gradual elimination of the GST, which is regressive because in a way it is a flat tax. On the other side, we have to fill some of the loopholes in the current taxation system that are there for some of the wealthy and some of the big corporations in Canada. Finally, we have to readjust our corporate tax rate in Canada so that the large corporations pay more of their fair share. A number of years ago the large corporations paid a lot more in taxes than they do today. Today individuals are paying more and corporations are paying less. It used to be the other way in the days of Lester Pearson and Pierre

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Trudeau and even in the first part of the Mulroney years when all this started to change.

The sad thing about it is that when the Liberal Party took over, instead of making a more progressive taxation system in terms of our society, it got spooked into a more reactionary and conservative taxation system because the Liberals feared the Reform Party. The Liberals feared the agenda of the Reform Party, now the Alliance. This Liberal Party made a sharp turn to the right. It is the most right wing, conservative Liberal Party we have seen in the history of our country and that is why we have to make a change.

With a fair taxation system we can give people the freedom to have more equality of condition. With a fair taxation system we can still raise a lot of government revenues for social programs, for education, health, research and development, social housing and the farm crisis. If we had a fair taxation system we could accomplish all these things for the common good.

• (1255)

One way to start is to make sure we gradually eliminate the GST. We could take the first steps in that direction by taking the GST off reading materials and some of the other basic necessities. That would help ordinary citizens of the country.

I will close with that and say that I hope to see Liberal colleagues getting up and telling me they are embarrassed that their party broke its promise in 1993, when the candidate from Peterborough, for example, was out there for the party that promised to get rid of the GST. I would like to see him get up in the House of Commons now and explain why his party broke that promise and why he hangs his head in the House of Commons whenever this issue comes up. His party has broken a basic and fundamental promise to the people of the country.

It is like medicare. I am told that way back in 1919 the Liberal Party promised health care for Canada. It promised medicare in 1919. That did not happen until about 1966 and it only happened at that time because of the leadership of the CCF of Saskatchewan, where the first health care system in Canada became such a popular idea that in 1966 the Pearson government brought it in. That took an awful long time. It took 47 years to keep that promise. How long will it be before the Liberal Party keeps its promise on the GST?

I end with that question and I hope some of those members have the courage to get up and tell us why they have broken faith and why they have broken this engagement with the people of Canada.

**The Deputy Speaker:** In closing, my apologies to the member for Regina—Qu'Appelle. I was in a time warp when going back to Yorkton—Melville, I suppose.

Is the House ready for the question?

**Some hon. members:** Question.

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

**Some hon. members:** Agreed.

(Motion agreed to, bill read the third time and passed)

**Mr. Greg Thompson:** Mr. Speaker, I rise on a point of order. I am looking for some guidance. I was to speak on behalf of our party. I was out of the Chamber, retrieving some of my notes. I am wondering where we are in this debate now. Have we passed on to further debate? We in our party do have a point of view we would like to put forward.

**The Deputy Speaker:** To the hon. member for New Brunswick Southwest, the debate on Bill C-13 in fact did collapse. The Chair did on a few occasions ask if there were any other members seeking the floor for debate.

I am aware the hon. member had given some indication that in fact he had an interest in speaking to the previous bill, which has since been passed.

• (1300)

The Chair can only make a suggestion. The hon. member for New Brunswick Southwest could seek unanimous consent of the House to allow him to speak to the bill which has been passed.

**Mr. Greg Thompson:** Mr. Speaker, I would seek unanimous consent to continue the debate, though I am certain that government members will not want to hear what I have to say.

**The Deputy Speaker:** The hon. member for New Brunswick Southwest would also help the Chair if he could indicate how much time he would require to add his comments to the record. Could he please specify the amount of time that he would seek? He is indicating 10 minutes. Does the House give its consent for the member to put forward his comments?

**Some hon. members:** Agreed.

**Some hon. members:** No.

\* \* \*

#### CANADA FOUNDATION FOR SUSTAINABLE DEVELOPMENT TECHNOLOGY ACT

The House resumed from April 6 consideration of the motion that Bill C-4, an act to establish a foundation to fund sustainable development technology, be read the third time and passed.

**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.

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

**Some hon. members:** Nay.

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

*And more than five members having risen:*

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

[Translation]

*And the bells having rung:*

**The Deputy Speaker:** The chief government whip has asked that the division be deferred until later today, at the end of government orders.

\* \* \*

[English]

#### CRIMINAL CODE

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.)** moved that Bill C-24, an act to amend the Criminal Code (organized crime and law enforcement) and to make consequential amendments to other acts, be read the second time and referred to a committee.

She said: Mr. Speaker, I am pleased today to lead off the debate on an issue of major concern to all Canadians: the problem of organized crime and the legislative tools available to our police, prosecutors and courts to address that problem.

[Translation]

In the Speech from the Throne, our government promised to take aggressive steps to combat organized crime, including the creation of stronger anti-gang laws.

[English]

Building upon the foundation that the government put in place over the past several years, including the 1997 anti-gang amendments to the criminal code, the proposed legislation would enable law enforcement to respond to the threat of organized crime in the country.

Bill C-24, an act to amend the criminal code regarding organized crime and law enforcement, responds to our commitment to law



enforcement officials and to my provincial counterparts to provide additional legislative tools to assist them in the fight against the many manifestations of organized crime. The legislative measures set out in Bill C-24 seek to assist Canadian law enforcement officials in the fight against organized crime.

• (1305)

These proposals fall into four categories: first, measures to improve the protection of people who play a role in the justice system from intimidation; second, the creation of an accountable process to protect law enforcement officers from criminal liability for certain otherwise illegal acts committed in the course of an investigation; third, legislation to broaden the powers of law enforcement to forfeit the proceeds of crime, and in particular the profits of criminal organizations, and to seize property that was used in a crime; and, fourth, the creation of a number of new offences targeting involvement with criminal organizations.

I would like to take a few moments to acknowledge the valuable contributions made to its development by my provincial colleagues and their officials. It has been a truly collaborative effort characterized by mutual respect, patience and a commitment to the development of a broad based response to the threats of organized crime.

These efforts resulted in the adoption last September of the national agenda to combat organized crime. In Iqaluit, the solicitor general and I agreed with our provincial and territorial colleagues on an action plan. That plan has several key elements, but expanded and strengthened legislative tools were at the forefront of this national response.

We recognize that tougher and more effective laws are not the full answer to the problem of organized crime. The enforcement program that we announced when the bill was introduced demonstrates our commitment to attacking the problem on all fronts.

The first aspect of Bill C-24 involves a range of steps to deal with the intimidation of persons involved in the criminal justice system. There are those who ask why is it necessary to amend the law to deal with the intimidation of persons involved in the criminal justice system. They point to a number of provisions in the criminal code that might be employed to address this issue. The simple answer is that the existing law needs to be strengthened.

The criminal justice system depends for its proper functioning upon the participation of various members of our community. There are the professionals responsible for the investigation and prosecution of crime, the judges and those who deal with convicted offenders, and members of the public who participate as witnesses and jurors.

[Translation]

For all stakeholders to be able to participate effectively, they and those with whom they are associated must be free to act without

being subjected to threats, prejudice, intimidation or physical injury.

[English]

In recent times prosecutors, judges, witnesses, police and prison guards, as well as their families, have been subjected to intimidation intended to destabilize the criminal justice system. The purpose of intimidation is to interfere with the ability to hold trials in an environment conducive to proper deliberations where participants in the system feel free to play the role expected of them.

Whether acts of intimidation are subtle or explicit they are of particular concern with regard to the prosecution of organized crime. Concern about organized crime was shared by members of parliament. Last year the subcommittee on organized crime was struck to examine a myriad of issues related to organized crime. It brought forward recommendations which included two specific criminal code amendments intended to address concerns over intimidation.

I am pleased to note that Bill C-24 implements both those recommendations. One of those recommendations called for the enactment of measures beyond those now in place to more fully protect jurors serving in trials related to organized crime.

• (1310)

Accordingly the government proposes changes to the jury selection process set out in the criminal code to allow a judge to order that the names and addresses of prospective jurors not be read out in open court. A judge would be empowered in appropriate cases to ban the publication of any information that could disclose the identity of a juror.

Additionally Bill C-24 not only increases the penalty associated with the existing offence of intimidation to five years imprisonment. It introduces a new offence punishable by up to 14 years imprisonment to deal with acts of intimidation that target justice system participants intended to impede the administration of criminal justice.

A new section of the criminal code would make it an offence to engage in acts of violence against a justice system participant or a family member of that participant. It would be an offence to harass, stalk or threaten these people with the intention of either provoking a state of fear in a group of persons or the general public in order to impede the administration of justice or a justice system participant in the performance of his or her duties.

I turn my attention now to the aspect of Bill C-24 that seeks to protect law enforcement officers from criminal liability when for legitimate law enforcement purposes they commit acts that would otherwise be illegal.

The Supreme Court of Canada in its unanimous 1999 judgment in *Regina v Campbell and Shirose* stated that the police was not

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immune from criminal liability for criminal activities committed in the course of a bona fide criminal investigation. However, while observing that “everybody is subject to the ordinary law of the land”, the supreme court explicitly recognized that “if some form of public interest immunity is to be extended to the police. . . , it should be left to parliament to delineate the nature and scope of the immunity and the circumstances in which it is available”. Through Bill C-24 the government takes up the challenge offered to it by the Supreme Court of Canada and properly assumes its responsibility to provide guidance.

After issuing a consultation paper last year and engaging in much consultation the government has put the proposals before the House. The proposed scheme contemplates several means of ensuring accountability. These involve a combination of new legislative measures contained in Bill C-24, police training, as well as reliance on existing judicial and disciplinary means to ensure compliance with rules governing their use of powers given under the law.

The legislation does not propose the granting of blanket immunity to all law enforcement officers for unlawful acts committed in the course of carrying out lawful law enforcement responsibilities. However, the legislation does provide a form of very limited immunity. Colleagues need to understand that for many years law enforcement authorities were working on the basis that they had common law immunity. All the supreme court did was make it plain that there was not common law immunity but called upon parliament to put in place a legislative scheme if it saw fit.

Here is how the scheme would work. When a public officer is engaged in the enforcement of any act of the Parliament of Canada, doing that which would otherwise constitute an offence may be permissible if the following elements exist.

First, before the person can act he or she must be designated a competent authority. The individual must also believe on reasonable grounds that committing the act or failing to act is the reasonable course of action and proportional in the circumstances and including whether there is any other available means of carrying out their duty.

Nothing in the proposed scheme would provide immunity for the intentional or criminally negligent causing of death or bodily harm; the wilful attempt to obstruct, pervert or defeat the course of justice; or conduct that would violate the sexual integrity of an individual.

• (1315)

Another feature of the legislative package before us today is a new approach to addressing participation in the activities of criminal organizations. The bill contains a new definition of

criminal organization and three new offences that effectively criminalize the full range of involvement with organized crime.

At its core, the danger of organized crime flows from the enhanced threat posed to society when people combine for the commission of serious crimes. Historically criminal law has responded to this elevated harm by punishing individuals for engaging in conspiracy and for aiding or abetting the commission of specific offences.

In 1997 in Bill C-95 parliament went further and directly targeted organizations of such individuals for the very first time by providing a definition of criminal organization, increased investigative powers and increased penalties for those committing crimes in conjunction with criminal organizations.

Law enforcement officials and provincial attorneys general have called for a simplified definition of criminal organization and for offences that respond to all harmful forms of involvement in criminal organizations. That is precisely what we have done in the legislation before the House today.

The current definition only covers criminal organizations that have at least five members, at least two of whom have committed serious offences within the preceding five years. As well, the organizations themselves must be shown to have been committing crimes punishable by a maximum sentence of five years or more in prison.

Canada is a signatory to the United Nations convention against organized crime which affirms that a group of three persons having the aim of committing serious crimes constitutes a sufficient threat to society to warrant special scrutiny from the criminal justice system.

I believe that Canadians want our law enforcement officials to be able to target criminal groups of three or more individuals, one of whose main purposes or activities is either committing serious crimes or making it easier for others to commit serious crimes.

In conjunction with a more streamlined definition, the full range of involvement with criminal organizations is targeted in Bill C-24 by three new offences.

The first offence targets participation in or contribution to the activities of criminal organizations. Taking part in the activities of a criminal organization, even if such participation does not itself constitute an offence, will now be a crime where such actions are done for the purpose of enhancing the ability of the criminal organization to facilitate or commit indictable offences.

The bill also addresses the concern expressed by law enforcement officials and provincial attorneys general that the current requirement of proving beyond reasonable doubt that the accused was a party to a specific crime shields from prosecution those in the upper echelons of criminal organizations who isolate themselves from its day to day activities.

We know that successful recruitment enhances the threat posed to society by criminal organizations. It allows them to grow and to more effectively achieve their harmful criminal objectives. Those who act as recruiters for criminal organizations contribute to these ends both when they recruit for specific crimes and when they recruit simply to expand the organization's human capital.

Thus the expressed provisions of the proposed participation offence make it clear that the crown does not in making its case need to link the impugned participation, in this case recruitment, to any particular offence.

● (1320)

Some have called for mere membership in a criminal organization to be an offence. In my view such a proposal would be extremely difficult to apply and would be vulnerable to charter challenges.

The second new offence retains the core of section 467.1 of the criminal code which is the criminal organization offence introduced in Bill C-95. The new offence targets those who aid, abet, counsel or commit any indictable offence in conjunction with a criminal organization.

Unlike the existing provision, it would not require the crown to prove both that the accused has participated in or substantially contributed to the activities of a criminal organization and that he or she has been a party to the commission of an indictable offence punishable by five or more years of imprisonment. The participation-contribution requirement has been removed entirely and the range of offences targeted has been broadened to include all indictable offences.

The third new offence deals specifically with leaders in criminal organizations. Like the participation offence, it does so not by criminalizing status but by proscribing the harmful behaviour itself.

Leaders of criminal organizations pose a unique threat to society. Operationally they threaten us through their enhanced experience and skills. Motivationally they threaten us through their constant encouragement of potential and existing criminal organization members. Accordingly in the bill we have moved aggressively to identify, target and punish those within criminal organizations, whether or not formally designated as leaders, who knowingly instruct others to commit any offence, indictable or otherwise, under any act of parliament for the benefit of, at the direction of, or in association with a criminal organization.

The penalty provisions for the three offences I have outlined confirm the government's resolve to provide a proportionate and graduated means of addressing all forms of involvement with criminal organizations and to ultimately break the back of organized crime in Canada. The participation offence I previously described is punishable by a maximum of five years of imprison-

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ment, the party liability offence by a maximum of 14 years of imprisonment, and the leadership related offence is punishable by a maximum of life imprisonment.

Furthermore each of these punishments has been fortified by an appropriately aggressive sentencing regime. Its two critical components are mandatory imposition of consecutive sentences for the offences and a presumptive parole ineligibility period of one-half the imposed sentence. When these measures are combined with our newly expanded and improved criminal forfeiture scheme our message to organized crime is clear: crime does not, will not and must not pay in Canada, and we will take all necessary measures to ensure the continued safety of our homes, streets and communities.

Not all provisions of the bill specifically target organized crime groups. Several elements in the proposed legislation are meant to improve criminal law generally. These improvements to the law will nonetheless be extremely useful in combating organized crime.

The offences initially listed as enterprise crimes were those considered most likely to be committed by organized crime groups. Over the years, as organized crime evolved and moved into new areas of criminal activity, new offences were added to the list of enterprise crimes. Today the list of such crimes stands at over 40 with no indication that we will stop adding new offences to the list.

● (1325)

At the same time, by limiting the proceeds of crime provisions to certain listed offences, we have created two types of criminal: the criminal whose proceeds are subject to the proceeds of crime provisions of the code and whose illicit profits can be ordered forfeited by the courts, and the criminal whose profits fall outside the reach of the proceeds provisions of the code.

Furthermore, there is a proposal to eliminate the enterprise crime list approach and expand the application of the proceeds of crime provisions to designated offences, that is, to most indictable federal offences. In this manner the profits from the commission of most serious crimes would be subject to forfeiture. All existing protections, such as notice provisions, applications to revoke or vary orders, appeals and remedies, will of course continue to be available to the accused and to third parties.

Canada must be in a position to offer the necessary assistance to foreign countries that have successfully investigated and prosecuted members of organized crime groups and whose courts have ordered the confiscation of tainted property located in Canada. I would like to ensure that Canada is not singled out for its inability to provide the necessary assistance to help such jurisdictions obtain the confiscated property.

Accordingly, the bill proposes a number of amendments to the Mutual Legal Assistance in Criminal Matters Act that would allow

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Canada to enforce foreign confiscation orders. That is important. The provisions contained in the proposed legislation would allow Canada to respond on the basis of a treaty to requests from a foreign jurisdiction for assistance in enforcing a confiscation order issued by a court in that jurisdiction in relation to proceeds of crime derived from the commission of a criminal offence for which the accused was convicted. In anticipation of a confiscation request, Canada would also be able to provide assistance in respect of a request to seize or restrain the targeted proceeds located in Canada.

The proposed amendments would also facilitate requests from Canada regarding the enforcement of restraint or forfeiture orders for proceeds of crime located in foreign jurisdictions.

The last element that I want to stress deals with offence related property. The bill contains amendments to make the offence related property forfeiture regime in the code apply to all indictable offences. As well, the present exemption from forfeiture for most real property would be eliminated.

I believe the measures I have outlined today would ensure that we have the tools necessary to combat the increased threat of organized crime. Let there be no mistake that the proposals before us would provide more effective laws and aggressive prosecution strategies to target organized crime at all levels.

I thank colleagues for their support of this initiative. I look forward to their support because the initiative would ensure that our streets and communities are safe from a most pernicious element within our society, organized crime.

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, I am pleased to participate in the debate on the new organized crime legislation, Bill C-24.

I was struck by the almost desperate plea that the Minister of Justice made to the House to pass the legislation. The matters I heard her raise, discuss and urge upon the House are things my party and its predecessor the Reform Party have been saying for years. They have been desperately asking the House to bring forward legislation to address organized crime. Over and over again Liberal members have simply stonewalled or refused to bring forward legislation.

● (1330)

I must say that I am relieved to see after years of the opposition fighting for more effective laws to help combat gangs and other criminal organizations that the federal Liberals have finally woke up.

During the election they realized that organized crime was an issue. Suddenly the government said that it better do something because there was a danger to our country and to our institutions. It said that police officers were having a difficult time coping and the courts were overwhelmed by the issue of organized crime. I

therefore note, with a bit of bewilderment, that the Liberals finally woke up.

I thank the minister for bringing the bill forward because there are some very good things in it. I know the minister is also very open to ideas and prides herself in listening, discussing and accepting recommendations from time to time.

I am relieved that the government is finally acknowledging that organized crime is a serious problem. The rest of the country has been saying this for many years. It is no secret, although to the Liberal caucus it was a bit of a secret, that the level of activity of criminal organizations has increased substantially in recent years, posing a severe risk to public safety and security. Not only has there been an increase in the level of activity. There has also been an increase in the intensity of violence including bombing, threats and intimidation.

The extent of collaboration within and among criminal groups has broadened greatly. The available technology has improved their ability to conduct organized crime by leaps and bounds. Over the years Canada has become a very attractive place for these types of criminals. According to the Criminal Intelligence Service of Canada, CISC, "virtually every major criminal group in the world is active in Canada".

Antonio Nicaso, a well known organized crime specialist and author, has said that Canada has become one of the world's most important centres for global crime syndicates in part because of federal regulations and laws. He has stated that prior to Bill C-22 it was harder to import cheese into Canada due to the restriction of the minister of agriculture than it was to import a suitcase full of money.

The RCMP commissioner has said recently that for the first time there are signs of criminal organizations which are so sophisticated they are actually focusing on destabilizing certain aspects of our society.

Our party has long recognized these frightening indications and for years as the Reform Party and now the Alliance we have been calling for changes in the way the government should approach organized crime.

Over the past few years there have been a few halfhearted attempts by the government to adapt our laws to help fight these criminals. Just before the 1997 election the Liberal government pushed through parliament amendments to the criminal code that were intended to fight organized crime. However, because it was so last minute the opposition was not able to hear from witnesses to determine whether the proposed legislation would be effective.

● (1335)

The Canadian Police Association stated that Bill C-95 did not go far enough to provide police and prosecutors with the tools to fight organized crime. There were a few, some estimate perhaps under five, ineffective prosecutions under the bill.



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Even the justice minister at the time said during the debate that he did not claim the bill represented everything needed to fight organized crime but that it was just the first step. Under intense pressure from not only opposition politicians but also from police and other concerned members in the community, the government has finally introduced some of the long needed legislation for which we have been calling.

Our party welcomes many of the proposals in the new bill, but a number of significant deficiencies in the legislation still require further amendment to adequately address the problem of gang participation and violence.

The most disturbing feature of the legislation is its failure to make it a criminal offence to be a member of a group already proven to be a criminal organization. Contrary to the suggestions of the Minister of Justice, this provision does not make participation or membership in a criminal organization illegal unless it can be proven that the person had the intention to facilitate illegal transactions for that organization.

The fact that an organization is criminal would have to be proven in each particular case over and over again. It would result in needless duplication of resources, expenses and the prolongation of criminal trials, which would again have an impact upon the court system and its resources.

Members often think that all we have to do is pass a law in the House and things will change. In the real world things are not that simple. As a minister of justice of a provincial government I actually had to carry out the laws that parliamentarians passed. The reality is not simply the law. The reality is the resources that must be provided to make even the best legislation effective.

Last fall my colleagues in the Bloc put forward a supply motion that called for parliament to make it a crime to belong to a criminal organization. The Liberal government argued that such a provision might be considered unconstitutional. However, making illegal participation in a group that has been proven to be a criminal organization is a reasonable limit on freedom of association and other freedoms in the charter.

When the primary if not the sole purpose of such an association is to commit illegal acts, the safety and security of private citizens may reasonably supersede the individual rights of the persons conspiring to commit these acts or participating in these organizations.

I ask the House to bring the Bloc proposal forward as was suggested earlier. What is the fear of bringing the proposal forward? Is it that it might be unconstitutional? If the courts do not believe that our citizens are deserving of this protection, let them tell us so.

• (1340)

We should not settle for second best because the Liberal government is frightened to pass the legislation that it needs to pass. The courts should tell us and we will respect the courts. If the courts believe citizens are not entitled to that protection then parliament must listen to what the courts say.

Certain members think what I am saying is funny. It is not funny. A member across the way laughs about what I am doing. I take the seriousness of the situation to heart and members have a responsibility for the safety and security of our citizens. If members opposite want to joke about that, let them joke. I can take that.

Another equally disturbing fact about the bill is the serious lack of funding and resources that has plagued and continues to plague the administrators of our justice system. Frontline officers fighting to get these criminals prosecuted have been effectively handcuffed with a serious lack of resources.

Criminal organizations have the best possible tools. They have state of the art technology. They have access to millions of dollars derived from illegal activities to fund their activities. Meanwhile our frontline police officers struggle to maintain existing technology. They are unable to adapt to new and emerging technologies because of insufficient funding.

Funding has become a vital issue in our continuing fight against the sophisticated and wealthy organized crime syndicates. Organized crime investigations are themselves resource intensive, costly, highly technical, lengthy and complex.

When the bill was first introduced over two weeks ago the justice minister announced a mere \$200 million of funding. To me and the average citizen \$200 million is a lot of money. The government continually includes an amount of money in a package announcement as though the money is immediately available. That is not correct.

The amount is spread over five years. It does not come close to the amount that is needed for frontline law enforcement officials to do their jobs effectively. When one looks at the \$200 million over five years and where the money will go, it will not be to local police forces in Winnipeg, Calgary or Vancouver that actually do the investigations. Some of it will go to the RCMP, and we applaud that. What concerns me about the \$200 million is that it will not go to the places it needs to go in terms of frontline investigation and help for the police.

I speak from experience and knowledge having dealt with that matter when I was minister of justice for a provincial government. The need to fight organized crime in whatever form we find it is a constant concern. Another concern is the lack of resources available at the provincial level and the reluctance of the federal government to put its money where its mouth is. From time to time

*Government Orders*

the government comes up with bills and makes impassioned speeches to the House to pass the legislation. We agree that the legislation should be passed but we need to make it effective legislation. How do we actually carry it out? We cannot simply stand here in Ottawa and say that we have now given the tools when we pass the legislation.

• (1345)

We need to financially support our front line police officers. If we are not prepared to do that then all our speeches, our legislation and the studies and the years that have gone into the legislation were all for naught.

When one considers the annual RCMP expenditures alone in one year, the \$200 million extra to fight organized crime is a drop in the bucket. If this was all going to front line RCMP officers it would be a good start, but everyone here in the House realizes that is not where it is going.

We are not even talking about the municipal police forces that carry out the mandate of parliament when we pass legislation. Who will help the Toronto police force or the maritime municipal police forces that have a very real interest in protecting their citizens against this pernicious criminal activity?

Even though the introduction of additional funding by the government gives the appearance of a substantive and immediate injection of funds, the funds allocated on a yearly basis will not significantly enhance police or prosecution resources when we consider that a relatively simple prosecution under this legislation can cost \$10 million.

I understand from newspaper reports that a special courthouse is being built in Quebec for these types of crimes. The courthouse alone is estimated to cost \$10 million.

When I was a justice minister in Manitoba we had to build a special courthouse at a cost of \$3.5 million. The money was well spent. It was essential to not only have legislation in place but to put the resources in place to actually get the job done.

When we consider the ramifications to legal aid, to prosecutors, to police overtime and to clerks, \$10 million for one trial is not an uncommon amount. We see the courthouse being built for \$10 million in Quebec and then we think of what it will cost to conduct a trial. We cannot allow organized criminals to have even an inkling of an understanding that we are not prepared to support our police officers.

If we have actually convinced the Liberals that this is the right direction to move in, I am glad. At least they have taken the first step, the legislative step, but now they have to take the second step. The earlier legislation was only part of the first step. This is getting close to completing the first step. The huge step, the financial

issue, has to be addressed but, unfortunately, it is not being addressed.

I am encouraged that the Minister of Justice might find it in her heart to convince some of her colleagues over there who might be mean-spirited enough to deny our police officers these resources. I recognize that she has a very difficult job trying to convince some of these people on the other side; not all of them, some of them are very good people. She needs to convince some of the Liberals who do not believe that this is really a problem. If that is the basis of her leadership speech, as was just mentioned, let it be her leadership speech. I do not think it is a bad thing to do. I would encourage the Minister of Justice to move in that direction, if not in the leadership, at least in terms of finding that money for our police officers.

• (1350)

I am making those comments to her through you, Mr. Speaker. I wanted that clear on the record.

It is somewhat heartening to see that the legislation proposes added protection from intimidation for people who work in the justice system, such as witnesses, jurors, police, prosecutors, prison guards, judges, members of parliament and senators. This is absolutely crucial. It is one of the practical steps that needed to be taken and is being taken.

There are some shortcomings in that list. I am not sure whether it adequately protects other key players in the fight against crime, especially when we look at the listing of federal MPs. Does it protect provincial MLAs or members of the national assembly in Quebec, in particular, provincial justice ministers?

I do not say that because I was a provincial justice minister but I do think they are on the front line with the police and they deserve protection as well. We do not want them, the deputy ministers nor anyone involved in provincial justice departments who are front line workers in the fight against crime to be intimidated. They need the same level of protection as federal parliamentarians.

It would seem mean-spirited of us if we granted the protection to ourselves when we do not even carry out the day to day activities and refuse to grant it to those who carry it out on a day to day basis.

In addition, as recent cases demonstrate, journalists who demonstrate their service of the public interest by reporting on organized crime also need and deserve the enhanced protection under our criminal law. It is absolutely essential.

The media is a very important tool in the fight against organized crime. One need only point out the well known case of Michel Auger, a Montreal crime reporter. That case demonstrates the need for extra protection for journalists. Last September he was shot five times as he arrived at the offices of his newspapers.

That was not the only incident in Canada where journalists had been the subject of attack, where they have had the courage to stand



up and say the right things and write the right things. Jean-Pierre Charbonneau, who is now speaker of the Quebec legislature, was shot three times in the chest and the arm in the newsroom in 1973 while he was a reporter covering an inquiry into organized crime.

In 1995 a freelance reporter was shot after answering a knock on his front door. He was shot in both legs and survived what police called a warning by bikers.

We all know of the case of the editor of North America's largest Punjabi paper. He was shot and killed in his suburban Vancouver garage in 1998 by an unidentified killer.

Members of the press who research and report on all items of interest to Canadians, in particular, matters pertaining to their safety, must be protected from these types of attacks on democracy and freedom of the press.

It is not enough to say that we have a general provision that covers attempted murder or murder. As a democracy and as passionate believers in free speech, we need to send out a specific, clear, legislated message that those journalists are entitled to that protection.

• (1355)

The House of Commons should never allow attempts by criminal groups to intimidate any person or any democratic institution, and I include the press in those democratic institutions.

The bill also addresses the issue of police immunity. I think all right thinking people understand the need for police to have these powers. We also understand the need for clear criteria governing those activities. It was always the case that police had those clear criteria in place as policies that governed their activities. The Supreme Court of Canada has come along and said that we need to put that in legislation. I agree because I do not think it is necessary to fight on that issue. Let us put clear criteria in place but let us not hamstring and handcuff our police officers at an undue cost to our security and the security of our citizens to enjoy democracy and their democratic rights.

The minister needs to bear in mind that when we create immunity for police, we also have to address the possible adverse impacts on law-abiding citizens and the damage that might be done to their property by a police officer carrying out his or her duties under this protection.

If a police officer has to steal and destroy a car, which would be permitted under the criteria, damage other property or commit some other crime that causes damage to a citizen's property, I do not believe the citizen should have to bear that responsibility personally. This is a societal cost. This is a cost that we as a society must bear because we have given this power to the police.

*S. O. 31*

**The Speaker:** I regret to interrupt the hon. member but it being two o'clock the House will now proceed to statements by members.

## STATEMENTS BY MEMBERS

[English]

### CANADARM2

**Mr. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, on Thursday, April 19, 2001, at 2.41 p.m. Canadian astronaut Chris Hadfield and his six companions rocketed into space aboard space shuttle *Endeavour*. In its cargo bay was Canadarm2.

Yesterday, Colonel Hadfield became the first Canadian to walk in space. At the end of his sortie, the space station remote manipulator system, better known as Canadarm2, had been deployed. Today it is being tested.

This next generation robotic arm, the most advanced of its kind, is the product of more than a decade of dedicated application by Canadian scientists and technicians at MacDonald Dettwiler Robotics and at the Canadian Space Agency.

I want to congratulate all involved in preparing and executing Mission STS-100 on a job well done. We are proud of Chris Hadfield and all our Canadian astronauts.

\* \* \*

• (1400)

### QUEEN CHARLOTTE ISLANDS

**Mr. Andy Burton (Skeena, Canadian Alliance):** Mr. Speaker, during the past two weeks I had the opportunity to visit the beautiful Queen Charlotte Islands or *Haida Gwaii*, as they are known locally. I took the time to meet with several different groups of people, including members of the Haida first nations.

I received several messages loud and clear on the island. Number one was about the total lack of credibility in federal Department of Fisheries and Oceans' policies. The fishing industry on the north coast as a whole is in serious trouble and DFO must address this issue.

Islanders are also concerned about their failing economy. Any economic development, industrial or otherwise, would be welcome provided environmental concerns are fully dealt with and long term and lasting benefits accrue to the island people.

The Queen Charlotte Islands are a beautiful part of Canada and it is my privilege to have had the opportunity to see them for the first time and to relay the concerns of their citizens to this parliament.

*S. O. 31*

### EARTH DAY

**Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, April 22 was the 31st anniversary of Earth Day, the largest environmental event in the world. Earth Day gave all Canadians and others around the world an opportunity to celebrate the importance of a safe, clean and sustainable environment.

The health of our environment depends on decisions about the croplands, freshwater, oceans, forests, fisheries and other natural resources on which life depends. There are over six billion of us on the planet who are consuming the world's resources. The future of our environment will depend on the actions we take now.

I join with my constituents in encouraging the Government of Canada to continue to demonstrate strong leadership on environmental protection and to promote an international environmental agenda.

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### CANADA BOOK DAY

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, April 23 is Canada Book Day. I want to celebrate it by telling you about the Writers' Development Trust of Canada, why the trust was founded and what it does.

A nation's culture is inseparable from its storytellers. Our writers not only entertain and enlighten us, they help define us as a people. It was the recognition of the seminal importance of Canadian writing that in 1976 led four visionary Canadians, Margaret Atwood, Pierre Berton, Graeme Gibson and the late Margaret Laurence, who lived in Peterborough riding, to create the Writers' Development Trust of Canada.

Then as now, its purpose was to nurture the growing community of Canadian writers, to ensure that amid the din of competing voices our own stories would be gathered and told in exquisite poetry and compelling prose.

In the intervening years, the writers' trust has remained faithful to the founding vision, establishing programs and prizes that celebrate and reward our distinctly and uniquely Canadian perspective.

Let us celebrate Canada Book Day.

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### ELMIRA FESTIVAL

**Mr. Lynn Myers (Waterloo—Wellington, Lib.):** Mr. Speaker, I would like to take this opportunity to inform all Canadians about the 37th annual Elmira Maple Syrup Festival which took place in my riding of Waterloo—Wellington on Saturday, April 7.

I congratulate the residents of Elmira, Ontario for once again hosting a most successful event, the world's largest one day maple syrup festival.

This year the event attracted close to 50,000 people, not only from the Waterloo region but from other parts of Ontario, Canada and even the United States to the picturesque town of Elmira to taste this great and delicious maple syrup. This year marked a very exciting milestone when the festival served its one-millionth pancake.

This festival is a wonderful event in the Waterloo-Wellington area and definitely a worthwhile experience.

I wish to congratulate the festival and its 2,000 volunteers who give of their time to raise money for local non-profit organizations. I am very proud of all those involved in this festival for once again organizing such a rich and enjoyable event.

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### ORGAN DONOR AWARENESS

**Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance):** Mr. Speaker, she was her mom's sunshine girl and her family's princess. When 11 year old Sandrine Craig tragically died in a school bus accident, six people received her organs and tissue, generously donated by Sandrine's mother Diane and her brother Kenny. They gave new hope to six other families.

Sandrine's family and friends also initiated Sandrine's Gift of Life, a national donor awareness campaign, to increase the number of people who sign donor cards and to encourage them to share their wishes with their families.

Since then, donor cards have been distributed across the country. Diane Craig is co-chairing the campaign with broadcaster Don Cherry and the Hon. Gib Parent, former speaker of this House, both of whom have been personally touched by organ donation.

During this National Organ and Tissue Donor Awareness Week, everyone should talk to their family and friends about organ donation; someone's life depends on it.

\* \* \*

● (1405)

[Translation]

### ORGAN AND TISSUE DONATION

**Ms. Aileen Carroll (Barrie—Simcoe—Bradford, Lib.):** Mr. Speaker, it is my pleasure to inform hon. members and all Canadians that, this year, National Organ and Tissue Donor Awareness Week will be held from April 21 to 28.

[English]

Organ and tissue donation is a crucial health issue for Canadians. Last year alone some 1,800 organ transplants took place in Canada. However in too many cases organs and tissues that could have saved lives were not available. Last year some 3,700 Canadians were on waiting lists for transplants and 147 people died waiting.

Earlier today, Her Excellency, Governor General Adrienne Clarkson, hosted the annual Celebration of Life ceremony, honouring organ donation families and recipients across Canada.

I would like to recognize the organ and tissue donation families and recipients who are in Ottawa today. Our goal is to put Canada on the road to a strong national organ and tissue transplantation system. With their inspiration, we can work together toward this goal, giving hope of a better life to thousands of Canadians.

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[Translation]

#### SUMMIT OF THE AMERICAS

**Mrs. Pauline Picard (Drummond, BQ):** Mr. Speaker, the summit of the Americas has shown us the true face of our federal representatives.

Secrecy, scheming and paranoia characterized the attitude of the Minister for International Trade and his associates as they prepared for this summit, from which almost everyone was excluded.

Arrogance, pettiness and a casual disregard summed up the Canadian government's treatment of the Premier of Quebec, who was relegated to the role of observer at an event being organized in his own jurisdiction, in our national capital.

The reality is that Quebec is the sixth strongest economic power in the Americas. The reality is that Quebec is a developed, mature nation which is open to the world. The reality is that it would have been only natural for Quebec to be at the table in the same capacity as all sovereign nations and to negotiate itself the agreements which will change the lives of its people. The reality is that it is becoming increasingly evident that the Canadian federation is an obstacle to the development of a modern Quebec.

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#### SUMMIT OF THE AMERICAS

**Mr. Jean-Guy Carignan (Québec East, Lib.):** Mr. Speaker, my colleague and I seem not to have attended the same summit.

I followed the summit of the Americas this past weekend in Quebec City with extreme pride.

*S. O. 31*

Our Prime Minister and his government did a remarkable job. During this summit, the heads of state and of government reached consensus on a significant number of questions.

First of all, they reached consensus on a democracy clause. As a result, human rights, freedom and stability will be assured.

Discussions were also held on the benefits of economic growth for the population of the hemisphere and the available means for fostering social development and reducing inequalities as well as the involvement of civil society.

As this summit has come to an end, we must acknowledge the commitment of our heads of state and of government to a better future for the Americas.

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[English]

#### AGRICULTURE

**Mr. David Anderson (Cypress Hills—Grasslands, Canadian Alliance):** Mr. Speaker, the federal Liberals have failed to defend Prince Edward Island potato farmers from unwarranted U.S. protectionism. The restrictions on the export of P.E.I. potatoes continue despite the fact that P.E.I. crops were cleared of potato wart some time ago.

Once again the federal government has treated an issue with inaction and complete disregard for farmers.

How can the minister of agriculture claim that he is working closely with the U.S. when he was not even able to meet with his U.S. counterpart, agricultural secretary Ann Veneman, when she came to Quebec City? Why did the Prime Minister not make arrangements for his minister of agriculture to attend the summit of the Americas to discuss the P.E.I. potato crisis?

It makes one wonder: Is anyone looking out for the interests of Prince Edward Island?

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#### ARMENIA

**Mr. Sarkis Assadourian (Brampton Centre, Lib.):** Mr. Speaker, April 24 marks the 86th anniversary of the Turkish genocide of the Armenians. Over the past 86 years the prayer of millions of Armenians around the world has been a simple one: please do not forget our suffering, please do not forget our humanity.

This weekend I joined with members of the Canadian Armenian community at the Armenian General Benevolent Union and again at the Toronto Armenian Association to share in commemorative ceremonies of the Armenian genocide.

*S. O. 31*

Gradually the truth is being recognized. On January 29, 2001, the government of France became the first of the G-7 nations to officially recognize the Armenian genocide of 1915 with the adoption of law 2001-70, joining many other nations in shedding light on one of history's darkest crimes.

In 1996 the House designated April 20 to 27 of each year as the week of remembrance of inhumanity of people toward one another. During this week let us honour the victims of genocide and of crimes against humanity. Most importantly, let us recognize these horrors and pledge to eliminate this evil from our society forever.

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• (1410)

**THE ENVIRONMENT**

**Mr. Joe Comartin (Windsor—St. Clair, NDP):** Mr. Speaker, over lunch on the weekend the Prime Minister claims to have educated President Bush on the location and potential of the Alberta tar sands and at the same time committed to allowing the Americans to buy as much Canadian energy as possible without any commitments or conditions.

After lunch Mr. Bush said "Canada is going to be the largest exporter of crude oil to the United States", and then referred specifically to the Alberta tar sands.

According to the David Suzuki Foundation, a typical tar sands plant, just one of them, will produce greenhouse gas emissions equivalent to 1.3 million new cars on the road per year.

If the Prime Minister wants to continue educating the American president, could he please teach him how important the Kyoto protocol is as well as the importance of developing new renewable energy sources and energy efficient methods rather than new ways to exploit scarce resources and increase greenhouse gas emissions?

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*[Translation]***WORLD BOOK AND COPYRIGHT DAY**

**Mr. Robert Lanctôt (Châteauguay, BQ):** Mr. Speaker, on this World Book and Copyright Day, I wish to remind hon. members that books are one of the greatest paths to knowledge and learning. I congratulate and thank all those who create these paths.

The Government of Quebec decided to help facilitate this means of access to knowledge by eliminating its sales tax on books, whereas the federal government refuses to follow suit with the GST, despite its huge surplus.

What is more, this government has not yet remedied the Minister of Industry's lack of sensitivity in inflicting chronic underfunding on the Copyright Board.

In order to put this situation right, the hon. member for Québec and Bloc Québécois heritage critic will this afternoon be introducing a bill placing responsibility for the Copyright Act under the Department of Canadian Heritage, something that has been called for virtually unanimously by copyright holders.

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*[English]***NATIONAL DEFENCE**

**Mr. Rick Borotsik (Brandon—Souris, PC):** Mr. Speaker, on April 12 the Minister of National Defence made his long awaited and much anticipated announcement to move the Second Battalion Princess Patricia's Canadian Light Infantry to CFB Shilo. I can tell the minister personally that the decision was warmly received by the people of southwestern Manitoba.

The minister made it official following the military's business case report that revealed the best option for restructuring Manitoba's land forces would be to relocate 2-PPCLI to CFB Shilo to share the training facility with 1-RCHA.

Today I would like to thank all the people who had a role to play in that final decision. I wish to express my thanks to community organizations in Brandon and Shilo, the defence department staff, the military leadership and, yes, the Manitoba Liberal caucus.

Finally, I would like to thank the Minister of National Defence. He said in the House that the final decision should be based on logic and military operational requirements, not politics. He is a man of his word. We accept the 2-PPCLI in our community with pride.

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**WORLD CURLING CHAMPIONS**

**Mr. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, Canada rocks. Our Canadian women's curling champion, Colleen Jones, and her team won the world's curling championship in Lausanne, Switzerland on April 8 in great style.

On this trip, their third to the world championships, skip Colleen Jones, third Kim Kelly, second Mary-Anne Waye and lead Nancy Delahunt beat Sweden 5-2 to take the women's curling crown.

Hailing from the Mayflower Curling Club in Halifax, the team lost their first two games of the competition but went on to sweep nine straight wins to finish in first place in the round robin, treating Canadians to some fantastic curling.

On behalf of Canadians coast to coast and all parliamentarians, I wish to extend congratulations to our new world curling champions.

### CANADIAN BROADCASTING CORPORATION

**Ms. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance):** Mr. Speaker, the summit of the Americas was an opportunity for Canada's publicly funded national network to keep the world informed.

Imagine my disappointment on behalf of all Canadians when, during the height of the demonstrations, with the acrid stench of tear gas in the air, summit participants were forced to turn to CNN rather than the CBC to find out what was happening in the streets of Quebec City.

We were sequestered as a group, observers and participants from the 34 summit nations, locked within the perimeter, not knowing if all of Quebec City was on fire.

• (1415)

Canadians from across this nation have been telling me that the money given to the CBC would be better spent on things like truly accessible health care and more affordable housing.

Once again the CBC has squandered an opportunity to demonstrate that the billion or so dollars of taxpayer money spent on the CBC is not a waste of money.

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[Translation]

### SUMMIT OF THE AMERICAS

**Mr. Svend J. Robinson (Burnaby—Douglas, NDP):** Mr. Speaker, this past weekend was a sad one for democracy in Quebec City and in our hemisphere.

While I totally condemn the unacceptable violence suffered by some of the police officers, I must draw attention to the disturbing and illegal actions of the police who attacked peaceful protestors outside the wall.

I was there, near the rue Saint-Jean, when the RCMP, without provocation, attacked over 200 peaceful demonstrators, who were sitting in the street chanting. They attacked the crowd with tear gas and plastic and rubber bullets. I was hurt in the leg, myself, by one of these bullets.

My colleagues and I demand a public and an independent inquiry into the events. The leaders spoke of democracy inside the wall. Outside the wall, democracy was under attack.

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## ORAL QUESTION PERIOD

[English]

### SUMMIT OF THE AMERICAS

**Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, having attended the summit of the Ameri-

### Oral Questions

cas conference, I have no problem at all congratulating the organizers of the summit, the security forces and the government for generally a good job in hosting the conference.

We have of course some concerns in a couple of areas. We do believe that by the year 2006 there will be great progress in terms of jobs and economic opportunity throughout the Americas.

However, in the area of softwood lumber and P.E.I. potatoes, could the Prime Minister tell us why there was a lack of progress on those specific areas? This is about jobs right now in Canada.

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** Mr. Speaker, I thank the Leader of the Opposition for his kind words on the successful Quebec City summit that I think reflects very well for all Canada.

I would like to reassure the Leader of the Opposition that there has been progress and a lot of diplomacy on both on the softwood lumber issue and the P.E.I. potatoes. I have raised the issue of P.E.I. potatoes with Secretary Veneman and my colleague, the minister of agriculture, was on hand as well participating in that conversation. We have also had a number of conversations on the softwood lumber issue with Bob Zoellick and Don Evans and—

**The Speaker:** The hon. Leader of the Opposition.

[Translation]

**Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, let me be even more specific on the subject of softwood lumber.

Did the Prime Minister propose to President Bush that representatives be appointed in the matter of softwood lumber, and, if so, did the Americans agree to this?

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** Mr. Speaker, at one point, we did indeed contemplate appointing eminent persons on both sides of the border to take a look at the long term solutions in this matter. This idea remains an option, but I think it has been overtaken by the current situation.

In the meantime, the American industry has submitted petitions to the U.S. Department of Commerce. The department will have to decide today, by 11.59 p.m. this evening, whether it accepts the industry's allegations and will investigate.

However, our government clearly expressed its point of view last week during consultations.

[English]

**Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, Canadians believe that Canada can be a lighthouse illuminating a pathway on the seas of democracy for those emerging democracies that want to move in that direction.



*Oral Questions*

I wonder what the Prime Minister advised leaders from emerging democracies on specific items like parliamentary reform, MPs being allowed to vote freely in the House of Commons and having parliamentary safeguards like an independent ethics commissioner. What specific advice did the Prime Minister give to emerging democracies on those specific items?

• (1420)

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, I am sure the Prime Minister did not say anything about encouraging party leaders to hire spies against their opponents.

The declaration of Quebec City included a democracy clause under which any unconstitutional alteration of a state's democratic order will prevent participation of that state's government in the summit of the Americas process, including the free trade area of the Americas. The Prime Minister took the lead in getting an important consensus on this from the 34 sovereign countries.

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**AGRICULTURE**

**Mr. Monte Solberg (Medicine Hat, Canadian Alliance):** Mr. Speaker, Canada has a long history of trade disputes with the U.S. over agriculture, one of our most important industries.

The P.E.I. potato dispute is just the latest example. It is pretty clear that we need to spend time with the Americans whenever we can to make our position clear, which brings me to my question.

The Americans thought agriculture was an important enough issue to warrant the presence of their agriculture secretary at the summit of the Americas. It was probably a good opportunity for our agriculture minister to spend some time bending her ears to make our position clear. Why was he not there?

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the Prime Minister discussed the issue with President Bush on Thursday of last week.

I personally, along with my colleague, the Minister for International Trade, discussed the issue with Secretary Veneman. The Canadian ambassador to the United States and the United States ambassador was here. I discussed the issue in a conference call on Saturday morning with those people. Our officials are in Washington this afternoon to continue those discussions.

**Mr. Monte Solberg (Medicine Hat, Canadian Alliance):** Mr. Speaker, nothing beats face to face meetings. The agriculture minister missed a glorious opportunity. The agriculture secretary of the United States understood that it was important for her to be at the summit of the Americas.

It was an important opportunity for our agriculture minister to get our position forward on Prince Edward Island potatoes. This is a dispute that is hurting farmers in Prince Edward Island. Why was he not there to make the point?

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the point was made very clearly. As the Prime Minister said, Prince Edward Island potatoes were served twice to the president of the United States and, as stated in a press release, they are all doing quite well.

One does not have to meet somebody face to face. I stressed very clearly that the decision should be based on science and that it should not be a protectionism decision. Our officials are in Washington again today to continue those discussions and to solve this based on scientific facts rather than protectionism, as it has been treated by the United States so far.

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[Translation]

**SUMMIT OF THE AMERICAS**

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, the Quebec City summit gave civil society an opportunity to express to the heads of state who were gathered for the FTAA its disapproval of the fact that negotiations are being conducted behind closed doors, and it sent, through a peaceful protest by close to 30,000 participants, a clear message to the Prime Minister that these talks cannot go on without civil society's involvement.

Did the Prime Minister take note of the lesson in democracy civil society gave him, and does he realize that there can be no talks on the future of our fellow citizens without consulting them, without even discussing the issue?

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, the Prime Minister himself promoted democracy with the other countries from the Americas and he also praised the 25,000 people who expressed their point of view in a peaceful fashion, under the authority of union leaders. These people deserve praise for the peaceful manner in which they expressed their point of view.

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, the Prime Minister basically told those who wanted to be heard on this issue to run for office. That was his answer.

Is there not an extremely serious credibility problem when the Prime Minister tells people to get elected if they want to take part in the talks, considering that he himself kept all the members of this House in the dark and let only cabinet ministers have access to the documents?

*Oral Questions*

• (1425)

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, I believe that members from every party were invited to attend the talks. In the case of Canada, the spokespersons are themselves elected members of parliament, while the leaders of the other countries all represent democratic countries.

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, it is a bit incredible to tell us that we were invited to take part in the discussions, when we were not.

At the same time as the Prime Minister is inviting those opposed to the FTAA to run for office, he is urging Liberal members to boycott the parallel forums open to parliamentarians wishing to debate it transparently.

How can the Prime Minister, who claims to put elected representatives first, explain that not a single Liberal parliamentarian attended either the Conference of Parliamentarians of the Americas, COPA, or the people's summit, at which civil society democratically made known its views on the FTAA?

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, the proof that the federal government likes to promote discussion of such issues as free trade is based on the fact that the federal government paid \$300,000 so that the parallel summit could be held, with support from the Government of Quebec as well. The federal government paid for this parallel summit. This is proof of our support for democracy.

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, the federal government contributed. It did not pay for the People's Summit. I think its main reason for contributing was to buy peace.

The Prime Minister thinks he is entitled to sign a free trade agreement because he was elected.

Does the Prime Minister intend to give a firm undertaking to report in the House on the progress of future negotiations, and does he intend to allow parliamentarians access to the texts of negotiations, as these negotiations proceed?

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** Mr. Speaker, I must say how proud I am to return to the House today, knowing that it was because of Canadian leadership that an agreement was reached in Buenos Aires to make the texts public.

Another of our achievements in Buenos Aires was to obtain agreement for institutionalizing formal dialogue with civil society in the hemisphere. Canadian leadership was responsible for this as well.

Our efforts resulted in the most transparent international summit to date. Part of the summit was even televised. Saturday morning, a complete session of heads of state was televised.

[English]

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, what a difference a weekend in Quebec City makes.

Before Quebec the government said that it would never sign another trade agreement with NAFTA chapter 11 provisions. After the weekend in a Quebec hotel, the Prime Minister is in love. He said that chapter 11 was working well and that there was no problem with corporations suing democratically elected governments for acting in the public interest.

Would the trade minister please advise Canadians: Has the government changed its position?

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** No, Mr. Speaker, the government has not changed its position.

The Government of Canada signed chapter 11 of NAFTA some years ago and we believe that it is absolutely imperative that investments be protected around trade agreements.

What we have been seeking as a government has been a clarification from panels that have made some decisions which we think do not really reflect the intentions of the countries when the agreement was signed. There is a difference. We are not reopening or renegotiating the chapter. We want to clarify some elements for the future.

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, it sounds a bit like the difference between marital bliss and adultery.

Let me remind the trade minister what he told a parliamentary committee just over a year ago. He said "We are not going to enter into those kinds of investor state dispute mechanisms in any other agreements and we're going to try to find a way to get this particular chapter out of NAFTA".

Now we have the Prime Minister huffing and puffing about a democracy clause, while he shackles this and future governments with the threat of being sued by foreign corporations for responding to citizens.

What kind of democracy is that?

• (1430)

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** Mr. Speaker, I know the sort of democracy that the leader of the NDP chose recently. Last weekend it was pretty obvious.

The kind of democracy we support was 34 elected leaders of this hemisphere asking for access to markets and asking for development. That is the kind of democracy we believe in: a better hemisphere, a lot more democratic than it was 25 years ago, based on solid development that trade can bring to all of them. There were a lot of socialist leaders among them, but they have come to live in this century instead of the last one.

*Oral Questions***AGRICULTURE**

**Mr. Rick Borotsik (Brandon—Souris, PC):** Mr. Speaker, the Minister of Agriculture and Agri-Food is very proud to have said that the Prime Minister served P.E.I. potatoes in Quebec. The issue, however, is that potatoes from P.E.I. must be served in the United States.

When did the minister of agriculture that the secretary of agriculture would be in Quebec City? Why is it that the Prime Minister of the host country did not get the minister of agriculture into the summit to deal with this issue?

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, I found out at 8 o'clock on Friday night and arrangements could not be made, for security reasons, for me to get into the summit.

A meeting was arranged. As I said earlier there was a conference call and the minister of trade was present. The two ambassadors of our countries were present. A number of officials were present. Secretary Veneman was present. I was present on the phone and led the discussion at that time. As a result our officials are in Washington this afternoon to continue the discussion.

**Mr. Rick Borotsik (Brandon—Souris, PC):** Mr. Speaker, the minister of agriculture is not building any confidence in producers, believe me. Agriculture was not even on the radar screen of the summit. The minister was not even available to talk to the secretary of agriculture with respect to P.E.I. potatoes and other issues.

Why could the Prime Minister not get the minister of agriculture in? The secretary of state from the United States got in. Why could the minister of agriculture not get into the talks?

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the hon. member should have been following the agenda. It was made very clear. I stated it here and it was in the press.

The Prime Minister and the president discussed the issue. Further, the minister of trade and I discussed the issue with Secretary Veneman. We cannot take it any higher than that.

\* \* \*

**LUMBER INDUSTRY**

**Mr. Gary Lunn (Saanich—Gulf Islands, Canadian Alliance):** Mr. Speaker, I too just spent the weekend at the Quebec summit and I would like to commend the police for an outstanding job.

We heard all weekend from President Bush about the shortage of energy in the U.S. and its desire for Canada to significantly increase its exports in oil and gas. He made it very clear that they are in a serious situation and are looking to Canada for help.

On the other hand we heard very little from our Prime Minister or Minister for International Trade on softwood lumber. Our Prime Minister was more interested in being an amigo and hoping to get an invitation to the White House for dinner.

Why the silence from our government on softwood lumber? Why was there so little on softwood lumber?

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** Mr. Speaker, I could not tell how many meetings and how many bilaterals I had on the softwood lumber issue during that weekend.

It was raised with Don Evans. It was raised with Bob Zoellick. I have had the great pleasure of meeting Max Baucus, who has been leading the charge as members know against Canada for so many years. I have discussed it with Senator Grassley.

There was a lot of explaining to the Americans of our Canadian position. I reiterated what the government and what Canadian industry said last Thursday and Friday at the consultations with the commerce department.

**Mr. Gary Lunn (Saanich—Gulf Islands, Canadian Alliance):** Mr. Speaker, it is reassuring that he is meeting with the Americans, but he is not talking to Canadian people about what is going on.

He said there has been progress. Let me tell him what Mr. Zoellick is saying in public. He is saying that the dispute could easily slide out of control. Senator Baucus warned the fight is likely to get wider, and our government is silent.

The minister said earlier in question period that there has been progress. We are not seeing it. I would like to ask the minister what exactly are the government's plans. What is it planning to do for industry, as this issue is likely to escalate and cost the Canadian industry billions and billions of dollars and thousands of jobs?

• (1435)

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** Mr. Speaker, last Thursday and Friday, this government, the provinces and Canadian industry were in Washington explaining our point of view to the commerce department in formal consultations.

I do not know what the commerce department will decide today. I suspect that it will accept delegations of the industry and begin to investigate our practices, but I said over the weekend to every American I had the opportunity to meet that our Canadian softwood lumber industry trades fairly in North America.

We will defend and promote our industry very energetically. I reiterated that all through the weekend.

[Translation]

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, yesterday the Prime Minister made a statement to the effect that

## Oral Questions

chapter 11 of NAFTA was no problem whatsoever. This chapter enables a major transnational to sue a state for the loss of potential revenue specifically as a result of that state's adoption of legislation or regulations.

How can the Prime Minister explain the contradiction between his statement on chapter 11 and the one recently made by his Minister for International Trade, who again indicated that he would not sign any FTAA containing such a mechanism?

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** Mr. Speaker, I would like to be sure that I am quoted correctly here.

What I have always said is that protection of investments was absolutely necessary. We have Canadian investors throughout the world and throughout the Americas, and their investments must be protected.

What we have said, however, is that we wanted to clarify, not reopen, not renegotiate, chapter 11—which we have already signed off on—but that we want to clarify certain aspects of chapter 11 because we believe there have been, or may have been, certain interpretations which, without any doubt, do not reflect the intentions of the three signatory countries at the time we signed it.

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, let us be clear. The minister has often said he would not sign any FTAA if there were any provisions similar to chapter 11 of NAFTA. Even on the federal Internet site, which we are constantly being invited to visit, we read that “Canada is not advocating the replication of NAFTA investor-state rules in the FTAA”.

I would therefore ask him what explanation he can give today for the about-face by his government, the about-face by his Prime Minister last night in stating that there was no problem with chapter 11, that he was prepared to renew it within any future agreement between the three Americas.

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** Mr. Speaker, our government has not yet tabled its position relating to investments with respect to the free trade area of the Americas.

What I have always said, however, is that we are going to take into account, within the free trade area of the Americas, of the experience we have acquired with NAFTA. There are certain precautions we are going to take, because we are currently engaged in the process of clarifying certain potential interpretations of this chapter, and obviously cannot sign anything in the FTAA that would not reflect the improvements we want to make in light of present realities.

At this point in time we are still involved in consultations with Canadians and our position will be made public as soon as it has been established.

[English]

## BUSINESS DEVELOPMENT BANK OF CANADA

**Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance):** Mr. Speaker, it has been reported that the Prime Minister's former chief of operations, Jean Carle, is in charge of the Business Development Bank's legal department. This is the same department that asked to search, seize and destroy documents related to the Auberge Grand-Mère.

Did Jean Carle play any role at all in getting his legal team to go after those documents?

**Hon. Brian Tobin (Minister of Industry, Lib.):** Mr. Speaker, I know members opposite would share my concern, and indeed the concern of members on this side of the House, that BDC documents were forged, that false information was put on those documents, and that those documents were attempted to be distributed.

When that information was brought to the attention of BDC, BDC called in the RCMP and the RCMP is now dealing with the matter.

**Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance):** Mr. Speaker, the BDC wanted these documents because they contained information about an alleged debt owed by the Auberge Grand-Mère to the Prime Minister's company.

Only after the Prime Minister's Office determined that these documents were forgeries did the BDC decide to refer the matter to the police. Did the Prime Minister or the PMO have anything to do with the BDC's decision to refer these documents to the RCMP?

• (1440)

**Hon. Brian Tobin (Minister of Industry, Lib.):** Mr. Speaker, as I understand it, the documents were provided to a national newspaper, the *National Post*. The *National Post* attempted to contact both the PMO, and I suspect the BDC. The *National Post* sent a copy of the documents to the PMO, so the PMO received them from the national newspaper, looked at them and said “These are false. This is a forgery”.

That information was communicated back to the newspaper, communicated to the BDC which, determining these were forged documents, called in the RCMP. I am glad the member has acknowledged that these documents were forged and I assume is happy that the RCMP will find out who did it.

\* \* \*

[Translation]

## PRIME MINISTER

**Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ):** Mr. Speaker, a loan approval



*Oral Questions*

from the Business Development Bank of Canada dated August 1997 reveals that the owner of the Auberge Grand-Mère, Yvon Duhaime, owed the Prime Minister \$23,000 at the very moment the Prime Minister intervened so that the auberge would get financing from the Business Development Bank of Canada.

Will the Deputy Prime Minister acknowledge that the Prime Minister was blatantly in conflict of interest and that it was far more out of a financial interest than out of a sense of duty as a member of parliament that he approached the management of the Business Development Bank of Canada?

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, no, absolutely not.

**Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ):** Mr. Speaker, the question remains in its entirety and we have to know.

Did Yvon Duhaime owe \$23,000 to the Prime Minister when the Prime Minister intervened in support of the Auberge Grand-Mère with the Business Development Bank of Canada? Yes or no.

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, no.

[*English*]

**Miss Deborah Grey (Edmonton North, Canadian Alliance):** Mr. Speaker, on April 5 I asked the minister whether Jonas Prince or any of his companies had received any assistance from the minister's department, the BDC or the Export Development Corporation. The minister promised "to report back to the House at the first opportunity".

It is almost three weeks later. This is his first opportunity. Will he now answer the question? Was there any funding?

**Hon. Brian Tobin (Minister of Industry, Lib.):** Mr. Speaker, I am not prepared to answer today. I have just come back; it is my first day at work.

I want to report to the member that there are crocuses on Parliament Hill, the snow has melted and Canadians are really very tired of these questions.

**Miss Deborah Grey (Edmonton North, Canadian Alliance):** Mr. Speaker, I dare say they are tired of the snow, but I do think Canadians deserve an answer. Surely someone has been working in the shop over there while the minister has been dear knows where.

Was there any funding, direct or otherwise, to Jonas Prince? When will the minister put someone on this file and when will he give Canadians an answer?

**Hon. Brian Tobin (Minister of Industry, Lib.):** Mr. Speaker, if the member opposite will ask the Leader of the Opposition to lend me his shoe phone I will call right away.

**The Speaker:** I remind all hon. members that cellular phones are not allowed in the House.

\* \* \*

[*Translation*]

**ORGAN DONATION**

**Mr. Dan McTeague (Pickering—Ajax—Uxbridge, Lib.):** Mr. Speaker, my question is for the Minister of Health.

[*English*]

Canada has one of the lowest organ donation rates in the industrialized world. More than 3,700 Canadians are waiting for organ transplants. Thousands more are in need of replacements for tissues such as corneas.

Given that today is the launch of National Organ Donor Awareness Week, could the minister tell the House what the Government of Canada is doing to rectify and correct the situation?

**Hon. Allan Rock (Minister of Health, Lib.):** Mr. Speaker, I thank the member of Pickering—Ajax—Uxbridge for everything that he and other members of the House have done on the subject of awareness of organ donation.

Earlier today I took part in a very moving ceremony at Rideau Hall, at which Her Excellency the Governor General as patron kicked off a week to increase public awareness of the need for organ donation in Canada. There were some real heroes there, heroes who are members of families of those who have given organs, relatives, and indeed recipients of organs themselves.

They demonstrate the importance of organ donation. We must raise awareness. Twenty million dollars last week was confirmed by the Government of Canada as an investment for a national strategy. We must increase organ donations in Canada.

\* \* \*

• (1445)

**SUMMIT OF THE AMERICAS**

**Mr. Svend Robinson (Burnaby—Douglas, NDP):** Mr. Speaker, while the Prime Minister on Saturday in Quebec City was extolling the virtues of democracy inside the wall, outside that same wall the RCMP riot squad was attacking peaceful, non-violent protesters with tear gas and plastic bullets. In fact earlier that day a young woman was hit in the throat with a plastic bullet. I saw it. I got a bullet in the leg.

In light of this attack on peaceful demonstrators, is the solicitor general prepared to order a full, public, independent inquiry—

*Oral Questions*

**The Speaker:** Order, please. It is very hard for the Chair to hear the question. The hon. Solicitor General of Canada.

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, I would like to thank everyone who worked so hard to make sure that we had a successful summit in Quebec.

The priority of our police and security agencies during the course of the summit was to ensure a safe and secure meeting for everyone, including delegates, protesters, media and the police themselves, and they did that.

**Mr. Svend Robinson (Burnaby—Douglas, NDP):** Mr. Speaker, the young people sitting on the street peacefully singing were no threat to any leader inside that wall.

[*Translation*]

In a democracy, people have the right to peacefully demonstrate their profound disagreement with the FTAA. These same demonstrators were attacked outside the wall in Quebec City with gas and plastic bullets.

I ask the solicitor general once again whether he finds it acceptable to have the RCMP attack peaceful demonstrators with plastic bullets and tear gas? Is this really democracy?

[*English*]

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, we will not apologize for the police taking the appropriate action to make sure that we had a safe summit.

What I want to do is thank the thousands of young people and any persons who came to peacefully protest. I am also very pleased they were able to do that in a reasonably safe environment.

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**THE PRIME MINISTER**

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, newspaper reports allege that Shawinigan hotel owner Yvon Duhaime owed \$23,000 to the Prime Minister in 1997. Could the Prime Minister confirm to the House that Yvon Duhaime owed him money, whether there was any other outstanding debt or whether there was any form of debt owed from the sale of the Auberge Grand-Mère hotel or any other dealings? Was there any debt?

**Hon. Herb Gray (Deputy Prime Minister, Lib.):** Mr. Speaker, I will repeat my previous answer. The answer is no.

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**AGRICULTURE**

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, my question is for the Minister of Agriculture

and Agri-Food. Could he tell the House whether he wants Canadians to accept that he was some kind of a security risk to the Quebec summit. Is he not embarrassed to stand here and tell us that somehow he could not get into a conference that was sponsored by his own government?

After his successful telephone conference with the secretary of agriculture, Ms. Veneman, could he now tell Prince Edward Island potato producers that they can plant this spring so they will not face financial ruin? Could he get his facts right this time?

**Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, as I said earlier, I outlined that the president and the Prime Minister had a discussion. The president asked that the discussion after that take place with the secretary of agriculture, Ms. Veneman. That is when I was informed.

Because of the security and all that needed to be done, it was not physically possible for me to get safely into the meeting. We had a very successful meeting over the telephone. I did not have to spend thousands of taxpayer dollars to be there for a meeting. Our officials are in Washington this afternoon continuing those discussions.

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**HEALTH**

**Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance):** Mr. Speaker, in the face of rising concerns about Canadians being denied prompt quality health care, the government's only response has been to commission yet another lengthy study. It already has in hand the 1997 report of its National Forum on Health which studied medicare for two years. In addition, the Senate is engaged in a comprehensive study on health care and has released its first report.

With this wealth of information already available, why is the government still unable to show the leadership that Canadians are looking for on health care issues?

• (1450)

**Hon. Allan Rock (Minister of Health, Lib.):** Mr. Speaker, it was this government that brought all the premiers and government leaders together last September for an unprecedented, unanimous agreement on stabilizing the health care system, not only an additional injection of dollars but a coherent plan upon which all governments agreed to tackle the issues of shortages of doctors and nurses, modernizing equipment and making certain Canadians have access to frontline care. That is leadership.

Apart from that we asked Roy Romanow to look at the long term questions of sustainability. That is the kind of leadership Canadians want.

*Oral Questions*

**Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance):** Mr. Speaker, it is not very difficult to get unanimous agreement that the government should restore the huge cuts it made to health care since 1995. It is hardly leadership to put back the money that it took out of the system.

There is a lack of prompt, quality health care in the country. People are on waiting lists. Our equipment is obsolete. Even third world countries will not take it. Something needs to be done.

The minister keeps talking about the long term. Canadians are suffering now. What is being done and what can the government do to help?

**Hon. Allan Rock (Minister of Health, Lib.):** Mr. Speaker, the hon. member knows as well as I do that as a result of increases in the last 18 months there is significantly more money in the hands of provincial health ministers to provide services on the ground.

The member knows as well as I do that among other things we put \$1 billion last September in the hands of provincial ministers to purchase new MRIs, new CT scans and whatever other equipment is needed on the ground.

We have worked with provincial partners to address the practical issues on the ground. We are tackling waiting lists. Working with those partners, we will provide quality care to Canadians across the country.

\* \* \*

[Translation]

**LUMBER**

**Mrs. Suzanne Tremblay (Rimouski-Neigette-et-la-Mitis, BQ):** Mr. Speaker, things are at a standstill regarding the lumber issue, since the United States have rejected the proposal to appoint special envoys to find a solution to the dispute and thus avoid a long legal battle.

Since the U.S. president seemed very open to the establishment of a free trade area of the Americas this weekend, could the Prime Minister tell us what the U.S. president's reply was when he raised the Canadian lumber issue?

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** Mr. Speaker, things are not at a standstill when, at every level, be it the Prime Minister with President Bush or myself with American Secretary of Commerce Don Evans, we have raised the issue and confirmed or reiterated what our industry, our government and the provincial governments have stated during consultations with the U.S. commerce department, on Thursday and Friday.

I can assure the House that our government is working hard on this issue, at every possible level.

**Mrs. Suzanne Tremblay (Rimouski-Neigette-et-la-Mitis, BQ):** Mr. Speaker, this government has known for five years that the agreement would end on March 31, 2001.

We are fed up with all the talk. I live in a region that produces lumber. My constituents are fed up with the rhetoric. They want answers.

When will the government sign an agreement? We have had enough of the rhetoric.

**Hon. Pierre Pettigrew (Minister for International Trade, Lib.):** Mr. Speaker, I wish I could understand the position of the Bloc Quebecois which has been asking us specifically not to negotiate anything with the United States government. The Bloc says "Let free trade develop as it should". Bloc Quebecois members have been most vigilant in this House to prevent me from having a dialogue that could possibly lead to negotiations.

There is a blatant contradiction between what the Bloc Quebecois member just said and what the Quebec industry is asking, and what the party's head office, the PQ in Quebec City, is asking.

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[English]

**HEALTH**

**Mr. Rob Merrifield (Yellowhead, Canadian Alliance):** Mr. Speaker, Canadians do not need 18 months and a \$15 million royal commission to recognize that there is an acute medical staffing shortage.

Federal funding cutbacks in the 1990s have led to massive layoffs of health professionals and decreased enrolments in our medical schools. Now Canadians are paying the price for that lack of foresight. The shortage of doctors, nurses and technicians are only expected to get worse.

Will the government wait behind the cover of the Romanow commission, or will it take immediate action and help increase quotas in our schools by this fall?

• (1455)

**Hon. Allan Rock (Minister of Health, Lib.):** Mr. Speaker, the hon. member will know that medical schools are organized and paid for by provincial governments. I am sure provincial ministers will be interested in the hon. member's comments.

We have urged provincial ministers of health to increase enrolment, not just in medical schools but in nursing schools and in colleges where we can train the technicians needed to provide services on the ground. We have also increased transfers to enable them to do that.

I am delighted to report that the provinces have increased enrolment. We now have many more places in medical schools than two years ago. It is something I hope will continue.

**Mr. Rob Merrifield (Yellowhead, Canadian Alliance):** Mr. Speaker, I hope it continues as well. However he cannot pass the buck on to the provinces alone. The federal government was part of the problem and it has to be part of the solution.

Accessibility is one of the five principles of the Canada Health Act. The federal government is responsible for working with the provinces to ensure Canadians have adequate and good access to health care professionals. Waiting will only make this situation worse.

Could you tell Canadians what you are doing about this problem today, and is it more than what you have just said?

**The Speaker:** The hon. member will want to address his remarks to the Chair.

**Hon. Allan Rock (Minister of Health, Lib.):** Mr. Speaker, I share the hon. member's concern that these needs be addressed. That is exactly why last September, as part of the agreement with the provincial governments, we put \$800 million forward in a targeted fund to assist in making frontline services more accessible to Canadians.

That is why we put \$500 million forward in the targeted fund for high tech to link doctors, nurses and other practitioners to share patient information to improve access to quality care.

We are on the job and working with our provincial partners to address the very problems referred to by the hon. member.

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#### SUMMIT OF THE AMERICAS

**Ms. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, in light of the tremendous public profile of Canada's hosting the summit of the Americas last week in Quebec City, could the Minister for International Cooperation please tell the House whether she thinks Canada is doing enough to meet the needs of the poorest of the poor in this hemisphere?

**Hon. Maria Minna (Minister for International Cooperation, Lib.):** Mr. Speaker, the summit was a great success. My department announced \$191 million of programming. In addition, we established a collectivity institute for the area to assist in bridging the digital divide.

In addition, not only has a tremendous amount of work been done by my department but also by all of my colleagues with civil society. The document in fact includes civil society very much in its response.

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#### JUSTICE

**Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance):** Mr. Speaker, my question is for the Minister

#### Oral Questions

of Justice. In the last two speeches from the throne there was a reference to Divorce Act amendments for the sake of the children.

Does the minister agree with the recommendations of the Senate-Commons committee report? When will the minister implement those conclusions with a bill instead of just trying to find a way to avoid through endless deliberations?

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as the hon. member is aware, the government responded to the report of the joint parliamentary committee entitled "For the Sake of the Children".

As part of our response we indicated, in case the hon. member has forgotten, that the family law system is a shared jurisdiction: provinces, territories and the federal government. I indicated that we would undertake a joint consultation with the provinces, with the territories and with Canadians. I am very pleased to say that the consultation has now begun with Canadians.

I find it just a little shocking that party which preaches the rhetoric—

**The Speaker:** The hon. member for New Westminster—Coquitlam—Burnaby.

**Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance):** Mr. Speaker, a fundamental of the direction is the legal concept of shared parenting that does away with terms such as custody. The research concluded the need for legal equality and mutual parental responsibility in divorce.

Does the minister agree with the principle of shared parenting as recommended by the Senate-Commons committee report? Is shared parenting the accepted principle?

**Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I indicated, the government's response to the report "For the Sake of the Children" is that the provinces, territories and the federal government would consult broadly with Canadians.

I find shocking that his party which preaches grassroots participation, I guess does not want us to consult with Canadians.

\* \* \*

[Translation]

#### SUMMIT OF THE AMERICAS

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, the government's policy provides that only businesses located within the security perimeter established in Quebec City during the Summit of the Americas are to be compensated.



*Routine Proceedings*

Does the Prime Minister intend to change the current compensation policy so that businesses located outside the perimeter, which also suffered damages and incurred financial losses during the summit in Quebec City, can also be compensated?

• (1500)

[English]

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, as I indicated quite clearly, we had thousands of people peacefully protesting at the summit. They had the opportunity to make their point.

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**TRADE**

**Mr. Bryon Wilfert (Oak Ridges, Lib.):** Mr. Speaker, one of the successful outcomes of the 1999 team Canada mission to Japan was changing the Japanese psyche in examining among other things the high tech sector in Canada.

The Secretary of State for Asia Pacific recently returned from Japan after meeting with his counterparts and launched the Think Canada 2001 festival in Japan.

Could the secretary of state inform the House as to the intent of the Canada 2001 festival which is currently going on for the next three months and tell us why this is an important initiative in our bilateral relationship with the Japanese?

**Hon. Rey Pagtakhan (Secretary of State (Asia-Pacific), Lib.):** Mr. Speaker, Canada values its close relationship with Japan. In recognition of this relationship, I launched in Tokyo earlier this month on behalf of the Government of Canada the Think Canada 2001 festival. The festival, which began with an open house at the embassy, saw 20,000 visitors and included some 200 events.

Indeed the Think Canada 2001 festival will reinforce Canada's image in Japan and will prove to Japan that Canada is a valuable trading partner for the 21st century.

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**ROUTINE PROCEEDINGS**

[English]

**ORDER IN COUNCIL APPOINTMENTS**

**Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I am 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 committees, a list of which is attached.

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**GOVERNMENT RESPONSE TO PETITIONS**

**Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, pursuant to Standing Order 36(8) I am also pleased to table, in both official languages, the government's response to four petitions.

\* \* \*

• (1505)

[Translation]

**COPYRIGHT ACT**

**Ms. Christiane Gagnon (Québec, BQ)** moved for leave to introduce Bill C-337, an act to amend the Copyright Act (Minister).

She said: Mr. Speaker, I am introducing a bill which would make the Minister of Canadian Heritage responsible for the application of the Copyright Act, except for the purposes of section 44.1 of that act.

This bill is in response to the almost unanimous request of copyright holders who, faced with the Minister of Industry's careless handling of the Copyright Board, are asking that responsibility for the board be turned over to the Department of Canadian Heritage. This request has been made repeatedly by the Society of Composers, Authors and Music Publishers of Canada, known as SOCAM, as well as by the largest Canadian agency representing the cultural sector, the Canadian Conference of the Arts.

Accordingly, I am introducing this bill today.

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

\* \* \*

[English]

**PETITIONS**

ANTARCTICA

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, I rise to present a petition from citizens of the Peterborough area who are concerned about Antarctica. The petitioners point out that Antarctica is a pristine and scientifically valuable environment but that Canada, despite being a polar nation, lags behind nations as far as environmental initiatives in Antarctica are concerned.

The environmental protocol to the Antarctic treaty system presents practical guidelines concerning environmental issues in Antarctica. These citizens call upon the parliament of a country which is signatory to the environmental protocol to ratify all of the said protocol's guidelines in Canadian law.

## VIA RAIL

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, I would like to present a second petition from citizens of the greater Peterborough area who want a return of VIA service between Toronto and Peterborough.

I want to point out that this petition has support in such places as Haliburton—Victoria—Brock, Durham, Whitby—Ajax, Pickering—Ajax—Uxbridge and Markham.

The petitioners point out the environmental advantages to this service and to its educational and economic advantages to the Peterborough area. They want parliament to return VIA service to Peterborough.

## KIDNEY DISEASE

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, I have a third petition from citizens concerned about kidney disease in Canada. The petitioners call upon parliament to encourage the Canadian Institutes of Health Research to explicitly include kidney research as one of the institutes in the system, to be named the kidney and urinary tract diseases institute.

## LABELLING OF ALCOHOLIC PRODUCTS

**Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP):** Mr. Speaker, I am very pleased and honoured to present a petition signed by my constituents in Winnipeg North Centre who want to draw to the government's attention the fact that fetal alcohol syndrome and other alcohol related birth defects are preventable by avoiding alcohol during pregnancy.

The petitioners call upon parliament to require the labelling of alcoholic products to warn pregnant women of the dangers associated with the consumption of alcoholic beverages.

[Translation]

## MINING INDUSTRY

**Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.):** Mr. Speaker, I wish to table a petition from the residents of the municipality of Val-d'Or and of the RCM of the Vallée de l'Or and from workers of the Sigma-Lamaque mine.

The petitioners call upon the government to set up a financial assistance program for thin capitalization mines in Quebec's resource regions and to take action to increase its presence and its involvement in resource regions that are having trouble adjusting to the new economy.

[English]

## GASOLINE ADDITIVES

**Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.):** Mr. Speaker, pursuant to Standing Order 36 I am honoured to

*Business of the House*

present a petition on behalf of citizens from London and the Grand Bend area who call upon parliament to protect our health and environment by banning the questionable gas additive MMT.

● (1510)

## TRADE

**Mr. Dick Proctor (Palliser, NDP):** Mr. Speaker, I have three petitions which I will present very briefly. Two concern free trade but no freedom of information.

The petitioners are demanding that the Canadian government publish the integral versions of the free trade area of the Americas. They are very concerned about the environment and the impact on all peoples in the Americas.

## EMPLOYMENT INSURANCE

**Mr. Dick Proctor (Palliser, NDP):** Mr. Speaker, the third petition is a very thick one and it is from people across Saskatchewan concerning employment insurance.

The petitioners ask that we take action and re-establish employment insurance as an earnings replacement program that once again supports unemployed workers, their families and their communities.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

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

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

## BUSINESS OF THE HOUSE

**Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, there have been consultations among all political parties in the House and I believe you would find unanimous consent for the following motion:

That, when proceedings pursuant to Standing Order 38 are completed on Tuesday, April 24, 2001, the motion to adjourn shall be deemed to have been withdrawn and the House shall resolve itself into a committee of the whole to consider a motion "That the committee take note of the state of Canada's resource industries", provided that, during consideration thereof, (1) the Chair of the committee shall not receive any quorum call or any motion except a motion "That the committee do now rise", (2) when no Member rises to speak, or at midnight, whichever is earlier, the committee shall rise and (3) when the committee rises the House shall immediately adjourn to the next sitting day.

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

**Some hon. members:** Agreed.

*Government Orders*

**The Speaker:** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to)

\* \* \*

**REQUEST FOR EMERGENCY DEBATE**

## SUMMIT OF THE AMERICAS

**The Speaker:** I have received notice of an emergency debate from the hon. member for Winnipeg—Transcona.

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, you will have received a letter from me earlier in the day in which I request an emergency debate on the subject of the summit of the Americas meeting that concluded yesterday in Quebec City.

I would like the debate to be about that summit and the events surrounding it, in particular the security measures employed over the course of the three days of the summit, including the unprovoked use of measures of force such as water cannon, tear gas and rubber bullets by security personnel on peaceful protesters. I want to emphasize peaceful because it is the use of these kinds of measures on peaceful protesters that is of such great concern and should be of great concern to all members of parliament.

The sons and daughters of many of our constituents were out there peacefully expressing their concern. For the House or at least the government to hold them in contempt as they did during question period and call them hooligans and whatnot is very misplaced. It made me glad that it was the police in charge of Quebec City and not the Liberal caucus because not even the police acted with such rhetorical contempt for the young people who faced them outside the wall.

I think it would be an appropriate matter for parliament to debate and I urge you, Mr. Speaker, to agree to such a debate.

**The Speaker:** The Chair has had the opportunity to read the letter forwarded by the hon. member for Winnipeg—Transcona this morning.

I have reviewed the provisions of Standing Order 52 and have heard his arguments presented at this time. In the view of the Chair this application does not meet the requirements of the standing order at this time.

**GOVERNMENT ORDERS**

[English]

**CRIMINAL CODE**

The House resumed consideration of the motion that Bill C-24, an act to amend the Criminal Code (organized crime and law enforcement) and to make consequential amendments to other acts, be read the second time and referred to a committee.

**Mr. Vic Toews (Provencher, Canadian Alliance):** Mr. Speaker, in reviewing my notes during the course of question period, when I had an opportunity to break from the very interesting exchanges, I realized that I had come to the end of my speech.

• (1515)

I have spoken to my colleague, the member for Surrey Central, and he has some issues to raise. I will defer to his comments when he has the opportunity to address the House. It will not serve the House by repeating my comments.

[Translation]

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, it is a pleasure to rise to speak to Bill C-24, since the Bloc Quebecois has argued for such a bill.

It was one of the Bloc Quebecois' issues throughout the election campaign. In truth, the Bloc Quebecois has been asking for years for a law with teeth to effectively fight organized crime.

Before speaking about the bill specifically, I have an aside to make. I listened attentively to the speech by the Minister of Justice, and I must say I was rather disappointed by it, not because I was expecting congratulations from the minister for myself or the Bloc Quebecois on our tenacity in this matter, quite honestly I was not expecting that, but I think she left out big chunks of this story. Today, she is gloating, she is proud of tabling a bill like this, but we have to look at what led the minister to table this bill. I think it worthwhile to point out a few things.

Among other things, she spoke of a certain justice committee that studied the question. Indeed, the standing committee on justice did examine the whole question of organized crime. Why did the committee deliberate on this issue? Simply because we took one of the Bloc Quebecois' opposition days to introduce a motion to convince the Liberal government opposite, the government the minister represents as the Minister of Justice, to convince this government it was time and important for the House to consider the problem of organized crime and to try to come up with solutions.

It took a day of debate, a number of oral question periods and, following a unanimous vote by the House of Commons, the matter

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of organized crime was referred to the Standing Committee on Justice and Human Rights so proposals could be made to the government. The minister seems to have forgotten that part.

I also mentioned having questioned the minister on a number of occasions, which I did again during this session. Barely three weeks before the minister decided to introduce antigang legislation, the bill before us today, she answered one of my questions here in this House to the effect that the criminal code contained all that was needed to fight organized crime. Three weeks before introduction of the bill, the minister was telling us that the criminal code and related legislation did not require amending in any way for there to be an effective campaign against organized crime.

Hon. members will understand that I am delighted to have convinced the minister to introduce such a bill, but they will agree with me that its maternity, or perhaps paternity, is open to question. I have often said that the minister did not understand the matter in the least. She has demonstrated not only her total lack of understanding but also her lack of monitoring of the matter, by stating a scant three weeks before this bill was introduced that it was not necessary to change the rules relating to organized crime.

We have before us a highly complex bill. I imagine the minister herself has not worked very hard on this bill, not to know of its existence three weeks ago. A bill like this cannot be drafted overnight. However, since we in the Bloc Québécois are good sports, I congratulate the minister on having finally got the message.

• (1520)

On this particular issue, the Bloc Québécois has more than once extended a hand to the minister in the hope that she would decide to amend the rules having to do with the whole issue of organized crime in order to give the police and the justice system the tools they are demanding.

The House is aware that the Bloc Québécois was pushing for changes. People in the community, in the Quebec nation, in the rest of Canada as well, were also calling on the minister to make such changes.

I would have liked to see the minister showing some thought for these people in her speech at second reading of Bill C-24 to amend the criminal code.

I would have liked the minister to recognize that there were people, some of them in Quebec, who fought to have the law amended. Some people in Quebec even lost their lives in this fight.

This is a part of the whole issue that the minister seems to have forgotten, because she did not thank or even congratulate or pay tribute to these people. I will do so; it will be brief. However, I would like to say something about all the work and energy that people put into fighting, often quite resolutely, to convince the minister to make these changes.

As we know, in the 1990s, 1997 I think, in Montreal, an 11-year old called Daniel Desrochers lost his life in a bomb explosion connected to the biker gang wars that were going on at the time in Quebec.

The torch was picked up by family and friends and by the Bloc Québécois member for Hochelaga—Maisonneuve, who worked to convince the Government of Canada to change the criminal code. I must pay tribute to their efforts and tell them that they have contributed to the changes we have here today.

I would also like to salute and to thank Michel Auger, the reporter on a Quebec daily newspaper who used his pen to awaken the people of Quebec, the Quebec nation, and the people across the way here as well, to this scourge. He did not back down, and this needs to be recognized. Mr. Auger refused to back down and continued to say no to violence.

Then there was a young man in the riding of Terrebonne. The late Francis Laforêt stood up to organized crime and said “No”. He was a bar owner. A gang wanted to take over control of his bar. He said “No crooked dealings in my bar, there will be no drug dealing under my roof. You are not gaining control here. No way”.

Hon. members know the rest. He was beaten to death with baseball bats and goodness knows what else. The young Francis Laforêt lost his life. I have spoken with his family and friends and they too said no to violence, “No way are we going to let ourselves be pushed around by organized crime”. All these people, including Mr. Laforêt’s parents, friends and brother, took action, prepared petitions, kept track of the issue and pressured municipal and federal governments and also members of parliament to get zoning regulations.

In the end, these people too made a contribution by saying “no” to violence and intimidation and “yes” to democracy. They helped convince the Minister of Justice or rather her department and those who drafted this bill. The determination shown by these people was such that officials decided to continue to work on this issue.

• (1525)

This is part of history, part of that period. This is why Bloc Québécois members have shown such an interest in this issue. One must realize the importance of this issue.

Looking at the government’s own documents, we can see that organized crime is not a new phenomenon. It is not something that caught the government off guard because it was not aware of it. The government is well aware of what is going on.

In fact, the RCMP did a study on organized crime and on the ins and outs of the war that has developed in Quebec in recent years. According to the documents I had this morning, the RCMP figured that, for the 1994-98 period alone, 79 murders were related to the bikers’ war. This number does not apply to the whole of organized crime.



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During that period, 79 murders and 89 attempted murders were related to the drug trade and to the wars between Quebec biker gangs, in addition to 129 instances of arson and over 80 bombings. These are figures that the minister knew or should have known. Both the Solicitor General of Canada and the Minister of Justice must have known about the situation, just as they must know that the drug trade is exceedingly lucrative for those who are involved in it.

The Quebec provincial police estimates that the Hell's Angels alone made profits of \$100 million last year. The drug trade, from coast to coast in Canada, represents some \$5 billion. The government opposite has known or should have known this for a very long time. I was elected in October 1993 and have known about this since 1994.

Despite the questions, motions, opposition interventions and all that has gone on, the government did not budge. Finally the pressure reached such a pitch that the department decided to go ahead.

Had the minister or the ministers who followed one another,—because since 1993-94 there has been more than one federal Minister of Justice—had the ministers acted more quickly, lives could certainly have been saved. Fewer bombs would have exploded and fewer fires would have been lit. But no, it took until 2001 for such a bill.

Organized crime can be found everywhere. Naturally, it is to be found in the bars and in the world of prostitution. On the fringes, organized crime can be found in the scourge of the illegal sale of cigarettes and alcoholic beverages and in illegal casinos, because there is a market for it. There are similar places. There are also high interest loans too. There is the whole question of drugs. I hope the minister knows as well that they are not just found in the street now, but in almost all the schools. Young people are regularly offered these drugs. As well, there is the whole question of cornfields and farmers.

It does not take boy scouts to be able to plant entire fields of marijuana and to intimidate farmers. Organized crime is behind that. A look at the map of Quebec makes it very clear—and this is what all Bloc Québécois MPs from this region are also saying—that there are many such crops. Many farmers are complaining about this situation. Once again, I repeat, this is not a recent development. The Minister of Justice has never seen fit to act. Fortunately, the opposition and the people of Quebec have stood firm and argued their case and today, finally, we have a bill.

• (1530)

Is it a real anti-gang bill? Is it what the Bloc Québécois members would have liked to see? After looking it over, I would say that approximately 80% of the bill reflects the comments and answers given to questions put by Bloc Québécois members to the minister

in recent years. This means that 80% of this bill is a victory for the Bloc Québécois, and we are most pleased.

This does not mean, however, that we are going to sit on our laurels and that we will not try to amend the bill further. We are going to try to convince the minister on certain points, as the House will see a little later.

As for whether or not this is really an anti-gang law, that will depend on how it is enforced. However, I think we are actually starting to have something more closely resembling such a law. With such legislation, we are starting to have tools which will make it possible to mount an effective campaign against organized crime.

People probably remember all the seizures made in Quebec under the existing provincial legislation, not the bill being debated today, but the existing Quebec legislation behind *Opération Printemps 2001*, which resulted in more than 160 arrests in 74 municipalities in Quebec. Millions of dollars were seized in the form of luxury vehicles, drugs and cash. It was a very successful operation.

With respect to the operation per se, we can congratulate the police on a job well done. I would like to take this opportunity to commend them for their professionalism. However, we have to wait and see how many of the some 160 people arrested and charged with murder, attempted murder, corruption and other offences under the Food and Drugs Act will be found guilty.

This is why I think that, if the minister had acted sooner, *Opération Printemps 2001* would have been conducted under new and much clearer and stricter provisions providing for harsher sentences, something we in the Bloc, as well as the police and the public have been asking for for some time now. Once again, the minister turned a deaf ear.

What provisions of this bill should we be thankful for? In 1997, when the then justice minister amended the criminal code to show that the government was doing something to fight organized crime, a definition of a criminal organization was provided and a criminal organization offence was created.

I remember very well that we had some concerns about those provisions, as we maintained that they would be hard to enforce because the onus was put first on the police, to carry out their investigations, and then on the crown prosecutors to convince the judge beyond any reasonable doubt that the people charged were guilty of being part of a criminal organization.

• (1535)

We used to talk about the three fives rule. In other words, to be able to indict somebody for an organized crime offence, we had to prove and still have to prove, because this is still in effect, that a group of five people had committed an indictable offence punishable by imprisonment for five years and that these five people had acted this way for five years. Of course, it had to be proven too that these five people knew that they were breaking the law.

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That was a very heavy burden. The Bloc Québécois asked the minister, among other things, whether she would change these rules. I remember distinctly that she stated in the House that it was not necessary, because it was easy to prove all of that, that crown prosecutors could prove it. At one point, she even asked us to present our suggestions to her if we had something in mind.

On June 1, 1999 after several attempts to negotiate with her, I made up my mind that I had to put this on paper and send it to her.

Strangely enough, the definition on my document of June 1, 1999 is almost identical to the one in Bill C-24. The minister finally understood that the three fives rule was difficult to enforce. Only three people, and not five, are now needed in order to have a criminal organization, just as I suggested on June 1, 1999.

Ideally, we could have dropped it to two people, as we did for conspiracy. But I compromised on June 1, 1999 in order to try to speed things up. I imagine that things were going along, but the minister was not necessarily working at the same speed, because that was not when we got the bill.

In Bill C-24, the whole matter of membership in a criminal organization and the definitions relating to that part of the bill have therefore been modified, simplified for the better in order to be in a position to make a case.

Under the bill, gang membership has been reduced to three people from five. We now have the whole business of contribution to activities that assist a criminal organization to attain its criminal objectives.

I am pleased with this definition, which is far more complex in the bill than the way I am stating it, and hon. members will agree with me. I am just giving the main thrust for purposes of understanding. It will be easier for us to be able to collar various people whom we are not able to touch at the present time.

I am thinking for instance of all the people involved in recruiting new members to be taken into "gang school". Before, there was nothing we could do. That was one of the things we pointed out. Now with the new definitions and the way the bill is worded, we will be able to collar someone based merely on the fact that he is participating in a criminal organization or contributing to the advancement of a criminal organization, able to establish evidence of this and to see him do time for it. We are going to be able to put him away where he can do no more harm to the public.

Then there is the whole matter of participating in the perpetration of acts of gangsterism. This is very important and merits particular attention, because this is now an offence with a 14-year prison sentence attached.

• (1540)

Furthermore, when the department changed section 477 of the criminal code, one of our concerns was that such a definition would prevent us from ever arresting the leaders. These leaders do not commit the thefts, they do not kill, they do not sell drugs. So, we had no means to put them behind bars.

The question was "Will the minister change the criminal code to be able to arrest gang leaders?" At that time, she answered "We have all the necessary provisions in the criminal code to arrest gang leaders and to prosecute them".

She will not admit it today, but she probably knew then that I was right and that there was still something missing in the criminal code, since Bill C-24 now defines clearly what a gang leader is. She even added a definition of criminal organization leader. That is to be able to arrest those leaders. To show the importance of these provisions, there is a life sentence attached to them.

Again, I congratulate the minister for the change, since it is clearly something we requested and about which I asked questions in the House. I congratulate the minister, but we are in 2001 and she should have done it in 1999, when I gave her written documents. When questioned, the minister should have given us a positive answer. It is not because something comes from the opposition that it is necessarily bad.

Some members on the other side were very surprised by my reaction to Bill C-24. They were quite surprised to hear me say that this was a good bill. Actually, 80% of its content corresponds to what we asked for. This is what we wanted. It is a good bill, but we will nevertheless try to improve it. However, when a good bill is introduced, I have always taken the time to say so in the House and to congratulate those who deserve it. But when a bill is not good, I have never refrained from saying so.

I would like to say as an aside that the Young Offenders Act, for instance, is a bad bill for Quebec. I go right ahead and say so. However, this does not stop me from acknowledging good bills, like the one we have before us.

We definitely support the provisions on participation in a criminal organization and the definitions of a gang because the Bloc Québécois has been asking for those provisions for a long time.

We have also been asking for measures to protect people in the justice system against intimidation, which criminal groups have frequently used against them. Members of the Bloc Québécois have personally been the targets of intimidation when they were working on this issue and pushing it. Members of juries in some proceedings were also victims of intimidation.

We have also witnessed intimidation of people who were interfering with the business dealings, like drug dealings and other

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similar activities, of criminal groups. We definitely support protection against intimidation for people connected with the justice system.

However, I think the department has forgotten certain things. As the justice critic for the Canadian Alliance pointed out, and as I said in press conferences, I fail to understand why the Quebec minister of justice or the Quebec minister of public security would not be granted the same protection against intimidation by these groups when senators do have this legal protection. Intimidating a senator or a member of the House of Commons is an offence, but the same does not apply to MLAs. This is certainly an oversight on the part of the department, which we will try to correct in committee.

• (1545)

What about journalists? We have the best example in Quebec with Michel Auger. I think he has done more on this issue than anyone else, with his writing. He tried to convince people that we needed anti-gang legislation. He reported the facts. This is very democratic. We saw the intimidation directed against Mr. Auger. But there is nothing with regard to that in this bill.

A person accused and convicted of intimidating someone associated with the justice system is liable to 14 years imprisonment. I am sure there are members opposite who will say “Yes, but there is section 423, which provides that any attempt to intimidate an individual in the justice system, in a general way—”. Indeed, journalists could perhaps be covered by this section, like MNAs or the members of another provincial legislature. But it is a maximum of five years. So it is clearly less serious when it involves these people. I sincerely believe this too must be changed.

I believe there is another group the department has forgotten, our elected municipal officials. During the House of Commons’ two week break, I worked on site, as they say. I did not just meet the mayors in my riding but, on a related matter, I had discussions with mayors across Quebec. To name but one, since he was a pioneer in the whole issue of zoning bunkers in his own municipality, the mayor of Blainville. He said that there had been intimidation as well as threats and all sorts of things, and he has no protection.

I think another segment of the population has been forgotten in this definition, the members of municipal councils. There is surely a way to draft this article to include more people and for those trying to intimidate them to be liable to imprisonment for 15 years.

There is protection as well for the members of a jury. This is very important and something we in the Bloc Québécois have long been asking for.

The whole definition of criminal organization has been simplified. In addition, there will be a special way to calculate sentences for persons found guilty of gangsterism. This is a step forward. It is

no longer a requirement to prove that the individuals knew they had been committing indictable offences over the previous five years. This whole notion of the number of years has been completely eliminated, and so has the number of years in prison. This applies not only to crimes punishable by five years in prison but to all other crimes.

We only have to think about prostitution or drug trafficking in bars, for which there was no maximum punishment of five years or more and therefore were not covered by the current definition of criminal organization under the criminal code. Today with these amendments they will be covered.

Here again the Bloc Québécois had been asking for a broadening of the definition in order to better target those who carry out a reign of terror against those individuals within the organizations.

Then there is the whole issue of the seizure and forfeiture of the proceeds of crime. However, in this respect we believe the department could have introduced much more relevant and daring amendments. We believe the department did not go far enough in terms of the legislative tools it is giving the courts, the police and the penal system as a whole. There is still work to be done in this respect even though progress has been made.

• (1550)

We are so far behind and we have so few tools to successfully fight organized crime that any change, no matter how small, must be welcomed and applauded. But while we are at it with the help of experts to draft something that is defensible and enforceable and is what the people want, we might as well do it right. We really have to look at the whole issue.

There is one matter that scares several people, namely the amendments aimed at protecting the officers in charge of enforcing the anti-gang law. Now, a police officer investigating very specific crimes such as the trafficking of human beings, alcohol, tobacco or firearms smuggling, heinous crimes, international terrorism, crimes against the environment and everything related to drug offences, will at last be able to commit acts otherwise illegal were it not for that protection.

So that members can really understand what I am talking about, I will give an example. Criminal groups, be it biker gangs, the Italian network, Chinese triads or the Russian mafia, which is also present in Canada, are well organized. They have made it very difficult for the police to infiltrate them. Very often, in those biker gangs whose methods we are more familiar with, to determine if a new member going up every step in the organization is trustworthy and is one of them, the leader will ask him to commit certain illegal acts.

The bill says that an investigating officer could commit certain acts without fear of prosecution. This is not protection at large; murder, rape, acts of violence and so on are excluded. This is for

very specific offences. For example, in a biker gang operating a large drug market, an undercover officer could be asked to sell drugs. That is an illegal act. Without protection, the police officer could be liable to prosecution for that. Yet he must do so to be accepted as a member of the biker gang, get to know more and possibly gather enough information to prosecute the guilty parties.

This is very much a societal issue. It is a complex matter and it could lead to abuse. We must be very careful in implementing the law. However, if we want to fight organized crime effectively, we must have such tools.

Some countries go much further than that, but we should begin by looking at their experience and see how this is done, see how things work and what the results will be over time. This is a step in the right direction, albeit a very small one in terms of both the offences and the people.

• (1555)

If memory serves, the Minister of Justice once tabled a white paper on the issue of granting immunity to any public official during the course of any investigation which is even more encompassing. At the time, my initial reaction was “They want a police state. This makes no sense. We must restrict that, we must establish a framework, we must set limits”.

Again, the minister seems to have listened. This is not a common occurrence, but we should mention it when she does so. Or else it is the department that listened to what I said, so that today such immunity is only granted to peace officers conducting investigations in very specific areas. It is very limited in scope. It is something.

Where I have questions and am anxious to hear what the Solicitor General of Canada and the Minister of Justice, who will certainly be appearing before the committee, have to say about this issue—I say this up front so they can be ready—is when it comes to giving the political arm authority to make such actions legal. Under the proposed legislation, the solicitor general would authorize such actions. Truly, if there is one thing that must not be mixed with politics, it is the law.

It would be a kindness to the minister to tell her that she is on the wrong track, that this should be left up to the courts, as is now the case for wiretapping, for certain very specific seizures outside normal court hours. It could be a judge who, as part of an investigation and upon presentation of evidence, gives authorization. It could be *ex parte*. It could be various ways of speeding up authorization. But it must be someone who is independent of the political arm. It must be a judge who gives authorization and who oversees the result.

This is one amendment we are going to try to make when this bill comes before the Standing Committee on Justice and Human Rights.

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Generally speaking, it is not what is in the bill that is causing a problem but much more what is not. With this in mind, I think that it will be easier to work with officials of the Department of Justice and try to convince them to make certain additions to the bill.

I will conclude by saying that one thing is certain and that is that those enforcing the legislation must also be given the necessary money. It is all very fine and well to have a well-drafted bill, but the necessary money must be there for them to enforce it.

In Quebec, we have shown that when the police were given adequate financial support, they were able to do an effective job of combating organized crime, as they did in the *Opération Printemps 2001*, a major cleanup operation. We should continue in this vein by passing this bill.

[English]

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, I am pleased to rise and say a few words on behalf of the NDP on this particular debate.

I agree with my hon. colleague from the Bloc when he says that a great deal of credit should be given to the Bloc Québécois for pressing the matter in the House over the previous years. I understand the satisfaction it must be experiencing in seeing the government respond. By the Bloc's own analysis, some 80% of the bill includes measures that it has requested.

• (1600)

Quebecers have experienced, to a completely excessive and unsatisfactory degree, the somewhat dubious benefits of the activities of gangs, as have other Canadians in other provinces.

We have the bill before us and we are anxious that it not be debated at great length here in the House. We would like to see it go to committee. If we are serious about wanting the legislation implemented and used to curtail the activities of criminal gangs, we must get it through the House and into committee and look at some of its provisions.

If there are things that can be improved and clarified, and I certainly think there are, then let us go about doing that and getting the legislation into force so that we can determine through experience whether the bill will actually work. That is the only way we can find out what will work, both in terms of the ability of police to investigate and lay charges and the ability of the courts to obtain and uphold convictions.

It is certainly not the intention of the NDP to delay passage of the bill. I simply say to my colleagues in the Bloc who have, shall we say, a somewhat robust history of making the work of the Standing Committee on Justice and Human Rights somewhat difficult



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because of their objections to Bill C-7, the bill on the youth criminal justice act, that I imagine they will face a bit of a dilemma if that is the case.

I am not saying that is the case now, but if it turns out to be then we cannot get to this legislation until we have dealt with the youth criminal justice act. That is another piece of legislation about which, despite its inadequacies, we will not be able to learn more until we have had an opportunity to see it in practice.

This bill introduces three new offences and tough sentences that target various degrees of involvement with criminal organizations. That is all well and good. It is appropriate that these new offences be introduced. I look forward to hearing expert testimony on that in committee. Certainly in principle it is a good idea and one that we support.

Protecting people who work in the justice system from intimidation, either against them or their families, is certainly something we would support. However we would go even further, as have other members who have spoken today. We would like to see, or at least have it made clear and explicit in the legislation, that it is not just members of parliament who are protected by the legislation. Provincial ministers of justice, provincial politicians and, as the member from the Bloc said only moments ago, simple politicians, because of various zoning or other questions, may also find themselves in conflict with the interests of criminal gangs.

We may therefore want to look in committee at ways to either broaden the list of those explicitly included or to clarify the definition so it does not just apply to members of parliament.

Simplifying the current definition of criminal organization in the criminal code is another aspect of the bill which seems to be merited. We look forward to hearing more about it in committee.

• (1605)

Broadening the powers of law enforcement to forfeit the proceeds of crime, and in particular the profits of criminal organizations, and to seize property used in a crime are things we may well need to put into legislation so that governments have the tools at their disposal to deal more forcefully with organized crime.

An accountable process must be established to protect law enforcement officers from criminal liability when they commit what would otherwise be considered illegal actions while investigating and infiltrating criminal organizations. That is something I understand from my meetings with the Canadian Police Association earlier this year. I certainly understand the concern of police officers who work undercover in difficult situations and need more freedom to act without worrying about criminal liability. We cannot grant them absolute freedom, of course, so it is a fine line.

The minister has attempted in the legislation to define what that line is.

This is something I look forward to discussing in committee because people have expressed concern about where the line is drawn. I understand and appreciate those concerns and yet I am sympathetic to what police officers have requested. We certainly accept the principle of protecting, to some degree, police officers who are engaged in this kind of activity and we look forward to hearing from people on both sides of the issue as to where the line should be drawn.

I am particularly pleased that this legislation has come forward because I myself, some time ago in a previous parliament, brought forward a private member's bill regarding anti-gang measures. It is no secret to people who know something about Winnipeg that it has gang problems in its inner city, not just biker gangs but criminal gangs of various descriptions.

There is a great deal of interest on the part of many citizens of Winnipeg in giving the police and government the appropriate tools with which to deal with these gangs. The Manitoba NDP government is also interested in seeing much tougher measures to deal with gangs.

I will leave it at that. However I cannot resist saying that the government, when it announced in a press release that it was stepping up its fight against organized crime, stated:

The Government will also inject an additional \$200 million over the next five years to implement legislation and related prosecution and law enforcement strategies to fight organized crime. This funding will build on the \$584 million that the RCMP received in the 2000 budget—

Having had the weekend I have just had, I cannot help but reflect on the kinds of resources used this past weekend in Quebec City to deal with, by and large, peaceful protesters.

I am not talking about the anarchists and the Black Bloc, the people who tried to take down the fence. I am talking about what I was going to call policing but which was, in many respects, gassing, rubber bulleting and water cannoning of people who were not trying to take down the fence or hurl stuff at the police on the other side. Most of those people were simply acting on what they thought were the rules of the game at the summit; that is, as long as they were not trying to break the perimeter and were acting outside the perimeter in a peaceful way, they would be immune from police action.

When I consider the resources that went into the summit, I sometimes wonder, as must many ordinary Canadians, why it is that when one wants a police officer in a hurry one cannot be found but when there is a summit meeting there are 6,000 of them. Where did they all come from?

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• (1610)

How many communities were left without police protection over the last several days so that students could have their first experience of tear gas while sitting around singing or standing innocently, or perhaps curiously, looking at the wall?

I apologize for those remarks but I think some people, even some police, must feel that on occasion. I have a great deal of sympathy for police officers in the RCMP, the Sûreté du Québec and others who must sometimes wonder why the government is willing to pay so much in overtime and put so many resources into something like that. When police want resources to deal with criminal gangs or people who make life miserable for Canadians in various communities and contexts they cannot get an extra dime out of the government, but by God, just announce there is a protest coming and they get all the equipment and resources they ever wanted.

There is something not quite right here, as far as I am concerned. This legislation is a step in the right direction. We want to see certain things clarified in committee and we look forward to that process.

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, I am pleased to participate in this debate and to follow the hon. member for Winnipeg—Transcona, a new member of our justice committee who brings a great deal of credibility to the debate and great oratorical skill to the House of Commons.

Our party, as are I think all parties without exception, will be supporting Bill C-24. It is somewhat of a reincarnation of legislation we saw in the last parliament. It is very important and timely to the process of dealing with the ongoing plague of organized crime in Canada. It will allow police officers and prosecutors, both through legislation and in some instances through increased resources, to combat and turn their undivided attention in some instances to the growing problem of organized crime.

Neil Young sings of rust never sleeping. Well, crime never sleeps. Crime is unfortunately becoming more and more active in many communities and I am not talking only of the big cities. Crime is becoming prevalent in small towns and rural parts of the country.

We are particularly vulnerable in coastal communities, I hasten to add. Sadly, since the disbandment of the ports police in the country that is even more the case. We are seeing an obvious attempt by organized crime to profit from illicit acts of importation, in many instances of contraband materials. I am talking about drugs, which are the chief trade, as well as guns, pornographic and contraband materials brought into the country under the radar of our current law enforcement capacity. One would hope with the greatest optimism that this legislation will help address, at least in part, this very complex problem.

There is a great need for this legislation. The RCMP, who arguably is the most affected by the issue, is I think cautiously optimistic. The new RCMP Commissioner Zaccardelli alluded to the fact that organized crime has plans to use bribes to destabilize the country's parliamentary system. That came as a shocking revelation to many when they read it in the newspapers. It raised eyebrows across the country. It demonstrated the profound epidemic of organized crime and the lengths that organized crime will go to on occasion to exert influence, and I am obviously not talking about a positive influence.

That epidemic has for many years been virtually ignored by the current government. It is therefore very encouraging to see it finally recognize the issue and give it a priority after seven years.

• (1615)

On Tuesday, September 12, 2000, the Quebec public security minister, Serge Ménard, urged the federal government to use the notwithstanding clause to outlaw membership in gangs such as the Hells Angels and the Rock Machine. Because such a move might be struck down by the courts as unconstitutional, he was urging the government to give at least an indication that it would not hesitate to use the notwithstanding clause.

When it comes to organized crime, one thing everyone understands is that it does not play by the rules. It does not abide by the laws, whereas of course law enforcement, prosecutorial services and the government not only have to put laws in place but stay within the boundaries and confines of those laws, and rightly so. Therefore we are sometimes talking about a distinct disadvantage on the part of our system of enforcement vis-à-vis outlaw gangs. Extraordinary times sometimes call for extraordinary action. That is why, I am sure, the suggestion was made that the notwithstanding clause might be invoked in those circumstances.

The Department of Justice clearly suffers from constitutional constipation at times, I think, from this fear that somehow if a law is made that might be deemed unconstitutional we should refrain from enacting it.

This law will be challenged in our courts, as many laws before it have been challenged. That is part and parcel of the process. In particular, I can guarantee that the legislation that expands police powers will be the subject of numerous court challenges. We can bank on it.

We simply cannot hesitate in or refrain from introducing legislation in the fear that somewhere in the land, whether it be in the Supreme Court of Canada or in some other court, a judge may decide that this is not within the bounds of the constitution. That is part of our judiciary. That is part of the process. I guarantee that this legislation will be challenged, like other legislation has been.

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However, when dealing with organized crime and the repercussions of having organized crime go unchecked we sometimes have to make laws that expand the current envelope and go beyond the realm of what has been the normal practice.

While the Quebec minister was expressing these concerns, on the very next day, September 13, the day after the call from the security minister of Quebec, Mr. Michel Auger, a journalist in Montreal with the *Journal de Montréal*, was shot five times in the back. This was most likely the action of and has been attributed widely to outlaw motorcycle gangs. I am informed that it was likely the act of someone who wanted to join one of the gangs and was part of the movement to get in, to show somehow that this person had what it takes to be involved in this type of activity. They are sometimes the most dangerous, these puppet groups, these individuals who are trying to ingratiate themselves, to earn their patch so to speak. Mr. Auger's fate and the fate of many others who have expressed opposition to organized crime and have raised the spectacle of somehow trying to get this issue under control has been that they have sometimes faced the wrath of the gangs themselves.

Criminal gangs are far-reaching now. They are branching out. As I said in my opening remarks, they are found in communities across the country, whether they be rural or urban. Many Canadians are starting to feel particularly unsafe because of this audacious presence. In the city of Halifax, there are many people who are very concerned. Individuals such as Matt Jardine and others who live in Halifax are concerned about what is happening in their city.

An outlaw motorcycle gang, the Hells Angels, now has its colours flying in radiant lights in front of its clubhouse in the city of Halifax. This is the affront to democracy. It is an affront to policing and the safe, secure feeling that people should have in their communities.

There is a real need for this legislation. Again, it is encouraging that it is being brought forward now. The minister often uses the phrase in a timely fashion, and this has been timely for many years. The time is here and we are encouraged by that.

Organized crime also is becoming very prevalent in many circles where it was traditionally unseen, such as the Internet. The Hells Angels, I am told, have one of the largest Internet sites available. It is information that is now transmitted through cyberspace, not only across this country but across the United States, North America and the world. That is very disturbing. Obviously the ability to transport information can be an extremely positive thing, but organized crime can use it for a very nefarious purpose, so there is certainly a need for legislation in that area at some future time. It is not addressed by this legislation.

● (1620)

The bill has taken on a very broad background, if we will, in terms of what types of organized crime we are dealing with.

Eastern bloc European gangs have emerged, such as the traditional Mafiosa-Italian connections, and there are the snakehead organizations, Chinese triads, Oriental groups that are forming gangs and the traditional so-called motorcycle gangs, which are, as I have said, becoming more prevalent.

The Minister of Justice gave repeated assurances to study options for strengthening our current legislation to break the back of organized crime. Although some of those details were not discussed publicly, we do know that attempts were made to introduce legislation in 1997. We see it coming back now in this form. The minister reiterated this in her comments.

I do applaud her. I applaud the minister's initiative in bringing forward this legislation now. It has finally received priority and would allow those administering it, mainly the provinces and the law enforcement community, to attack the issue and to attack the underbelly of these gangs. In particular, this legislation allows for greater use of attacking the proceeds of crime, that is, going after the actual resources of organized crime and taking away the flow of money and the benefits received from illegal acts.

It also very clearly and specifically simplifies the definition and the composition of criminal organizations for purposes in a court. The bill targets various degrees of involvement within organizations, that is, it attaches the type of activity that is deemed to be participation in a criminal organization. Sometimes that is just watching. Sometimes it could be the person working on a dock in Halifax who turns a blind eye to an importation or to a boxcar coming in with illicit contraband material.

The legislation also would make it easier for police and prosecutors to arrest and jail those involved in organized crime and keep them in prison for longer periods of time. There is a greater element of deterrence, both specific and general, at work in the bill for those who choose this path.

The bill would allow law enforcement officials to declare forfeit the proceeds of crime from organizations, to seize the property and to perhaps put that resource back into the community that has been harmed. It allows law enforcement officers to seize things like houses, boats, cars and money and to allow the resource that has been pillaged and raped from a community to go back into it and perhaps benefit it and try to rehabilitate some of the harm that has been done.

The legislation would also strengthen rules protecting against intimidation of witnesses, jurors and their families at organized crime trials. It would strengthen the protection for federal ministers and members of parliament. It would improve protection for law enforcement officers from criminal liability when they commit certain illicit acts while engaging in undercover operations.

One thing missing from the legislation and which has been pointed out by several members today is that it does not include

provincial ministers. I believe that was perhaps a legislative oversight. I am certain it is something that can be corrected at committee.

In particular, the provisions in this bill send a very important signal that the Parliament of Canada is not going to sit back and rest on the laurels of the fine men and women who are currently working in our justice system, but that it is actually going to bolster support for them and enhance their ability to do their job and their ability to protect us, because it is that thin blue line, as it is sometimes called, that the police provide to the citizens of Canada.

We are supportive of the amendments that deal with taking away the proceeds of the crime, taking away the lifeblood. There are very positive amendments to this bill that could be tightened up. Again, hopefully we will have an opportunity to do that in the process.

Of course I mentioned the absence of protection for provincial ministers. There is also perhaps some need to protect journalists in some instances, as we saw with Mr. Auger.

• (1625 )

There is a problem with respect to the funding for the legislation. That in and of itself is perhaps its greatest weakness. The legislation has come about, typically, with great fanfare and with announcements made in the press gallery. I think the minister has had her knuckles rapped a little in that regard. The legislation announces \$200 million to address this specific problem. That comes as great news to those in law enforcement and was met with great enthusiasm by the commissioner of the RCMP and others.

However, the question, the next natural progression of that, is this: when will the money come? There were references in that very press conference to the earlier announcement of \$584 million to the RCMP to upgrade CPIC, to allow for greater resources, to allow for more overtime, to allow for resources and for perhaps greater access to justices of the peace or greater access to informants. They are all important elements of the police task in protecting Canadians.

When will the money arrive? It would be very interesting to hear from the minister or members of the government how much of that \$580 million, the earlier announcement, has actually been put into the coffers of the police. I suspect that the same question will be asked of this \$200 million in very short order, because they are crying out for those resources. The police are desperately in need of the financial support. It is fine to make the announcement, to give the moral support here, but they need the actual resources and they need them immediately. That is a question that has yet to be answered.

There is a positive starting point here. There is certainly a determined commitment on the part of the government and on the

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part of all members of parliament. This has affected individual members of parliament. A member of the Bloc found himself in a very unsettling position, I am sure, when he was the subject of threatening actions on the part of an outlaw motorcycle gang.

The limitless resources of the organized criminal element highlight the fact that the police are often left feeling that they are not on a level playing field legislatively because of their limitations within the law. However, they are also under the increased pressure because organized crime has unlimited resources and is essentially using more and better technology than is available to the police. Members of organized crime are watching the watchers. They are using videotape to tape the police to find out who is watching them. They are transmitting information about judges, about prosecutors and about police. They are sharing information about undercover officers. They are using the Internet to its maximum benefit.

This is the brave new era. This is an age wherein we should be giving the police the tools and the technology to fight organized crime on the same level that organized crime is using. Typically we have seen the government try to fix a problem that in some instances it created. I refer to the ports police. There have also been severe cuts to the RCMP in the past number of years. Clearly the RCMP was suffering budgetary restraints when it had to close its training facility in Saskatoon. Clearly when the Canadian Police Information Centre computer system was almost on the verge of collapse without an immediate influx of money, it was symptomatic of underfunding on the part of our national police force. Bill C-24 would not provide this immediate injection of funding.

There are, as I indicated, elements and commitments that we are very supportive of. What we want to see and what we want to diligently pursue is that the funding is actually going to be there. There are clauses in the bill like, for example, clause 27 at page 29, which talks about the definition of criminal organization. It now needs to be composed of three or more persons and the crown now does not need to show that the offences were committed in the previous five years.

Some of the legislation may seem technical and inconsequential to the untrained ear, but this is very important for the crown and for the police working in cohort to secure convictions. We saw a very recent sting operation in the province of Quebec and parts of Ontario that resulted in individuals being rounded up and charged. There are potentially charges there that will not be affected by the introduction of this legislation, but in the future certainly it will help in the successful prosecution of these types of offences.

One problem that I have picked up on is that Bill C-24 fails to make it a criminal offence to be a member of a group already proven to be a criminal organization. Whether or not an organization is criminal would have to be proven in each particular case,



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that is, it would create needless expense in some instances and a duplication of resources that would prolong many criminal trials.

• (1630)

There is a general consensus that the legislation is positive. Much of the technical examination of the issue came about as a result of the Shirose and Campbell case that dealt with immunity. It dealt with police officers having the ability to infiltrate crime through in some instances buying illicit substances like drugs and participating in questionable conduct themselves to prove allegiance and to prove that they were working with the gang to gain its trust so that they could break it up.

This is something that raises concern among lawyers and privacy protectors. There will be an examination by a court of law to see that it is in proportion, that it is reasonable in the circumstances. These are the types of matters that we could try to fine tune.

It will no doubt result in court challenges and that should be welcomed. Members should embrace that reality. It is our responsibility to make laws and it is the responsibility of the courts to examine and interpret those laws in some cases.

With regard to the intimidation factor, it is very important that there be as broad a definition as possible for who should be protected from intimidation. Trials cannot function if jurists, lawyers, witnesses, and in some instances police, are feeling intimidated. Intimidation and extortion are things that gangs deal in very much. They put fear into the minds of people if they come forward to testify against gang members.

I am hopeful the minister and the government will be open to certain amendments, further examination and strengthening of the legislation. I trust all members would be supporting the bill.

**Mr. Dennis Mills (Toronto—Danforth, Lib.):** Mr. Speaker, I am pleased to have an opportunity to make a few remarks in support of the legislation. I would like to touch on an issue that my colleague from the Conservative Party raised during his remarks. It has to do with that part of his speech that dealt with the exposure of journalists when they are involved in doing research and writing about biker gangs.

It has a very special chord of relevance for me. During the last election campaign I met a constituent, Yves Lavigne, who wrote the book *Hell's Angels at War*, the biker gang book. He has written three books actually. *Hell's Angels: Taking Care of Business* is another one. People like Yves Lavigne have tremendous experience and insight. They think outside the box of normal police forces.

Would it be a good idea for the RCMP or other police forces to use people like Yves Lavigne, who have spent 15 or 20 years of their lives focused on a specific area of organized crime, as

consultants to make sure that the police think outside the traditional box and bring these gangs to justice in a more expeditious manner?

**Mr. Peter MacKay:** Mr. Speaker, the member raises a very important element which is missing from the legislation itself. I agree that the police should be outsourcing to individuals who have expertise in this area. It is an incredibly overwhelming issue in terms of its complexity and the lengths that organized crime will go to infiltrate legitimate businesses.

Organized crime will seek to undermine the credible people working in the system, whether working directly in justice or as legislators, and to undermine the media who have a role in reporting and making public the activities of organized crime.

• (1635)

I agree that police officers should have within their mandate the ability to engage these individuals for information purposes and for their expertise. The legislation does not provide for the protection of specifically journalists, authors and those who write and have obtained special information that is helpful and relevant to the police.

I am encouraged that the issue is being fleshed out and that we will have an opportunity to correct it to make that additional protection available. Hopefully the spirit of productive debate and study at the committee level will improve this important legislation which he and other members support.

[Translation]

**The Acting Speaker (Mr. Bélair):** 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 Lévis-et-Chutes-de-la-Chaudière, Shipbuilding.

[English]

**Mr. Stephen Owen (Vancouver Quadra, Lib.):** Mr. Speaker, I am very pleased to stand today to speak in favour of Bill C-24. I was pleased to listen to the Minister of Justice and I heard the comments made by members of the opposition who seem to have a full understanding of the issue.

If it is not understood in the Canadian public at large, it is well understood in the House by all parties and all speakers that the scale of organized crime in the country and internationally, the magnitude of the threat that it poses to our society, is something of real urgency. The bill addresses it and needs to be passed quickly and put into force.

I would like to speak about the variety and complexity of the problem internationally as well as to individuals, communities, government and private enterprises in Canada.

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Internationally there is more than a trillion dollars a year in earned profits from criminal activity worldwide. The figure is growing every year. It has not been hampered and restricted by deficit cutting that governments around the world have had to undergo through the 1990s. These profits have been soaring. In terms of the critical nature of this threat, former President Clinton identified organized crime as the number one threat to national security in the post cold war world.

The citizens of my constituency, Vancouver Quadra, understand the chilling nature of the threat. It is much broader than just gang wars. It involves the supply of drugs to our schools and children. It involves property crime that is attendant on drug addiction which is fed by organized crime. It involves home invasions and the security of our homes. Ten years ago who in our society had heard the chilling terms of terror such as home invasion, carjacking or drive-by shooting? These are new terms of terror which are directly connected to the scourge of organized crime in society.

In terms of our economy, billions of dollars of laundered money are put into our society which is based on a market economy. It is corrupted by them. They debase the vigour of competition in our market economy and threaten our economic viability.

They also threaten our economic institutions. Corruption and organized criminal activity in scams with respect to banks, credit card fraud, telemarketing fraud, insurance fraud and stock market fraud are all part of the growing expanding scourge of organized criminal activity which is sapping the economic strength of the country as well as the safety of our citizens.

In terms of government agencies themselves, we have had troubling information about the infiltration and corruption of people working in government agencies at all levels in Canada and internationally.

These are major challenges for our society. They require new tools, many of which the bill provides. If we think about how we will apply those tools we have to think carefully about the new nature of criminal organizations.

• (1640)

Criminal organizations working in Canada and around the world are no longer monolithic crime families that are suspicious of each other or competitive with each other against criminal projects for turf. Today criminal activity is conducted in a highly networked, complex, flexible and international fashion. Criminal gangs are no longer fighting for turf with each other although that happens, and we know too sadly of the horrors in Quebec of criminal gang wars. However that is not the typical character of organized criminal activity today.

Organized criminal activity works in networks, works in cells across criminal organizations and across borders to uniquely compose a criminal operation across boundaries, gangs and crimi-

nal products. It requires a very special approach from law enforcement agencies which is not our traditional approach. It requires those agencies to be more flexible and more resourced in their response. I will be splitting my time.

I would like to comment on the new tools that are necessary and that are being applied by the bill. Monetary resources are needed for police agencies. Those have been provided for over the last two years with increased budgets and there are projected further injections of financial resources for the RCMP and other law enforcement agencies. That is critical.

The bill presents other tools. There will be stiffer penalties for participation in criminal gang activity and broader definitions of what constitutes criminal gangs and criminal activity. There are very important provisions to create the offence of intimidation of officials in the criminal justice system. It is a critical point of protection that is necessary and overdue.

The expanded definitions and increased ability to seize the proceeds of crime are important in the bill. There must be an ability to seize and forfeit property in a fashion that is efficient, quick and hits at the heart of the enterprise nature of organized crime.

The mandatory reporting provisions for suspicious financial transactions are important. Fifteen billion dollars was estimated as the amount of laundered funds from illegal activities in Canada last year.

I will conclude by addressing specifically the unique and changed nature of organized crime in society. It is flexible and networked. It crosses boundaries and is cross organizational. It is necessary to have an integrated and co-ordinated approach across the collection of criminal intelligence, police operations and prosecution of crime. These have to be working as a seamless whole.

The information and intelligence gathering must not be in a secretive closed chest fashion among competing law enforcement agencies. It must be shared in a mandatory fashion, but it must be secure and centrally analyzed. It must be disseminated on a need to know basis and the success and experience of operations have to be fed back into that intelligence system.

The operations themselves must be joint force operations, drawing across law enforcement agencies for the best and the most appropriate resources that can be uniquely composed and targeted on any particular criminal activity. It should then be shut down, redistributed and refocused on other criminal activity if it is to mimic the flexibility and the networks of criminal organizations themselves.

There must be an effective link to intensive prosecution which the bill and the organized criminal justice policy address. Dedicated legal advice must be present at the very earliest stages of an

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investigation to deal with the incredible complexity of criminal investigations and prosecutions, laws of disclosure, laws of search and seizure, laws of wiretapping, and laws of proceeds of crime. The best legal advice must be used at the beginning of an investigation right through to an intensive prosecution to make sure those prosecutions are successful.

I repeat that organized crime is an immense threat to society. Its magnitude is overwhelming. The bill needs to be passed as soon as possible.

• (1645)

**Mr. Tom Wappel (Scarborough Southwest, Lib.):** Mr. Speaker, I am pleased to have an opportunity to say a few words with respect to the bill at second reading.

The first thing I want to say is that I applaud the government for its initiative in bringing forward the bill. I believe it is very much needed and, as many of the other speakers have said, it is critical that we bring it forward as soon as possible.

In my brief remarks I cannot possibly deal with all aspects of the bill which has 73 pages and many clauses, but I will say for those who are watching or listening that a piece of legislation like this one contains amendments to an already complex act, the Criminal Code of Canada. It is very difficult when reading a bill like this for one to understand it without proper study because we have to flip from one section to another. We have to read a section as it currently exists to understand why the amendments are being made and how they will benefit society.

I want to focus on two or three particular issues and offer some advice to the justice committee that will be studying the bill. I know the members of the justice committee and that members on all sides of the justice committee are interested and careful members who will give the legislation, as they do other legislation, the consideration it requires.

The legislation requires consideration because, as some other speakers have said, there are a few fine lines here that we have to decide on which side of the line we will come down. From my perspective we should come down on the side of the line that deals with the safety of society as a whole.

With that opening, allow me to remind everyone that the criminal code was developed many years ago, long before there were telephones, never mind cellphones; long before there were international drug cartels; long before there were automobiles; long before there were airplanes; and certainly long before there were motorcycles.

It is a problem with law that it is often difficult for the law to catch up with the criminal. The criminal mind is able to come up with solutions on how to beat the law faster than we can come up

with how to avoid crossing the constitution but at the same time making sure we protect society.

The bill is a valiant attempt to do that, but we must remember that the criminal element is always moving, is always working to try to beat us at our own game. We cannot allow legislation like this to be stalled year after year in debate or stalled for other purposes because we need to combat this type of crime as quickly as we can.

When I heard that the government had announced the legislation I was having coffee and watching a morning news program. Immediately there was a person on the screen, a lawyer, who criticized some portion of the legislation. In particular, she criticized the fact that it could be that three people would be deemed to be a criminal organization. I said to myself yes, so what. I could not understand the criticism. If three people decide to conspire to commit a series of offences, that is a criminal organization. What is the problem? Why would the lawyer be upset about that?

I went specifically to the legislation and on page 29 is the clause that deals with the definition of a criminal organization. As we must all remember in this place, we must never rely on the television. We must never rely on newspaper reports. We must rely on our own eyes examining what the legislation says. This is what it says:

“criminal organization” means a group, however organized, that is composed of three or more persons and that has as one of its main purposes or main activities the facilitation or commission of one or more serious offences—

By the way, serious offence is deemed to be an offence for which a person can receive a punishment of five years in prison or more. It is a fairly serious offence. It continues:

—that, if committed, would likely result in the direct or indirect receipt of a material benefit, including a financial benefit, by the group or by any of the persons who constitute the group.

• (1650)

It does not stop there. It goes on to say:

It does not include a group of persons that forms randomly for the immediate commission of a single offence.

It is not a criminal organization if three or four young people get together, decide they want some chocolate bars, knock over a local convenience store and grab a few boxes of chocolate bars. It is specifically exempted in fact from the section.

A criminal organization is three or more people getting together and conspiring to commit serious offences for their own personal gain. I cannot understand why anyone would criticize that section, and I want to put that on record.

I also commend the government on consecutive sentencing, which in some circumstances is a touchy issue. Private members' bills have dealt with consecutive sentencing, which has caused

some problems on the floor of the House among the parties and individual members.

The government has specifically provided that the sentences received for certain offences committed by people who conspire in these organizations will be served consecutively to any other sentence they may receive for the particular offence.

I will give an example. Five people decide to become bank robbers and commit a series of bank robberies. Each of those bank robberies is an individual offence. It is also a criminal organization because there are five of them. They got together and decided to commit serious criminal offences.

When they are caught and convicted they may very well be sentenced to a term of imprisonment for the bank robbery or bank robberies. In addition, if they are convicted under the criminal conspiracy provisions in the bill of being an organized gang, they will receive the term in addition to and on top of the bank robbery convictions. They would not be served at the same time but consecutively. I think this is the correct approach. It is the right approach and I commend the government for bringing it in.

As well, there are certain provisions of the criminal code which provide that for certain heinous offences prisoners must serve a minimum of one-half of their sentences before they become eligible for parole. There is a list of those offences in the criminal code.

I commend the government for ensuring that the commission of an offence under this act is one of those. If people are convicted of certain offences, either helping to commit the offence or being part of the offence itself while it takes place, then a conviction and a sentence will require offenders to serve at least one-half the time they have been sentenced to before they become eligible for consideration for parole.

I think this is a good thing. It is important. It sends a message that society views these crimes as serious. We intend to make sure that the time is served to the extent that at least half the sentence will be served before the prisoner becomes eligible for parole.

The final point I want to talk about in the brief time I have is forfeiture of property. We already have forfeiture of property. I draw to the attention of the justice committee subsection 462.37(2) in which the judge is allowed to seize property which is not necessarily directly from the crime but can be inferred as being from the crime or crimes.

The problem is the judge must be satisfied beyond a reasonable doubt. I believe that is entirely too high a burden to put on the crown and on the people of Canada. I would ask that the justice committee consider amending it so that if the judge is satisfied on a balance of probabilities the property can be forfeited.

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I appreciate the opportunity to give my two cents worth prior to consideration of the bill by the justice committee.

• (1655)

**Mr. Gurmant Grewal (Surrey Central, Canadian Alliance):** Mr. Speaker, on behalf of the constituents of Surrey Central I am pleased to participate in the debate on Bill C-24, an act to amend the criminal code respecting organized crime and law enforcement and to make consequential amendments to other acts.

The bill has two main purposes: first, to provide new tools in the fight against organized crime; and, second, to respond to the 1999 supreme court decision in *R. v Campbell and Shirose*, which put in doubt the ability of police and police informants to break the law as part of undercover operations aimed at penetrating criminal organizations.

After years of the Reform Party of Canada, now the Canadian Alliance, fighting for tougher laws to help combat gangs and other criminal organizations, the federal Liberals have finally introduced some of the legislation we have been calling for. The fact is that the weak Liberal government lacks the political will to get tough on crime, particularly on organized crime.

It has introduced this legislation because of intense pressure from the official opposition and other opposition parties and because of the pressure from police and the public in general. Combating organized crime was part of the detailed justice platform released during the election campaign by the Canadian Alliance.

The penetration of organized crime into Canadian society is a very serious matter. Criminals move from jurisdictions with strong controls to jurisdictions with weak or no controls. This criminal activity undermines Canada's financial and social systems and increases the power and influence of illegal businesses.

A staggering variety of activities such as extortion, home invasion, murder, theft, drugs and arms trafficking, counterfeit currency and passports, migrant smuggling, prostitution, Mafia, casino and lottery frauds are additional costs to society at the expense of the taxpayer and at the expense of our future. These activities make our streets unsafe.

We in Canada are also concerned that the privacy of Canadian citizens could be unreasonably invaded. There should be sufficient protection and the freedom of law-abiding citizens should be preserved. The loopholes in the system and the law are not plugged in Canada. That is the main problem. Canada is a candy store for these criminals. Unfortunately criminals have the motivation to come to Canada and commit crimes because they consider Canada to be a crime haven.

The blurred vision of the Liberals has caused the dismantling of Vancouver port police. Everyone knows that. This makes the port a



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gateway for the importation of drugs and narcotics. It opens up the way for criminals and makes their jobs easier rather than tougher. It is a shame that the Liberal government gives international organized criminals VIP treatment while those same criminals, according to the Immigration Act, are supposed to be inadmissible to Canada.

I remember when I was on the immigration and citizenship committee that we introduced a motion to study fraud and criminal activities under the Immigration Act not for general immigrants but for illegitimate and criminal elements coming to the country. Liberal members refused that motion.

● (1700)

Previous legislative attempts to deal with the problem have been ineffective. Bill C-95 did not go far enough in providing the tools needed for the law enforcement agencies to fight organized crime.

Years ago, perhaps in the early 1980s, the government of the day not only ignored the recommendations of the law enforcement agencies but it even refused to acknowledge the existence of organized criminal activities in Canada. Since that time organized crime has significantly increased. Canada has now become a global centre and a haven for organized crime because of its laws.

Whatever the government does now it is too late and too little. The criminals are lightyears ahead of the law enforcement agencies. They have more resources, more money and better state of the art technology while the agencies on the other side even lack the law with tooth and are struggling to maintain yesterday's technology.

A Liberal dominated subcommittee of the justice standing committee on organized crime held in camera hearings on the problem and issued its report just prior to the dissolution of the House. I will talk about that report in a short while.

I also want to mention that I represented the official opposition as a member of the subcommittee on organized crime. Since the hearings were in camera I will not go into detail but will talk about some of the issues that are in the public domain.

It is sad that the recommendations of the subcommittee were not fully implemented through this bill. Even though the committee was a Liberal dominated committee, the bill of course would enhance the fight against organized crime, though not enough, and should not be delayed unduly.

I will now talk about the main features of the bill. There will be longer consecutive sentences for gang activity: up to five years for participating in a criminal organization; 14 years for carrying out indictable offences for the benefit of a criminal organization; and life for being the leader of a criminal organization.

A new definition of a criminal organization would be: only three members required instead of the current five; there is no need to prove that members participated in indictable offences in the five years preceding prosecution and providing that, in addition to indictable offences punishable by five years or more, offences can be prescribed as serious offences.

It is stated that the intention is to cover offences, such as prostitution and gambling, that are controlled by organized crime.

Another point is the protection of justice system participants. Threatening a judge, prosecutor, juror, et cetera, or a member of their family would be punishable by up to 14 years and murdering a justice system participant would be first degree murder.

The next point concerns police immunity. The solicitor general responsible for the RCMP or provincial ministers responsible for the police will be able to designate officers who may, in the course of an investigation, commit offences other than offences causing bodily harm, obstructing justice or sexual offences.

Forfeiture of property would apply to all property used in committing a crime rather than just property especially built to carry out the crime. Judges will have to determine whether the forfeiture is appropriate given the nature of the crime. Presumably a house may not be forfeited if five marijuana plants are found in it but it could be if 500 or 5,000 plants are found in it.

● (1705)

There are still many significant deficiencies in the bill that require further address or amendments. Even many recommendations of the subcommittee have not been addressed in the legislation. I was a member of that committee and it was a Liberal dominated committee.

There are maybe 10 points I want to mention. The relevant elements of existing legislation, resources, investigative and prosecutorial practices, should be deployed to their fullest potential and effective strategy to fill any gaps should have been developed and addressed in the legislation. The committee was concerned about it and it made very clear recommendations about it.

The criminal code should have been amended so that all its provisions related to organized crime activities could have been brought together in a specific part to be entitled enterprise crime, designated drug offences, criminal organizations and money laundering. This recommendation was not followed.

The criminal code should have been amended to allow for the designation of criminal organization offenders in a manner similar to that applicable of dangerous offenders and long term offenders provided for at section 752. This would allow, at the sentencing stage, after a conviction has been obtained, for the imposition of

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imprisonment for an intermediate period or for long term supervision in the community after a sentence of up to 10 years. The recommendation was not followed.

Section 184 and following the criminal code dealing with judicially authorized audio and video surveillance should have been amended to increase in non-criminal organization offences from 60 days to at least a 120 day period for which such activities could be authorized and renewed. This particular recommendation is very important if the Liberals were to listen to Canadians, to the Canadian Police Association and to front line police officers who are dealing with organized criminals. When police officers need to obtain a particular warrant they have to write about a thousand pages. A lot of work has to be done to obtain a warrant.

Once a warrant has been obtained it is valid for only 60 days, whereas the criminal activity continues for months and years probably. They then have to go back and do all the paper work again in order to obtain a warrant for wiretapping or other things. The recommendation is very important and I hope the justice minister will follow through with it. Since we are debating the bill for the first time, the government has lots of opportunity if it is sincerely listening to this.

The provisions of part VI of the criminal code should have been reviewed and amended so as to streamline and simplify the requirements and practices involved in the judicial approval and renewal of audio and video surveillance as a law enforcement investigative strategy. This recommendation was not followed.

Section 743.6(1.1) of the criminal code should have been amended to allow sentencing judges to order that offenders serve full sentences instead of half the sentences currently served, of incarceration without any form of conditional release in cases where there is evidence that a convicted person committed an offence to the benefit of, at the direction of or in association with a criminal organization.

• (1710)

The criminal code should have been amended so that there was a reverse onus placed on a person convicted of an enterprise crime, a designated substance offence, a criminal organization offence or money laundering whose assets have been seized, to prove that these assets have not been acquired or increased in value as the result of criminal activity. There should be a reverse onus on the criminal rather than on law enforcement agencies to prove that. This is a very important recommendation.

If the convicted person were unable to discharge the burden of proof, as I mentioned, to the satisfaction of the court, these assets should be declared to be forfeited. This recommendation was not followed through.

The Canada Evidence Act should have been amended to codify and simplify the rules related to disclosure. The disclosure rules

are so vague that jurisdictions in foreign countries refuse to co-operate with Canadian law enforcement agencies because of our stupid and ineffective disclosure laws.

The human resources expertise and technology levels should be sufficient to effectively combat organized crime. Unfortunately the funding announced by the justice minister today providing only \$200 million over five years does not appear adequate and does not come close to the amount needed for frontline law enforcement officials to do their job effectively.

The funds allocated on a yearly basis would not significantly enhance police or prosecution resources when we consider that a relatively simple prosecution could cost as much as \$10 million. Those resources are inadequate.

A national tactical co-ordinating committee should have been established to promote the exchange of information and sharing of experiences among field operators in order to fight organized crime. This recommendation made by the subcommittee on organized crime was not followed through again.

Because of lenient disclosure laws in Canada, as I mentioned earlier, law enforcement agencies from other countries refuse to share sensitive information with their Canadian counterparts on organized criminals operating in their country. This jeopardizes our efforts to combat crime and demoralizes our frontline officers.

One of the most disturbing features of the legislation is its failure to make it a criminal offence to be a member of a group already proven to be a criminal organization in Canada. Contrary to the justice minister's suggestions, this provision does not make participation or membership in a criminal organization illegal unless it can be proven that the person had the intention to facilitate illegal transactions for that organization.

The fact that an organization is a criminal organization would have to be proven in each particular case that goes before the court resulting in needless duplication of resources, expertise and prolonged criminal trials.

The bill fails to adequately protect other key players in the fight against crime. In particular, provincial justice ministers, MLAs, MNAs, MPPs are not granted the same level of protection as federal parliamentarians, despite the fact that they are directly responsible for the enforcement of these provisions. They need to implement the law.

We all know the case of Michel Auger who had the courage to stand up against crime and other journalists who were not given protection.

In conclusion, I urge the government to make the legislation tougher, to provide more resources to police and to encourage the aggressive use of the new tools.

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• (1715)

In particular, the recommendations of the subcommittee, regarding forfeitures, wire tapping and serving full sentences, have not been addressed or have only been partially met. Therefore, I hope the justice minister will be open to considering amendments that would further streamline the Canadian justice system and would offer Canadians a greater measure of security through the legislation.

[*Translation*]

**Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ):** Mr. Speaker, I am very pleased to take the floor for the first time since we got back from parliamentary recess and to congratulate my colleague from the Canadian Alliance for his speech which may have contained more nuances and perhaps more rigour, more severity than the Bloc Québécois.

Like the Bloc, which has been fighting for this for a long time, the Canadian Alliance has long been calling for the federal government to develop some backbone in this matter and to turn out a bill that would, once and for all, make association with a biker gang or other organized criminal group an illegal act. This we have been calling for on a number of occasions.

There are two points I picked up on in my colleague's speech. First of all, he stated clearly that the bill we are examining today does not go far enough, particularly on the legislative level. My colleague clearly stated that this bill, which will inevitably become law, did not provide the legislative means to really fight organized crime in Quebec and in Canada.

So, we have lack of legislative tools, and then my colleague went on to speak of an obvious lack of financial resources. He would like to see this co-operation between the provinces and the federal government made possible and would like to see the police forces with sufficient financial resources to achieve the objectives set out in the bill, not only in principle but with the bottom line of really battling organized crime in Quebec and in Canada.

To a certain extent, what my colleague says is that the principles, the provisions of the law and the financial resources do not allow it to achieve these objectives.

Another aspect is the right of association and the right to belong to a criminal organization, which would not be an offence, according to him.

Could my colleague clarify these two aspects of his speech?

[*English*]

**Mr. Gurmant Grewal:** Mr. Speaker, I know that all members in the House and the people who are watching this debate are concerned about organized crime in Canada. Organized crime is a hidden crime. Many times people do not know what is happening

behind the scenes because organized crime is low profile. Illegal and criminal activities happen yet the public does not know about them because there are no means for the RCMP and other law enforcement agencies to follow them and they go unnoticed.

When I was talking to a frontline police officer, I was surprised when she said that even if there were 10 clear leads on organized crime, they did not have enough resources to follow one of the leads. It is very disturbing when law enforcement agencies say that.

I do not think the hon. members of the House are proud about this issue. The progress we have made on organized crime is very little. The reason is the lack of political will by our federal government and the lack of co-operation with the provincial governments. The government believes in a confrontational approach with the provinces rather than a co-operational approach. We should probably do everything we can within our limits to be effective in controlling organized crime.

• (1720)

In a nutshell, the recommendations which I put forward earlier are very serious recommendations. This is not a partisan issue. We are not talking politics here. We are not looking through the lens of politics. We are looking through the lens of issues. It is very important for the future of Canadians. Our national security rests with the legislation we are passing to effectively control organized criminal activities.

We do not want Canada to be a haven for organized criminals to conduct their criminal activities. Therefore, as legislators we have to form the legislation with those tools which are effective and which give the law enforcement agencies all the facilities, tools and resources they need to effectively control organized crime.

[*Translation*]

**Mr. Robert Lanctôt (Châteauguay, BQ):** Mr. Speaker, I appreciate my colleague's speech and comments.

I also want to point out that, at last, this anti-gang bill, for which the Bloc Québécois has been asking for a long time, will give more teeth to what is already in place. It is much more specific, but it could have been even more specific.

In a society such as ours, besides police officers, there are several members of parliament here in the House who were threatened because they tried to give more teeth to the legislation. But how can legislation become effective? It is, of course, when we have the necessary funding to implement it.

All legislation involves funding. But this one will involve major funding. It will not just be a facade where the government will say "We have said yes to the government. We have heard the requests and today we are introducing legislation". The bill has teeth, but not enough. It is not specific enough to protect people such as

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members of parliament, public figures and even city councillors. This goes beyond the people mentioned in the bill.

I ask the member of the Alliance to indicate who, apart from members of parliament, these people might be, so that this can be clarified during the committee hearings and the bill can be amended accordingly, besides, of course, providing the necessary funding. I would like him to comment further on this issue.

[*English*]

**Mr. Gurmant Grewal:** Mr. Speaker, as the hon. member for Provencher, the chief critic for justice for the Official Opposition of Canada, mentioned in his speech there was a private member's bill in the last parliament. The bill was moved by the Bloc member. It was a very good bill and would make it a crime to belong to a criminal organization

I believe the government should look into that. It is a very serious and effective preventive type of bill that would help to effectively control crime.

The other part of the hon. member's question was about the resources. The \$200 million spread over five years is a drop in the bucket. Imagine the money the organized criminals make. They use that money to buy sophisticated technology. They have the art of technology which they use to evade the law enforcement agencies. Our law enforcement agencies should have better technology than those people. Only then could they catch them. The \$200 million is a very minimal resource.

• (1725)

He also mentioned threats probably to the frontline police officers who were dealing with the organized criminals and to the MPs, senators, judges, prosecutors, the media and all those people who could be involved along with their families. That would be important.

The resources and the tools are really important elements of the bill.

[*Translation*]

**Mr. Andé Bachand (Richemond—Arthabaska, PC):** Mr. Speaker, first I wish to inform you that I will be sharing my time with my colleague, the hon. member for New Brunswick South-west, on a most important issue: Bill C-24 on organized crime.

Before I start, I also wish to recognize the work done by my colleague, the hon. member for Pictou—Antigonish—Guysborough, to inform and educate the caucus about the whole situation concerning this bill and the application of various pieces of legislation on organized crime.

I also wish to recognize the work of the member for Berthier—Montcalm who, for several years, has urged the House, effectively

I must say, to raise awareness among elected representatives of the whole issue of organized crime, which, admittedly, has been highly and overly publicized in Quebec. Of course, the Bloc Québécois has done an excellent job on this issue. During the election, it was the highlight of its platform. This did not translate into more seats, fortunately. But the issue is still important.

I am not a lawyer. Some will say this is good. However, when it comes to organized crime, not being a lawyer, I do not fully understand all the intricacies of this bill. Let us look at the issue in its broader context.

The first time I ever heard the term organized crime—and you will also remember this, Mr. Speaker, since we are about the same age—was during the hearings of the CIOC, the Commission of Inquiry on Organized Crime. It was in the early 1970s and, for one of the first times, the television stations were on the air for long periods of time broadcasting not the full hearings, but enough so that we could follow what was happening on a daily basis.

On this commission, which generated a lot of changes, sat eminent lawyers, including two who later had political careers at the federal level and another one who left the provincial political arena not too long ago. That just goes to show that it was an important commission that raised awareness about what was called at the time the “mafia” or the “mob”. What we learned from these hearings was absolutely incredible and the governments reacted. The legislation was overhauled.

At the time, we were not necessarily talking about the Hell's Angels and the Rock Machines. We were talking about the Italian mafia, street gangs and American mobsters. The Russian and the Chinese mafia were more or less active, but still an important issue was addressed. A lot of people ended up in jail. Public awareness was raised and both the police and the government acted. A few more mafia figures and mobsters were thrown in jail. That created a vacuum, which was quickly filled.

What we have to realize is that legislation like Bill C-24 will not, by and of itself, solve the whole problem of organized crime. A mere \$200 million over five years will not solve the issue. Organized crime is changing.

What happened at the time is that small biker gangs in Quebec began to get together and fill the vacuum. There was a biker gang in just about every town that had a population of a few thousand people. But these gangs moved on to bigger things. They learned the ropes and they got organized, to fill the vacuum and work with the various figures in the mafia and the mobs.

• (1730)

The expression organized crime implies that criminals know how to get organized. This means that we must be smarter—when I say we, I am thinking of the legislators, but also of the law enforcement bodies, of the people involved in the enforcement of



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these laws and of the members of our justice system, including lawyers, attorneys and judges—and get organized.

An act was passed in 1997, but we quickly found out that it was flawed. During these months and years, organized crime got organized. But the federal government kept waiting, even though it knew there were problems with the 1997 act, which is the most recent one. Now, Bill C-24 will correct some of these flaws.

We on this side of the House realized one thing: the government does not have any vision when it comes to fighting organized crime. The Prime Minister once said “Personally, I do not care about vision and programs. Bring me a problem and I will solve it”. He was recognizing the fact that he lacked vision.

In the case of the Minister of Justice, the problem is glaring. People are shooting and killing each other, innocent victims are getting hurt, but she will not move. There is a consensus in the legal community and among police forces that the minister is not taking action. We had an election campaign but she still was not moving.

Finally, the minister woke up and, at last, she came up with a bill. Thank goodness.

But again, let us not fool ourselves. This is not a perfect piece of legislation. We will give it our support because it is truly a step in the right direction to correct deficiencies. However, because crime gets organised, parliament must also get organized in the next five years to monitor decisions, the jurisprudence, and listen to those in charge of implementing the legislation, the difficulty of the proof, while complying with our Charter.

We opposed the use the notwithstanding clause, as requested by Quebec. We thought it would be excessive, given the judicial and legislative process that the House could use. But we must get organized, and we are able to do so.

The great thing about this legislation is that it will simplify things. We will have to see what happens. Since a judge convicted a number of people under the 1997 legislation—there was a big gang of people indicted under that legislation awaiting trial—many have admitted their guilt. Why? Because they will get sentences which, without being reduced, will be in keeping with the spirit of the act.

So, since the judgement convicting people under the 1997 legislation, dozens and dozens of accused people awaiting trial have recognized their guilt. We are happy with that, because this will save months in detention and loads of money. These people might get away with lighter sentences. Not making out a case restricts the amount of information made available, and there are fewer informers.

This is why it is extremely important that Bill C-24 be passed properly and quickly. Hopefully, the government will listen to what

opposition members—whether the member for Pictou—Antigonish—Guysborough, the member for Berthier—Montcalm or some other members of the NDP or the Alliance—have to say. Anything that comes from the opposition is not necessarily bad but, between you and me, things that come from the government are not necessarily good either. There is a middle ground, however.

I hope that the good work of members in support of the government—because members are legislators; we are not here to complain for the sake of complaining, but to legislate—will be taken into consideration and that the minister will listen.

● (1735)

We wish that this bill will be effective. I am not sure that \$200 million over five years will be enough. Where does this figure come from? How did the minister come up with \$200 million? Was it just because it sounded nice?

I will, if I may, look at the costs before, during, and after the Quebec summit. How much is \$200 million? The security costs for two Quebec summits and perhaps one APEC meeting add up to about \$200 million. Where did the minister pull out that figure? This budget should be revised annually. We cannot say “Here is \$200 million. That is it; now forget about us”. The minister thinks that with \$200 million over five years everything will be fine. Is that it?

I want to thank the House for its attention and reiterate the basic principle: if criminals get organized, we must keep one step ahead of them.

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, I would like to congratulate the member. I think he has a very good understanding of the whole issue of organized crime.

I have a comment as well as a question. My comment refers to the comment made by the member regarding the \$200 million the minister plans to spend on implementing this legislation. We know how good the Liberal government is at estimating costs. Members will certainly remember that the government had estimated that firearms registration would cost some \$125 million or \$135 million, and perhaps up to \$150 million. These costs have now reached nearly \$800 million, which is a conservative estimate, and only 75% of firearms have been registered in Quebec.

The government said that the system would be self-funding after initial registration. Now we are talking about recurring annual costs of \$150 to \$200 million. So we have every reason to question the figures mentioned.

I think the minister threw this \$200 million figure at us to try to impress us. However, the opposition, which does its homework, can very well see that \$200 million to implement this type of legislation—when we know that each investigation may cost \$5

million, \$6 million or \$10 million if it is complicated—is clearly not enough.

My question deals with the idea that the mere fact of belonging to a criminal organization should be a criminal offence. Does the member believe, as does the Bloc Québécois, that the bill should be amended in that regard?

**Mr. André Bachand:** Mr. Speaker, I would like to thank the member for Berthier—Montcalm who, as has again been demonstrated, is very knowledgeable on this issue, much more so than I am.

The provisions regarding mere memberships in a criminal organization raise the whole issue of proof. They raise the whole issue of the charter. A balance must be struck. Unfortunately, I will be unable to answer the member's question as clearly as he would like, as I am not really knowledgeable about the whole issue and the workings of the bill.

Once again, mere membership only shows an intention and I would like to raise a few questions: proof, the charter, the presumption of innocence. It is a right. People are considered innocent until found guilty, with the exception of income tax and employment insurance. In the justice system, one is innocent until found guilty. In the case of income tax and employment insurance, people are first considered guilty and it is up to them to prove that they are innocent.

However, as far as the provisions regarding mere membership are concerned, I would say that it is one where the whole case law would have to be considered, and the member for Berthier—Montcalm knows much better than I do the difficulty in proving and maybe the possibility to make mistakes.

Then again, Bill C-24 solves many problems concerning definitions and numbers. But will maintaining provisions on the simple fact of being a member not bring back the whole problem of a clear and easily applicable definition? It is something we must keep working on and I certainly hope that all members, including my colleague from Pictou—Antigonish—Guysborough, will keep on doing so in committee.

**Mr. Michel Bellehumeur:** Mr. Speaker, I have a very simple question to ask. What is new in this bill is the whole issue of immunity granted to police officers in the course of very specific investigations and the power of the Solicitor General of Canada to break the law, to a certain extent.

• (1740)

My question is very simple. Does the member think it is dangerous to have politicians interfere in legal matters like this?

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Would it not be better to let a court, like the superior court, or a judge authorize police officers, in specific cases, to take some steps stipulated in the legislation, if they have enough evidence?

**Mr. André Bachand:** Mr. Speaker, when the solicitor general is asked to take action in some matters, he answers “I cannot interfere with the work carried out by police officers. I cannot interfere like that. It is only normal and fair that I respect this line between my role as a legislator and the work done by the police”.

We are told there is a process to follow, that the minister is not involved, that he does not really know what is happening and that he cannot interfere. But now, he wants to stick his nose in, with this bill, one of our toughest pieces of legislation, which goes after organized crime. With all due respect, I am not sure he has the capacity to do so and, furthermore, generally speaking, politicians have no business getting involved in this.

[English]

**Mr. Greg Thompson (New Brunswick Southwest, PC):** Mr. Speaker, for the record our party generally supports Bill C-24. Our justice critic will put forth amendments as we go through the debate, but generally we support it.

It is important for the listening public to understand where we are in this debate and what prompted it. The truth is Bill C-24 would fight organized crime.

One thing that prompted the government to take action on this was when RCMP Commissioner Zaccardelli stated that organized crime had drafted plans to use bribes to destabilize the country's parliamentary system. This is pretty scary stuff when we think that the members of this House or any other provincial legislation, who draft the bills and the laws, could be subjected to a plan by organized crime to sabotage our democratic process. That would scare anyone. That raised eyebrows across the country and gave a pretty clear indication of how much of an epidemic we were really facing.

Then we can go back to last September when the Quebec public security minister, Serge Ménard, urged the federal government to use the notwithstanding clause to outlaw gang memberships, which provoked a controversy in Quebec and across the country. One of the victims of that, within just a day or so, was the *Journal de Montréal* reporter Michel Auger. He was gunned down and shot five times by organized crime, sending out a message that the criminals were not going to stand for this. He stood fast, as did many in that province, in an attempt to fight organized crime. They are still working to do something about it.

Hopefully this bill will do something because it is an epidemic not only in the urban areas but also the rural areas.

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Let us focus on some of the things that the bill might do, should do and obviously would do if implemented properly with some attention given to the amendments which I am sure will come forward from the House.

Bill C-24 would simplify the definition and composition of the criminal organization. This is very important. It would target various degrees of involvement with these organizations. It would make it easier for police and prosecutors to arrest and jail gangsters and keep them in prison for longer periods of time. It would allow law enforcement to forfeit the proceeds of crime from these criminal organizations and to seize property that was used in a crime. In other words, it would send out a message that crime did not pay. It would strengthen rules protecting against the intimidation of witnesses, juries and their families in an organized crime trial.

• (1745)

Last on my list is to strengthen protection for federal members of parliament and to improve protection for law enforcement officers from criminal liability when they commit certain illegal acts while engaged in undercover operations to infiltrate criminal organizations.

That sounds good. We are hoping the government does eventually come up with a bill, obviously with the help of the opposition and some of the fine amendments which I am sure will be coming from all of the parties on this side of the House because, Mr. Speaker, as you will remember, last September it was the opposition, particularly the Bloc Quebecois, that brought forward this emergency debate on organized crime in the House.

If the history of the government is any evidence of what it might do or what it should do, not much is going to happen. The minister in her press release brags about the many bills that she brought into the House to fight crime. She mentioned seven in particular. That goes back to 1993 in the life of the government.

I want to remind the House and the Canadian people of an example. The youth justice bill has been introduced in the House three times and has never passed. Obviously that in itself is not going to fight organized crime, but it is an example of the absurdity of the government's position on fighting crime. We do not expect anything to happen in a hurry or at all if the government has its way.

In terms of the money the government is putting into this, again it brags about the \$200 million in addition to the \$584 million that is being provided to the RCMP every year by the Government of Canada, or in other words, the taxpayers of Canada. At first glance the \$200 million looks mighty good, but it is like the funding for health care. It is spread over five years.

Instead of the government being honest with the Canadian public and telling us there will be another \$40 million this year and again next year to fight crime, it comes up with the \$200 million because it looks better on paper. How this money starts to flow or will flow, nobody knows. If the recent health accord is any example, I will not be holding my breath because not much is going to happen.

Of that \$200 million, the government mentions \$50 million that is going into fighting smuggling, which I assume is smuggling of products and people. As we well know, that is an epidemic in the country as well. Another \$150 million is going to the RCMP for hiring new officers and training and so on and so forth.

An example of inconsistency of the government is that in 1994 there was the biggest capitulation in the history of Canada when it came to fighting organized crime. Do hon. members remember when the government caved in to the cigarette smugglers? That was a double-edged sword. Not only did the government capitulate to the smugglers and turn a blind eye to smuggling, there was a reduction on the excise tax on cigarettes. Instead of enforcing our laws and cracking down on smuggling, the government capitulated and reduced the tax.

The result of this obviously was not good. It was not good simply because every year 45,000 Canadians—I am getting off topic a little bit—die from smoking cigarettes. Instead of the government attacking smuggling in 1994 and putting the resources back in when it could have made a difference, it chose not to do it.

It has only taken seven years for the government to get the message on both of these areas, smuggling and health care. There is a connection between the two of them. If past history is any example of what the government can do, let us not hold our breath. We will not expect much. Of course the government always falls back on whether or not it will be charter proof. Basically the government makes it up as it goes along and hopes that it will work, but it does not do the research and the fundamentals before bringing in the legislation. This issue is important to all Canadians, both rural and urban.

• (1750)

Another point I want to make is in reference to the port police. If you remember correctly, Mr. Speaker, in the House the member for Saint John, the former mayor of that New Brunswick city, suggested that when the government did away with the port police it was a huge mistake. Obviously ships come in from all parts of the world and there are no police to enforce Canadian law at the ports. The government has recognized that it also made a mistake there, so it is going to put more money into this. The government is going to put more money into securing our borders. Maybe it is time we take the examples of other jurisdictions, possibly the U.S. The U.S. has a border patrol to protect the sanctity of its borders.

We do support the bill. We will bring in amendments. However, as is the case with much of the legislation the government brings in, it is just a first start. We are prepared to support that first start.

[*Translation*]

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, the bill introduced by the minister this morning contains almost 80% of what the Bloc Québécois has been asking for over the last five or so years.

One point, however, is missing from the bill on organized crime now before us and that is the whole issue of reversing the burden of proof and the proceeds of crime.

My question for the member is a very simple one. Everyone knows that money is the sinews of war, whether politics or organized crime are involved. The comparison may be slightly imperfect, but it boils down to the same thing; there is organized crime because there is money to be made. The more money they make, the stronger and more organized they will be.

There is really nothing in the bill to facilitate the work of the police and crown prosecutors, to reverse even somewhat the burden of proof, so that it is not up to the crown to prove the illegality of an acquired asset, but rather up to organized crime to prove the legality of its origin.

My question for the member is as follows. Will he be able to support this, when he talks of amending the bill? Is it in this sense of giving additional tools to the police and crown prosecutors to facilitate proof with respect to such things as money which is, as we know, the sinews of war?

[*English*]

**Mr. Greg Thompson:** Mr. Speaker, this goes back to previous comments and to questions answered by my colleagues in the House. There is always that balance between charter rights and the willingness or the desire to crack down on criminals. There is a balance to be struck. Certainly that reverse onus is something worth looking at.

However, the truth is that organized crime has the resources. The government brags about the money it is putting in, but there are some prosecutions that have been going on in the country against organized crime by the Government of Canada where the cost is in excess of \$10 million. The money being put in is a drop in the bucket. Not to discount the fact that \$200 million over five years is a lot of money, but in comparison to the proceeds of crime, which are reaching into the billions, the point has to be made that we have to fight back with the resources we have and often that means money to fight crime. Bringing in legislation that is tough yet honours the charter is the challenge for the government. We are

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hoping the bill will do that given some of the amendments we will put forward from this side of the House.

• (1755)

[*Translation*]

**Mrs. Suzanne Tremblay (Rimouski-Neigette-et-la-Mitis, BQ):** Mr. Speaker, I am very pleased to participate in the debate on Bill C-24, an act to amend the Criminal Code. It deals more specifically with organized crime and law enforcement. As usual, when such a bill is presented, it also makes consequential amendments to other acts.

I would first like to say that the Bloc Québécois will also support this bill. We feel somewhat involved in this bill, since the minister has included in it approximately 80% of what our party has repeatedly asked for since our arrival in the House. There is a small portion, about 20%, left that we would have liked to see included also. But we can talk about this later, when the bill is considered in committee and when the time comes for amendments.

My colleague from Berthier—Montcalm will certainly be happy to remind the minister that we would like to bring forward some amendments. We will also have our say at the third reading stage, but we hope that the minister will keep on thinking about it until the end of the third reading stage, so that she really can try to put it on the agenda for 2001.

For the benefit of the people who are watching and who may read the proceedings, I would like to give a brief historical background. You surely remember, Mr. Speaker, when you were with us in the House at the time, that, in 1997, in Hochelaga-Maisonneuve, a boy of only eleven, who was playing quietly on the sidewalk, became the unfortunate victim of organized crime because some gangs were fighting each other. Poor Daniel Desrochers was killed, a totally innocent victim of organized crime.

For us, it was quite a shock. We felt as though everyone knew this dear Daniel. We thought that something had to be done to try to make the government react.

Then, as my colleague from the Progressive Conservative Party was reminding us, there was the unfortunate event where reporter Michel Auger was shot. However, he was luckier and received medical attention. He recovered and went back to work.

Another person who had no luck was Francis Laforêt, a young man from Terrebonne who was a bar owner and who thought he was able to live in our society. Unfortunately, organized crime also got him.

These three cases are very fresh in our memories and are painful. There was also, a little later, an event related to the bikers' war that traumatized the village of Saint-Nicholas, on the south shore, just



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outside Quebec City. There was a bunker, a hideout for criminals. When some bombs exploded, they damaged a youngster's room.

• (1800)

We are very glad to see that the minister has taken the issue of organized crime seriously. In Canada, it has become an industry. We are told that drug sales alone reached \$5 billion. During the weekend, at the Summit of the Americas, it was the president of Columbia, I think, who expressed the hope that we could help him deal with the drug problem in his country.

In February 1999, during a Commonwealth mission to Barbados, the justice minister told us that one of the biggest problems in his country was drug trafficking.

With \$5 billion in sales only in Canada, it has become a thriving business that causes a lot of problems. If we consider only the Hells Angels who were arrested recently, their drug sales generated \$100 million in profits. That is quite an amount of money, enough to realize that we need to deal with this problem.

The 1998 data released by the RCMP are troubling: 79 murders, 89 attempted murders, 129 cases of arson and 92 bombings, and that only includes offences committed during gang wars where bikers fight against each other. It does not include the people who were killed or forced to commit suicide, as is often now the case, because they could not pay back the money they owed. The RCMP's numbers for 1998 only cover the gang wars.

In 2001, "Printemps 2001"—spring is the time of year where everyone gets into a cleaning mode—allowed police forces to do some spring cleaning of their own: they arrested 160 criminals in 74 municipalities in Quebec.

Had the minister heeded what we have been telling her since we have been here, we would have had Bill C-24 long before 2001. Today, we would be reassured if the 160 people who were arrested could be judged under Bill C-24. We would be reassured about the end result of this spring cleaning exercise.

With the current act as it is—those who were arrested will have to be judged under the current act, not under the new one that is coming—how many of these 160 people will remain incarcerated? Out of 160, how many will be prosecuted with all the evidence and convicted? Two, three? Maybe ten if we are lucky.

However, if these people were to be judged under this bill, about 120 or 130 out of the 160 could be proven to be criminals and remain incarcerated.

As I was saying at the beginning of my speech, this bill responds to about 80% of the Bloc's wishes.

• (1805)

One thing is extremely interesting, and I refer to clause 5 of the bill, which amends section 2 of the act. It says that anyone who directs threats against a member of the Senate or the House of Commons is guilty of a serious offence. It then goes on to list other persons, including:

- (b) a person who plays a role in the administration of criminal justice, including
  - (i) a prosecutor, a lawyer—

When we look at the list of persons mentioned here, we cannot help thinking that it would have been nice to include our colleagues from the provincial legislatures and the Quebec National Assembly. It would have been interesting to see paragraph (a) read as follows: "a Member of the Senate, a Member of the House of Commons, a Member of a provincial legislature or a Member of the Quebec National Assembly". We must think about our colleagues who occupy the same position as we do, but at other levels of government.

It would also have been a good thing if that list had mentioned the members of municipal councils, individuals who occupy elective positions, who represent the people, who serve the public in their community, their county or their riding. These persons give their time for the collective good and are, all of them from the first to the last, worthy of being protected by the law.

I hope the necessary amendments will be implemented. I hope the minister will be sensitive to those comments and that she will also add a category which seems extremely important to me, that of journalists. We know that Mr. Auger was the first victim and I hope he will be the last. It might be appropriate to add a dissuasive measure specifically for journalists so that they are included in the category of threatened persons. If they were in that category, then the criminals attacking them would receive appropriate sentences and those persons could continue to work in peace.

One significant plus of this bill is that the minister has finally accepted to define gangsterism. In the bill she had passed in 1999, which initially amended the Criminal Code and provided a few more teeth to deal with organized crime groups, there was what is known as the rule of three fives, which provided that conviction required a group of five persons. That was the first five.

For the second five, the five individuals had to have had a police record during the last five years. They were to be arrested, and these five people with a police record in the previous five years had to have committed a crime serious enough for them to be charged under the Criminal Code and liable to five years or more of imprisonment, hence the rule of the three fives.

This time, the minister is going further. For the benefit of all of us, I think it is extremely important to refer exactly to the text to see what clause 27, which amends section 467.1 of the Criminal Code provides.

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• (1810)

It provides, and I quote:

“criminal organization” means a group, however organized, that is composed of three or more persons—

This is progress. From five to three. I continue:

—and that has as one of its main purposes or main activities the facilitation or commission—

There is one or other of the alternatives.

—of one or more serious offences that, if committed, would likely result in the direct or indirect receipt of a material benefit, including a financial benefit, by the group or by any of the persons who constitute the group. It does not include a group of persons that forms randomly for the immediate commission of a single offence.

So here they distinguish between the two. It does not mean three people, for example, who decide that to pay for their drugs, they will hold up the Caisse populaire at the corner. They have never seen one another or met, but the three of them know that, by chance, they all owe money to the same gang. They say “Tonight we will do a hold up”. That is not it. They have to be an organized gang.

So, if we continue reading this magnificent bill, we will see interesting things on prosecution. I quote:

467.11(2) In a prosecution for an offence under subsection (1)—

It is the offence I have just read. I will read it slowly enough so you will remember it:

—it is not necessary for the prosecutor to prove that—

This is interesting because, from the outset, it excludes certain things which do not have to be proved beyond a doubt.

- (a) the criminal organization actually facilitated or committed an indictable offence;
- (b) the participation or contribution of the accused actually enhanced the ability of the criminal organization to facilitate or commit an indictable offence;
- (c) the accused knew the specific nature of any indictable offence that may have been facilitated or committed by the criminal organization;

Here we have some extremely interesting elements that were introduced into the bill to facilitate the job of those who have to do so.

Now there is an interesting element. As I said at the beginning of my speech, we were 80% satisfied with this bill and 20% dissatisfied. Those might be considered good stats but there is still room for improvement.

My colleague from Berthier—Montcalm has asked a question of the hon. member who spoke just before I did, in connection with merely be a member of a criminal organization. Might steps not be taken to ensure that mere membership in a criminal organization is an offence in itself?

The reason we stressed the need for this so heavily was that we wanted to be able to get the gang leaders. They are the master-minds. They are the ones pulling the strings. They send out the new recruits to earn their colours by doing the dirty work for them.

• (1815)

I see the clock is moving on and there are still a lot of things I could say. This is an amendment we find extremely interesting. There is also the matter of reversal of the burden of proof in connection with the proceeds of crime, to which we shall return in committee and in subsequent debates.

In the short time I have left, I would like to say how important it is for the minister to proceed with this bill, to get it in force promptly, for the House not to be recessed before it is passed, and for her to ensure the funding is made available, the cash required to make it enforceable.

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, I would like to congratulate my colleague for Rimouski-Neigette-et-la-Mitis. She understands very well the problem with this bill.

She ended her remarks talking about “cash”—

**Hon. Pierre Pettigrew:** L’argent comptant.

**Mr. Michel Bellehumeur:** If I were the minister, I would mind my own business—free trade—instead of correcting me. I believe he has his hands full.

Moreover, since he is a Quebec minister, I would like him to speak up for Quebec once in a while instead of coming to the rescue of his prime minister.

**Hon. Pierre Pettigrew:** I do day in and day out.

**Mr. Michel Bellehumeur:** As I was saying, it is all very nice to introduce a bill, but we need cash to implement it. We need to put money on the table so that enforcement officers will have what it takes to do the job.

The minister is forecasting \$200 million over five years. In my mind, it means \$40 million a year. This is not enough to put in place such an act, when we know that one investigation alone, such as Opération Printemps 2001, the big cleanup operation my colleague referred to, will cost close to that in Quebec alone, that is to say around \$20 million. If we add the cost of building a prison, a court and all the other measures, we will need \$40 million for this much needed operation.

Does the member agree with me that the minister should invest at least five times this amount over five years, at least \$200 million a year, to successfully fight organized crime?

**Mrs. Suzanne Tremblay:** Mr. Speaker, this is a very interesting and important issue. I thought I would have time to discuss it during my speech, but I am glad to be asked about it.

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It must be realized that it takes money to conduct investigations and to be fully prepared to make arrests. This implies, among other things, electronic surveillance. We may also have to pay informants, something which is costly. The police may have to conduct investigations and shadow people. All sorts of very important things are necessary to conduct investigations effectively and the costs are in the millions of dollars.

Sometimes, as will be the case in Montreal with the trial, a special courthouse must be built.

There are also attorneys who are not very pleased. They feel that they are underpaid and if we want them to continue to do a good job, we will have to put more money into this.

The police is no longer present in Canada's ports and harbours, but containers full of goods keep entering the ports of Montreal and Quebec City. It seems that all sorts of things can be found in these containers. The same goes for Vancouver.

It is very important to realize that the government must be logical and consistent. Canada is a very large country and we have the longest boundary. The St. Lawrence River, the gulf and the estuary are used to smuggle all sorts of things. The government talks about investing \$200 million in this, but it also wants to eliminate jobs in the RCMP and so on. The government will have to sit down, be reasonable and consistent and allocate the necessary budgets. The amount of \$200 million per year seems a minimum.

**Mr. Robert Lanctôt (Châteauguay, BQ):** Mr. Speaker, I congratulate the hon. member for her speech in this debate.

A very important issue has been raised. The hon. member is saying that we must act quickly with this bill, so that it will be passed and become law. I agree with my colleague.

• (1820)

It is said that 80% of the bill is the result of previous discussions or proposals generated by the Bloc Québécois. There is 20% missing. Could that 20% be dealt with quickly, through amendments in committee? What would be a reasonable timeframe for this bill becoming law?

**Mrs. Suzanne Tremblay:** Mr. Speaker, I think the Bloc Québécois is willing to do everything it can so this bill can be read the third time and passed in June. We are willing to put in the necessary time and effort. We have a few amendments to propose to the committee. We think it is extremely important.

The minister will have to be reasonable and to take into account the fact that the rules for proposing amendments have been considerably changed. That means that the work of the committee will have to be taken seriously, that the amendments proposed there will have to be looked at closely. It may not be possible. My colleague from Richmond—Arthabaska raised the charter issue. If

there is a problem in that regard, we should take the time to examine it and to ensure that it can be overcome.

But I am certainly not forgetting, for example, that the government did not hesitate, during consideration of the bill on employment insurance—it is the current Minister for International Trade who was at human resources development when these amendments were passed—to impose special EI eligibility requirements for young people and for pregnant women, who have to work respectively 910 and 700 hours. It is now down to 600 to qualify, compared to 420 hours for a regular worker who is not young or pregnant. Therefore, if the government can discriminate against women and young people, maybe it can forget about the charter and discriminate a little less.

In the case of criminals, we certainly have to be careful, but I think we must not allow people to invoke the charter too easily either.

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, I have one final question for the member for Rimouski—Neigette-et-la Mitis.

As I said this morning, the minister did not have a lot to say in that because, barely three weeks before she introduced the bill at first reading, I asked her questions in the House and she said that the criminal code contained all the provisions necessary to wage an effective battle against organized crime, when we knew that the department was in the process of drafting a bill. What departmental officials included in the bill concerns immunity for certain actions by the police.

This is somewhat the same question I asked my colleague earlier. Under this bill, the police will be able to commit offences such as selling and buying drugs in order to win the acceptance of a criminalized group. This is dangerous, and I think that everyone would agree. There is some protection, but it takes the form of an agreement, of authorization from the Solicitor General of Canada.

My question to the minister—

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

**Mr. Michel Bellehumeur:** —to the member. She could very well be a minister, and she would probably be much more competent than those opposite.

Does my colleague agree with me that it is dangerous to leave this up to the solicitor general? Should this not be the responsibility of an appointed judge, who enforces the law on a daily basis, who knows how things work in these cases, just as he has responsibility for authorizing wiretaps or certain seizures? Would she not agree that it would be preferable for a judge to authorize such actions, which would otherwise be illegal?

**Mrs. Suzanne Tremblay:** Mr. Speaker, I think it is extremely important that this decision be left to a judge only because, to

become a minister, whether it is the solicitor general or another minister of the crown, one does not need to produce a resume and to have studied in the area one will have to manage.

We could end up with someone who is not quite familiar with the law. I believe it is extremely important that the solicitor general not be caught in such a situation. As the hon. member for Richmond—Arthabaska so rightly pointed out, every time we put questions to the solicitor general in this House, he was unable to provide us with answers. The same can be said of the revenue minister.

● (1825)

In fact, I wonder why these two people are ministers. They can never answer our questions because everything must be kept secret, everything is confidential, and they have nothing to say. They can never tell us anything.

I think it would be better for the decision to grant immunity to be handed down by a judge.

**Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ):** Mr. Speaker, I am delighted to take part in this debate, an important debate.

Why is it important? Bill C-24 amends the Criminal Code and related laws, specifically to clarify a major social problem.

The Bloc Québécois, long before this bill, wanted to do battle. My colleague from Berthier—Montcalm naturally headed this battle. He spearheaded this important bill, which he could have tabled, but which the government tabled.

This bill could very easily have been tabled by a member of this party, the Bloc Québécois, because for many years the Bloc Québécois has called for a vigorous law, tighter legislation, to limit and reduce crime, and criminal gangs in Canada.

My colleague from Berthier—Montcalm was not the only one. I recall very clearly from an event in the Montreal riding of Hochelaga—Maisonnette that my colleague who represents that riding introduced a motion under private members' business and initiated this debate in this House to ensure that the government was taking the necessary steps to establish legislation to fight organized crime.

What is being tabled today concerns basically six elements, six legislative means to fight organized crime. One concerns the question of participation in a criminal organization, which becomes an offence under the bill.

Another is the whole issue of protection given to persons participating in the legal system against certain acts of intimidation.

The third aspect is the simplified definition of criminal organizations. This is essential, essential because we wanted to see a clear

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definition of what a criminal organization, what a gang, is. Right at the start of the bill, in clause 1, in the explanatory notes, the definition is clear:

—“gang”. Group or association or other body consisting of five or more persons, whether formally or informally organized,

(a) having as one of its primary activities the commission of an indictable offence under this or any other Act of Parliament for which the maximum punishment is imprisonment for five years or more;

(b) any or all of the members of which engage in or have, within the preceding five years, engaged in the commission of a series of such offences;

This bill provides clarification of what a criminal organization is, because we feel that the current legislation—not the bill we are looking at today but the present legislation—is in my opinion complex and to some extent provides organized groups with loopholes about which we as parliamentarians have a duty to do something.

The other aspect addressed by this bill is the whole matter of seizure and forfeiture of the proceeds of crime.

There is also the matter of protection for those mandated to monitor application of the legislation, what is termed immunity.

Lastly, there is the matter of non legislative measures, the budget in particular.

● (1830)

I will close on this point. It is not merely a matter of equipping ourselves with legislation. We also need the financial means to be able to enforce it. We are waiting for a budget that will allow us to meet the challenge.

\* \* \*

### CANADA ELECTIONS ACT

The House resumed from April 5 consideration of Bill C-9, an act to amend the Canada Elections Act and the Electoral Boundaries Readjustment Act, as reported (without amendment) from the committee.

**The Acting Speaker (Mr. Bélair):** It being 6.30 p.m., the House will now proceed to the taking of the deferred recorded divisions at report stage of Bill C-9.

Call in the members.

● (1850)

*Before the taking of the vote:*

**The Deputy Speaker:** The first question is on Motion No. 1.

● (1900)

(The House divided on Motion No. 1, which was negated on the following division:)



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## (Division No. 70)

## YEAS

## Members

Abbott	Ablonczy
Anders	Anderson (Cypress Hills—Grasslands)
Asselin	Bachand (Saint-Jean)
Bailey	Bellehumeur
Benoit	Bigras
Blaikie	Bourgeois
Breitkreuz	Brien
Burton	Cadman
Chatters	Comartin
Cummins	Dubé
Duncan	Epp
Fitzpatrick	Forseth
Fournier	Gagnon (Québec)
Gallant	Gauthier
Godin	Goldring
Gouk	Grewal
Grey (Edmonton North)	Guimond
Harris	Hill (Macleod)
Hill (Prince George—Peace River)	Hinton
Jaffer	Johnston
Kenney (Calgary Southeast)	Laframboise
Lancôt	Lill
Loubier	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	Mark
Martin (Winnipeg Centre)	Mayfield
McDonough	McNally
Meredith	Merrifield
Mills (Red Deer)	Moore
Nystrom	Obhrai
Pallister	Pankiw
Paquette	Penson
Peschisolido	Picard (Drummond)
Plamondon	Proctor
Reid (Lanark—Carleton)	Reynolds
Ritz	Robinson
Schmidt	Solberg
Sorenson	Stinson
Stoffer	Strahl
Thompson (Wild Rose)	Toews
Tremblay (Rimouski-Neigette-et-la Mitis)	Vellacott
Venne	Wasylcia-Leis
Williams	Yelich—84

## NAYS

## Members

Alcock	Allard
Anderson (Victoria)	Assad
Assadourian	Augustine
Bachand (Richmond—Arthabaska)	Bagnell
Bakopanos	Barnes
Beaumier	Bélair
Bélangier	Bellemare
Bennett	Bertrand
Bevilacqua	Binet
Blondin-Andrew	Bonin
Bonwick	Borotsik
Boudria	Bradshaw
Brown	Byrne
Calder	Caplan
Carignan	Carroll
Castonguay	Catterall
Cauchon	Chamberlain
Charbonneau	Coderre
Collenette	Comuzzi
Copps	Cotler
Cuzner	DeVillers
Dhaliwal	Dion
Doyle	Duhamel
Duplain	Easter

Eggleton	Eyking
Farrah	Fry
Gagliano	Galloway
Godfrey	Goodale
Graham	Gray (Windsor West)
Grose	Guarnieri
Harvard	Harvey
Hearn	Hubbard
Ianno	Jackson
Jordan	Keddy (South Shore)
Keys	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Laliberte	Lastewka
LeBlanc	Lee
Leung	Longfield
MacAulay	MacKay (Pictou—Antigonish—Guysborough)
Macklin	Mahoney
Malhi	Maloney
Marcil	Marleau
Martin (LaSalle—Émard)	McCallum
McCormick	McGuire
McKay (Scarborough East)	McLellan
McTeague	Minna
Mitchell	Murphy
Myers	Nault
Neville	O'Brien (London—Fanshawe)
O'Reilly	Owen
Pagtakhan	Paradis
Parrish	Patry
Peric	Pettigrew
Phinney	Pickard (Chatham—Kent Essex)
Pratt	Price
Proulx	Redman
Reed (Halton)	Regan
Richardson	Robillard
Rock	Saada
Scherrer	Scott
Serré	Sgro
Shepherd	Speller
St. Denis	St-Jacques
St-Julien	Steckle
Stewart	Szabo
Telegdi	Thibault (West Nova)
Thibeault (Saint-Lambert)	Thompson (New Brunswick Southwest)
Tirabassi	Tonks
Torsney	Ur
Valeri	Vanclief
Volpe	Wappel
Whelan	Wilfert
Wood—147	

## PAIRED MEMBERS

Bergeron	Bryden
Bulte	Caccia
Cardin	Crête
Cullen	Dalphon-D-Guiral
Desrochers	Drouin
Duceppe	Folco
Fontana	Gagnon (Champlain)
Girard-Bujold	Guay
Harb	Jennings
Karetak-Lindell	Lalonde
Manley	Matthews
Ménard	Normand
O'Brien (Labrador)	Perron
Peterson	Rocheleau
Roy	Sauvageau
Savoy	St-Hilaire
Tobin	Tremblay (Lac-Saint-Jean—Saguenay)

*Government Orders*

**The Deputy Speaker:** I declare Motion No. 1 lost.

[*English*]

**Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.)** moved that the bill be concurred in.

**Ms. Marlene Catterall:** Mr. Speaker, I think if you were to ask you would find consent that those who voted on the previous motion be recorded as voting on the motion voted before the House, with Liberal members voting yes.

**The Deputy Speaker:** Does the House agree to proceed accordingly?

**Some hon. members:** Agreed.

**Mr. John Reynolds:** Mr. Speaker, Canadian Alliance members present will vote no.

[*Translation*]

**Mr. Michel Guimond:** Mr. Speaker, Bloc Québécois members vote yes on this motion.

**Mr. Yvon Godin:** Mr. Speaker, members of the New Democratic Party vote yes to this motion.

[*English*]

**Mr. Rick Borotsik:** Mr. Speaker, members of the Progressive Conservative Party vote yes to this motion.

**Mr. Peter Adams:** Mr. Speaker, I rise on a point of order. I am voting with the government on this and future votes.

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

*(Division No. 71)***YEAS**

## Members

Adams	Alcock
Allard	Anderson (Victoria)
Assad	Assadourian
Asselin	Augustine
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Bagnell	Bakopanos
Barnes	Beaumier
Bélair	Bélanger
Bellehumeur	Bellemare
Bennett	Bertrand
Bevilacqua	Bigras
Binet	Blaikie
Blondin-Andrew	Bonin
Bonwick	Borotsik
Boudria	Bourgeois
Bradshaw	Brien
Brown	Byrne
Calder	Caplan
Carignan	Carroll
Castonguay	Catterall
Cauchon	Chamberlain
Charbonneau	Coderre
Collenette	Comartin
Comuzzi	Copps
Cotler	Cuzner
DeVillers	Dhaliwal
Dion	Doyle
Dubé	Duhamel
Duplain	Easter
Eggleton	Eyking
Farrar	Fournier
Fry	Gagliano
Gagnon (Québec)	Galloway
Gauthier	Godfrey

Godin	Goodale
Graham	Gray (Windsor West)
Grose	Guarnieri
Guimond	Harvard
Harvey	Hearn
Hubbard	Ianno
Jackson	Jordan
Keddy (South Shore)	Keyes
Kilgour (Edmonton Southeast)	Knutson
Kraft Sloan	Laframboise
Laliberte	Lanctôt
Lastewka	LeBlanc
Lee	Leung
Lill	Longfield
Loubier	MacAulay
MacKay (Pictou—Antigonish—Guysborough)	Macklin
Mahoney	Malhi
Maloney	Marcil
Marleau	Martin (LaSalle—Émard)
Martin (Winnipeg Centre)	McCallum
McCormick	McDonough
McGuire	McKay (Scarborough East)
McLellan	McTeague
Minna	Mitchell
Murphy	Myers
Nault	Neville
Nystrom	O'Brien (London—Fanshawe)
O'Reilly	Owen
Pagtakhan	Paquette
Paradis	Parrish
Patry	Peric
Pettigrew	Phinney
Picard (Drummond)	Pickard (Chatham—Kent Essex)
Plamondon	Pratt
Price	Proctor
Proulx	Redman
Reed (Halton)	Regan
Richardson	Robillard
Robinson	Rock
Saada	Scherrer
Scott	Serré
Sgro	Shepherd
Speller	St. Denis
St-Jacques	St-Julien
Steckle	Stewart
Stoffer	Szabo
Telegdi	Thibault (West Nova)
Thibeault (Saint-Lambert)	Thompson (New Brunswick Southwest)
Tirabassi	Tonks
Torsney	Tremblay (Rimouski-Neigette-et-la Mitis)
Ur	Valeri
Vanclief	Venne
Volpe	Wappel
Wasylcyia-Leis	Whelan
Wilfert	Wood—178

**NAYS**

## Members

Abbott	Ablonczy
Anders	Anderson (Cypress Hills—Grasslands)
Bailey	Benoit
Breitkreuz	Burton
Cadman	Chatters
Cummins	Duncan
Epp	Fitzpatrick
Forseth	Gallant
Goldring	Gouk
Grewal	Grey (Edmonton North)
Harris	Hill (Macleod)
Hill (Prince George—Peace River)	Hinton
Jaffer	Johnston
Kenney (Calgary Southeast)	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	Mark
Mayfield	McNally
Meredith	Merrifield

*Government Orders*

Mills (Red Deer)  
Obhrai  
Pankiw  
Peschisolido  
Reynolds  
Schmidt  
Sorenson  
Strahl  
Toews  
Williams

Moore  
Pallister  
Penson  
Reid (Lanark—Carleton)  
Ritz  
Solberg  
Stinson  
Thompson (Wild Rose)  
Vellacott  
Yelich—54

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

(Division No. 72)

## PAIRED MEMBERS

Bergeron	Bryden
Bulte	Caccia
Cardin	Crête
Cullen	Dalphond-Guiral
Desrochiers	Drouin
Duceppe	Folco
Fontana	Gagnon (Champlain)
Girard-Bujold	Guay
Harb	Jennings
Karetak-Lindell	Lalonde
Manley	Matthews
Ménard	Normand
O'Brien (Labrador)	Perron
Peterson	Rocheleau
Roy	Sauvageau
Savoy	St-Hilaire
Tobin	Tremblay (Lac-Saint-Jean—Saguenay)

**The Deputy Speaker:** I declare the motion carried.

\* \* \*

## BUDGET IMPLEMENTATION ACT

The House resumed from April 5 consideration of the motion that Bill C-17, an act to amend the Budget Implementation Act, 1997 and the Financial Administration Act, be read the second time and referred to a committee.

**The Deputy Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at the second reading stage of Bill C-17.

**Ms. Marlene Catterall:** Mr. Speaker, I think you would find consent that the members who voted on the previous motion be recorded as voting on the motion now before the House, with Liberal members voting yes.

**Mr. John Reynolds:** Mr. Speaker, Canadian Alliance members present vote no.

[Translation]

**Mr. Michel Guimond:** Mr. Speaker, Bloc Québécois members vote no on this motion.

[English]

**Mr. Yvon Godin:** Mr. Speaker, members of the NDP vote no to this motion.

[Translation]

**Mr. Rick Borotsik:** Mr. Speaker, members of the Progressive Conservative Party vote no on this motion.

## YEAS

Members

Adams	Alcock
Allard	Anderson (Victoria)
Assad	Assadourian
Augustine	Bagnell
Bakopanos	Barnes
Beaumier	Bélair
Bélangier	Bellemare
Bennett	Bertrand
Bevilacqua	Binet
Blondin-Andrew	Bonin
Bonwick	Boudria
Bradshaw	Brown
Byrne	Calder
Caplan	Carignan
Carroll	Castonguay
Catterall	Cauchon
Chamberlain	Charbonneau
Coderre	Collenette
Comuzzi	Copps
Cotler	Cuzner
DeVillers	Dhaliwal
Dion	Duhamel
Duplain	Easter
Eggleton	Eyking
Farrah	Fry
Gagliano	Galloway
Godfrey	Goodale
Graham	Gray (Windsor West)
Grose	Guarnieri
Harvard	Harvey
Hubbard	Ianno
Jackson	Jordan
Keyes	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Laliberte	Lastewka
LeBlanc	Lee
Leung	Longfield
MacAulay	Macklin
Mahoney	Malhi
Maloney	Marcil
Marleau	Martin (LaSalle—Émard)
McCallum	McCormick
McGuire	McKay (Scarborough East)
McLellan	McTeague
Minna	Mitchell
Murphy	Myers
Nault	Neville
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pagtakhan
Paradis	Parrish
Patry	Peric
Pettigrew	Phinney
Pickard (Chatham—Kent Essex)	Pratt
Price	Proulx
Redman	Reed (Halton)
Regan	Richardson
Robillard	Rock
Saada	Scherrer
Scott	Serré
Sgro	Shepherd
Speller	St. Denis
St-Jacques	St-Julien
Steckle	Stewart
Szabo	Telegdi
Thibault (West Nova)	Thibeault (Saint-Lambert)
Tirabassi	Tonks
Torsney	Ur
Valeri	Vanclief
Volpe	Wappel
Whelan	Wilfert
Wood—141	

*Government Orders*

**NAYS**

Members

Abbott	Ablonczy
Anders	Anderson (Cypress Hills—Grasslands)
Asselin	Bachand (Richmond—Arthabaska)
Bachand (Saint-Jean)	Bailey
Bellehumeur	Benoit
Bigras	Blaikie
Borotsik	Bourgeois
Breitkreuz	Brien
Burton	Cadman
Chatters	Comartin
Cummins	Doyle
Dubé	Duncan
Epp	Fitzpatrick
Forseth	Fournier
Gagnon (Québec)	Gallant
Gauthier	Godin
Goldring	Gouk
Grewal	Grey (Edmonton North)
Guimond	Harris
Hearn	Hill (Macleod)
Hill (Prince George—Peace River)	Hinton
Jaffer	Johnston
Keddy (South Shore)	Kenney (Calgary Southeast)
Laframboise	Lancôt
Lill	Loubier
Lunn (Saanich—Gulf Islands)	Lunney (Nanaimo—Alberni)
MacKay (Pictou—Antigonish—Guysborough)	Mark
Martin (Winnipeg Centre)	Mayfield
McDonough	McNally
Meredith	Merrifield
Mills (Red Deer)	Moore
Nystrom	Obhrai
Pallister	Pankiw
Paquette	Penson
Peschisolido	Picard (Drummond)
Plamondon	Proctor
Reid (Lanark—Carleton)	Reynolds
Ritz	Robinson
Schmidt	Solberg
Sorenson	Stinson
Stoffer	Strahl
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Toews	Tremblay (Rimouski-Neigette-et-la Mitis)
Vellacott	Venne
Wasylcia-Leis	Williams
Yelich—91	

**PAIRED MEMBERS**

Bergeron	Bryden
Bulte	Caccia
Cardin	Crête
Cullen	Dalphond-Guiral
Desrochers	Drouin
Duceppe	Folco
Fontana	Gagnon (Champlain)
Girard-Bujold	Guay
Harb	Jennings
Karetak-Lindell	Lalonde
Manley	Matthews
Ménard	Normand
O'Brien (Labrador)	Perron
Peterson	Rocheleau
Roy	Sauvageau
Savoy	St-Hilaire
Tobin	Tremblay (Lac-Saint-Jean—Saguenay)

**The Deputy Speaker:** I declare the motion carried. Consequently, the bill is referred to the Standing Committee on Finance.

(Bill read the second time and referred to a committee)

\* \* \*

[English]

**INCOME TAX ACT**

The House resumed from April 5 consideration of the motion that Bill C-22, an act to amend the Income Tax Act, the Income Tax Application Rules, certain acts related to the Income Tax Act, the Modernization of Benefits and Obligations Act and another act related to the Excise Tax Act, be read the second time and referred to a committee.

**The Deputy Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at the second reading stage of Bill C-22.

• (1905)

**Ms. Marlene Catterall:** Mr. Speaker, I think you would find consent to apply the vote just taken on Bill C-17 to Bill C-22 and to Bill C-4.

**The Deputy Speaker:** Does the House give its consent?

**Some hon. members:** Agreed.

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

(Division No. 73)

**YEAS**

Members

Adams	Alcock
Allard	Anderson (Victoria)
Assad	Assadourian
Augustine	Bagnell
Bakopanos	Barnes
Beaumier	Bélar
Bélangier	Bellemare
Bennett	Bertrand
Bevilacqua	Binet
Blondin-Andrew	Bonin
Bonwick	Boudria
Bradshaw	Brown
Byrne	Calder
Caplan	Carignan
Carroll	Castonguay
Catterall	Cauchon
Chamberlain	Charbonneau
Coderre	Collette
Comuzzi	Copps
Cotler	Cuzner
DeVillers	Dhaliwal
Dion	Duhamel
Duplain	Easter
Eggleton	Eyking
Farrah	Fry
Gagliano	Galloway
Godfrey	Goodale
Graham	Gray (Windsor West)
Grose	Guarnieri
Harvard	Harvey
Hubbard	Ianno
Jackson	Jordan
Keyes	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Laliberte	Lastewka
LeBlanc	Lee



*Government Orders*

Leung	Longfield
MacAulay	Macklin
Mahoney	Malhi
Maloney	Marcil
Marleau	Martin (LaSalle—Émard)
McCallum	McCormick
McGuire	McKay (Scarborough East)
McLellan	McTeague
Minna	Mitchell
Murphy	Myers
Nault	Neville
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pagtakhan
Paradis	Parrish
Patry	Peric
Pettigrew	Phinney
Pickard (Chatham—Kent Essex)	Pratt
Price	Proulx
Redman	Reed (Halton)
Regan	Richardson
Robillard	Rock
Saada	Scherrer
Scott	Serré
Sgro	Shepherd
Speller	St. Denis
St-Jacques	St-Julien
Steckle	Stewart
Szabo	Telegdi
Thibault (West Nova)	Thibeault (Saint-Lambert)
Tirabassi	Tonks
Torsney	Ur
Valeri	Vanclief
Volpe	Wappel
Whelan	Wilfert
Wood—141	

Stoffer	Strahl
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Toews	Tremblay (Rimouski-Neigette-et-la Mitis)
Vellacott	Venne
Wasylcia-Leis	Williams
Yelich—91	

## PAIRED MEMBERS

Bergeron	Bryden
Bulte	Caccia
Cardin	Crête
Cullen	Dalphond-Guiral
Desrochers	Drouin
Duceppe	Folco
Fontana	Gagnon (Champlain)
Girard-Bujold	Guay
Harb	Jennings
Karetak-Lindell	Lalonde
Manley	Matthews
Ménard	Normand
O'Brien (Labrador)	Perron
Peterson	Rocheleau
Roy	Sauvageau
Savoy	St-Hilaire
Tobin	Tremblay (Lac-Saint-Jean—Saguenay)

**The Deputy Speaker:** I declare the motion carried.

(Bill read the second time and referred to a committee)

\* \* \*

## NAYS

## Members

Abbott	Ablonczy
Anders	Anderson (Cypress Hills—Grasslands)
Asselin	Bachand (Richmond—Arthabaska)
Bachand (Saint-Jean)	Bailey
Bellehumeur	Benoit
Bigras	Blaikie
Borotsik	Bourgeois
Breitkreuz	Brien
Burton	Cadman
Chatters	Comartin
Cummins	Doyle
Dubé	Duncan
Epp	Fitzpatrick
Forseth	Fournier
Gagnon (Québec)	Gallant
Gauthier	Godin
Goldring	Gouk
Grewal	Grey (Edmonton North)
Guimond	Harris
Hearn	Hill (MacLeod)
Hill (Prince George—Peace River)	Hinton
Jaffer	Johnston
Keddy (South Shore)	Kenney (Calgary Southeast)
Laframboise	Lanctôt
Lill	Loubier
Lunn (Saanich—Gulf Islands)	Lunney (Nanaimo—Alberni)
MacKay (Pictou—Antigonish—Guysborough)	Mark
Martin (Winnipeg Centre)	Mayfield
McDonough	McNally
Meredith	Merrifield
Mills (Red Deer)	Moore
Nystrom	Obhrai
Pallister	Pankiw
Paquette	Penson
Peschisolido	Picard (Drummond)
Plamondon	Proctor
Reid (Lanark—Carleton)	Reynolds
Ritz	Robinson
Schmidt	Solberg
Sorenson	Stinson

## CANADA FOUNDATION FOR SUSTAINABLE DEVELOPMENT TECHNOLOGY ACT

The House resumed consideration of the motion that Bill C-4, an act to establish a foundation to fund sustainable development technology, be read the third time and passed.

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

(Division No. 77)

## YEAS

## Members

Adams	Alcock
Allard	Anderson (Victoria)
Assad	Assadourian
Augustine	Bagnell
Bakopanos	Barnes
Beaumier	Bélair
Bélangier	Bellemare
Bennett	Bertrand
Bevilacqua	Binet
Blondin-Andrew	Bonin
Bonwick	Boudria
Bradshaw	Brown
Byrne	Calder
Caplan	Carignan
Carroll	Castonguay
Catterall	Cauchon
Chamberlain	Charbonneau
Coderre	Collenette
Comuzzi	Copps
Cotler	Cuzner
DeVillers	Dhaliwal
Dion	Duhamel
Duplain	Easter
Eggleton	Eyking
Farrah	Fry
Gagliano	Galloway
Godfrey	Goodale

Graham  
Grose  
Harvard  
Hubbard  
Jackson  
Keys  
Knutson  
Laliberte  
LeBlanc  
Leung  
MacAulay  
Mahoney  
Maloney  
Marleau  
McCallum  
McGuire  
McLellan  
Minna  
Murphy  
Nault  
O'Brien (London—Fanshawe)  
Owen  
Paradis  
Praty  
Pettigrew  
Pickard (Chatham—Kent Essex)  
Price  
Redman  
Regan  
Robillard  
Saada  
Scott  
Sgro  
Speller  
St-Jacques  
Steckle  
Szabo  
Thibault (West Nova)  
Tirabassi  
Torsney  
Valeri  
Volpe  
Whelan  
Wood—141

Gray (Windsor West)  
Guarnieri  
Harvey  
Ianno  
Jordan  
Kilgour (Edmonton Southeast)  
Kraft Sloan  
Lastewka  
Lee  
Longfield  
Macklin  
Malhi  
Marcil  
Martin (LaSalle—Émard)  
McCormick  
McKay (Scarborough East)  
McTeague  
Mitchell  
Myers  
Neville  
O'Reilly  
Pagtakhan  
Parrish  
Peric  
Phinney  
Pratt  
Proulx  
Reed (Halton)  
Richardson  
Rock  
Scherrer  
Serré  
Shepherd  
St. Denis  
St-Julien  
Stewart  
Telegdi  
Thibeault (Saint-Lambert)  
Tonks  
Ur  
Vanclief  
Wappel  
Wilfert

Mills (Red Deer)  
Nyström  
Pallister  
Paquette  
Peschisolido  
Plamondon  
Reid (Lanark—Carleton)  
Ritz  
Schmidt  
Sorenson  
Stoffer  
Thompson (New Brunswick Southwest)  
Toews  
Vellacott  
Wasylcyia-Leis  
Yelich—91

Moore  
Obhrai  
Pankiw  
Penson  
Picard (Drummond)  
Proctor  
Reynolds  
Robinson  
Solberg  
Stinson  
Strahl  
Thompson (Wild Rose)  
Tremblay (Rimouski-Neigette-et-la Mitis)  
Venne  
Williams

*Private Members' Business*

PAIRED MEMBERS

Bergeron  
Bulte  
Cardin  
Cullen  
Desrochers  
Duceppe  
Fontana  
Girard-Bujold  
Harb  
Karetak-Lindell  
Manley  
Ménard  
O'Brien (Labrador)  
Peterson  
Roy  
Savoy  
Tobin

Bryden  
Caccia  
Crête  
Dalphond-Guiral  
Drouin  
Folco  
Gagnon (Champlain)  
Guay  
Jennings  
Lalonde  
Matthews  
Normand  
Perron  
Rocheleau  
Sauvageau  
St-Hilaire  
Tremblay (Lac-Saint-Jean—Saguenay)

**The Deputy Speaker:** I declare the motion carried.

(Bill read the third time and passed)

**PRIVATE MEMBERS' BUSINESS**

[*Translation*]

**ALCOHOLIC BEVERAGE LABELLING**

The House resumed from April 5 consideration of the motion.

**The Deputy Speaker:** The House will now proceed to the taking of the deferred recorded division on Motion No. 155, under private members' business.

• (1915)

[*English*]

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

(*Division No. 74*)

**YEAS**

Members

Abbott  
Adams  
Allard  
Anderson (Victoria)  
Assadourian  
Augustine  
Bachand (Saint-Jean)  
Bailey

Ablonczy  
Alcock  
Anderson (Cypress Hills—Grasslands)  
Assad  
Asselin  
Bachand (Richmond—Arthabaska)  
Bagnell  
Bakopanos

**NAYS**

Members

Abbott  
Anders  
Asselin  
Bachand (Saint-Jean)  
Bellehumeur  
Bigras  
Borotsik  
Breitkreuz  
Burton  
Chatters  
Cummins  
Dubé  
Epp  
Forseth  
Gagnon (Québec)  
Gauthier  
Goldring  
Grewal  
Guimond  
Hearn  
Hill (Prince George—Peace River)  
Jaffer  
Keddy (South Shore)  
Laframboise  
Lill  
Lunn (Saanich—Gulf Islands)  
MacKay (Pictou—Antigonish—Guysborough)  
Martin (Winnipeg Centre)  
McDonough  
Meredith

Ablonczy  
Anderson (Cypress Hills—Grasslands)  
Bachand (Richmond—Arthabaska)  
Bailey  
Benoit  
Blaikie  
Bourgeois  
Brien  
Cadman  
Comartin  
Doyle  
Duncan  
Fitzpatrick  
Fournier  
Gallant  
Godin  
Gouk  
Grey (Edmonton North)  
Harris  
Hill (Macleod)  
Hinton  
Johnston  
Kenney (Calgary Southeast)  
Lancôt  
Loubier  
Lunney (Nanaimo—Alberni)  
Mark  
Mayfield  
McNally  
Merrifield

*Private Members' Business*

Beaumier	Bélaire
Bélangier	Bellehumeur
Bellemare	Bennett
Benoit	Bertrand
Bevilacqua	Bigras
Binet	Blaikie
Blondin-Andrew	Bonin
Bonwick	Borotsik
Boudria	Bourgeois
Bradshaw	Breitkreuz
Brien	Brown
Burton	Byrne
Cadman	Calder
Caplan	Carignan
Carroll	Castonguay
Catterall	Cauchon
Charbonneau	Chatters
Coderre	Collenette
Comartin	Comuzzi
Copps	Cotler
Cummins	Cuzner
Dhaliwal	Dion
Doyle	Dubé
Duhamel	Duncan
Duplain	Eggleton
Epp	Eyking
Farrar	Fitzpatrick
Forsyth	Fournier
Fry	Gagliano
Gagnon (Québec)	Gauthier
Godfrey	Godin
Goldring	Goodale
Gouk	Graham
Gray (Windsor West)	Grewal
Grey (Edmonton North)	Grose
Guarnieri	Guimond
Harris	Harvard
Harvey	Hearn
Hill (MacLeod)	Hill (Prince George—Peace River)
Hinton	Hubbard
Ianno	Jackson
Johnston	Jordan
Keddy (South Shore)	Kenney (Calgary Southeast)
Kilgour (Edmonton Southeast)	Knudson
Kraft Sloan	Laframboise
Laliberte	Lancôt
Lastewka	LeBlanc
Lee	Leung
Lill	Longfield
Loubier	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacAulay
MacKay (Pictou—Antigonish—Guysborough)	Macklin
Mahoney	Malhi
Maloney	Marci
Mark	Marleau
Martin (LaSalle—Émard)	Martin (Winnipeg Centre)
Mayfield	McCallum
McCormick	McDonough
McGuire	McKay (Scarborough East)
McLellan	McNally
McTeague	Meredith
Merrifield	Mills (Red Deer)
Minna	Mitchell
Moore	Murphy
Myers	Nault
Neville	Nystrom
O'Brien (London—Fanshawe)	O'Reilly
Obhrai	Owen
Pagtakhan	Pallister
Pankiw	Paquette
Parrish	Patry
Penson	Peric
Peschisolido	Pettigrew
Phinney	Picard (Drummond)
Pickard (Chatham—Kent Essex)	Plamondon
Pratt	Price
Proctor	Proulx
Redman	Regan
Reynolds	Ritz
Robillard	Robinson

Rock  
Scherrer  
Scott  
Sgro  
Solberg  
Speller  
St-Jacques  
Steckle  
Stinson  
Strahl  
Telegdi  
Thibeault (Saint-Lambert)  
Thompson (Wild Rose)  
Toews  
Torsney  
Ur  
Vanclief  
Volpe  
Wasylcia-Leis  
Williams  
Yelich —217

Saada  
Schmidt  
Serré  
Shepherd  
Sorenson  
St. Denis  
St-Julien  
Stewart  
Stoffer  
Szabo  
Thibault (West Nova)  
Thompson (New Brunswick Southwest)  
Tirabassi  
Tonks  
Tremblay (Rimouski-Neigette-et-la Mitis)  
Valeri  
Vellacott  
Wappel  
Wilfert  
Wood

## NAYS

## Members

Anders  
DeVillers  
Gallant  
Jaffer  
Reed (Halton)  
Whelan—11

Chamberlain  
Easter  
Gallaway  
Keyes  
Venne

## PAIRED MEMBERS

Bergeron  
Bulte  
Cardin  
Cullen  
Desrochers  
Duceppe  
Fontana  
Girard-Bujold  
Harb  
Karetak-Lindell  
Manley  
Ménard  
O'Brien (Labrador)  
Peterson  
Roy  
Savoy  
Tobin

Bryden  
Caccia  
Crête  
Dalphond-Guiral  
Drouin  
Folco  
Gagnon (Champlain)  
Guay  
Jennings  
Lalonde  
Mathews  
Normand  
Perron  
Rocheleau  
Sauvageau  
St-Hilaire  
Tremblay (Lac-Saint-Jean—Saguenay)

**The Deputy Speaker:** I declare the motion carried.

\* \* \*

[Translation]

## WAYS AND MEANS

## TOBACCO PRODUCTS

**Hon. Paul Martin (Minister of Finance, Lib.)** moved that a ways and means motion relating to tobacco products, laid upon the table on Thursday, April 5, be concurred in.

**The Deputy Speaker:** Pursuant to the order made earlier today, the House will now proceed to the taking of the deferred recorded division on Ways and Means Motion No. 4.

*Private Members' Business*

[English]

**Ms. Marlene Catterall:** Mr. Speaker, I think you would find consent in the House that those who voted on the previous motion be recorded as voting on the motion now before the House, with Liberal members voting yes with the exception of the member for Haldimand—Norfolk—Brant.

**Mr. John Reynolds:** Canadian Alliance members present vote yes to this motion.

[Translation]

**Mr. Michel Guimond:** Mr. Speaker, the Bloc members will vote yes on the motion, except for the member for Berthier—Montcalm, who withdrew from the vote, and the member for Saint-Bruno—Saint-Hubert.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, the members of the New Democratic Party vote yes on this motion.

[English]

**Mr. Rick Borotsik:** Members of the Conservative Party vote yes this motion.

[Translation]

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

(Division No. 75)

YEAS

Members

Abbott	Ablonczy
Adams	Alcock
Allard	Anders
Anderson (Cypress Hills—Grasslands)	Anderson (Victoria)
Assad	Assadourian
Asselin	Augustine
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Bagnell	Bailey
Bakopanos	Barnes
Beaumier	Bélair
Bélangier	Bellemare
Bennett	Benoit
Bertrand	Bevilacqua
Bigras	Binet
Blaikie	Blondin-Andrew
Bonin	Bonwick
Borotsik	Boudria
Bourgeois	Bradshaw
Breitkreuz	Brien
Brown	Burton
Byrne	Cadman

Calder	Caplan
Carignan	Carroll
Castonguay	Catterall
Cauchon	Chamberlain
Charbonneau	Chatters
Coderre	Collenette
Comartin	Comuzzi
Copps	Cotler
Cummins	Cuzner
DeVillers	Dhaliwal
Dion	Doyle
Dubé	Duhamel
Duncan	Duplain
Easter	Eggleton
Epp	Eyking
Farrah	Fitzpatrick
Forseth	Fournier
Fry	Gagliano
Gagnon (Québec)	Gallant
Galloway	Gauthier
Godfrey	Godin
Goldring	Goodale
Gouk	Graham
Gray (Windsor West)	Grewal
Grey (Edmonton North)	Grose
Guarnieri	Guimond
Harris	Harvard
Harvey	Hearn
Hill (Macleod)	Hill (Prince George—Peace River)
Hinton	Hubbard
Ianno	Jackson
Jaffer	Johnston
Jordan	Keddy (South Shore)
Kenny (Calgary Southeast)	Keyes
Kilgour (Edmonton Southeast)	Knutson
Kraft Sloan	Laframboise
Laliberte	Lancôt
Lastewka	LeBlanc
Lee	Leung
Lill	Longfield
Loubier	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacAulay
MacKay (Pictou—Antigonish—Guysborough)	Macklin
Mahoney	Malhi
Maloney	Marciel
Mark	Marleau
Martin (LaSalle—Émard)	Martin (Winnipeg Centre)
Mayfield	McCallum
McCormick	McDonough
McGuire	McKay (Scarborough East)
McLellan	McNally
McTeague	Meredith
Merrifield	Mills (Red Deer)
Minna	Mitchell
Moore	Murphy
Myers	Nault
Neville	Nystrom
O'Brien (London—Fanshawe)	O'Reilly
Obhrai	Owen
Pagtakhan	Pallister
Pankiw	Paquette
Paradis	Parrish
Patry	Penson
Peric	Peschisolido
Pettigrew	Phinney
Picard (Drummond)	Pickard (Chatham—Kent Essex)
Plamondon	Pratt
Price	Proctor
Proulx	Redman
Reed (Halton)	Regan
Reid (Lanark—Carleton)	Reynolds
Richardson	Ritz
Robillard	Robinson
Rock	Saada
Scherrer	Schmidt



*Private Members' Business*

Scott	Serré
Sgro	Shepherd
Solberg	Sorenson
St. Denis	St-Jacques
St-Julien	Steckle
Stewart	Stinson
Stoffer	Strahl
Szabo	Telegdi
Thibault (West Nova)	Thibeault (Saint-Lambert)
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tirabassi	Toews
Tonks	Torsney
Tremblay (Rimouski-Neigette-et-la Mitis)	Ur
Valeri	Vanclief
Vellacott	Volpe
Wappel	Wasylycia-Leis
Whelan	Wilfert
Williams	Wood
Yelich—229	

## NAYS

Members

\*Nil/aucun

## PAIRED MEMBERS

Bergeron	Bryden
Bulte	Caccia
Cardin	Crête
Cullen	Dalphond-Guiral
Desrochers	Drouin
Duceppe	Folco
Fontana	Gagnon (Champlain)
Girard-Bujold	Guay
Harb	Jennings
Karetak-Lindell	Lalonde
Manley	Matthews
Ménard	Normand
O'Brien (Labrador)	Perron
Peterson	Rocheleau
Roy	Sauvageau
Savoy	St-Hilaire
Tobin	Tremblay (Lac-Saint-Jean—Saguenay)

**The Deputy Speaker:** I declare the motion carried.

[English]

## NUCLEAR FUEL WASTE

**Hon. Ralph Goodale (Minister of Natural Resources and Minister responsible for the Canadian Wheat Board, Lib.)** moved that a ways and means motion respecting the long term management of nuclear fuel waste, laid upon the table on Thursday, April 5, be concurred in.

**The Deputy Speaker:** Pursuant to an order made earlier today the House will now proceed to the taking of the deferred recorded division on Ways and Means Motion No. 5.

**Ms. Marlene Catterall:** Mr. Speaker, I think you would find consent again that the members who voted on the previous motion be recorded as voting on the motion now before the House, with Liberal members voting yes.

**Mr. John Reynolds:** Canadian Alliance members present vote yes.

[Translation]

**Mr. Michel Guimond:** The Bloc members will vote yes on the motion, including the members for Saint-Bruno—Saint-Hubert and Berthier—Montcalm.

[English]

**Mr. Yvon Godin:** Mr. Speaker, members of the New Democratic Party vote no.

[Translation]

**Mr. Rick Borotsik:** Mr. Speaker, the members of the Progressive Conservative Party will be voting yes on the motion.

[English]

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

(Division No. 76)

## YEAS

Members

Abbott	Ablonczy
Adams	Alcock
Allard	Anders
Anderson (Cypress Hills—Grasslands)	Anderson (Victoria)
Assad	Assadourian
Asselin	Augustine
Bachand (Richmond—Arthabaska)	Bachand (Saint-Jean)
Bagnell	Bailey
Bakopanos	Barnes
Beaumier	Belair
Belanger	Bellehumeur
Bellemare	Bennett
Benoit	Bertrand
Bevilacqua	Bigras
Binet	Blondin-Andrew
Bonin	Bonwick
Borotsik	Boudria
Bourgeois	Bradshaw
Breitkreuz	Brien
Brown	Burton
Byrne	Cadman
Calder	Caplan
Carignan	Carroll
Castonguay	Catterall
Cauchon	Chamberlain
Charbonneau	Chatters
Coderre	Collenette
Comuzzi	Copps
Cotler	Cummins
Cuzner	DeVillers
Dhaliwal	Dion
Doyle	Dubé
Duhamel	Duncan
Duplain	Easter
Eggleton	Epp
Eyking	Farah
Fitzpatrick	Forseth
Fournier	Fry
Gagliano	Gagnon (Québec)
Gallant	Galloway
Gauthier	Godfrey
Goldring	Goodale
Gouk	Graham
Gray (Windsor West)	Grewal
Grey (Edmonton North)	Grose
Guarnieri	Guimond

Harris  
Harvey  
Hill (MacLeod)  
Hinton  
Ianno  
Jaffer  
Jordan  
Kenney (Calgary Southeast)  
Kilgour (Edmonton Southeast)  
Kraft Sloan  
Laliberte  
Lastewka  
Lee  
Longfield  
Lunn (Saanich—Gulf Islands)  
MacAulay  
Macklin  
Malhi  
Marcil  
Marleau  
Mayfield  
McCormick  
McKay (Scarborough East)  
McNally  
Meredith  
Mills (Red Deer)  
Mitchell  
Murphy  
Nault  
O'Brien (London—Fanshawe)  
Obhrai  
Pagtakhan  
Pankiw  
Paradis  
Patry  
Peric  
Pettigrew  
Picard (Drummond)  
Plamondon  
Price  
Redman  
Regan  
Reynolds  
Ritz  
Rock  
Scherrer  
Scott  
Sgro  
Solberg  
St. Denis  
St-Julien  
Stewart  
Strahl  
Telegdi  
Thibeault (Saint-Lambert)  
Thompson (Wild Rose)  
Toews  
Torsney  
Ur  
Vanclief  
Venne  
Wappel  
Wilfert  
Wood

Harvard  
Hearn  
Hill (Prince George—Peace River)  
Hubbard  
Jackson  
Johnston  
Keddy (South Shore)  
Keyes  
Knutson  
Laframboise  
Lancôt  
LeBlanc  
Leung  
Loubier  
Lunny (Nanaimo—Alberni)  
MacKay (Pictou—Antigonish—Guysborough)  
Mahoney  
Maloney  
Mark  
Martin (LaSalle—Émard)  
McCallum  
McGuire  
McLellan  
McTeague  
Merrifield  
Minna  
Moore  
Myers  
Neville  
O'Reilly  
Owen  
Pallister  
Paquette  
Parrish  
Penson  
Peschisolido  
Phinney  
Pickard (Chatham—Kent Essex)  
Pratt  
Proulx  
Reed (Halton)  
Reid (Lanark—Carleton)  
Richardson  
Robillard  
Saada  
Schmidt  
Serré  
Shepherd  
Sorenson  
St-Jacques  
Steckle  
Stinson  
Szabo  
Thibault (West Nova)  
Thompson (New Brunswick Southwest)  
Tirabassi  
Tonks  
Tremblay (Rimouski-Neigette-et-la Mitis)  
Valeri  
Vellacott  
Volpe  
Whelan  
Williams  
Yelich —220

## NAYS

### Members

Blaikie  
Godin  
Martin (Winnipeg Centre)  
Nystrom  
Robinson  
Wasylcia-Leis —11

Comartin  
Lill  
McDonough  
Proctor  
Stoffer

## Adjournment Debate

### PAIRED MEMBERS

Bergeron	Bryden
Bulte	Caccia
Cardin	Crête
Cullen	Dalphond-Guiral
Desrochers	Drouin
Duceppe	Folco
Fontana	Gagnon (Champlain)
Girard-Bujold	Guay
Harb	Jennings
Karetak-Lindell	Lalonde
Manley	Matthews
Ménard	Normand
O'Brien (Labrador)	Perron
Peterson	Rocheleau
Roy	Sauvageau
Savoy	St-Hilaire
Tobin	Tremblay (Lac-Saint-Jean—Saguenay)

**The Deputy Speaker:** I declare the motion carried.

## ADJOURNMENT PROCEEDINGS

• (1920)

[*Translation*]

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

### SHIPBUILDING

**Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ):** Mr. Speaker, on February 5 of this year, I asked the new Minister of Industry a question regarding shipbuilding. Without rereading the text of the question, which anyone may consult in *Hansard*, I asked him when he intended to develop a shipbuilding policy, as promised two days before the election was called.

Furthermore, given that my Bill C-213 on shipbuilding had been through all stages except one hour of debate, which was refused me in the very week before the election was called, I asked the minister if he intended to introduce a bill on shipbuilding.

Although he was sympathetic to the spirit of my bill, he hid, as it were, behind a committee he had created on October 20, two days before the election was called, to study the issue of shipbuilding.

On March 30, the National Shipbuilding and Industrial Marine Partnership Project released a report in Halifax. This report contained 30 or so recommendations having to do with some very important topics, such as financing and tax exemptions. To a certain degree, it improved on my bill with respect to such issues as training and all aspects of technological innovation.

Now that all this has been done and the report submitted, I would expect the minister's representative—the minister not being here today—to tell the House exactly when he will be following up on the committee's report.

*Adjournment Debate*

It was two years ago, on April 15, that I tabled a bill along these lines and everyone knows the procedures. First of all, my name had to be drawn, and I got 100 MPs to sign so that the bill would be given priority. This bill made it through all stages, including second reading and clause-by-clause study in committee of the whole.

Six months have elapsed since the election and nothing more has been done for the shipbuilding industry. When he was asked to comment on the report, the Minister of Industry said "Since the committee that I set up took six months to table its report, you will understand that I will take some months to review it".

Again, this is a committee that was set up by the minister himself. This means that committee members met him at various stages. Two years after I tabled my bill, we should expect to have more details as to when the government will table a shipbuilding policy.

Since the tabling of my bill, an additional 2,000 workers have been laid off and two major shipyards, those of Saint John and Marinestown, have shut down. The situation is even more urgent and critical than before.

Will the minister wait until every shipyard in Canada and in Quebec is closed before making a move?

Eight years after the promise made in 1993 to develop a shipbuilding policy, can the Parliamentary Secretary to Minister of Industry tell us when the minister and the Liberal government will finally act?

• (1925)

[*English*]

**Mr. John O'Reilly (Parliamentary Secretary to Minister of National Defence, Lib.):** Mr. Speaker, on February 5, 2001, the

hon. member asked the Minister of Industry whether he would make a commitment to table as soon as possible a bill providing the country with a true shipbuilding policy.

The minister responded that he was pleased that colleagues on all sides of the House had discussed shipbuilding in Canada with a view to identifying ways to improve the situation of this sector. Most important, the minister noted that he was waiting for the report of the national shipbuilding and industrial marine partnership project, which was recently released on April 5, 2001. This was a private sector task force which the minister established to provide views to the government on practical and workable approaches to improving the shipbuilding industry.

The report, which was tabled earlier this month, sets out a range of possible measures. It identifies a wide variety of policy recommendations and options for the federal government as well as for provincial governments and other stakeholders, including industry and labour, to improve the quality and productivity of the shipbuilding industry. The report is being carefully analyzed, and the minister is consulting with his federal colleagues and provincial counterparts so he can respond to the report's recommendations within the next few months. I assure the hon. member that the minister will be giving the report very careful consideration in the coming months.

[*Translation*]

**The Deputy Speaker:** The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7.27 p.m.)







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