



CANADA

House of Commons Debates

VOLUME 137 • NUMBER 160 • 1st SESSION • 37th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Wednesday, March 20, 2002

—

Speaker: The Honourable Peter Milliken

CONTENTS

(Table of Contents appears at back of this issue.)

All parliamentary publications are available on the
"Parliamentary Internet Parlementaire" at the following address:

<http://www.parl.gc.ca>

HOUSE OF COMMONS

Wednesday, March 20, 2002

The House met at 2 p.m.

Prayers

• (1400)

[English]

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

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

STATEMENTS BY MEMBERS

• (1405)

[English]

BULLYING

Mr. Larry Bagnell (Yukon, Lib.): Mr. Speaker, it is no great secret that acts of violence occur in our schools although I am sure we all wish that were not the case. Sadly, every day there are children who go home victims of violence at school. It can happen from their first day of kindergarten to their last day of high school. It is a problem we need to address as a nation.

We have seen what can happen when the problem is taken to the extreme. We only have to remember the terrible events at the high school in Taber, Alberta. We also know the tragedy that lesser acts, the ones that are not headline makers, have on Canada's children. It is a terrible thing when a child's biggest academic worry is that of being a victim of violence at school.

For many years we have been ensuring there are consequences of violence. There are many schools with zero tolerance policies. While this is certainly a great step forward it is time we did more. Never resorting to violence should be something that every child knows, but we should go further and teach every child that violence should never even be considered as a resolution to problems.

Prevention of a problem like this is more valuable than just having consequences for it.

* * *

TAXATION

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, Arcola, Saskatchewan, is a beautiful town

located in the southeastern part of the province, one of the many towns that I am proud to represent. Arcola is remembered as the town used as the background for the filming of W. O. Mitchell's *Who Has Seen the Wind?*

Recently fire destroyed the community rink. The projected cost to replace the rink is \$1.4 million. The GST is a whopping \$98,000. A rebate of 57% leaves the town the responsibility of trying to raise \$42,000 just to pay the GST. How many hot dogs will kids have to sell, how many pies will ladies groups have to put on sale, and how many quilts will have to be raffled off just to raise the rest of the GST?

At minimum wage approximately 6,000 volunteer hours will be needed just to pay the remaining federal tax. It is just not fair.

* * *

HALIFAX GAZETTE

Mr. Geoff Regan (Halifax West, Lib.): Mr. Speaker, 250 years ago on March 23, 1752, a printer in Halifax published the first newspaper in Canada. The newspaper was the *Halifax Gazette*. The modest one page publication marked the true beginning of the newspaper industry in Canada and became the first draft of our history.

The act of one man, John Bushell, with his small printing press in Halifax, Nova Scotia, has evolved into the publication of dailies and weeklies throughout our great land.

I am honoured today to pay tribute to the *Halifax Gazette* on its 250th anniversary and to a profession which has become the hallmark of our democratic society, the medium which has witnessed and written our history and the institution which has fostered freedom of expression for all Canadians.

* * *

NATIONAL PAY IT FORWARD DAY

Mr. Jerry Pickard (Chatham—Kent Essex, Lib.): Mr. Speaker, I invite all my colleagues in the House to join the Municipality of Chatham—Kent to celebrate Canada's first National Pay It Forward Day.

To pay it forward is to do a service or good deed for someone who instead of paying it back pays it forward by giving somebody else a good deed. That does a good turn for everyone.

S. O. 31

Today and tomorrow in Chatham—Kent people are paying it forward by doing deeds of kindness. They are volunteering their time, their energy, cleaning up litter, donating money and joining in acts of kindness for all. Paying it forward encourages us to make the world a better place by building bridges of kindness, caring and generosity without the thought of reward.

I congratulate the organizers who have taken a simple idea and turned it into a celebration of generosity and kindness in Chatham—Kent.

* * *

ZIMBABWE

Mrs. Sue Barnes (London West, Lib.): Mr. Speaker, yesterday it was announced that Zimbabwe would be suspended from the Councils of the Commonwealth for a period of one year starting immediately. This decision restores faith in the effectiveness and unity of the Commonwealth and demonstrates that the organization continues to be committed to common values and principles.

The decision by the troika and the mechanism established at the CHOGM is in large part due to the pivotal role played by the Government of Canada, the Minister of Foreign Affairs and the Prime Minister of this country. The compromise proposed by the Prime Minister in Australia kept observers on the ground including four Canadians. Ultimately their report concluded unequivocally that the conditions in Zimbabwe did not adequately allow for a free expression of will by the electors. This opinion set the stage for the troika to suspend Zimbabwe.

Canada's position supported the right of the people of Zimbabwe to vote for a leader. It bridged a widening divide between members of the Commonwealth and ensured that a mechanism was in place to suspend Zimbabwe based on the observations and factual reports of election observers.

* * *

● (1410)

RIGHTS OF CHILDREN

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, this week my hon. colleague from Kelowna informed the House that the real wealth of young Canadian families declined by 36% from 1984 to 1999. Young families are in an economic battle for survival.

There is another battle out there. It is the battle for the minds, hearts and souls of our children. There are people who see in children an opportunity to change our entire culture. They hate the traditional values originally based on Judeo-Christian beliefs. They want to totally destroy those values. A well known psychologist recently referred to the battle as a tsunami coming our way. He said if they can get control of children and if they can influence children they can change the whole culture in one generation.

Children are often caught in the battle of issues surrounding parental divorce. The government needs to amend the Divorce Act for the sake of the children. When will the government take up these battles for the sake of the children and young families? How can the government stand idly by while children are suffering?

JOHNNY LOMBARDI

Mr. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, Johnny Lombardi, king of Little Italy, impresario extraordinaire, father of multicultural broadcasting and president of CHIN Radio/TV International passed away yesterday.

Johnny was an integral part of the transformation of urban society in post-war southern Ontario. His radio station, home to broadcasting in 30 different languages, gave voice to the marginalized and served to give newcomers a sense of comfort and familiarity in a new and often strange land. Those programs not only served to acclimatize and integrate people into the Canadian mainstream, but they also helped launch Canadian talent in music and the arts.

His contributions earned him the Order of Canada yet he remained humble and accessible in his success. He was a vigorous participant in any and all community events to which he was invited. He was a good friend to many. His children and family would and should be proud.

[Editor's Note: Member spoke in Italian]

My wife and my family join me, as I am sure does the House, in mourning the passing of a great Canadian.

* * *

[Translation]

INTERNATIONAL DAY OF LA FRANCOPHONIE

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, on this International Day of la Francophonie, the Bloc Québécois wishes to underscore the vital contribution made by all those who work day in and day out to promote the French language and the importance of the links uniting the various communities with this language in common.

There are 170 million people throughout the world, but mainly in the 55 countries of the Francophonie, using and sharing this important cultural trait, the French language.

The Bloc Québécois wishes to remind hon. members that, when Quebec becomes a member state of the Francophonie, it will maintain its connections with the various francophone communities and increase its role as key promoter of the Francophonie in America.

In this same vein, I should point out that the Assemblée parlementaire de la Francophonie will today be awarding the Ordre de la Pléiade to Premier Bernard Landry of Quebec, as well as Janette Bertrand, Marie Laberge, Guy Laliberté, Zachary Richard and Bruny Surin.

Our congratulations to them all, and happy International Day of la Francophonie, everyone.

* * *

INTERNATIONAL DAY OF LA FRANCOPHONIE

Mr. Dan McTeague (Pickering—Ajax—Uxbridge, Lib.): Mr. Speaker, March 20 is the International Day of la Francophonie. This is not only a day of rejoicing for the 625 million francophones on this planet, but is also an occasion for those whose mother tongue is not French to celebrate this language.

French is one of our two official languages and we must continue to promote it from coast to coast. In a world where borders are no longer as restrictive as they once were, where information circulates freely and culture is an export product, it is vital to keep in mind the usefulness and beauty of this language we share with 53 countries.

As a Franco-Ontarian, may I take this opportunity to wish everyone a happy day of la Francophonie.

* * *

[English]

GUN CONTROL

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, before the Liberals used closure to ram Bill C-68 through the House in 1995 the majority of aboriginal and non-aboriginal firearms owners were somewhat satisfied with our gun control laws, laws that required safety testing and police background checks before a person could acquire a firearm.

Since then it has been nothing but chaos for all law abiding gun owners and for the government. Open defiance of the gun registry and lack of enforcement by police is so commonplace that it is undermining the Criminal Code of Canada. The territory of Nunavut and the Federation of Saskatchewan Indian Nations are challenging the useless gun registry in court. Vice-Chief Greg Ahenakew says:

The treaties say we're supposed to get free bullets. So, we want the bullets.

The Assembly of First Nations is so frustrated with the justice minister's false promises it is ready to join the court challenges.

It is time for the Liberals to steal yet another Canadian Alliance policy. It should repeal Bill C-68 and replace it with a law that makes economic sense and common sense.

* * *

•(1415)

[Translation]

INTERNATIONAL DAY OF LA FRANCOPHONIE

Mr. Dominic LeBlanc (Beauséjour—Petitcodiac, Lib.): Mr. Speaker, today is the International Day of la Francophonie.

In 1999, New Brunswick and the Acadian community welcomed leaders from the 55 members and participating governments to the 8th Francophone Summit.

The theme for that summit was youth, and young Acadians left a lasting impression with their warm welcome and their strong attachment to the French language. We dazzled the entire Francophonie, demonstrating once again the vitality of Acadian culture and the French language in New Brunswick.

I would like to take this opportunity to wish all Canadians an excellent Journée internationale de la Francophonie, and congratulate French language minority communities, which continue to celebrate and promote our beautiful language.

* * *

INTERNATIONAL OF LA FRANCOPHONIE

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I would like to point out that today, March 20, is the International Day

S. O. 31

of la Francophonie. On this occasion, many countries around the world will celebrate this symbolic day of pride in the French language.

French-speaking people have the right to be proud of their language, when one considers that 500 million people in the world speak French.

Today is an opportunity to celebrate and to continue to hope that it will be as strong in the future as it has been in the past.

I should mention that Canada has hosted a number of large events for the international Francophonie, including the eighth francophone summit in Moncton, as well as the IVth Jeux de la Francophonie held this past summer in Ottawa-Hull.

As a francophone, I am proud of my language and I invite all Canadian francophones to celebrate as well, and to promote and share the pleasure of the Francophonie at the regional, national and international levels with their fellow Canadians.

* * *

SALON DU LIVRE DE L'OUTAOUAIS

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, today, at the Palais des congrès de Gatineau, in the Hull sector, is the official opening of the 23rd Salon du livre de l'Outaouais, which takes place until Sunday, March 24, with Gil Courtemanche, the author of the book *Un dimanche à la piscine à Kigali*, serving as honorary chair.

Since 1980, the Salon du livre de l'Outaouais has been a major annual event in the Outaouais and Quebec cultural life. It is a meeting place for all the Francophonie's largest publishers and distributors, and a great opportunity to meet authors and honorary guests.

On behalf of the Bloc Québécois, I congratulate and thank the chair of the Salon du livre de l'Outaouais, Estelle Desfossés, and all those who make this event a success year after year.

As Mrs. Desfossés says, "en vous souhaitant le plaisir de lire aux éclats".

* * *

INTERNATIONAL DAY OF LA FRANCOPHONIE

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, on this International Day of La Francophonie, the Assemblée parlementaire de la Francophonie is awarding the Ordre de la Pléiade to the late Jean-Louis Bourdeau and Roger Bernard.

Oral Questions

In an editorial article published in North Bay's *Le Voyageur*, it is said the Mr. Bourdeau was one of the unsung heroes of Franco-Ontario's little history. In addition to being one of the founders of the Caisse populaire in Mattice, Mr. Bourdeau was ACFO's provincial president and he chaired the inquiry commission whose report led to the creation of French language community colleges in Ontario.

As for Roger Bernard, he was a full professor at the University of Ottawa and an expert in sociology. He distinguished himself with his analyses and studies on La Francophonie, and he published and edited many books, reports and articles on the subject. His work became the main basis for the argument used in the Montfort case, which was accepted by the courts.

The achievements of Mr. Bourdeau and Mr. Bernard are not only numerous, but also important to the cultural and social development of the Canadian Francophonie. We are deeply grateful to them for their contribution.

* * *

[English]

DALTON CAMP

Mrs. Elsie Wayne (Saint John, PC/DR): Mr. Speaker, I rise today in the House to pay tribute to the late Dalton Camp.

When I think of Dalton Camp I am reminded of the book about John F. Kennedy entitled *The Pleasure of His Company*, for Dalton's company was always pleasurable.

He was intelligent, articulate, curious, pleasant and always interested in what people had to say, which is probably why he was such a great communicator. He attracted people to him and gained their lifelong loyalty. He was a proud Canadian and a proud New Brunswicker who took delight in having people come to New Brunswick to seek him out. He spoke countless times in New Brunswick and would not charge a fee. In fact the weekend he was stricken he was to speak at a student conference at the UNB.

A gentleman, a player and a politician turned journalist, Dalton Camp leaves an indelible impression of reasoned debate, a commitment to compassion and humanity for our Canadian society, and a treasury of intelligent, thought provoking columns and books. He will be sorely missed.

I wish to join with his many friends and my colleagues in extending to his family deepest sympathy. His funeral will take place on Saturday at 2 p.m. in Fredericton at the Christ Church Cathedral.

ORAL QUESTION PERIOD

• (1420)

[English]

GRANTS AND CONTRIBUTIONS

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, Groupaction tried to pass off a recycled document as a \$550,000 original. The document is not the only thing that seems to have been copied. The entire Gagliano-Groupaction affair is a carbon copy of

the kickback scheme run by Pierre Corbeil which led to influence peddling charges.

Will the Minister of Public Works and Government Services assure the House that the auditor general will look into the entire system of giving lucrative advertising contracts to the most generous Liberal donors?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the hon. member knows that the Auditor General of Canada has a mandate to inquire into any activity in which the Government of Canada is involved. If he does not, I am confident his colleague, the chairman of the committee dealing with public accounts, could brief him on that at the earliest opportunity.

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, the contracts for the phoney reports and all the sponsorship contracts were signed off by Charles Guité who left public works and is now a lobbyist for the ad industry.

Today we learned that Mr. Guité's private company, Oro Communications, was one of the top donors to the re-election campaign of the current Minister of Public Works and Government Services.

Will the minister clear the air by asking the auditor general to investigate Mr. Guité's handling of all sponsorship contracts while he was head of advertising at public works?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, if this person contributed to the re-election of the Minister of Public Works and Government Services, he must have done it very recently. I have only been in the position four weeks and there has not been an election since then as far as I know.

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, the member knows that it was a donation to his campaign.

Last year we learned that the son of ex-minister Gagliano was the director of marketing for a company that was working for Groupaction and Groupe Everest, the two biggest recipients of federal sponsorship contracts. The government's handpicked ethics lapdog accepted that this was simply coincidence. This matter needs to be re-opened.

Will the minister ask the auditor general to investigate whether any favouritism was shown to Groupaction and Groupe Everest—

The Speaker: The hon. Minister of Public Works and Government Services.

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, that question is a little more serious than the previous two, not that it could be much worse.

The mandate of the auditor general, in addition to the general mandate that she has, is: one, to review the requirements of contracts given to Groupaction relative to the reports produced; two, analyze and compare the deliverables and determine if the deliverables met contract requirements; three, review payment approval process; four, conduct any other audit procedures necessary; and five, provide key findings and recommendations. That is pretty complete.

* * *

GOVERNMENT APPOINTMENTS

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, Alfonso Gagliano might be the prince of patronage but the king is the Prime Minister. It is ironic that the behaviour that we find so reprehensible from Mr. Gagliano, that of placing the Liberal Party ahead of the interests of Canadians, is the same behaviour we see from this Prime Minister.

It is even more ironic that in order to help his minister escape charges of patronage, the Prime Minister would use patronage to send him to Copenhagen.

Why will the Prime Minister not realize that it is an insult to Canadians to appoint someone to represent their values abroad who has not lived by his or her values at home?

• (1425)

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, it does not represent Canadian values to make decisions based on a groundless smear campaign. Quite frankly, the hon. member has not given us any evidence that at all implicates wrongdoing on behalf of Mr. Gagliano who served in the House with great respect.

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Yes, Mr. Speaker, Mr. Gagliano's record stands by itself.

In 1993 the RCMP advised the Prime Minister against appointing Mr. Gagliano to cabinet based on his shady record. The PM ignored that advice and the questionable behaviour continued. Only in the mind of this Prime Minister should such a record be rewarded.

Given that an investigation may well necessitate the recall of Mr. Gagliano, will the Prime Minister immediately suspend his unjustifiable ambassadorial appointment?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, what I would like to see is the hon. member to stop cowering under the protection of parliamentary privilege, to step outside the House of Commons and to make the kind of allegation that he makes in here; groundless, pointless and without any evidence to back him up.

* * *

[Translation]

GRANTS AND CONTRIBUTIONS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the government is sending clear signals to the auditor general that she limit her investigation to Groupaction. In fact, the minister of public works asked that the audit be limited to the contracts awarded to Groupaction, while the Prime Minister wants the auditor general to content herself with determining whether there are one or two reports.

Oral Questions

Instead of telling the auditor general what to do and undermining her independence, could the government leave her free to decide on the scope of her mandate so that she can get to the bottom of all public works' dubious contract awarding practices?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I am sorry to inform the member that he should first read section 11 of the Auditor General Act, which clearly states that the auditor may inquire into any matter.

The member opposite should know this, and perhaps already does, or so I should hope.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, he has certainly read the auditor general's mandate. Why, then, is he taking the trouble to limit her mandate to Groupaction? Is that not the same thing?

The reason is that he wanted to avoid involving Lafleur Communications, avoid involving Groupe Everest, which gave \$77,000 to the Liberal Party after obtaining \$56 million in contracts.

Could it not take in all the dubious practices of this minister, of his predecessor, of this shady government?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the questions are getting worse instead of better.

The member opposite should know that the auditor general's mandate is, as I said earlier, "to review the requirements of contracts, analyze and compare the deliverables, review the approval process, conduct any other audit procedures necessary, and provide key findings and recommendations, in addition to her authority under section 11", not "instead of".

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, the most disturbing and surprising thing about this entire affair is that the opposition took one morning to realize the similarity between the 1998 and 1999 reports, whereas the minister had his hands on them for a long time.

How can the minister explain that no one in his department, not the departmental staff, nor himself, realized the similarity of the two reports, when it took the opposition three hours to see through the subterfuge?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the hon. member claims we had the report ahead of time.

In fact, as we speak, we still do not have the original of the report. If we had it, the hon. member would not even be asking a question today.

This is not the report we had initially. We got it—at least the one provided by the company—last week. We are dissatisfied with it, and I have personally asked the auditor general to investigate this.

Oral Questions

●(1430)

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, the minister has just said that he was very satisfied with the report and that it is paid for, moreover.

How can the minister explain that, for three years, no one realized that the three copies of the report, a report that cost us \$550,000, had been lost?

Can the minister confirm that the mandate given to the auditor general is also to clarify the circumstances under which the three copies of the report were lost?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I know that the question may have been prepared in advance, but I would refer the hon. member to section 4 of what I have already read: "conduct any other audit procedures necessary". "Any other" is an inclusive expression.

* * *

[English]

GOVERNMENT APPOINTMENTS

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, my question is for the Deputy Prime Minister.

I would like to ask the Deputy Prime Minister, without prejudice to the culpability of Mr. Gagliano in any of this, whether or not the government could say at this point that if the auditor general's report does turn up untoward activities in the department under Mr. Gagliano's watch, that the government would then be prepared to reconsider his appointment as ambassador to Denmark.

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, the hon. member makes an important point, the matter has been referred to the auditor general and we should let her do her work.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, it seems to me it would be important for the Deputy Prime Minister to say that if the auditor general does do her work and she does turn up something untoward on the watch of the former minister, that the government would then act accordingly. It would be important for Canadians to have that commitment, so I ask him for that commitment.

I also ask him, with respect to the Calgary lawyer who has now resigned as Liberal fundraiser, and given that this apparent conflict of interest turned up accidentally or unintentionally, whether the Deputy Prime Minister and the government are having a review of other departments to make sure this kind of activity is not happening with other leadership candidates.

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, I am not sure that there are any leadership candidates.

Clearly the effort the minister has asked the auditor general to undertake is a serious one. He has undertaken to make the results of her investigation public by tabling them in the House of Commons. That will provide not only members of the House but the public the opportunity to review her findings and consider whether they believe that the government should be urged to take any additional action.

[Translation]

GRANTS AND CONTRIBUTIONS

Right Hon. Joe Clark (Calgary Centre, PC/DR): Mr. Speaker, I have another question for the minister of public works regarding the mandate given to the auditor general in the Groupaction reports affair.

Will this be a legal investigation and will he allow her to determine if fraud has been committed, if fraud there is? Yes or no?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the powers of the Auditor General of Canada are based on the Auditor General Act. She has full authority to exercise her mandate based on all of the sections of the act.

In addition to that authority, we have also asked her to review the five points that I listed in response to several previous questions.

[English]

Right Hon. Joe Clark (Calgary Centre, PC/DR): Mr. Speaker, my question is for the Deputy Prime Minister.

Will the auditor general have full access to the former minister of public works, Mr. Gagliano, in her investigation of the Groupaction reports? Will the Deputy Prime Minister assure the House that nothing will prevent the auditor general from conducting a full interview with Mr. Gagliano to determine the nature of political or ministerial involvement in any decision to pay an extra \$575,000 for a photocopy of a study of which the government already had a copy?

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, it is interesting to note the change of focus of the right hon. member from the question he asked yesterday. The House will no doubt want to hear why.

The mandate given to the auditor general is quite clear. There are five points in addition to all of those that she already has. They are to review the requirements of the contract, analyze and compare the deliverables, review the payment approval process, conduct any other audit procedure necessary and provide the findings and recommendations. That is pretty inclusive and pretty clear to the rest of us.

* * *

●(1435)

LEADERSHIP CAMPAIGNS

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Mr. Speaker, I want to pursue the issue of one of the finance minister's bagmen, Mr. Jim Palmer of Calgary. He was on contract with the minister's department at the same time as he was raising money for the Liberal Party and the minister's leadership campaign. Mr. Palmer said every leadership candidate is raising money, but I wonder if every leadership fundraiser is on contract with the government.

Will the Deputy Prime Minister assure Canadians that the finance minister is the only leadership contender who is giving patronage pork that is Canadian taxpayers' dollars to his fundraising team?

Oral Questions

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, really I am not sure to whom the hon. member may be referring as leadership candidates. There are leadership candidates of course on the other side of the House and there is some confusion about who exactly is supporting whom.

The matter the hon. member has raised has been referred to the ethics counsellor. Corrective action has been taken and the matter should rest there.

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Mr. Speaker, this guy's \$75,000 contract for giving advice sure takes on a new meaning here does it not?

The ministries of industry, heritage, finance and the Deputy Prime Minister are all rumoured to have fundraising teams in place. Even the government's ethics lapdog saw the obvious conflict and asked Mr. Palmer to sever his ties with the Department of Finance.

Will the Deputy Prime Minister confirm that no other minister has given contracts or appointments to any of their leadership teams?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, I believe that the comments the ethics counsellor made were quite clear. The importance of maintaining a high degree of probity is one which would be apparent to anyone in public life quite frankly, but anyone seeking higher office likewise is going to be expected to live to a very high standard. The event in question itself illustrates the importance of that principle.

* * *

[*Translation*]

GRANTS AND CONTRIBUTIONS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, earlier, in reply to a question asked by the hon. member for Chambly, the public works minister said that he could not compare Groupaction's two reports, since he never had the other report in his hands, he only had one. He is signalling to me that this is true.

I have a simple question for him. If he never had that report, why did he pay \$575,000 for it? Could he explain this to me? He does not need the auditor general to do so.

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the hon. member may remember his own question from last week—otherwise he can read it in the House of Commons Debates—when he asked if I had the report. No, the report was not there. It was not there when I took over the department one month ago. This is why I did not table it. I did not table the report, because I did not have it.

The right hon. leader of the Conservative Party asked me why I was not tabling a report that I did not have. I told him that I refused to table reports that I do not have. I am saying the same thing to the leader of the Bloc Québécois.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I understand why the minister is refusing to table a report he does not have. This is easy to understand. What I do not understand is that he is paying for reports that he did not receive.

I would like the minister to explain this to me. Earlier, he said “It is not me, it is my predecessor”. Could I know why his predecessor was appointed to Denmark? Will his predecessor pay for things that he never received in Denmark?

I want to know why he paid for the report, if he did not get it.

Some hon. members: Hear, hear.

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, some members opposite applaud for no reason.

The hon. member is well aware that affidavits were signed under the Financial Administration Act by a senior official, to the effect that the report had been ordered, that it was prepared and that it was received. I said that too, the other day. If the hon. member does not remember, he can, as with his question, read it in the *House of Commons Debates*.

* * *

[*English*]

SOFTWOOD LUMBER

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, yesterday the Canadian softwood lumber negotiators left the table when it became apparent that the U.S. was not prepared to make a moderated counter-offer. One U.S. demand is that Canadian forestry policy be approved by U.S. congressional committees.

Will the minister insist that Canadian sovereignty will not be sold out?

● (1440)

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, I suspect there are some interests in the United States that like the way the women's Olympic hockey game was refereed. I can assure the hon. member that is not the principle upon which important trade issues will be resolved. Canadian sovereignty will not be yielded to U.S. officials or their political representatives.

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, despite not wanting to, the U.S. department of commerce may very well be forced to announce its determinations this week if no deal is cut.

We have been asking the minister for weeks to prepare a contingency plan to backstop Canadian forestry workers and lumber exporters. The minister has not asked the Canadian Commercial Corporation, Export Development Canada or EI to develop a contingency plan in the event a deal is not made. Why not?

Oral Questions

Mr. Pat O'Brien (Parliamentary Secretary to the Minister for International Trade, Lib.): Mr. Speaker, the Minister for International Trade is in Washington to take stock personally of the negotiations. He has met with the team Canada negotiators. The consensus remains very strong. They are sparing no effort to agree on a good long term deal and that will mean guaranteed market access for Canadian softwood lumber to the United States.

* * *

[Translation]

GRANTS AND CONTRIBUTIONS

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the minister of public works just told us that there was a signed affidavit to the effect that the report had been ordered, prepared and received.

Given that all of this occurred, the question from my colleague, the hon. member for Chambly, has still not been answered? How is it that for two years, not one person from the department of public works noticed that what they had received was a copy of the other report?

That is what we would like to know.

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the member opposite is making an allegation, not stating a fact. This is not known. This, incidentally, is why the auditor general is on site to see if the 1998 report and the 1999 report are substantially the same.

The report that was generated for me last week from a computer was for all intents and purposes the same as the other one. This we do know. The member himself made the allegation. This prompted me to ask the auditor general to investigate. It remains to be seen if this is the right report and if the company has another one. The auditor general will tell us.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, you will understand my amazement, and even more so that of the poor folks who are listening to us, who paid half a million dollars for a report, at being told such a thing.

The second report, the one that was tabled by the minister of public works as being the missing report—following which he asked the Bloc Quebecois to apologize for having denounced such a situation—once we put it right under his nose, he said “Yes, in the end, 98% of it is the same”.

Does he need the auditor general to find out if the second report is the same? No. We need the auditor general to find out the truth about what is going on in his department.

Hon. Don Boudria (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I commend the hon. member for having read my press release yesterday, because that is indeed exactly what I said, “We need the auditor general to find out the truth”. That is what I said. He is quoting me verbatim. I commend him. Never has the truth been spoken more eloquently.

With respect to the auditor general's report, she has the mandate she needs to do her work. She will prepare her report, and then we will find out the truth, to quote myself from my press release of yesterday.

[English]

EMPLOYMENT INSURANCE

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, in April 2001 the Minister of Human Resources Development received a memo marked secret. It referred to the government's unjust EI law. I quote:

In some cases, the existing rules may result in disproportionately large overpayments compared to the amount of undeclared earnings.... This is clearly a disproportionate response—

The minister knew all about the problems. Why did she not change the act that caused them?

● (1445)

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, perhaps I could give the hon. member the same answer I gave her colleague yesterday on this question. Perhaps rather what I will do is quote her own press release of March 12 where she said:

The principle of overpayment is a good one. If Canadians receive government benefits to which they are not entitled, they should pay them back.

This is one of the rare occasions when I would agree with the hon. member. In fact, this is all we have ever done.

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, I agree with my press release. If people take—

Some hon. members: Oh, oh.

Mrs. Carol Skelton: Mr. Speaker, the money was unlawfully taken from EI people. A monitoring report from late 2000, a year and a half ago, states:

The monitoring has shown that the legislative and regulatory provisions have created a nightmarish situation where it is...impossible to come up with a reasonable and legal decision.

The minister allowed the nightmare—

The Speaker: I am afraid we may have lost the question, but the hon. member is out of time. I do not know whether the minister wants to say something in response to the statement.

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, let me explain again to the hon. member that pre or post regulatory change, the amount of the overpayment would have been the same. In these circumstances it is only the undeclared earnings that are recovered from an employment insurance benefits recipient.

I would also point out to the hon. member that it is this government that made the administrative changes to better and more fairly collect on these overpayments.

I would also reconfirm my commitment to the hon. member that if there are individual cases that she would like me to review, I would be happy to do that.

*Oral Questions***PRIVACY**

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, the Privacy Commissioner, an officer of parliament, appeared before the justice committee last month. He described the surveillance cameras in Kelowna as having a police officer sitting on people's shoulders as they go about their ordinary business. He was very upset with the RCMP's reaction to his intervention on this important privacy issue.

Privacy is a fundamental right. The recommendations of the Privacy Commissioner cannot be summarily dismissed by the national police force.

Mr. Solicitor General, you have the jurisdiction to compel the RCMP to comply with a directive from an officer of parliament. Will you do so?

The Speaker: I know the hon. member intended to direct his question to the Chair, but the solicitor general may answer.

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, I appreciate the question of my hon. colleague from Scarborough East.

I am aware of the Privacy Commissioner's concern. In fact I met him personally on the issue. I received a letter from him last Friday and I am reviewing it and will respond to it.

I can assure the member also that the RCMP has reviewed the report and has acted on a number of the recommendations. It is always a government's problem of finding the right balance between a privacy issue and the proper protection for Canadians. That is what we are doing.

* * *

[Translation]

IRAQ

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, my question is for the Deputy Prime Minister.

Today, hundreds of people from around the world, including Canadians like Margaret Atwood, David Suzuki and Anton Kuerti, got together to call for the immediate lifting of the economic sanctions against Iraq and to denounce the so-called smart sanctions.

When is this government going to listen to the increasingly insistent voices of people from around the world who, like Archbishop Desmond Tutu, are calling for the lifting of the genocidal sanctions which, so far, have killed over 500,000 innocent children? When is the government going to act?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, it is very easy for Iraq to get the sanctions lifted. All that is needed is for Saddam Hussein to allow inspections.

We are all concerned about the creation of weapons of mass destruction. All that is needed is for UN inspectors to be allowed to enter Iraq and to conduct inspections.

[English]

ABORIGINAL AFFAIRS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, first nations leaders are boycotting the consultations on the first nations governance initiative because they suspect this is really nothing more than the 1969 white paper revisited, just another way to diminish or even extinguish inherent treaty rights. This feeling is especially true in my home province of Manitoba.

Will the Minister of Indian Affairs and Northern Development assure Manitoba first nations leadership that he will maintain the framework agreement negotiations that his government has committed to since 1994 until all such self-government negotiations are concluded in that province and that nothing in the FNGA will diminish or inhibit his obligation to conclude those negotiations?

• (1450)

Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, it is obvious that the member has not been at his desk and at work. We have had over 450 consultations across the country and over 200 of them were in first nations communities, working side by side with first nations chiefs and their communities. I wonder which particular community he is suggesting is not participating and/or not engaged in governance.

It is a very important initiative dealing with accountability and dealing with modern tools of governance. The debate is now starting. There will be another consultation phase when the bill is introduced. I hope all leaders will participate.

* * *

FISHERIES

Mr. Loyola Hearn (St. John's West, PC/DR): Mr. Speaker, the Standing Committee on Fisheries and Oceans has just returned from Newfoundland, where members witnessed the devastation caused by foreign overfishing.

Yesterday a Russian vessel, the *Olga*, under Icelandic control, was arrested for polluting Canadian waters. The boat, according to confirmed reports, has 70 to 80 tonnes of mature breeding cod in its hold. This species is under moratorium.

Has the minister asked his officials to deal with this blatant abuse of regulations?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I thank the member for this very pertinent question. As this matter is currently under investigation, it would be unfair to give out details, but I can tell the member that this government, like the member himself, takes matters of overfishing and unregulated harvesting on the nose and the tail of the Banks very seriously.

We will work with the provinces concerned, with the industry and with the international community to bring all fisheries under proper, good jurisdiction and management.

Mr. Loyola Hearn (St. John's West, PC/DR): Mr. Speaker, we have heard the words under advisement and under investigation. It is time we took it on the chin.

Oral Questions

A sister ship, the *Otto*, which was also headed for Newfoundland, has now suspiciously changed direction and is headed for Iceland. Will the minister see that this vessel is boarded and checked, because if he does not do it soon we know what is going to happen to the catch?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, once again I can assure the member that the government and officials of DFO and all government departments will do the best we can, our utmost, to ensure that regulations and laws are followed. If those countries and vessels do not want to follow the regulations of NAFO and the Canadian regulations, then we are happy to have them turned away.

* * *

THE ENVIRONMENT

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, the chief scientist on the UN's intergovernmental panel on climate change has been quoted as saying that Canada would not get credit for exporting clean energy to the U.S. since the Americans have rejected Kyoto, yet the government tells us exactly the opposite. How can we believe anything the government says about Kyoto when it makes such stupid assumptions?

Will the government delay its ratification decision until after the credit scheme is in place?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, the hon. member is mistaken. We have said consistently that we have an uphill battle to persuade other nations to accept the concept of clean energy exports. That is why we had the meeting in Calgary some months ago, which, I might add, was very successful and where the international committee was surprised at how good the case is for clean energy exports, and it is why we will have another meeting in Whistler in May for exactly the same purpose.

However, he is certainly correct that we have work to do to persuade the international community that clean energy exports are an important part of meeting the goal of—

The Speaker: The hon. member for Red Deer.

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, the U.S. is not part of Kyoto. How can we get credit for somebody that is not part of it?

The same chief scientist told us that Kyoto will have little impact on greenhouse gas levels unless it is followed by many more such treaties. Such a prospect is rather frightening.

My question for the Minister of the Environment is this: Where is the government taking us? Is it planning to wreak havoc on the entire Canadian economy by imposing even more greenhouse gas treaties once we get beyond Kyoto?

• (1455)

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, I am disappointed that the hon. member, who has in fact gone to one of the conferences of parties, one of the international meetings on climate change, missed the point that in fact the first Kyoto period, from 2008 to 2012 is just that, the first Kyoto period.

Of course for us to deal effectively with climate change, as the distinguished scientist who was speaking yesterday made perfectly

clear, it will have to be followed by subsequent actions and subsequent periods where we also take measures to combat greenhouse gas emissions.

* * *

[*Translation*]

LUMBER

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, there are only a few loose ends to wrap up for the Prime Minister to conclude a softwood lumber agreement. The Minister for International Trade is in Washington, and a Canadian representative has said that the minister would certainly not come to witness a failure. Despite this optimism, there is talk of countervailing duties of 37% and there are still no guarantees of access to the U.S. market.

Will the Deputy Prime Minister assure us that there is no question of presenting as a victory a possible reduction in countervailing duties and that the only acceptable solution is a full return to free trade?

[*English*]

Mr. Pat O'Brien (Parliamentary Secretary to the Minister for International Trade, Lib.): Mr. Speaker, of course it is so. When the softwood lumber agreement ran out a year ago we then had free trade in softwood lumber, and if the United States had not taken its very punitive and petty action against Canada we would have softwood lumber free trade right now and the member would not even be posing his question.

Of course that is the long term goal, but I do not think there is any point in speculating. The minister is there, he is personally in charge of the negotiations and we are very hopeful that we will have a successful conclusion.

[*Translation*]

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, the parliamentary secretary is not setting our minds at rest. He is still talking about long term objectives.

Does the Deputy Prime Minister not think that it is time to introduce a plan to provide assistance to the softwood lumber industry and its workers in order to show that the Canadian government is serious about wanting to go back to free trade?

[*English*]

Mr. Pat O'Brien (Parliamentary Secretary to the Minister for International Trade, Lib.): Mr. Speaker, the Minister for International Trade met this morning with Secretary of Commerce Evans in Washington. He is personally in charge of the negotiations. We are very hopeful that there will be a successful deal.

As the Deputy Prime Minister noted, even with the biased referee in the women's hockey we won the gold medal, and if necessary we will win the gold medal again in softwood lumber at the WTO.

FOREIGN AFFAIRS

Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance): Mr. Speaker, Montrealers Ari Ben-Menashe and Alex Legault are the two men involved in the questionable treason charges against Zimbabwe's Morgan Tsvangirai. These two men have a long history of international fraud. Our Department of Foreign Affairs was warned not to deal with them, but despite that the department has solicited regular debriefings from these two individuals.

My question is simple. Why did the Department of Foreign Affairs, against the advice of our own trade commissioner, solicit intelligence information from known fraud artists Ari Ben-Menashe and Alex Legault?

Hon. Denis Paradis (Secretary of State (Latin America and Africa) (Francophonie), Lib.): Mr. Speaker, I will take note of the questions and I would be happy to answer in the coming days.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance): Mr. Speaker, perhaps I could edify the hon. member. These two individuals are wanted on fraud charges all over the world. Our own trade commissioner warned the Department of Foreign Affairs not to deal with these individuals. They are wanted on fraud charges, for example, in the United States for bilking millions of dollars out of innocent people.

Will the hon. member extradite these people to the United States for the fraud charges that they are up against or will he coddle them within our own country?

[Translation]

Hon. Denis Paradis (Secretary of State (Latin America and Africa) (Francophonie), Lib.): Mr. Speaker, I will inquire of the Department of Foreign Affairs and get back to the member on this in the next few days.

[English]

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, last week we witnessed a 36 hour fast and a peaceful demonstration on Parliament Hill by Canadian Falun Gong practitioners attempting to bring attention to the alleged abuse of fellow practitioners in China.

Could the Secretary of State for Asia-Pacific inform the House what actions his government has taken to encourage and promote greater respect for human rights in all parts of China?

• (1500)

Hon. David Kilgour (Secretary of State (Asia-Pacific), Lib.): Mr. Speaker, Canada has spoken out about the human rights situation, both at the UN human rights commission and in Beijing, and will continue to do so. On many occasions we have raised our concerns directly with senior Chinese officials, both in Beijing and here in Ottawa.

Canada would very much like China to end the suppression of freedom of religious expression and spiritual practice and to ratify the two human rights conventions that China has already ratified at the UN.

Oral Questions

HEALTH

Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance): Mr. Speaker, yesterday the health minister announced a new monitoring agency for adverse drug reactions, to be housed within Health Canada.

Let us review the Liberals' track record on the area of drug safety. The government has known for years that there was a problem. While Health Canada and Janssen-Ortho haggled over the wording of a warning letter, 15 year old Vanessa Young died. Many now believe Vanessa's case is the tip of a Prepulsid iceberg in Canada. The government is currently facing a \$100 million class action suit.

When will the minister create a drug safety agency that includes health care stakeholders and the public?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, as I indicated yesterday, the whole area of post-market surveillance of drugs, the issue around adverse reactions, is a very serious and important one. Not only are we dealing with it here, but the FDA and the European Union's commission are struggling with how we encourage and receive the best information possible in relation to adverse reactions so that then we can act to protect the public.

As I mentioned yesterday, we are taking steps within the Department of Health Canada, including the creation of a new directorate and many other new procedures and the allocation of additional resources—

The Speaker: The hon. member for Kamouraska—Rivière du Loup—Témiscouata—Les Basques.

* * *

[Translation]

HIGHWAY INFRASTRUCTURE

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, on February 25, the Prime Minister responded as follows to my question on the upgrading of highway 185: "If the government of Quebec feels that the stretch between Rivière-du-Loup and the New Brunswick border is a priority, I will be very pleased to agree".

Quebec has indeed confirmed a \$225 million program and the work is under way. Today, the region has taken out an entire page in the *Journal de Québec* to voice its desperate appeal.

If the Deputy Prime Minister waits until after March 31, his leeway will disappear and, thanks to his inaction, highway 185 will continue to be as much a killer strip as ever. When does he plan to announce the federal government's investment?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, I already answered that yesterday. We are prepared to discuss any highway improvements anywhere in the country, Quebec included.

Private Members' Business

[English]

CANADIAN HERITAGE

Miss Deborah Grey (Edmonton North, PC/DR): Mr. Speaker, let us see today if the heritage minister can tell us if there is a final report regarding land use regulations at Lake Louise? She paid \$56,000 to Olsen and Olsen to produce one. Her department first said that the company only produced a “draft document”. Now the department says that there is a final document, poof.

Maybe the minister can just jump up out of her seat today, perhaps jump over it, and tell us what the actual truth is. The question is, if the final report was actually produced by her department and not by Olsen and Olsen, why did she hand out such huge gobs of cash for something that was never done?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I would invite the member to make that statement outside the House where the Olsen company can take the appropriate action.

* * *

RESEARCH AND DEVELOPMENT

Hon. Andy Scott (Fredericton, Lib.): Mr. Speaker, the federal government has increased its spending on R and D—

Some hon. members: Oh, oh.

[Translation]

The Speaker: Order. The hon. member for Fredericton has the floor and we want to be able to hear him.

[English]

Hon. Andy Scott: Mr. Speaker, the federal government has increased its spending on R and D in recent years to the CFI, the research chairs program and with increases in the research granting councils. However, these increases have forced Canadian universities to bear the indirect costs associated with that research, resulting in the \$200 million indirect funds program announced last fall.

Could the Secretary of State for Science, Research and Development provide the rationale for the use of a sliding scale in the allocation of these funds?

Hon. Maurizio Bevilacqua (Secretary of State (Science, Research and Development), Lib.): Mr. Speaker, I thank the hon. member for Fredericton for his excellent question and his excellent work on behalf of Canadian universities. Through the allocation of \$200 million for indirect costs of research and the use of the sliding scale, it is clear that the government appreciates the special circumstances and concerns of large universities as well as small universities.

The government is presently undergoing the innovation consultation process and we encourage Canadians to participate.

* * *

● (1505)

PRESENCE IN GALLERY

The Speaker: I wish to draw the attention of hon. members to the presence in the gallery of the Honourable Mrs. Suivi-Anne Siimes, Minister of Finance and Environment (Housing) from Finland.

Some hon. members: Hear, hear.

PRIVATE MEMBERS' BUSINESS

[Translation]

QUESTIONS IN THE HOUSE OF COMMONS

The House resumed from March 15 consideration of the motion.

The Speaker: It being 3:00 p.m., pursuant to order made on Monday, March 18, the House will now proceed to the taking of the deferred recorded division on Motion No. 20 under private members' business.

Call in the members.

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

(Division No. 263)

YEAS

Members

Abbott	Anders
Asselin	Bachand (Richmond—Arthabaska)
Bachand (Saint-Jean)	Bailey
Bellehumeur	Benoit
Bigras	Bourgeois
Breitkreuz	Brien
Cadman	Cardin
Casey	Casson
Chatters	Clark
Comartin	Crête
Davies	Desjarlais
Dubé	Duceppe
Duncan	Epp
Forseth	Fournier
Gagnon (Québec)	Gagnon (Champlain)
Gauthier	Girard-Bujold
Godin	Grey
Guay	Guimond
Hearn	Herron
Hinton	Johnston
Keddy (South Shore)	Laframboise
Lalonde	Lauctôt
Lebel	Lill
Lunney (Nanaimo—Alberni)	Marceau
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
McNally	Mills (Red Deer)
Pallister	Pankiw
Paquette	Perron
Picard (Drummond)	Plamondon
Reid (Lanark—Carleton)	Robinson
Rocheleau	Sauvageau
Skelton	Spencer
St-Hilaire	Stinson
Strahl	Thompson (New Brunswick Southwest)
Toews	Venne
Wasylycia-Leis	Wayne
White (Langley—Abbotsford)	Williams— 74

NAYS

Members

Alcock	Allard
Anderson (Victoria)	Assad
Augustine	Bagnell
Baker	Barnes
Beaumier	Bélangier
Bertrand	Bevilacqua
Binet	Blondin-Andrew
Bonin	Boudria
Bradshaw	Bryden
Bulte	Byrne
Caccia	Calder
Caplan	Carignan
Castonguay	Catterall
Charbonneau	Coderre
Collenette	Copps

Routine Proceedings

[*Translation*]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Jacques Saada (Brossard—La Prairie, Lib.): Mr. Speaker, I have the honour to present the 49th report of the Standing Committee on Procedure and House Affairs regarding the associate membership of certain committees of the House.

If the House gives its consent, I would move concurrence in the 49th report later today.

* * *

[*English*]

CANADA TRANSPORTATION ACT

Mr. Rick Casson (Lethbridge, Canadian Alliance) moved for leave to introduce Bill 436, an act to amend the Canada Transportation Act.

He said: Mr. Speaker, I would like to thank the member for Athabasca for seconding this bill. The bill would amend the Canada Transportation Act to require adults travelling by air with minors under 16 years of age to produce custodial permission of the guardians before boarding the aircraft on domestic flights.

I have always had an interest in protecting children and when a concerned constituent alerted me to this security gap on domestic flights with children, I felt a private member's bill was in order. This Lethbridge mother was boarding a plane with her five year old daughter on the same day that a child went missing in Lethbridge. My constituent was not asked for identification for her daughter, despite the ongoing search for the missing child. When she insisted on showing security personnel her custody papers she was waived off.

That is when I found out that presently any adult can board a domestic flight in Canada with a child and no questions are asked regarding identification or custody. This is a serious loophole, especially in cases where a non-custodial parent is taking a child on a flight possibly clear across the country and away from his or her guardian. Also with increasing online contact between minors and adults, this gap in security could be taken advantage of.

I realize the bill will not stop child abduction, but if it can prevent one family from going through the anguish of a missing child, it is going to be worth it. I will be seeking the support of all members of the House when the bill comes up for a vote.

Cullen
DeVillers
Duplain
Eyking
Fontana
Godfrey
Grose
Harvard
Jackson
Jordan
Kilgour (Edmonton Southeast)
LeBlanc
Leung
Longfield
Macklin
Malhi
Marleau
McCallum
McKay (Scarborough East)
Mills (Toronto—Danforth)
Mitchell
Myers
Neville
O'Reilly
Paradis
Peschisolido
Phinney
Pratt
Provenzano
Reed (Halton)
Richardson
Rock
Scherrer
Serré
Shepherd
St-Jacques
St. Denis
Szabo
Thibault (West Nova)
Tirabassi
Valeri
Wilfert

Cuzner
Drouin
Eggleton
Finlay
Fry
Goodale
Harb
Harvey
Jennings
Keyes
Laliberte
Lee
Lincoln
MacAulay
Mahoney
Manley
Matthews
McGuire
McLellan
Minna
Murphy
Nault
O'Brien (London—Fanshawe)
Owen
Parrish
Peterson
Pillitteri
Proulx
Redman
Regan
Robillard
Saada
Scott
Sgro
Speller
St-Julien
Stewart
Telegdi
Thibeault (Saint-Lambert)
Tonks
Vanclief
Wood— 114

PAIRED

Members

Bergeron
Carroll
Maloney
Ménard
Rocheleau
Steckle
Tremblay (Rimouski-Neigette-et-la Mitis)

Bonwick
Desrochers
Manley
Pagtakhan
Roy
Tremblay (Lac-Saint-Jean—Saguenay)
Wappel— 14

• (1515)

[*English*]

The Speaker: I declare the motion lost.

[*Translation*]

I wish to inform the House that, because of the deferred recorded divisions government orders will be extended by 10 minutes.

ROUTINE PROCEEDINGS

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

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

Routine Proceedings

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

* * *

• (1520)

CHILD PREDATOR ACT

Mr. Jim Pankiw (Saskatoon—Humboldt, PC/DR) moved for leave to introduce Bill C-437, an act to provide that persons who commit a sexual offence involving a child serve the entire sentence imposed without early release or parole and be found to be child predators, and to amend the Corrections and Conditional Release Act and the Criminal Code.

He said: Mr. Speaker, I am pleased to introduce this bill to provide that persons who commit a sexual offence involving a child serve the entire sentence imposed without early release or parole and be found to be child predators.

It would amend the Corrections and Conditional Release Act to prevent any unescorted temporary absence, day parole, full parole or statutory release being granted to a person who has committed a child predator offence or who has been found to be a child predator. Thus it would ensure that the full term of the sentence would be served in custody in every case of a child predator offence.

The enactment would also allow the court to order an offender who is found to be a child predator to be held in custody for an indeterminate period if the offence is a second or subsequent child predator offence and in the case of any subsequent release, avoidance of contact with children, electronic surveillance and monthly reporting to police.

In conclusion, it is a shame that this type of proposal to protect our children should have to come from an opposition member and not the justice minister. It is just another illustration of the desperate need to change the government so we can get the kind of criminal justice reform we need to protect our children.

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

* * *

ROYAL ASSENT ACT

Hon. Ralph Goodale (Leader of the Government in the House of Commons, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.) moved that Bill S-34, an act respecting royal assent to bills passed by the Houses of Parliament, be read the first time.

(Motion agreed to and bill read the first time)

* * *

PAYMENT CLEARING AND SETTLEMENT ACT

Hon. Ralph Goodale (for the Minister of Finance) moved that Bill S-40, an act to amend the Payment Clearing and Settlement Act, be read the first time.

(Motion agreed to and bill read the first time)

COMMITTEES OF THE HOUSE

CANADIAN HERITAGE

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, following discussions among the parties I believe you would find unanimous consent in the House for the following motion. I move:

That, in relation to its study on the Canadian Broadcasting system, the Standing Committee on Canadian Heritage be authorized to travel to St. John's, Charlottetown, Moncton, Halifax and Montreal from April 28 to May 3, 2002, and that the necessary staff accompany the Committee.

(Motion agreed to)

[Translation]

NON-MEDICAL USE OF DRUGS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I believe that if you were to seek it, you would find unanimous consent for the following motion:

That the Special Committee on Non-Medical Use of Drugs be authorized to travel to and hold hearings in Charlottetown, Prince Edward Island, and Halifax, Nova Scotia, from Sunday, April 14 to Thursday, April 18, 2002 in relation to its mandate and that the necessary staff accompany the committee.

[English]

Mr. Ken Epp: Mr. Speaker, I rise on a matter of clarification. It could be that the motion was read too fast for the interpreters, but in the English there was no mention of Prince Edward Island as in my printed copy and I just want to confirm that it was included.

Mr. Geoff Regan: Yes, Mr. Speaker, it was included in the English version and in the French as well.

[Translation]

The Speaker: Does the hon. member have unanimous consent of the House to move the motion?

Some hon. members: Agreed.

• (1525)

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)

PROCEDURE AND HOUSE AFFAIRS

Mr. Jacques Saada (Brossard—La Prairie, Lib.): Mr. Speaker, if the House gives its consent, I move that the 49th report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

[English]

Mr. Ken Epp: Mr. Speaker, I rise on a point of order. I do not have notice of this. If the parliamentary secretary were to tell us what it is we could decide instantly whether or not to support it.

Routine Proceedings

[Translation]

Mr. Jacques Saada: Mr. Speaker, this concerns confirmation of the appointment of Ms. Hedy Fry as associate member of the Standing Committee on Finance and the Standing Committee on Foreign Affairs and International Trade.

The Speaker: Is there unanimous consent of the House for the hon. member to move the motion?

Some hon. members: Agreed.

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)

* * *

[English]

PETITIONS

JUSTICE

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, it is with great pride that I stand today to present a petition on behalf of the parents, family, friends and community of Dana Fair who was a young man brutally murdered in Lloydminster. The petition, I believe, would help deal with the issue. Dana Fair was beaten to death by three men with boards on September 1, 2001. There were several eye witnesses to Dana's brutal death. These men, Raymond Cannepotatoe, Michael Harper, and Cody Littlewolf, have been charged with second degree murder. Cannepotatoe has been released on \$2,000 bail.

The petitioners, and there are thousands across the country, ask that no bail be provided for all accused murderers caught in the act of committing their crimes and only maximum sentences be given to those convicted. On behalf of the parents of Dana Fair I present this petition and hope the government will act on it soon.

TRADE

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have the honour to present two petitions today.

The first petition is on the subject of the proposed free trade area of the Americas and contains hundreds of signatures, including those of constituents Mehri Najar and Nahid Peyghambarzadeh as well as the International Association of Bridge Structural and Ornamental Ironworkers Local 97 who are very concerned that the proposed FTAA would effectively extend the NAFTA to the hemisphere, vastly broadening the reach of its investment provisions and give corporations unprecedented rights to sue, intimidate and override democratic legislation of governments.

The petitioners have other concerns as well, including the fact that the proposed FTAA would block the ability of governments to create or maintain laws, standards and regulations to provide universal public education and health care to protect the safety and well-being of their citizens and the environment.

The petitioners have a number of requests with respect to the FTAA, including a rejection of any trade deals that would preserve NAFTA style provisions that put the rights of corporations and

investors ahead of the rights of citizens and governments and they call for a new approach to globalization that puts social, economic and ecological justice above the profits of multinational corporations.

● (1530)

NUCLEAR WEAPONS

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have the honour to present a second petition on the subject of nuclear weapons, a very important issue, signed by residents of Calgary, in particular through Project Ploughshares and Kerry Duncan McCartney who is dedicated to this work.

The petitioners note that some 93% of Canadians polled in February 1998 agreed that Canada should support the negotiation of an agreement to abolish nuclear weapons. They point out as well that leaders of 19 Canadian Church denominations are in agreement, including the Church in your constituency, Mr. Speaker, in which Lucy Lu recently took refuge.

I take this opportunity to congratulate the Speaker on his outstanding leadership in the freedom of Lucy Lu.

The petitioners note that the International Court of Justice has determined that the use of nuclear weapons for all practical purposes is illegal. The petitioners pray and request that parliament support the government in urgently making an unequivocal commitment to nuclear weapons negotiations and in calling for immediate and practical steps to de-alert and de-activate nuclear weapons worldwide.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

Mr. Geoff Regan (Parliamentary Secretary to the 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.

* * *

[English]

MOTIONS FOR PAPERS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, Notice of Motion for the Production of Papers No. P-36 in the name of the hon. member for Saskatoon—Humboldt is acceptable to the government and the documents will be tabled immediately.

That a humble Address be presented to Her Excellency praying that she will cause to be laid before this House a copy of all documentation related to the sale of federal lands in the province of Quebec by the Canada Lands Corporation between 1997 and 2001.

The Speaker: Is it the pleasure of the House that Notice of Motion for the Production of Papers No. P-36 be deemed to have been adopted?

Some hon. members: Agreed.

Government Orders

(Motion agreed to)

Mr. Geoff Regan: Mr. Speaker, I ask that all other Notices of Motions for the Production of Papers be allowed to stand.

The Speaker: Is it agreed?

Some hon. members: Agreed.

* * *

REQUEST FOR EMERGENCY DEBATE

ABORIGINAL AFFAIRS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, thank you very much for this opportunity under Standing Order 52. I did earlier today submit a letter to the Speaker's office asking for leave to make a motion that this House do now adjourn to deal with the emergency issue that I believe to be of utmost importance and of national concern.

The issue that I itemized in the letter that I wrote is in regard to the level of dissatisfaction and dissent among our aboriginal communities and first nations leadership that is almost unprecedented in the country and generated by a single action on the part of the government. I believe that it is of pressing urgency that we deal with this issue in a debate in the House of Commons.

The issue that is being foisted upon the aboriginal people in the country which is causing this resentment and this backlash is the first nations governance initiative put forward by the minister of aboriginal affairs.

I will not go into the details of the first nations governance initiative other than to point out that it has been the subject of two assembly of first nations conferences, one in Halifax and one only 10 days ago in Winnipeg. A decision was made at both conferences to boycott the process and initiate a national action plan to show dissatisfaction and in fact take action in a very multifaceted campaign against the initiative put forward and contemplated.

The question that I believe needs to be debated is: does the harm outweigh any benefit? Does the House of Commons want to, at this juncture in our history, upset the apple cart that exists in the delicate and fragile relationship between Canada and our first nations partners. At this point in history I would point out that there is a huge disillusionment already on the part of aboriginal people for the failure of successive governments to address basic needs issues.

At this time, rather than introduce basic needs issues, what we find is the government introducing ideas to deal with accountability, the status of municipalities and the rules under which it will conduct elections. There is nothing about health care, education, basic needs or the disproportionate representation in penitentiaries. None of the issues that aboriginal people believe need to be dealt with and have been waiting patiently for decades or many centuries are addressed under this initiative.

The reason I raise this and decided it was worthy of an emergency debate is the action plan that was adopted just 10 days ago at the assembly of first nations conference in Winnipeg which I attended. I would point out that there are national and international ramifications, part of which is a lobby to the European Union, activism around the Queen's visit when she is here in October and going to the

United Nations yet again and condemning Canada for failing to address issues.

There is justification and national significance for this debate, and it should be held tonight in the House of Commons with all parliamentarians present hopefully.

● (1535)

SPEAKER'S RULING

The Speaker: I have allowed the hon. member to expound on the reasons for urgency of this debate at some length and I am afraid he has failed to persuade the Chair.

In this case, while I do not doubt that the matter is of considerable importance, the question of urgency does not appear to have been one that has struck the Chair even in the submissions the hon. member has put forward, however able they may be and however ably presented they were. At this time I find that his request does not meet the exigencies of the standing order.

GOVERNMENT ORDERS

[*Translation*]

ACT TO AMEND THE CRIMINAL CODE (CRUELTY TO ANIMALS AND FIREARMS) AND THE FIREARMS ACT

The House resumed from Dec. 6, 2001, consideration of Bill C-15B, an act to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act, as reported (with amendments) from the committee, and of the motions in Group No. 1.

Mr. Robert Lanctôt (Châteauguay, BQ): Mr. Speaker, I rise in the House today to state the position of the Bloc Québécois. We believe that cruelty to animals should have been dealt with in legislation a long time ago.

Cruelty to animals is a serious problem that deserves the full attention of the House. We are talking here about people who wilfully commit horrible acts of violence against defenceless creatures.

There is something new and interesting in Bill C-15B in that it creates a new part VI in the criminal code. This part is strictly dedicated to the protection of animals against cruelty. However, the bill also amends the Firearms Act to give more powers to the registrar of firearms, which results in decreased powers for the chief firearms officer, who falls under Quebec's jurisdiction.

With regard to cruelty to animals, we believe that changes to our criminal code to reflect reality are long overdue, particularly since the majority of provisions dealing with cruelty to animals date back to the end of the 19th century. Our attitude toward animals has greatly changed since then. Animals are no longer considered as property but as beings.

Government Orders

Since it was first introduced, Bill C-15B has been generating strong reactions, and it has also been facing diverging interests. At the very beginning, the Bloc Québécois gave its agreement in principle to the bill, but we cannot support it in its present form, because it does not transfer the specific means of defence provided under section 429 of the criminal code, so as to explicitly protect animal breeders, hunters, the animal industry and researchers under the new part V1.

We think that the primary objective of this bill should be to impose penalties for cruelty to animals. However, because it is obviously flawed, this legislation is unacceptable.

If the government's goal is not to deny legitimate activities from the explicit protection afforded under section 429 of the criminal code, then I wonder why this protection is not included in the new part. The current wording is too uncertain for us to give our support. We proposed amendments specifically to incorporate the means of defence provided under section 429 of the criminal code to the new part proposed in the bill, but they were all rejected.

We support increased protection for animals, and we support creating a new part in the criminal code that would deal with animals. This would solve current problems relating to damages in cruelty cases, since animals are now considered to be "goods" under part XI. We also think that the penalties relating to voluntary acts of cruelty to animals should be increased.

I emphasize the fact that the Bloc Québécois is in favour of increased protection for animals, but only if there is protection for legitimate activities involving animal husbandry, sport hunting and fishing, and research.

Stakeholders from the legitimate animal industry are worried and for good reason. The definition of "animal" in the bill is too broad and too vague. Moreover, the bill does not define the notion of killing an animal without any legitimate reason. The risks of legal proceedings exist and will have to be constantly monitored. Therefore, Bill C-15B could cause problems, including to animal breeders, to the sports hunting industry, to medical and scientific researchers, and to the whole animal industry.

The Bloc Québécois tried to find a compromise for all the parties involved, but our amendments to that effect were all rejected in committee.

As regards the notion of pain, the Bloc Québécois fears that the crown may not be able to prove which animals can feel pain other than by resorting to expert opinions, which would increase the costs involved in any proceedings. This also increases the risks that these proceedings may not be carried out fully due to a lack of means and resources. In fact, the crown may well have to meet twice the burden of proof in that it will be required to prove that the animal in question can feel pain, and that it did indeed feel pain.

• (1540)

We would like to clarify that we support increasing sentences, but during the testimony in committee we pointed out that the law enforcement and legal communities need the necessary resources to process complaints regarding cruelty to animals.

We believe that we need to raise awareness among police and legal authorities about this tragedy. We were stunned to learn that, according to police associations, there are no problems. In fact, their presentation on the bill dealt only with the provisions related to firearms.

Animal rights groups, in their presentations, told us that very few complaints lead to charges being laid, and that the number of charges resulting in penalties is virtually non-existent.

The fact that the means of defence is not included in the new part V1 could have the effect of depriving those who legitimately and legally kill animals or cause them pain from the protection currently afforded them under subsection 429(2) of the criminal code. It is therefore essential to reiterate these means of defence in the new part.

Section 429 of the criminal code stipulates that a legal justification or excuse and the colour of right are there to grant specific protection to whomever participates in a legitimate and legal activity.

Subsection 429(2) of the criminal code reads as follows:

429. (2) No person shall be convicted of an offence under sections 430 to 446 where he proves that he acted with legal justification or excuse and with colour of right.

The minister—the former minister, I should say—the Deputy Minister and the parliamentary secretary to the former minister of justice told us in committee that subsection 8(3) of the criminal code would apply, and this concerns us. This addition is not enough and is far from being complete. These same people told us that defences of legal justification or excuse, or colour of right are implicit in section 8. We have serious reservations about this.

I wish to remind the House that there is a principle of law which says that the legislator is not deemed to speak in vain. So why specify section 429 at a time when animals were goods, and not incorporate it in this bill? I find this omission very worrisome, and those representing breeders, the livestock industry, hunters and researchers are quite right to wonder about the legislator's real intentions.

Accordingly, if a general clause applies to the entire bill, we must obviously conclude that a specific clause applies only to a specific section of the bill.

Therefore, since the provisions of section 429 are not repeated in part V1 of the criminal code, it would be incorrect to believe that it also applied to another section of the criminal code. This is completely contrary to the principles of law and it is why it is essential that there be express provision for the means of defence identified so as to include them in the new part V1.

We can understand that the public is very attached to the moral principle of the protection and the well-being of animals, and many people are concerned about this issue and feel that animals should be better protected against criminal behaviour. The Bloc Québécois agrees completely.

Government Orders

We therefore feel that it is essential that judges, crown attorneys and special officers of the Canadian Society for the Prevention of Cruelty to Animals should be given the authority to charge and fine those who commit acts of violence against animals.

Now, in another vein, we are also opposed to the provisions having to do with amendments to the Firearms Act. It is clear from the proposed amendments that the purpose of this bill is to take away a number of powers and responsibilities of the chief firearms officer, which now come under the jurisdiction of the government of Quebec.

The government of Quebec created the bodies responsible for issuing licences, the Bureau de traitement and the Centre d'appel du Québec. Now Bill C-15B is creating a new position, the firearms commissioner, which will have the effect of diminishing the powers currently under the responsibility of the chief firearms officer.

• (1545)

The proposed provisions are therefore taking powers delegated to Quebec and placing them back under federal government control. It seems that the primary objective of these new provisions is to privatize services relating to the registration and licensing of firearms, thus stripping Quebec of all its responsibilities.

In conclusion, we are opposed to Bill C-15B because it does not provide explicit and specific protection for the legitimate activities of animal husbandry, sport hunting or research, and because it takes away from Quebec the power to enforce the Firearms Act.

[*English*]

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Madam Speaker, Bill C-15B is unofficially a declared war on agriculture in every province of Canada. It is a declared war on practices that have existed long before we became a nation. It is a declared war on a multimillion dollar industry across Canada.

The question that all agriculture groups across Canada are asking is simple. If it is not the minister's intention to change what is lawful today, why does she not simply raise the penalties for existing cruelty to animals? That is the question being asked. Why does that not happen?

Every agricultural group across Canada is threatened by this piece of legislation. In my area it will soon be calving time on farms and ranches. After calving time comes the annual round up. The bill would provide the minister with the right to declare that the practice of castration is harmful. The minister has a right to declare that these animals must be put under so there is no pain, which would cost ranchers and farmers millions of dollars. That right remains with the government. The act of branding undoubtedly will come under the jurisdiction of the act.

Let us look at more. I have heard people talking about chickens no longer being allowed to be housed in cages, that they must roam freely about and have so many square feet per bird. Let us think about what people will pay for eggs.

Let us look at the organization called PETA that tried to sell the idea that cow's milk was harmful to children because extracting the milk hurt cows. Why does the minister not declare what constitutes

cruelty? Could we trust the government to determine the definition of cruelty? I think not.

I have another extremely important question. How does a group calling itself the Animal Alliance of Canada get a charitable donation number from the government? How does it do that? It will use its propaganda in the upcoming byelection in Calgary Southwest. The government must have responsibility for these actions.

Let me quote from some of the documents I have before me. One is a letter written by the director of the Animal Alliance of Canada which states:

Bill C-15B, which makes changes to the animal cruelty section of the Criminal Code, recognizes for the first time that animals are not just "property", but rather beings in their own right who feel pain and are therefore deserving of legal protections.

The letter goes on to say:

I can't overstate the importance of this change. This elevation of animals in our moral and legal view is precedent setting and will have far, far reaching effects. We'll make sure of that.

This is a letter from the director of the Animal Alliance of Canada who then goes on to state in support of the bill that it will cost Canadians millions and may drive some people totally out of agriculture. She continues:

Getting our politicians to pass good animal protection laws is about reward and punishment—rewarding them for doing a good job and punishing them for doing a poor one.

• (1550)

The House has not heard anything yet. Members should listen carefully to the following:

The Liberals have done a good job on Bill C-15B—

They should tell the hundreds of thousands of farmers, ranchers and hunters from coast to coast that this same group, which had the charitable donation, wrote this letter to go out as a fundraiser.

The Liberals go on to say:

—our first chance to reward them will be in the upcoming by-election in Calgary Southwest, Preston Manning's old electoral district.

I hope ranchers and farmers from coast to coast will listen to this last bit.

With your help, Animal Alliance's political arm, Environment Voters, will run a campaign in the by-election to help the Liberal candidate get elected. It'll be a tough fight. This is the Canadian Alliance's heartland. Nevertheless, if the Canadian Alliance and the Progressive Conservatives split the right wing vote, it's possible for the Liberal candidate to win.

That would be funny if it were not so pitiful. We finally got the government to bring forward this bill out of an omnibus bill but it is about to destroy industry in my constituency in my province and industries from coast to coast that are asking for support on this side of the House. I can assure the House that the rural caucus on that side of the House cannot with good conscience ever stand in this House and vote for this bill.

I cannot believe that would be possible. I cannot believe the members I know, who raise chickens, hogs, cattle and so on, would have the fortitude to stand up and vote for this bill.

Government Orders

My colleagues on this side of the House have always said that we should put in tougher penalties for cruelty. If the minister were to state it now, this bill would not even be necessary. Are we going to cave in to the lobbyists?

In conclusion, the most recent census shows very clearly that the number of people in rural Saskatchewan is declining. It is a mind process over there. Which is more important, the lobby groups and the number of *xs* they can make or the industry from coast to coast? That truly is the question.

I am asking the House and pleading with the members opposite, for goodness sake, for the welfare of Canada, block the bill and destroy it before it becomes law.

• (1555)

Mr. Gerald Keddy (South Shore, PC/DR): Madam Speaker, I was particularly interested in a lot of the things that the member for Souris—Moose Mountain had to say. It would behoove the Liberal members opposite to be interested in what he had to say.

The bill clearly pits rural Canada against urban Canada. Unfortunately we have allowed the concerns of a few to dictate and prejudice the concerns of many.

Not only is the legislation ill-founded and ill-fated, both pieces of the bill, the cruelty to animal section and the gun registration section, makes criminals out of honest citizens. It is past time that we stopped doing that.

I do not think there is anyone in the House who is against modernizing the cruelty to animals legislation, but this legislation is not it. This is terrible legislation that would affect this nation from coast to coast and make criminals out of honest citizens.

The member for Souris—Moose Mountain spoke about farm practices that we do all the time, whether we are in Alberta, in western Canada, or in Nova Scotia. Castration and tail docking for lambs are farm practices carried out every day. They are not carried out with intentional cruelty. They are not done in some belligerent, cruel manner to cause undue harm to the animals. They are done for specific reasons. The bill could possibly make those practices criminal offences.

Under sections of the bill, hunters and trappers, honest men and women, honest citizens of Canada, who have never been arrested, who have never received even a traffic ticket in their lives and who have never gone through a stop sign, could be treated as criminals. It is incredible.

It is the view of the PC/DRC coalition that legislation is needed to punish those who intentionally abuse and neglect animals. We are not questioning that for a moment. However this legislation is not it.

Cruelty to animals is an issue that has received a lot of publicity in recent years, and deservedly so. We are looking at a poor attempt by the government to deal with that specific issue but Bill C-15B is not it.

If the government had been even remotely serious about doing something about cruelty to animals, it would not have put it together in an omnibus bill. It would have put together one bill, a stand on its

own, cruelty against animals bill. Instead it has lumped it together with some firearms registration that was not well thought out either.

There is absolutely no way that any thinking member of parliament, or any sentient being, which I think is the wording for cruelty to animals, who feels pain can look at the legislation and not find something wrong with it. It is absolutely incredible.

We do want to support parts of the legislation, especially preventing cruelty against animals, but other parts of the legislation prevent us from supporting the good parts.

It is time for the government to get it right. It should put this to committee, find an answer to this serious question and do something about it.

• (1600)

I find it offensive that the propriety aspects of animal use in this legislation, and those aspects of this legislation have always been important to animal cruelty legislation and laws, the way that it is put into this legislation moves the animal cruelty provisions out of part IX of the criminal code and removes the protection that animal users had in section 429(2). This important section currently permits acts done with legal justification or excuse or with colour of right.

Therefore removing cruelty to animals provisions from this section is of particular concern to me as a hunter, a trapper and a farmer. I am guilty under this legislation and can probably expect to go in prison. It is unbelievable. The legislation would make a group of individuals, unwittingly and unjustly, in contravention of the law under section 182.2(1)(a) and 182.2(1)(b) of the proposed legislation.

I had this discussion with some Liberal members earlier. They told me there was nothing to be afraid of and nothing to worry about in the legislation. My NDP colleagues also said that it would be left up to the courts to decide. I am not willing to do that. I can tell members that when people go to court they are there for one reason: One of the parties in that courtroom has lied. One of the parties has unjustifiably defended something or accused the other party of something and the judge has to resolve it.

That is not how we need to resolve this. We need to resolve this in a fair and equitable manner that considers all the facts.

We share the concerns of Canadians about the definition of animal as being "any animal that has the capacity to feel pain". I am forgetting a lot of my biology but I think it can be shown that animals, right down to multicelled creatures, feel pain and are actually affected by electrical shock or by acid. Certainly they are not sentient beings but they do have the ability to feel pain.

I do not know when the fishing season opens in the rest of the country, but come April 1 in Nova Scotia, when the fishing season begins, a lot of boys and girls will be put at risk when they put a worm on their hooks.

Someone may think that is incredulous but that is the way the bill reads and we will leave it up to some judge somewhere to make that decision. We can be sure the decision will be headed to the supreme court and we can be sure of what will happen there.

Government Orders

The legislation would place fishermen, farmers, hunters, trappers and all those good Liberals who want to boil a lobster, at risk. Forget the people who actually make a living in the country by raising livestock: cattle, hogs, chickens. Chicken farmers have to use euthanasia daily. Rather than have a sick bird infect the entire the flock, they put the chicken down as humanely as possible. However, that would be a deliberate act of violence under this legislation.

The PC/DRC coalition supports strengthening the laws to protect animals from undue cruelty. We certainly do not support this legislation and we cannot support it.

In the fishery in eastern and western Canada and in the Arctic, fish are caught in nets and caught on hooks. It is not some deliberate way to torture an animal but under the legislation those people would suddenly become criminals. It is unbelievable how poorly crafted the legislation is.

• (1605)

There has been \$800 million already spent on the gun registry. Where is it headed? I have no idea.

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Madam Speaker, Bill C-15B, the cruelty to animals bill, is a war on the agricultural industry and the fishing industry in Canada. Farmers, ranchers and fishers must be made aware that the bill will negatively affect their livelihood. This is not fearmongering. This is reality.

The justice minister said that the bill will not change things, that what was lawful before will still be lawful. If the bill has no effect, then what is its purpose to the agricultural industry and fishers?

We are told that the bill will not affect legitimate practices. What it does do is narrow the definition of what those legitimate practices are. This will have a huge effect on animal based businesses and practices.

I live in a rural area on a farm. The legislation causes huge problems for the surrounding farms and ranches in the area. The Department of Fisheries and Oceans has moved into our province. Under its mandate we cannot put a culvert in a road that goes between two sloughs on our farm because we might affect the fish population. There has not been a fish in our sloughs as long as I have lived there. In fact, it is hard for the frogs to live there.

That shows what happens when bureaucracy goes amok. The rules and regulations of the fisheries department make no sense whatsoever to prairie farmers. Fisheries people have been moved from the oceans to central Saskatchewan to make rules and regulations. That scares me because the same thing could happen in the bill.

Animal rights groups have said that in order to be proven effective, the legislation will have to be challenged in court. Agriculturalists and fishers could have their whole lifestyle as well as their livelihood taken away from them because of this legislation. We have to make sure that Canadian chicken farmers and the Canadian Cattlemen's Association understand what is in the bill and that they look at it closely.

My husband and I are environmentalists. My husband has farmed for over 36 years. He is one of the first no-till farmers in our area. He

looks after the land. He has stopped the land from blowing away. He looks after the environment. We protect our animals.

Under this law if someone complained that a cow was fenced in, the cow would be allowed to roam free. That has not happened for a long time in the prairies and I hope it never happens again.

This is what lies ahead for our agricultural industry if we do not speak against the legislation and if we do not challenge the government to change the bill to help us. We look after our animals. We will not abuse animals. We do everything not to hurt them. We have to make sure that the bill does not go through.

Animal rights groups have said that the government will have to take agriculturalists and fishers to court. Court challenges lie ahead for fishers and the agricultural industry. Hardworking Canadians cannot afford to fight court battles against well-funded activist groups.

My colleague's motion which would seek wilful and reckless actions as being guidelines for prosecution would help to protect farmers, ranchers, researchers and others with legitimate animal based occupations from nuisance prosecutions. As we saw in Bill C-5, the government is content to categorize all actions as criminal. There must be protection in place for those with legitimate uses for animals.

• (1610)

How can we criminalize every young or old hunter who wants to shoot an animal for food? How can we penalize those people? They need those animals for food. They buy a licence to hunt. The animals are used for food. Many people only eat animals they harvest from the wild. We cannot make that against the law.

The agricultural industry in Canada has been abandoned by the government. Legislation such as Bill C-15B will do additional damage to an already struggling business, a business that is groping for anything that can help it. It does not need to be loaded down with any more rules and regulations by a government that wants to impose them on us.

Moving animals from property offences into the criminal code leads us away from animal welfare into the land of animal rights. This is a scary proposition for many Canadians who use animals for legitimate purposes.

The very definition of animal in the legislation needs to be changed. The current definition is far too broad. It is too inclusive and will lead to problems for law-abiding citizens.

Government Orders

A leisurely day of fishing can now be met with court challenges on animal cruelty. How many times have we sat in a boat and fished? How many times have we sat on the edge of a riverbank with our grandchildren to enjoy a wonderful afternoon of fishing? That could be challenged in court.

The Canadian government would like to assure Canadians that petty things like that will not happen. The legislation however opens the door for exactly that scenario. The government's blatant pandering to special interests is horrific. A letter from the Animal Alliance of Canada is a perfect example:

Bill C-15B, which makes changes to the animal cruelty section of the Criminal Code, recognizes for the first time that animals are not just 'property', but rather beings in their own right...I can't overstate the importance of this change...It started in the last federal election. Because of a commitment by the (previous) Minister of Justice in the House of Commons to pass Bill C-15B (we) campaigned for her re-election. Under attack by hunters and gun owners and a cabal of extremist right wing groups, (she) was in a losing campaign. (We) stepped in a championed her election... (she) won by 700 votes.

Instead of championing for the stability of law-abiding animal based industries and businesses, the government caters to a special interest group. That is totally unbelievable.

My colleagues and I in no way support cruelty to animals. However we do support law-abiding Canadians who are involved in animal based businesses and industry. We cannot support the bill as it stands since it seriously jeopardizes Canadians from engaging in legal, moral and ethical animal practices.

The government must look at the broader picture and the repercussions the bill will have on the industry instead of its blatantly pandering to lobby groups that have no idea of what they can do to the economy of the agricultural community and the fishing industry.

• (1615)

Mr. Rick Casson (Lethbridge, Canadian Alliance): Madam Speaker, Bill C-15B is part of the bill we had asked the justice minister for some time to separate. This has been done and we appreciate that because there were two very conflicting aspects in one bill. One aspect was cruelty to animals. The other dealt with the protection of our children from child pornography and luring on the Internet. We appreciated that aspect and supported that part, but we had some concerns with the cruelty to animals portion.

As my colleague has stated, we in no way condone cruelty to animals. There should be strong legislation in place to deal with anyone who abuses animals in any way. Our concern comes when we look at the agricultural community, people who raise and use animals in their businesses, such as fishermen and farmers.

We are concerned that if certain aspects of the bill are carried out to the degree we think some people will want to push them, it will put animal husbandry practices into question and it will put the people who raise the food we need in harm's way. The whole issue of protecting animals is a balancing act, as is every bill that comes to the House. We cannot go too far one way or we intrude in one area, but we have to go far enough to make sure that what we are trying to do gets done. This is no exception.

We have received in my office, as I am sure have all members in the House, countless letters of support for the bill from animal rights

groups. They are doing their job. They are making sure we are aware that this legislation is in front of us, that we need to be aware that cruelty to animals is a problem and that there needs to be strong legislation to protect animals. On the other side we also are receiving letters from people who are concerned for the way of life they have created and the fact that the bill, if it is put into law the way it exists, could very well jeopardize the actions that they take.

People in the agricultural industry and the people who deal with animals are very cognizant of how to treat animals. They do it in the best way they can because it is to their advantage to do that. An animal that is treated properly is one that meets the requirements of the final process. There are all kinds of examples I could put forward about the industry which has governed itself. It has brought forward its own means of regulation to make sure that what is done and what the animals face is right.

The University of Lethbridge is in my riding. Like many universities across the country, it does research. That is another aspect where we have to make sure the animals are treated properly. We have seen a huge movement in the right direction as far as how animals that are kept for research are handled. On the other hand we have seen some people outside the research circles who really do need firm legislation and should be put out of business. That hopefully is where the legislation will lead. We hope it will not lead to the detriment of research and to our agricultural community in general.

We have brought forward suggestions from time to time on what we think needs to be done with some aspects of the bill regarding protection of animals. We hope the government will recognize that the concerns we are bringing forward are indeed legitimate and need to be addressed. If the government can in any way through changes to this legislation recognize all sides of the issue, then that is what should be done to make sure people can buy into this and buy into the fact that our animals need to be protected and treated fairly.

• (1620)

One of ways Bill C-15B differs from Bill C-17 that was before the last parliament is that a person would have to act willfully or recklessly in killing or harming an animal. Many organizations, businesses and individuals have a significant concern with respect to this aspect of the bill, namely that we would need to prove a person was wilful and reckless in his or her treatment. The bill could then come into effect and the law could be applied to the person.

The intent of Bill C-15B is fine. Cruelty to animals is something many of us do not understand. However we need to make sure the bill does not go too far. It must not hamper legal and rightful agricultural producers and others by wrongly accusing them of cruelty.

Government Orders

The idea of elevating the status of animals from property into something higher has many people concerned and rightly so. It would open up a whole different area of legal challenges. At what point would we stop? Do plants feel pain? We would be opening up a whole new area that could and would be challenged because there are people who would take it to the maximum degree.

The definition of animal under the bill would include non-human vertebrates and other animals that have the capacity to feel pain. The definition marks a significant departure. It would provide protection for an extremely wide range of living organisms which have never before been afforded this kind of legal protection. This piece of legislation would change the scope of what is currently in place.

The definition has practical difficulties. As worded it could cause enormous problems by extending the criminal law to invertebrates, cold blooded species such as fish, and an extremely wide variety of domestic and wild animals. It would affect the entire fishing industry by raising concerns about how hooks should be baited and how fish are handled after they are caught. It should be done in a humane way but it still needs to be done.

We have asked the government to delete or modify the definition but it has not. The issue could be a major concern as the bill proceeds.

The previous justice minister assured us in a speech that activities that are lawful and legitimate today would remain lawful after the bill received royal assent. The statement was intended to put at ease some of the concerns being raised at the time. She promised the House the changes would in no way negatively affect the many legitimate activities that involve animals such as hunting, farming or medical and scientific research.

We hope we can hold the new justice minister to the words of his predecessor. The words mean a lot. They have gone a long way to relieving the concerns of some people. We hope we can make sure they come true.

The previous justice minister's statement was self evident but it could be misleading. She said the provisions would not prevent legitimate activities from being carried out but that the law would proscribe only illegal activities. That is a bit of a play on words that negates what she meant to say in the first place. We are concerned the new provisions would narrow the scope of what constitutes legitimate activity.

• (1625)

These are just some of the issues. As Bill C-15B progresses through the House and we get an opportunity to rise and speak to it we will bring out other aspects.

We in our party support cruelty to animals legislation. However we want to make sure it addresses the issue without invading other parts of society.

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Madam Speaker, I am pleased to rise and add my comments to the bill under discussion.

The issue has raised more interest in my constituency than many others. I just completed a tour of two dozen communities in my riding. It is a rural riding composed of a great many communities,

most of whom are dependent on the agriculture industry. Within the communities there is tremendous concern about Bill C-15B because of the importance of the agriculture industry. In reviewing the correspondence I have received and the views of various organizations regarding the issue I find myself supportive of the concerns expressed by a number of the groups.

The Canadian Federation of Agriculture whose president is fellow Manitoban Mr. Bob Friesen has communicated to me its concerns about a number of issues. Not the least of these is that the criminal code would no longer provide the same legal protection currently given to those who use animals for legitimate, lawful and justified practices. That is a serious concern. I am sure it is not held by farmers alone. However most farmers engaged in the business of livestock will have concerns about that aspect of the bill.

Concerns have come to me from other groups as well. Keystone Agricultural Producers, a Manitoba farm association, is a strong and active group. It has communicated concerns about animal cruelty provisions being moved from the general classification of property offences into a separate section of their own. It is concerned that elevating the status of animals from property could cause significant detriment to legitimate livestock dependent businesses. A great many of these operate across Canada but my riding in particular is home to a tremendous number of them.

I do not mean to single out any one group, but in my riding of Portage—Lisgar a number of Hutterite colonies are actively involved in livestock industries. More Hutterite colonies that operate agricultural enterprises dealing with livestock are in my riding than any other riding in Canada. This concern is shared by the hon. member for Provencher who has done such a tremendous job in advocating against this piece of legislation.

My colleague from the region, the hon. member for Selkirk—Interlake who is our agriculture critic, has similar concerns. We are afraid agricultural operations would be negatively affected by the legislation.

Although concerns about the bill are not limited to agricultural organizations I have had numerous communications from organizations such as the Manitoba Cattle Producers Association which is concerned about the definition of animal. The definition is so broad, subjective and ambiguous it could include non-human vertebrates and any animal that has the capacity to feel pain. Livestock operators concerned about pests on their property might be so impeded they would be unable to operate their businesses effectively for profit.

The legitimate concerns of farm organizations have not been addressed by the government's proposed amendments.

As I said, concerns about the bill are not exclusive to agricultural organizations. I will quote a letter written by Mr. Pierre Burton, a well known Canadian, on behalf of Canadians for Medical Progress Inc. He states:

However, some amended components of this section of the bill as drafted could have serious and paralyzing consequences on medical science. Essentially, they will remove animals as property, and will be interpreted as conferring person-like status on animals. In my opinion, this is an asinine, ludicrous approach towards solving the problem of animal abuse.

Government Orders

Many Canadians are concerned this is a wrong headed piece of legislation, and legitimately so.

● (1630)

Recently in Manitoba protests have been staged by so-called animal rights activists. For some time in our province we have seen protests designed to disrupt legitimate livestock operations. These groups seem willing to go to schoolyards and tell children that milk causes cancer. They dump hundreds if not thousands of gallons of animal waste on the streets to protest against what is called the Pregnant Mare Urine operation. Manitoba now has dozens of these protests.

The sensationalizing of concern to the detriment of legitimate farm operations has frightened many farmers and people who support the agricultural industry. It makes them fearful that people such as Liz White, director of the Animal Alliance of Canada, are not sincere when they say the ramifications of the legislation would have no impact on agricultural producers. Yet when we look at the past records of such organizations we cannot help but be concerned.

I will quote from a fundraising letter Ms. White put out for her organization. These organizations depend on sensationalizing their programs so they can raise funds from principally urban people who think every living creature is a Walt Disney creature that should be treated like their little chihuahua dog. There is a difference but Liz White does not seem to think so. She states:

Bill C-15B, which makes changes to the animal cruelty section of the Criminal Code, recognizes for the first time that animals are not just "property," but rather beings in their own right who feel pain and are therefore deserving of legal protections.

I can't overstate the importance of this change. This elevation of animals in our moral and legal view is precedent setting and will have far, far reaching effects. We'll make sure of that.

That is a threat. It is a threat to farmers, fishermen and hunters in my area and across Canada. It is a threat that they will see protests about the size of their poultry cages, the way they look after their hogs, or their failure to massage their ducks' bellies frequently enough to satisfy this group. It is a threat to people who milk cows. It is a threat to people who make their living in an industry under attack by the government and by circumstances not of its own making.

Bill C-15B would continue the Liberal government's sad trend of pitting rural people against urban people in a destructive way. We can look at Bill C-68, the firearms legislation. We can look at the way the government has ignored the need for infrastructure and renewal of roads and drainage systems in western Canada since the end of the Crow rate. We can look at the species at risk legislation under which farmers would be assumed guilty and not innocent. Unlike the minister of defence who was assumed innocent on the basis of ignorance, farmers could be ignorant and assumed guilty. It is something of a contradiction.

This is the problem we have with the government. It does not seem to understand that respecting landowners and people who practise agriculture and animal husbandry is a far better approach to making legislation that protects animals than the approach it is taking. The government's approach is disrespectful and sad.

I will quote a letter I received from the Bob Friesen of the Canadian Federation of Agriculture, an organization concerned about the issue. It says:

The government has been working hard to move agriculture beyond crisis management—

I take exception to that aspect of the letter. However it goes on:

—so it would be counterproductive if this proposed legislation ties up farmers' time and money in frivolous court cases.

That is exactly what it would do. That is what it is designed to do. Farmers do not need the hassle. They have enough challenges without adding Bill C-15B to the pie.

The letter from Bob Friesen goes on to state:

—we are not convinced this proposed legislation will prevent generally accepted and best methods of animal management from being brought before the courts.

That is not at all the way to deal fairly with farmers. I grew up on a farm. Our family has a century farm in Manitoba. I understand very well how our agricultural producers have treated their livestock. They treat it well because their livelihood depends on the mutualism of the relationship.

● (1635)

I far sooner would trust the farmers of my riding to protect their animals, their livestock and look after them well than I would ever trust the government or anyone who drew up a bill like this. It is a shame and a sham. The government should withdraw it.

The Acting Speaker (Ms. Bakopanos): 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 Cumberland—Colchester, Anti-terrorism Legislation; the hon. member for Sherbrooke, The Environment.

Mr. Dale Johnston (Wetaskiwin, Canadian Alliance): Madam Speaker, I am pleased to rise in the House today and say a few words regarding Bill C-15B, which is an act to amend the criminal code, specifically cruelty to animals and firearms.

I have spent the last 35 years of my life in agriculture, raising cattle and horses and I have had farm dogs. I now have an eight pound Maltese that pretty much rules our household, so I think I speak with a certain amount of expertise.

However, I think I bring some expertise to the debate. I find it rather ironic that the urban lobby obviously has had so much influence into the writing of the bill and has put a yoke around agriculture's neck. Without a profitable agriculture industry, people in the urban centres will get hungry in a hurry. They are dependent on agriculture producers being efficient and providing them with not only an abundant, but a cheap source of food.

When I read things in the bill such as clause 182.2(b) which says:

(1) Every one commits an offence who, wilfully or recklessly,

(b) kills an animal or, being the owner, permits an animal to be killed, brutally or viciously, regardless of whether the animal dies immediately;

Government Orders

Livestock producers allow their animals to be killed. We are now saying that because this was done wilfully someone would decide, probably in a court, whether it was done recklessly. They would probably also decide in a court whether the animal was killed brutally or viciously, and that is all very subjective. It is not something that can be defined easily. It would be left up to people who probably any aspect of cattle husbandry would be a revelation them. It would be left up to people in the city, probably a jury of people who did not know anything about cattle or animal husbandry, to define whether I allowed my stock to be killed brutally or viciously or that I wilfully allowed them to be killed and was reckless about it, even though the animal died immediately.

I said that I have been farming for 35 years. I have not figured out a way that I could eat beef without first killing the cow. It has to die before it can be eaten. It is just common sense. It is the same thing with a chicken.

I know there are many producers in the House. I know there are many people here who produce cattle. I know we certainly have some very prominent chicken producers in this parliament as well. I cannot understand why more members of the government are not objecting to the way the bill is written. I think it is ridiculous.

I believe that this will be a millstone hung around the neck of agricultural producers and we do not need it. We already have to put up with low commodity prices, with the uncertainties of weather, too much precipitation or too little precipitation, pests and diseases in our crops, our cattle and in our livestock in general. There is the possibility of all kinds of other problems, weed infestations and so forth with which we have to put up. To have this very subjective piece of legislation placed on us is something we certainly do not need.

• (1640)

The past minister speaking at second reading in this place has said "what is lawful today in the course of legitimate activities would be lawful when the bill receives royal assent". That is what the minister promised in the House. She also went on to say that these changes would in no way negatively affect the many legitimate activities that involved animals, such as hunting, farming, medical or scientific research. I take some comfort in that statement.

However, if the previous minister was sincere about that, and I assume she was, then why has the present minister not simply put that into the legislation? Although I am not a lawyer, I believe that would go a long way in alleviating some of the concerns that the agriculture industry has.

One of the things that the minister mentioned was hunting. I used to hunt too. Before I got this job, I had time to do lots of things. I was able to go big game hunting. My goal in hunting was to find an animal for which I had a proper licence, to kill it as quickly as I could, usually with a shot to the head, neck or lungs, which would knock the animal down. I would rush there and let the blood out of the animal which helped to cool the body as part of the process of butchering. I would kill the animal as quickly as I possibly could.

In the law of physics on rifles and so forth, if the bullet on the way between me and the animal should actually touch a branch or something, it will deflect a certain amount and it may miss my target

by as much as foot of where I actually shot, hit the animal and knock it down. However the animal may would jump up and run off into the bush before I have the chance to get another shot at it.

Hunters under those circumstances have absolutely the best of intentions but, through no fault of their own and through extenuating circumstances, have these wounded animals run off on them. Hunters do their utmost best to track that animal down, dispatch it, put it out of its misery and take the meat home. That is the object of going hunting. I never was one of those hunters who went out strictly for the trophies. I went there because I like wild meat. I like elk, moose and deer. Those are the animals we hunted in the foothills of Alberta.

I see that as a problem. This proposed legislation will effectively drive a stake through the heart of hunters. Hunting is a very important thing. The most dangerous North American animal is not the grizzly bear, the wolf, the wolverine or any of those carnivores. It is the white-tailed deer. The reason it is the most dangerous animal in North America is more people are killed hitting white-tailed deer on the highways with their cars or dodging them and getting into oncoming traffic than by any other animal in North America.

Do members know anybody who has hit a deer? I think everybody in this place knows somebody who has hit a deer. I have hit them myself. One day my wife was going down the road and I told her that if she saw a deer about to cross the road, or if one crossed in front of her, to slow down. Where there is one deer there will be others and they follow one behind the other. She did exactly as I suggested. She slowed down, missed the first deer and watched another one run by. Then a deer came out and ran into the side of her car. Even though my wife was stopped, she got hit by a deer.

That probably is a sideline to the point I was trying to get across. My point is this legislation is not accomplishing what it is attempting to accomplish. I agree with what it is attempting to do. I agree that we should be touch on people who intentionally are cruel to animals. I know that the farmers I have as neighbours would never intentionally do that. If they fail to provide adequate feed, bedding and water, it simply takes money out of their back pockets because the animals do so poorly.

• (1645)

Anyone who deliberately neglects animals or is cruel to them ought to be punished very severely. However this is having a punishing effect on people who are legitimately trying to make a living and provide food for our friends in the cities.

Mr. Ken Epp (Elk Island, Canadian Alliance): Madam Speaker, I have all sorts of things going through my head when I rise to debate a bill such as this. As humans we have so many interactions with animals. It is just a matter of fact that we share planet earth with many different kinds of creatures. This ranges all the way from a friend of mine who is in love with his cat to other people I know who have dogs that are more precious to them than perhaps the value they have husbands, wives or children.

Government Orders

Not long ago a close friend of mine suffered the experience of having to put his dog down, as the phraseology goes, because he was very ill and beginning to suffer a lot. When his dog left the earth, I guess is how one would put it, he grieved as much as I had seen some other people grieve on the passing of a fellow human. There is no doubt in my mind that we sometimes have close relationships with animals.

I grew up on a farm in Saskatchewan many years ago. We had domesticated animals, dogs and cats. We had the dogs and cats to kill the rats to maintain a bit of an ecological balance on our farm.

I distinctly remember the day when my dog was killed by a truck alongside the road. My dog foolishly went after the truck as if to catch it. I never did ascertain what my dog intended to do with the truck if he was successful in catching it, but he had this habit of chasing vehicles. One day he misjudged or tripped or whatever and was killed by the truck. I remember how I grieved.

I remember also as a young man on the farm observing my parents sometimes involved in butchering animals. I can assure everyone it was never an occasion for delight. It was always an occasion where we realized that life was precious and even for animals it was life.

To have animals subjected to cruelty is of course very offensive to by far the majority of us. I for one have no problem whatsoever with a bill that would enhance the penalties for those who wilfully caused cruelty to animals.

I know of one case not long ago where a woman in Edmonton had a whole house full of cats. There were 70, 80 or 100 of them in one house. She did not look after them and many of them died and just rotted there. Apparently it was a dreadful place. Obviously this was a person who was, I believe, mentally ill. One does not live in a house with decaying dead animals unless there is something seriously wrong with one's psyche.

That is not what we are talking about. We are not talking about trying to reduce the care with which we should protect animals from unnecessary and deliberate wilful cruelty. However there are many things in the bill which cause us legitimate concern.

I think again of the different practices, which some of my colleagues have already mentioned them, that are utilized regularly on the farm. When I was a youngster we used to dehorn cattle. I do not know if anyone has ever seen that. I will tell members one thing, and that is one never wants to be on the business end of a bull that has horns. That could be fatal. In fact, every year certain numbers of farmers and ranchers who die because of encounters with animals.

● (1650)

Taking their horns off is a matter of safety. I remember my father had a great big tool that he used to dehorn animals he purchased which had not been dehorned when they were young. That had to be at least partially painful to those animals. They seemed to indicate that, although usually they brushed their heads off and carried on with their lives. In our family my dad made a point of putting dehorning paste on young calves when they were born which prevented the horns from growing. It was much more humane. That was long before any rules or laws which said that had to be done. It was natural.

It is not to a farmer's benefit to cause animals unnecessary pain because, as we all know, whether it is a human or an animal suffering pain will always cause reduction in faculties. A dairy cow's production of milk will be reduced if she is subjected to unnecessary pain. With a beef animal the production of meat, the conversion of hay, oats and barley into good roasts and good steaks, will be reduced if the animal is suffering from pain. It is in the farmer's best interest for animals to have the least amount of pain.

A law that attacks farmers and ranchers in this stead is unnecessary because there is no farmer or rancher who would deliberately cause his or her animals pain. There is nothing in it for them.

We are dealing with those people who are what I would call sickos that get pleasure out of causing pain to animals and in some cases to other humans. They are the masochists and the sadists. Of course we need rules in society to limit their behaviour.

I think of one of my friends who had a pork factory. He built a massive structure many years ago. He told me one day that his pigs lived better than he did. He pointed out, for example, that his house did not have air conditioning. In summer when it was hot his house got as hot as the sun provided the heat. On the other hand the pigs in the barn had an automatic, thermostatically controlled air conditioning system. When the temperature reached a certain level the air conditioning kicked in and these pigs were living in the lap of luxury.

He provided for them the very best of balanced diets. He provided medicare for those animals from birth to death. He looked after them very well. They were kept clean. They were well fed. There were regular inspections. It is also true that at the end of each week a truck rolled up to the far end of the production line and took a truckload of pigs off to market. It is true that at the end of the truck trip those pigs were put to death to provide bacon, ham and all those other goods things that we enjoy come breakfast and other times.

I do not know how we can get around that. Of course it must be done humanely. There is no question about it. However it is wrong to put laws into place where the animal rights activists can harass farmers and cause them to go to court to try to defend themselves, which we have reason to believe will happen with the legislation before us.

Why should we put that barrier in front of hog and beef producers who are simply trying to do their best and who are committed to not giving their animals any unnecessary or undue pain? Why should we then put those same farmers to the task of having to go to court, hiring lawyers and cutting into their margins, which are very close at the best of times these days with the Liberals government and its farm policies? Why should we do that and cause these farmers to go to court to defend what is just normal practice?

Government Orders

•(1655)

The amendments we have put forward are meant to correct the anomalies in the legislation. Yet I have a suspicion that at the end of the day, since they say Canadian Alliance on them, Liberal members will probably vote them down. However a substantial amendment in this group put forward by the Minister of Justice will probably carry because it says Liberal on it. Because we want to improve legislation and because the amendment looks perfectly fine to me we will probably support it. I wish the government would do the same with regard to our amendments.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance): Madam Speaker, Bill C-15B is of considerable interest to me and others because of how it directly impacts on individuals in our respective ridings, particularly those in the agricultural areas of Canada.

When we look at a bill like this one we have to understand where some people are trying to take it. As my colleague and others have mentioned today I do not think any of us have a problem. In fact we are staunch supporters of bills that protect animals in the right and appropriate way from the kind of cruelty we have seen reported in newspapers, on television and so on. People have performed some horrific and sadistic acts against animals. Of course we want to protect them from that kind of horrible cruelty.

We all realize that in our respective ridings there are wonderful constituents who have animals as pets, be they cats, dogs or horses. They spend a great deal of time and attention caring for these animals. For individuals who do not have other close companionships animals may be the greatest enjoyment in their lives. We appreciate and acknowledge that.

There is a certain therapy in many senior citizens homes these days involving animals. I quite agree with its benefits. I have worked as an orderly in health care settings in the past and have done chaplaincy work in those settings too. As people get along in years their eyes light up when cats or dogs are brought in. They are wonderfully pleased to see them. Perhaps they go back in their minds to their childhood years when they had a cat, a dog or whatever.

This therapy add something considerable to their lives, even if only for a few hours or if they have pets on a long term, more permanent basis. None of us can deny the fact that animals bring us a great deal of enjoyment. They can be man's best friend in the sense that they help, protect and are loyal.

I will read some quotes from the In Defence of Animals campaign on its website. My express purpose in flagging them for all of us and for the viewing audience is to understand the motivation for the legislation before us today and perhaps even take it further.

According to this IDA, In Defence of Animals, website its campaign proposes nothing less than to change society's relationship with animals. That is a very grandiose desire and motivation. Many quotations have been submitted by various individuals across North America. I want to read some of them because I think they will be helpful to reinforce and understand where some people are trying to drive this issue. We see it partly reflected in the legislation before us.

It is fundamental to understand the animal rights agenda. I think members will get the picture very quickly.

Here is an article from Lynn Manheim, a columnist with Letters for Animals. He says:

Ultimately there can be no real progress until society undergoes a paradigm shift, a new way of looking at the world which opens the door to new systems of interacting with it. As we have seen most strikingly with the women's movement, language plays an essential part in such a shift. Establishing legal rights for animals will be virtually impossible while they continue to be called, and thought of, as "its" and "things".

He definitely wants change. I would like to read another article from the president of The Elephant Alliance. She says:

From its inception, the Elephant Alliance has advanced the idea that elephant captivity and servitude, like slavery, must end. We thank and commend In Defence of Animals for initiating this important and necessary campaign, for truly, they are not our property, and we are not their owners.

Here is another article from the director of Project Zero, Ed Duvin:

This campaign is a vital systemic approach to elevate the legal standing...of animals. Changing our present oppressive language is a crucial first step in altering attitudes and expanding the concept of family. By working at the roots of injustice instead of the symptoms, we hasten the day when a new ethic is achieved for all beings—human and non-human alike.

•(1700)

Here is another one by an individual who wrote a book called *The Compassion of Animals*. He says that a particular campaign:

—will prod us along in our moral evolution. Just as we moved beyond "owning" people after the Civil War, we now need to move beyond "owning" animals, who deserve a far greater understanding in our society than simply being treated as property and things.

A lawyer wrote:

—as an attorney it is all too obvious to me...the true legal protection of animals. Codifying the language and concepts of animal guardianship will help to usher in the day when our laws reflect our society's feelings that companion animals are members of our families.

Jane Goodall of the Jane Goodall Institute took it quite a distance when she wrote:

In the legal sense, animals are regarded as "things", mere objects that can be bought, sold, discarded, or destroyed at an owner's whim. Only when animals can be regarded as "persons" in the eyes of the law will it be possible to give teeth to the often-fuzzy laws protecting animals from abuse.

Another author, Stephanie Laland, in *Peaceful Kingdom: Random Acts of Kindness By Animals* wrote:

I looked up the word "property" in the dictionary. It said "a thing or things owned". To me, this makes it clear that, by definition, animals can never be considered property. A "thing" cannot love. A "thing" cannot act from compassion. A "thing" will never risk its own life to help a stranger or even a friend.

Another says:

Animals are not things, but beings who share our planet and our lives. We should acknowledge the kinship and call them by name friends and companions. We support In Defence of Animals' campaign.

The House will probably get my drift pretty quickly. It is taking it up to some different levels when animals are actually being called persons. There is something wrong about that philosophically and theologically. We are the proper stewards of animals, things on this earth and so on, but to be reviewing it in this way is quite wrong, getting it a bit skewed and way out of joint.

Government Orders

Here is one from the president of the Action for Animals Network who says:

The animal rights philosophy holds that animals are not property, but are individuals with needs and interests of their own. By including animals into our system of ethics, we remove the argument that animals are things, that they are ours to dominate and use as we see fit. When we see them as individuals in their own right, we strengthen the moral foundation of our society.

Another says:

It's up to us to demonstrate through action and words, that companion animals are much more than mere property. They are our friends, partners, or companions and we are their guardians, advocates and protectors.

Another reads:

Best Friends Animal Sanctuary is fully in support of your campaign to secure a change in the legal status of animals. People of other genders, races, and even age groups, were once treated as property in this country. Now, it is time for "people" of other species to be accorded the same simple dignity of being recognized, not as someone else's property, but as beings in their own right.

Although there are numerous other ones I could quote, let me conclude with:

As we move into a new millennium, we are seeking a day when animals are treated as sentient beings with rights. As an organization dealing with companion animals, food-production animals, and exotic animals, we are pleased to become part of this important campaign.

We could go on at length quoting different others that have a rather elevated status of an animal, putting them at the same level, ranking and status as human beings. That is where some of these people want to drive this issue. They very clearly acknowledge that in some Internet forums.

The stated purpose of the bill to amend the criminal code appears good on the surface but actually there are some real kickers. Obviously the Canadian Alliance Party has long disagreed with the Firearms Act. We believe that the definition of animal is far too broad and that it will mean different things to different individuals, particularly farmers and others who work with animals as their means of livelihood. It will bring them under the prosecution of the law. Despite the assurances of the minister to the contrary we think it will be of great harm in that regard. Basically it is quite important to understand where people are appearing to head with this issue.

• (1705)

Therefore some of the amendments that my colleagues and others from various parties have proposed would very be sensible ones, I think, to rein this in, to back it off, and to provide the kinds of curbs and safeguards that we are asking for and that we think are only right for our society.

Mr. Reed Elley (Nanaimo—Cowichan, Canadian Alliance): Madam Speaker, it is indeed a pleasure to rise in the House today to take part in this debate on Bill C-15B, entitled an act to amend the criminal code (cruelty to animals and firearms) and to amend the Firearms Act.

I want to begin by stating categorically that I am a great lover of animals. I have a wonderful little dog at home that is probably the joy of my little girl's life and probably thinks I am the best guy in the world too. It is not a question of us on this side of the House and in this party not loving animals or caring for them. We certainly do.

I think that perhaps in our society very often we see great pendulum swings in the mood of society, in the way we approach

social issues. If there is a great public outcry about a certain subject, the pendulum swings one way. Then it swings the other way as there is a public outcry on the other side of the issue. It is quite clear in our society, particularly North American society, and with the increase in technological advances and communication we have heard of a number of recent incidents in which animals have been used cruelly and sometimes killed outright by people who have absolutely no right to ever do anything like that.

I suppose that in response to those kinds of incidents, about which we have all heard, there are definitely lobby groups in our society that have pushed the government to bring in stricter laws and stricter controls in terms of cruelty to animals. Of course the government has also lumped in a bunch of other things in the bill, just to confuse the issue.

The stated purpose of the bill, of course, is to amend the criminal code by consolidating animal cruelty offences and increasing the maximum penalties. The bill also adds administrative provisions that are intended to simplify applications for the Firearms Act. Bill C-15B reintroduces the proposed amendments to the cruelty to animals provisions of the criminal code that were introduced in Bill C-17 during the last parliament, with certain changes. We remember some of the outcry at that time about this legislation. Unfortunately, even though there are a few minor improvements to this legislation, there are many people out there in our country who are very concerned about the legislation. In particular, people who are engaged in the harvesting and husbandry of animals for their livelihoods have a great number of concerns about the bill.

I know that government legislation cannot satisfy everybody. It will not satisfy everybody. However, when sufficiently large numbers of people in our country have registered tremendous disapproval of the bill, it is important for us as legislators to take into account their concerns. There are a number of groups across the country that simply do not feel the government is listening to their concerns. They do not feel that we have to go this far to satisfy one group and to perhaps somehow eliminate cruelty to animals.

• (1710)

What we are saying in our opposition to a number of clauses in the bill is that we do not have to go this far. One concern with the bill is that the definition of the word "animal" is far too broad. The proposed definition of animal in Bill C-15B includes non-human vertebrates and all animals having "the capacity to feel pain".

Let me show how we can go from the sublime to the ridiculous on something like this. I happen to be a fisherman. That is what I do with my spare time outside the House of Commons. Of course I would rather be here, but in those times when I cannot be here I go fishing, I work in my garden or I take my wife out to dinner, not particularly in that order of priority, but we do have lives outside the House, do we not? I enjoy fishing.

Government Orders

Fishing, of course, means that at times one has to put a worm on a hook. Unfortunately I have not been able to communicate very well with the bait I use, so I have no authoritative voice with which to say whether or not the worm I use actually feels pain. However, in the enjoyment of my sport, shared with perhaps millions of others in the country, I have come to the conclusion that it is probably okay for me to do that and to pursue fishing without the possibility of coming under some kind of cloud of suspicion that I am being cruel to the worm.

However, there just may be someone in my area or in the country who feels otherwise. It is quite possible that some day I might have worm police knocking on my door to tell me I am being cruel to the worms and that under the provisions of Bill C-15B, which would have been passed in the House by that time, they have to take me into custody.

Of course, that would never occur, would it? To go from the sublime to the ridiculous in such a way simply could not happen, could it? However, it might just happen and it might happen for anybody else engaged in any sporting activity in the country that has long been recognized as recreational or that sometimes, for the benefit of those who need the food, is something that is quite legitimate and within the law.

When we see the pendulum in our society move from one pole to the other, very often things like this get caught in the middle. I believe, and I am sure many of my hon. colleagues in the House believe, that we need to have balance in the legislation. The government is not providing balance.

Another key concern is that the criminal code would no longer provide the same level of legal protection presently afforded to those who use animals for legitimate, lawful and justified practices. Think of all the farmers across the country who are engaged in animal husbandry of some kind or another who could possibly, and I am not saying that they would, be brought before the bar of justice because under the legislation they would be accused of somehow being cruel to animals. What does that do to the agricultural community in the country, which is suffering more and more every day? It is just one more nail in the coffin of the agricultural community in many ways.

We ought to think very carefully about these kinds of considerations and consequences before we pass this kind of draconian legislation.

• (1715)

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Madam Speaker, I rise today to speak to Bill C-15 regarding cruelty to animals. I am in a sense sorry to have to do this because we certainly support the intent of the legislation, which has as its objective to modernize the law and increase penalties for offences related to animal cruelty. Unfortunately, we believe there are some areas that need to have greater attention and that have caused undue fear among some sectors of our society, especially agriculture and animal husbandry and those kinds of things. I believe we have to listen to those people and take them into consideration. It is unfortunate that it has been so difficult to get this across and to see changes made that would adequately address these fears that people have.

Agricultural groups, farmers, industry workers and medical researchers have all consistently said that they welcome the amendments to the criminal code that would clarify and strengthen provisions relating to animal cruelty and that they do not condone intentional animal abuse or neglect in any way. It is not that these groups do not agree with protecting animals. It is more that they disagree with the way we are trying to go about it than anything else.

The Saskatchewan Stock Growers Association, in a letter to me this week, wrote about its members' concerns. First, its members state:

Moving the animal cruelty provisions out of Part XI of the Criminal Code and moving them to Part VI is inappropriate. Animals are property and do not have equal rights to humans—inclusion of the provisions as a subsection of the Sexual Offences, Public Morals and Disorderly Conduct equals animal and human rights. If this move is legally justified, the title of Part VI should be changed to "Cruelty to Animals: Private and Public Property".

The association has the phrase "animals are property and do not have equal rights to humans" in bold.

The association in its second concern states:

If the animal cruelty provisions are moved to a new section, we request the inclusion of the words "legal justification, excuse and colour of right". This currently applies to the animal cruelty provisions by virtue of subsection 429(2).

Third, the association states:

The definition of animal to include "any animal capable of feeling pain" is far too broad and should be dropped. Dr. Clement Gauthier stated in his testimony to the Standing Committee that scientists do not yet agree on what animals feel pain and the definition is broader than that of the Canadian Council on Animal Care. Dr. Gauthier's opinion was supported by the Criminal Lawyers' Association.

This association is just one of many organizations with concerns about this law. We share those concerns. We also share the understanding that we do need to guard against some of the horrendous acts of cruelty that do occasionally happen to animals. However, we also understand that there are differences in viewpoints from some people to others, from those who have only seen the little pets in the house to those who have grown up on the farm and have had to deal with some of the realities of life on the farm with animals.

What are some of the main concerns we want to address here? One is that in the legislation there seems to be less protection for those involved in animal husbandry. I use that word because I want to define husbandry. It is interesting that we would attach that word to the science of taking care of animals.

• (1720)

Knowing something of biblical things I am aware that the Bible talks about what it takes to be a good husband. A husband is one who gives his utmost for the proper care of a wife.

In scripture we find the husbandman of a vineyard. That husbandman is responsible for the very best care of that vineyard but sometimes that care includes pruning and digging around the base. Occasionally some plants must have their roots trimmed and different things. Different plants require different things for that husbandman to take care of them.

Government Orders

That certainly is the case when it comes to animal husbandry. Certain kinds of animals require to be hurt in order for them to be unable to cause greater damage to others in the herd or in the flock as the case may be. Those who raise turkeys or chickens must sometimes take precautions to keep them from injuring one another.

We talked about the dehorning of cattle. That is for the protection of the owner, the husbandman of the cattle, the one that is responsible for the entire herd not just for that one animal. For someone who has never seen a horn taken off of an animal it is a gory sight. The horn is taken off so that it cannot gore something, but it is a bloody sight. If people with a bend toward protecting animals were to see that they would be very upset because it is an upsetting sight.

One of our speakers talked about the paste that his father used to put on the young bull calf's horn to keep it from growing. That was a newer technology causing hopefully less pain. I can see a time when a number of operations on a cattle raising operation might reach a new level which might be less harmful or less painful to an animal. If a particular rancher could not afford it, did not know about it or had not made that change in technology, he or she could foreseeable be arrested simply because of using an older method.

We heard from the former justice minister that what is legal and lawful today would continue to be legal and lawful and she would see to that. However, as the House knows, we have a new Minister of Justice who might not necessarily agree with that stance.

I want to mention the difference between animal welfare and animal rights. We believe that it is a huge step. It is a part of an outside if not a hidden inside agenda, but at least it is an agenda of organizations on the outside to try to get the status of animals raised to equal the status of human beings. We ought to first work a little harder at protecting human beings.

There are humans that are killed legally every day in Canada. We do not seem to be worried about that. This is simply because of choices of convenience. We ought to be worried about our own survival as well.

• (1725)

Mr. Scott Reid (Lanark—Carleton, Canadian Alliance): Madam Speaker, I am privileged to speak to Bill C-15B which contains unfortunately provisions that are continuations of some of the greatest flaws in the legislative drafting practices of the current government. It behooves us to look at what some of these themes are and to think about what could be done to avoid doing them both in this law and other laws in the future.

There are three themes. First, this is an omnibus bill, but not as bad as it started off being. However it is still an omnibus bill dealing with more than one topic. Second, it strips basic legal protections from individuals who are accused of making offences under the law. This is a current theme that is also quite strong in Liberal legislative drafting practices. Third, it contains vague regulatory guarantees and requires us to take it on faith that the government would undertake the protections that it has refused to place within the law. At the very same time we are finding these guarantees withheld we are told to trust the government. The guarantees would be placed in the regulations at a later point in time subject to the government's arbitrary will.

These are three themes that are strongly present in the general legislative practices of the government. For example, Bill C-36 was an extraordinary omnibus bill that contained provisions like rules relating to the Internet and appointment of judges as well as the enactment of provisions relating to preventative search and detention, and provisions that related to the enactment of United Nations conventions and so on.

This law follows the same general pattern. It contains unrelated provisions dealing with cruelty to animals and dealing with firearms. I cannot see any reason why these two subject matters are contained in the same bill. There is no logical connection between them whatsoever.

The bill was worse before. It contained measures relating to child pornography which fortunately were split away from the bill and are now contained in Bill C-15A.

It is difficult to deal intelligently and to vote rationally on a bill that is effectively a package deal, a part of which might or might not be acceptable to an individual member. How does one vote one's conscience when something good and bad is contained in the same bill?

To some degree we have divided the good from the bad in the bill, but the bill should have been subdivided into several sub-measures.

This is a trend that has existed in Canadian legislative practice for some length of time. It has been a disastrous practice that nearly split up the country on some occasions. I am thinking of the Meech Lake accord which contained five unrelated constitutional amendments as a single package. They all had to be passed. Most Canadians were quite comfortable with certain aspects of the Meech Lake accord. Other aspects were quite contentious, particularly the distinct society clause. However they all had to be done together.

The Charlottetown accord was even worse. It was a package that effectively would have gutted the entire Constitution and cobbled it back together in a vast document that was several times as long as the entire United States constitution. It was presented as a single package deal. Had it been broken into a series of smaller items not all of them could have been passed, but many could have been. Some of them were good; a lot of them were terrible.

This practice has continued on in Bill C-15B and it should be stopped. It should not be a practice that occurs at all in Canadian legislation.

• (1730)

I will turn to the stripping of basic legal protections. This is another thing that occurs frequently in current Liberal legislation. I recall Bill C-36 and the way in which basic legal protections of Canadians were stripped away under the preventive detention provisions of that bill. That bill made it possible to be prosecuted for one's religious beliefs. Amazing, but true.

Private Members' Business

Bill C-5 has provisions which I am attempting to amend. I have several amendments before the House that deal with the question of mens rea, whether one must have a guilty mind prior to being found guilty of destroying an animal habitat or destroying an endangered species. That law denies the requirement that one must have a guilty mind, a mens rea, in order to be found culpable.

This law does much the same thing. I will say it is not as bad in this respect as Bill C-5, but it is still problematic. It takes the aspects of the criminal code that deal with animal cruelty and removes them from the property offences section and moves them to a special new section.

I cannot determine what the legislative reason for this is, that is to say what is the need for this, but I can determine what the result would be. The result is we would remove the various protections that are built in under the property parts of the criminal code. There are certain basic protections that are not accompanying this section of the law as it moves from one part of the criminal code to the other.

The phrase legal justification or excuse and with colour of right in subsection 429(2) of the criminal code currently provides protection to those who commit any kind of property offence. That would cease to be available as a protection.

It is a funny thing that those on the government side of the House are always happy to attack members on this side of the House as somehow being out to strip those who are accused of offences against the law of their legal protections and legal rights. The fact is, and the record will show this, it has been entirely the other way during the course of the government.

This law would strip those who are accused of offences of basic protections. Protections, which are inherent to our traditional rule of law, to the common law, and to our entire legal structure, would once again be stripped out in Bill C-15B, Bill C-5, and Bill C-36. This is a consistent, unacceptable, inexcusable and entirely avoidable pattern.

The meritorious goals found in parts of each of these three pieces of legislation could all have been achieved without stripping Canadians of these basic legal protections. They are absolutely not needed. That should be corrected in this law. Or, potentially, if the government were unwilling to protect it, then the law in my opinion, on that basis alone, should be dropped from the order paper.

I want to turn to the offer of vague regulatory guarantees that protections which are not included in the law would be included later on. We are told by the minister that this would be taken care of. There would be protections for those who are accused or charged, but they would not be included in the law, they would be included elsewhere.

The record of governments, not this government in particular but of governments in general, of protecting individuals administratively when they are not protected by law is very poor. That is the whole reason why our system of government is based upon the rule of law.

• (1735)

I encourage the minister and all members of the government to look at the classic academic text written by Albert Venn Dicey which deals with the question of the rule of law. It is a book called *An Introduction to the Study of the Law of the Constitution* published in

the 1880s and republished in many editions prior to Dicey's death around the time of the first world war. He deals with the question of the rule of law at length.

The Acting Speaker (Ms. Bakopanos): I apologize to the hon. member, but only a few minutes are left for the member to follow.

Mr. Leon Benoit (Lakeland, Canadian Alliance): Madam Speaker, I am very pleased to speak to the amendments to Bill C-15B.

The bill has been before the House for some time. It was before the House as part of an even broader omnibus bill but after pressure from the opposition, that bill was split. It was the right thing to do, but it is still a very broad reaching bill.

Today we are discussing the amendments that have been put forth on the legislation.

The Canadian Alliance has concerns about this legislation because of the not only possible but the probable impact on farmers, trappers and other people who work with animals as a way of making a living.

Most of us know that no one treats their animals better than farmers do. Many of my neighbours half jokingly have said to me that if their husbands or wives treated them as well as they treated the cows, the horses or the other animals, they would be delighted. The point is that farmers are good custodians of animals. Good husbandry is something to be expected of farmers. It is a rare exception when animals are treated in any way but an exemplary fashion by farmers.

For that reason and for other reasons, we have great concerns about the legislation going ahead unamended. The impact will be substantial. People who only have the best intentions and really care about animals will be impacted in a negative way.

That is why we and others have put forth amendments which will at least change this legislation to make it something which we could support. No party in the House has a more deep appreciation of animals and caring for animals than the Canadian Alliance has. There are many people in our caucus who live on farms, who have worked with animals on farms and therefore understand that animals must be treated extremely well.

• (1740)

The Acting Speaker (Ms. Bakopanos): It being 5.40 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[English]

CENOTAPHS

Mrs. Elsie Wayne (Saint John, PC/DR) That, in the opinion of this House, the government should establish a fund to assist in the maintenance of local cenotaphs.

She said: Madam Speaker, it is an honour and a privilege to rise in the House tonight to move this important and timely motion.

Three weeks ago my friend, the hon. member for Fundy—Royal, brought to the attention of the House a motion that was very similar to that which we debate here tonight. I was proud to be a participant in that debate, a debate that saw a great deal of consensus among members and parties in this historic Chamber.

It might therefore seem odd that we have chosen to raise this issue again so soon thereafter. To those who would say this was an oversight on our part, let me assure them that this arrangement was entirely by design.

All too often we are limited in the praise we may offer our veterans. All too often we are too distracted by current events to remember the rich heritage of our nation's armed forces. It is perhaps in these dangerous times when our nation's most courageous citizens have been dispatched to the hostile soil of foreign lands that we are most mindful of the selfless sacrifices offered by our veterans 60 years ago.

As between our veterans and ourselves there is still a debt of gratitude that we owe to them that can never be repaid. Those brave young souls left their family homes as the innocent sons of a grateful and fearful nation and returned as our most distinguished national heroes. That heroism is legendary. Their courage has often been celebrated and their patriotism is both respected and feared the world over. I have often told the House of Commons how proud I am of my two brothers who volunteered for the war effort, perhaps only as often as I have said how truly blessed I was that they both came home safe and sound.

Across this nation there are 6,000 cenotaphs that serve as beacons of remembrance in all our daily lives. We drive past them on our way to work. We walk by them as we go about our lives, always mindful of how different our lives would be had our veterans not answered the call of freedom a generation ago. They are silent sentinels, symbols of how our Canadian soldiers held their ground in the face of countless horrors the enemy hurled at them. They are at once both tributes to the living heroes that walked among us and memorials to those whose sacrifices did not allow them to come home at war's end.

Our nation's cenotaphs are more than great pillars of marble and granite. They are the pride of a nation on display in the hearts of all our communities. Sadly, while it can be said that the respect we have for our war heroes has never faded, the harsh elements of the Canadian climate have taken their toll on these great shrines. For each day that our cenotaphs remain in a state of disrepair, we denigrate the memory of the actions of Canada's veterans.

Just today there is a story in my local paper, the *New Brunswick Telegraph Journal*, reporting that the cenotaph in King's Square, which is in the centre of my city, in the heart of Saint John, has been defaced with senseless graffiti. I cannot believe that this has happened in Saint John, New Brunswick.

In the article, Glen Stewart of the provincial command of the Royal Canadian Legion and its CEO said that he wishes he could get a hold of these young people who think they are artists and put them in the same room with a group of war veterans. The article goes on to state:

Private Members' Business

"Maybe then", said the executive director... "they would understand the significance of war memorials such as the cenotaph in King's Square in uptown Saint John".

Once again, vandals have defaced the monument with senseless graffiti.

"I think it's disgraceful," Mr. Stewart said Tuesday, "it shows a lack of respect for our veterans, the monument, and what it stands for".

He said it's "an ignorant few" who dishonour the memory of veterans who fought for their freedom.

"The reason that they are here and can do things like that today is because of what the veterans, who are remembered by the memorial, did for them during the wars. They should take some time and learn the history of this country and understand that the freedom they have is bought and paid for by the blood of some of their relatives."

● (1745)

Mr. Stewart said the vandals should check their own family history to see if any of their relatives fought for freedom and ask themselves how their relatives would feel about defacing a war memorial.

Mr. Stewart said it's not just about defacing a piece of public property, graffiti affects every veteran.

"Not only does it mar the veterans' memory, it disillusion many of our citizenry who understand what the memorial is all about... It's not just another building or a wall, it is a memorial to our country and our veterans.

I have to say that I was quite shocked and very disappointed to hear that it happened in my city, which is Canada's first incorporated city by royal charter dating back to 1783. The veterans of the first world war and the second world war went out on the ships at my harbour. I cannot believe that our young people have done this. Mr. Stewart said if it happens once, it is too much. He is right.

I was personally encouraged by the position of the government three weeks ago in the House. I was pleased to hear that the new Minister of Veterans Affairs, a man I am keen to take at his word, was himself open to the idea of assisting our communities in the maintenance and upkeep of their local cenotaphs. With the minister's unwavering support, I am confident the cabinet will soon see fit to dedicate itself to the creation of the very fund we are advocating here tonight. That is the very least we can do.

While we have committed ourselves to the maintenance of the stone tributes to our military's best, we must still commit ourselves to their cause in every other area. Here, as in so many cases, public opinion has far outpaced public policy. There are few Canadians, certainly none in New Brunswick, who would not advocate a more equitable treatment of our veterans by the government. Yet the government continues to contemplate actions that demonstrate an uneven support for our veterans at a time when they are most in need of our unflinching assistance.

Just last week the Ontario Court of Appeal rendered a very important judgment as it related to the government's administration of veterans pensions. The unanimous decision of the court made clear that the Government of Canada had a duty to these veterans and that it had failed in its duty. This decision and the trial decision it upheld is evidence enough that these veterans are owed financial compensation. Yet as we speak there are government lawyers poring over the text of the decision in the hope of finding some reversible mistake, some error of fact or law that would allow them to seek leave to appeal to the Supreme Court of Canada.

Private Members' Business

If any of these men had entrusted their pensions to a major bank or other financial institution, there would be no issue as to that institution's liability had it not paid the interest to the veterans. But because the government is the culprit, suddenly the line between right and wrong becomes blurred. It is apparently acceptable to drag this issue through the courts, one more battle for these old soldiers.

Caring for our cenotaphs is an important gesture of respect, but it is a hollow gesture if the government acts against veterans and their issues of great magnitude. What signal does it send to young Canadians when their leaders are more willing to help protect the stone monuments to heroes than the actual heroes themselves?

Tonight I rise with two thoughts in mind. On its face the motion before the House at this time is a simple one about maintaining cenotaphs. But in its heart the motion speaks to a much larger issue, the issue of giving our veterans the respect that they have earned. If our cenotaphs are a symbol of their sacrifice, let them be a symbol of our support. Let us not only create a fund to help maintain these great monuments, but let us refurbish our national commitment to our great national heroes.

• (1750)

I had the honour and privilege of going to Vimy to bring back the remains of the Unknown Soldier. When we looked at our Vimy monument we saw that it needed great repair. I had the opportunity in the past week to speak to representatives of the Department of Veterans Affairs. They are working at the present time. They have budgeted to restore the Vimy monument in Vimy, France. I stand here tonight and say that I am pleased to hear that is happening. I am also pleased that the present minister and the previous minister said that we must protect our Vimy monument.

Hundreds of thousands of people go to Vimy to look at that monument and pay their respects. While I was at the ceremony to bring back the remains of the Unknown Soldier, when the French soldiers marched before our Vimy monument with the casket of the remains of the Unknown Soldier, I saw the love and respect there for all the Canadians who were there.

When we went to Dieppe, France for the celebration of the 50th anniversary of the ending of World War II, we looked down the main street in Dieppe and saw the Canadian flag flying on top of every building. Children were coming out and asking for our Canadian pins if we had one on our lapels.

I hope and pray that some of the young people back in my riding are listening tonight. I do not know why they would put graffiti on the war memorial in the centre of my city. It has never happened before. I do not know what is happening to society. People in our legions are trying to let the children know on November 11th of the sacrifices made by our veterans. They are there and they are talking to them. I have had the privilege of speaking to high school students every year on November 11th.

We will all work together in the House. I am sure everyone on both sides of the House want to make sure that our cenotaphs are maintained, that the money will be there and that we will all work together to protect all our cenotaphs throughout our nation.

Mr. Carmen Provenzano (Parliamentary Secretary to the Minister of Veterans Affairs, Lib.): Madam Speaker, I am pleased

to join my colleagues in debate on a motion that seeks to establish a fund to assist in the maintenance of local cenotaphs. I commend the hon. member for Saint John for her commitment to the issue.

Our debate today seems like a continuation of the debate we had recently on Motion No. 384 which proposed a very similar idea. Both the hon. member for Fundy—Royal, the originator of Motion No. 384, and the hon. member for Saint John spoke most eloquently on the issue.

Hon. members will recall in the last debate that the new Minister of Veterans Affairs has taken a particular interest in the matter, so much so that he asked his officials to come up with some options and recommendations. That process is underway.

As we continue the discussion today, we have the opportunity to expand its scope and ask what Canada's commemorative role is in the 21st century. During our debate on Motion No. 384 the discussion went beyond the maintenance of cenotaphs to other thoughts on how we might best keep the commemorative flame alive and well in Canada.

The hon. member for Bas-Richelieu—Nicolet—Bécancour suggested that the motion be broadened to include the premises occupied by Canadian Legions. The hon. member for Sackville—Musquodoboit Valley—Eastern Shore concurred with this sentiment and added that we should consider placing a monument or cenotaph in every capital city in the country dedicated to the women who served in the armed forces and who paid the ultimate sacrifice.

As everyone can see, once we start the discussion of commemoration, it leads to a number of considerations and rightly so. It is clear that we all share the sentiment about wanting to ensure that the achievements and sacrifices of our traditional veterans and peacekeepers be kept alive in the memory of our citizenry. It is part of our proud heritage today and will be our legacy for tomorrow's generation.

I am confident that in response to the minister's request, the officials from Veterans Affairs Canada will provide us with some advice on the details once they have completed their review. I ask my colleagues to await the recommendations that they might come up with.

Hon. members may be aware that Veterans Affairs Canada has also been examining the broad scope of commemorative options. In May 2000 the department undertook a commemorative review project which was completed in June of last year. Among other things, its purpose was to identify future programs that would fulfill our nation's pledge to veterans over the years, a pledge that said we would never forget their sacrifice, past, present or future.

Consultations were extensive. They included all major veterans organizations, 1,600 Royal Canadian Legion branches, 700 veteran clients, all provincial departments of education, 1,000 municipalities, 19 federal departments and agencies, educators, youth, the private sector, Veterans Affairs Canada staff and a random sample of 1,200 Canadians. It was the most comprehensive consultation on the subject of remembrance ever conducted in Canada.

Private Members' Business

Hon. members will not be surprised to learn that Canadians continue to place a high value on remembrance and wish to see the Government of Canada assume a greater leadership role. Particular emphasis was noted regarding the need to educate both our youth and new Canadians about the selfless commitments of earlier generations.

Consultations told us Canadians also believe that it is essential to honour not only those who served in wartime but also those who had served and continue to serve in peace actions throughout the world.

• (1755)

Some of the other findings of the review project are just as illustrative. It found: that veterans themselves are concerned that their legacy be preserved for future generations; that youth believe it is important to remember and honour those who have served in wartime and peace actions but they have limited knowledge about the subject. They want to know and understand more; and that Canada's international responsibility for its monuments, memorials and cemeteries is sacred and will continue to need attention and resources.

With the findings of this review in mind, the focus of the department's "Canada Remembers Program" covers three principal areas.

The first is the national and international memorials which includes assistance with funerals and burials of veterans, maintaining Canadian international memorials and cemeteries, conducting pilgrimages and organizing ceremonies of remembrance.

The second is community engagement which aims to stimulate and support the involvement of communities in acts of remembrance, such as the building of community and youth networks.

The last is public information and research which includes all forms of information on Canada's contribution to world peace and freedom, research and the production of learning materials for youth.

Implicit in these initiatives is the continuing lead role that Veterans Affairs Canada can play in the commemorative life of Canadians. Its mandate continues to allow for the exploration of better ways for Canada to remember her fallen. That said, the department is in no way resourced to pay for the upgrading and/or repair of all locally established war memorials. Nor should we wish to take such initiatives away from local communities that play such a vital role in keeping the memory of their local heroes alive.

As I indicated in the previous debate, the more than 6,000 cenotaphs located in cities, large and small across the country are a statement of strong community involvement and deep pride in our history. Some were erected under the auspices of provincial governments, others by municipalities, veterans organizations, concerned citizens, local philanthropists and nonprofit organizations. Our challenge is to respect this proud tradition and to sustain the spirit of our citizens and to build on the strength of our communities. However at the same time we recognize that there is a practical limit to what communities can do to make that financial contribution.

The challenge is in the details, the principle and the practice. We all look forward to the results of the minister's request for recommendations on the funding of local cenotaphs.

I thank all hon. members for their passionate and compassionate expression of care and concern for the legacy of our veterans.

• (1800)

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Madam Speaker, the member for Saint John and the parliamentary secretary have covered everything sufficiently I believe. I do not think there is any question about the support on both sides of the House for the intent of this bill. I am particularly pleased at the speed at which the government and the new minister have responded to our request. I think that quick response is resonating across Canada at this time.

I would like to draw to the attention of the parliamentary secretary and the hon. member for Saint John that in my area we have some very unique cenotaphs, unique in the sense that people rushed into Saskatchewan in the last best west. There was a settlement, an elevator and in some cases a railway. People, particularly those who had immigrated from the British Isles, quickly joined the armed services and the Canadian army, which at that time of course was attached to the British imperial army.

Early surveyors of Saskatchewan had said that some of that land was not suitable for settlement. They were proven correct. It was suitable for ranching but not for cultivation.

In Saskatchewan, particularly southern Saskatchewan, we have cenotaphs that are really part of a larger grazing land. We are doing a disservice by not taking a look at moving them. With the help of local municipal groups and using the equipment we have today, they could be moved to settlements whereby they would become memorials to those still living in inhabited areas. To leave them to disintegrate and fade away with the sands of time does not show much respect for those who fell in wartime.

Therefore, I appreciate what the parliamentary secretary has said and I am particularly interested in the involvement process. I would like to see the schools and local municipalities involved, but above the legion itself. We should give the legion the responsibility, which it would very gladly take, of co-ordinating a particular area of the province.

For example, take the city of Weyburn. Members of the legion there could be responsible for a cenotaph in an area where there was no longer a legion branch. They could go out as ambassadors with their medals, their colours and their ties and talk to municipal groups and local school boards about preserving the cenotaph. They could tell them that there would be some support from the government. We could go to the local people and with a little encouragement the money would be there.

We certainly support this motion. I can assure the House that if it comes before the committee on veterans affairs I know everybody will lend resounding support to the minister and the government to get the job done.

Private Members' Business

With every year that goes by, it will be that much more costly. Time is on our side. If we do not replace and fix them now, they may go beyond the point where they cannot be fixed.

• (1805)

[*Translation*]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Madam Speaker, I too am pleased to take part in this debate and congratulate the Conservative member for putting forward this motion; on behalf of the Bloc Québécois and in my own name, I advise her that we support her request.

After the war, people erected cenotaphs, thinking that these monuments would continuously remind us of the sacrifices people made in the name of peace and freedom. Occasionally, we are saddened to see that these monuments are being neglected because of a lack of money. The money needed is very little compared to the government's \$11 billion a year in military spending.

A lot of energy and determination went into the erection of cenotaphs to ensure that these people's sacrifices would be remembered forever. And suddenly, we are faced with a situation where these monuments are being neglected, and sometimes completely abandoned. I believe that what is at stake is respect for those who went to war never to come back, and for those who came back having made huge efforts and incredible sacrifices.

Fortunately, I am happy to report that the Sorel-Tracy area, the city of Sorel-Tracy, is contributing to the maintenance of its cenotaph. Several municipalities do. In other areas, citizens groups, veterans groups are looking after it. However, I believe that beyond the municipalities' efforts, there could be an ongoing commitment from the federal government. This is why we fully support the member's motion.

While we are very much in favour of this initiative, we would like to broaden the request for government action. What is the use of having nice monuments shining under the sun and in good repair if, in each area, there is nobody to organize events around these monuments? For example, in my area of Sorel-Tracy, the Canadian Legion makes it its business to celebrate Remembrance Day, on November 11.

People attend, but if the legion is not active, if there are no men or women with a place to meet to keep the memory alive, what is the use of having these monuments? If there is no one to explain what they mean and to remind us every year—and I would even say every day—that we need to remember these people, what is the use?

So, I would argue that there is a greater need than simply assisting in the maintenance of cenotaphs. We should also support each of the small organizations, each of the legions scattered throughout Quebec and Canada through a fund to help them survive.

I know that in Sorel-Tracy, for instance, the legion has worked hard and managed to save enough money to buy a beautiful house along the Richelieu River. Although the house is all paid for, maintenance work is sometimes required, taxes have to be paid as well as the insurance, hydro and phone bills.

Every year, it is tough to make ends meet. Fundraisers have to be held. This should be a place where people meet to reminisce and

remember the contribution of our veterans. Instead, every time they show up, they are asked to go beg for something or sell tickets to save the legion.

On Saturday, March 9, I attended a Chinese auction during a spaghetti dinner at the legion. It was very successful. But the following day, on Sunday, what was the topic of discussion at the legion? People were talking about other fundraisers to help finance the legion. They were thinking about another fundraising dinner where a local dish called gibelotte could be served, a mini-golf tournament, an evening of western music, things like that.

Legions have to beg for money these days, while we seem to forget about the role they play. Their main role is to educate through their action, by visiting schools for instance, remembering the contribution of our veterans and explaining to kids what all the medals really mean, not only for those who are wearing them, but also for those who are enjoying peace and freedom.

• (1810)

The Canadian Legion can take such initiatives with other community organizations, but it often neglects very important measures to promote awareness among those who do not know what happened.

Let us not forget that, for some 15 years, history stopped being taught, particularly in Quebec's CEGEPs and high schools. Young people do not know what sacrifices were made by people from their own region.

The legion cannot fulfill this role alone, precisely because it is forced to constantly collect funds. The government should give this some thought.

As several members of the Canadian Legion pointed out on Sunday, whether it was the president, Mr. Bouchard, Mr. William Manning, Mr. Roland or Léo Paul Bérard, a young man who is over 80 year old and who spends at least 20 hours a week helping the legion survive, concrete and quick action is necessary. Mr. Farlette, also a legion member, added "Louis, tell the government that we no longer need studies, we need action".

The time has come for the government to take action. I have an easy plan to propose to the government. It seems to me that if a legion branch with some one hundred members, like the one in Sorel-Tracy, received from the government the equivalent of \$50 a year per member for a total of \$5,000, or a flat amount unrelated to the number of members, it would be very helpful. That money would help pay the tax bill, the electricity bill, the heating bill and the telephone bill. All that would be left to do would be to organize activities, which is the true role of our legionnaires and of those who support them in our region.

I submit to the government that this is not a cry for help from a Bloc member, an Alliance member or any opposition member. It is a cry for help from all those who want these legion branches to survive in every community in Quebec and in Canada, so that the actions of our veterans are remembered as well as the role they played in giving us the peace and freedom that we enjoy.

Private Members' Business

In closing, I hope that the government is listening to these fair demands. I salute all the members of the Sorel-Tracy legion, whom I often meet when I take part in fundraising activities or in Remembrance Day ceremonies. They are probably spending the evening in the small bar they have at the legion. I say hello to all of them. They can drink a toast to me. I have to be at work for a few more hours.

I hope one day I will have good news from the government with regard to supporting our legions that are so important to us.

[*English*]

Mrs. Bev Desjarlais (Churchill, NDP): Madam Speaker, I join all my colleagues here in the House in supporting my hon. colleague from Saint John who, as we all know, is passionate in her support of our veterans and armed forces. We have all shown that support during our time here but there is no question our colleague from Saint John does it with much more vibrancy than most of us.

When it comes to supporting our veterans, legions and armed forces and ensuring they have proper equipment we must sometimes be reminded to pay more attention to the issue.

I acknowledge the comments of my hon. colleague from the government side that the new minister is looking into how to maintain cenotaphs and other memorials. I hope we see something come to fruition in the near future before damage is done we cannot repair.

It is crucially important that in the history of our country, even during peaceful times, we never forget the sacrifices of the men and women who gave their lives so we could live in one of the most democratic countries in the world. It is important that we do whatever we can in society and in the House to make sure Canadians are constantly reminded of the efforts that have been made in the past.

It is easy for young people in Canada, and even I was a young person at one time, to forget Canada was involved in the war. Young people who are not involved in conflicts and not from regions where there are military installations do not see soldiers on a regular basis. They do not see young people going off to war. It is easy for them to forget the sacrifices that have been made.

Legions throughout the country are feeling this. They no longer have the membership of the persons who fought and gave their lives so readily. The legions try to encourage membership to keep themselves going because they are the ambassadors for the veterans.

The legions in the communities of my riding are always being challenged to stay operational. It is not responsible to suggest legions continue to maintain the cenotaphs and do all the work. It is crucially important that we do it. Within parliament and the operations of government we often hear of expenditures that do not seem all that important in the whole scheme of things. We hear about questionable actions. When these things come up and we hear of issues such as maintaining cenotaphs for those who gave their lives it is one more slap in the face to veterans and the people of our armed forces. It is irresponsible to expect legions to maintain the cenotaphs.

There are things the government could readily do for legions. It could do something as simple as not making them pay GST. Legions

act on behalf of veterans. They present a picture to their communities of what has happened in the past. Yet they are charged GST on absolutely everything.

A legion in my riding requested an exemption from a certain aspect of the GST. The government said no way. Legions represent veterans, many of whom have given their lives. Veterans want to keep their legions operational. The government has given them one more hammer over the head. It has told them no, you will pay GST on everything.

Sometimes legions must make themselves accessible to the disabled. Is there funding or support to help them with that? No, there is not. They do not qualify for anything. It is a fight even to make them wheelchair accessible. These are our veterans. There must be something we can do to give legions an opportunity to survive. There must be some way to help disabled veterans have access to their legions. Legions that need to be made accessible to the disabled should have the opportunity.

● (1815)

I want to take this moment to comment as well on the aboriginal veterans who fought and on the recognition that has been a long time in coming to a number of them who went to war, came back and were not given the same benefits that other veterans were given. Quite frankly, because they were first nation Canadians they did not have the same rights as the people they were coming back to live and work beside. Actually they would probably not like me to say first nation Canadians but first nations. At any rate, there are a number who are first nation Canadians and Canadians true at heart.

However, they came back and did not have the same rights. They could not vote. They could not do the same things we could. They did not get the same benefits that other veterans did. Their loss of life was equal over there; there was nothing special to say that aboriginal Canadians would not get killed when they went over to war. They gave their lives readily. Those who came back did not receive the same benefits and a good many of them are still fighting for those same benefits.

My colleague from Saint John mentioned the pensions for veterans who were not competent. The government was there to act on their behalf and then did not act responsibly, so they have had to fight for what is rightfully theirs. It is bad enough that it happened, but it is absolutely unconscionable that they have to fight to get what is rightfully theirs from Canada. It just should not be. There are certain lines that we should be able to get beyond and just make sure we right the wrong that is there.

Adjournment

I think it was in the year 2000 that a message was sent out through Veterans Affairs Canada in regard to doing an inventory of the cenotaphs, the different memorials in Canada. Actually we commented on the fact that one of my staff had never heard the word cenotaph before and then in a matter of a week it must have come up five or six times around the riding. There are cenotaphs in a number of different places, but in first nations communities they are few and far between. As well, there are not many, if there are any, first nations with legions, for a good number of reasons. They did not have the money to do those kinds of things. They just had a bare amount of dollars to have an existence, let alone have an area where veterans could get together and operate the same as they did outside first nations communities.

However, in one of my communities, Cross Lake, they have a cenotaph. I do not know the specifics behind the funding of it but there is a cenotaph and a very proud first nations group of veterans. One of them, Elder Sandy Beardy, who passed away just last year, spoke highly of his commitment to Canada, to fighting for Canada, but also to fighting for the rights of first nations people.

I have some 31 first nations communities throughout my riding. The Government of Canada through the Department of Veterans Affairs sends wreaths with Government of Canada written on them to be laid at the memorials on Remembrance Day. Knowing that I have no legions in my riding, but knowing that I have first nations veterans and people in those communities going out there and showing respect, I requested that in any of these first nations communities where they were having services they receive the Government of Canada wreath.

I actually thought it was a pretty simple request, but there were no dollars to do it. I will state that the former minister, Mr. Duhamel, at least sent a couple with a note that said I could get whatever more I needed out of my budget. However, from my perspective it was an absolute show of disregard that there was not enough money, not from the minister because I think he was operating under budgetary constraints, but it is certainly an issue that has to be looked at. I will be taking it up with the new minister as well, so that if there are communities that want to show their respect for the veterans and those who are no longer with us the Government of Canada should be there as a symbol, at least, in the form of a wreath.

I just have a little time left but I will try to get this next item in because it is a very big bone of contention with me, and that is that Remembrance Day, in my view, is Remembrance Day, not a holiday.

● (1820)

At one time as a nation we showed respect and remembrance by not having stores operate willy nilly. Only businesses that had to operate operated. Over time that has gone away and there is an even lesser regard for the veterans who have given us so much. I hope that is an issue we look at. I thank my hon. colleague from Saint John.

Mrs. Elsie Wayne (Saint John, PC/DR): Madam Speaker, I thank all my colleagues on both sides of the House for their comments and support tonight for maintaining and ensuring funding to look after our cenotaphs.

As we have all heard in the House tonight, there are rural areas that need support. In my city of Saint John, the largest city in New Brunswick, we have a lot of legions. All the legionnaires are truly

great workers and they go into the schools on November 11. Veterans go into our schools to speak as well because it is so important.

Last year on November 11 we had a special ceremony in front of the cenotaph, the one on which the graffiti was put this week. The Department of Veterans Affairs brought in young people and we had a little parade of young students. We went to Saint Malachy's Memorial High School afterwards I was honoured to have been one of a number of people, some from Camp Gagetown, who spoke to the youth.

I thank all members. Let us all work together for what is best for the veterans, but tonight let us all agree that we will maintain our cenotaphs throughout this great nation.

● (1825)

The Acting Speaker (Ms. Bakopanos): The time provided for the consideration of private members' business has now expired. As the motion has not been designated a votable item, the order is dropped from the order paper.

ADJOURNMENT PROCEEDINGS

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

[*Translation*]

THE ENVIRONMENT

Mr. Serge Cardin (Sherbrooke, BQ): Madam Speaker, last November, the eastern townships as a whole were worried that waste from the United States might be buried in the region.

People were concerned that the eastern townships might become a dumping ground for the Americans should the new Canadian Environmental Protection Act, the proposed regulations of which will come into effect in 2003, apply to Quebec.

As we know, the new law contains several major changes, including sections 185 to 192, dealing with the exporting and importing of non-hazardous waste for final disposal. We know also that, under section 115 of the Quebec environment quality Act, Quebec has banned since 1988 the disposal of waste generated outside Quebec.

In view of the concerns people in the region had regarding this policy, on November 21, 2001, I put the following question to the Minister of the Environment:

Mr. Speaker, Quebec has enacted regulations banning the importation of waste material.

As for the Canadian government, starting in 2003, its Environmental Protection Act will allow waste material to be brought into regions such as the Eastern Townships.

Is the Minister of the Environment going to respect Quebec's environmental protection regulations so as to prevent areas like the Eastern Townships from turning into dumping grounds for our neighbours to the South?

Adjournment

The Minister of the Environment answered:

—I can assure the hon. member that the Canadian legislation will be in line with the new legislation in the province of Quebec. I can see no problem with differences between the federal and the provincial legislation.

I was not completely reassured. We know that consultations were ongoing and some were concluded, I believe, in February. The regulations that would apply have not yet been finalized.

It is never too late to ask the government what exactly it intends to do regarding the importation and exportation of waste material in Canada, specifically in Quebec.

I would like to be reassured regarding the exportation, and mostly the importation of residual waste and hazardous waste.

• (1830)

[*English*]

Mrs. Karen Redman (Parliamentary Secretary to the Minister of the Environment, Lib.): Madam Speaker, I am pleased to be given the opportunity to address the concerns of the hon. member for Sherbrooke regarding waste imports. My only regret is that I cannot do it in French.

I should like to state right away that Environment Canada's proposed regulations regarding imports and exports of non-hazardous waste will respect provincial regulations. Once the regulations are in force every notification received by the federal authority of a proposed import to Quebec of prescribed non-hazardous waste will be shared with provincial authorities.

The province of Quebec will have the opportunity to review, consider and provide either its consent or objection to the proposed shipment. The proposed federal regulations will therefore complement existing provincial controls by elaborating the mechanism of prior informed consent that includes the full participation of provincial authorities.

The renewed CEPA, the Canadian Environmental Protection Act, emphasizes pollution prevention and advocates maximizing the reuse, recovery and recycling of any waste product through industrial and human activity. CEPA also aims to strengthen Canada's ability to meet its international obligations.

Canada is party to several international agreements that relate to waste. Among these are the Canadian-U.S.A. agreement on the transboundary movement of hazardous waste and the Basel convention on the control of transboundary movements of hazardous wastes and their disposal. Both agreements emphasize the need to ensure the environmentally sound management of wastes.

The federal policy regarding transboundary movements is to allow borders to remain open to the controlled movements of both hazardous and non-hazardous waste to ensure that such movements are managed in a manner protective of human health and the environment, and to allow the importing jurisdiction opportunity to

refuse or to consent to imports on the basis of protecting their environment.

I should like to take a moment to elaborate on the third point which relates to the prior informed consent procedure I mentioned earlier. In this respect CEPA authorities clearly outline requirements for proposed imports into Canada when they occur. The steps are that a notice of proposed import must be submitted to the minister and the notifier must receive a permit from the minister before any movements may commence.

This permit must state that the authorities of the jurisdiction of the destination for the waste, that is the province or territory, have authorized the final disposal of the waste in their jurisdiction. In Canada provincial and territorial authorities license and permit waste management facilities within their borders.

Therefore a provincial response to proposed imports could take into account the permit conditions of the facility in question including the facility's ability to manage the proposed waste import in an environmentally sound manner.

I therefore wish to assure the hon. member that Environment Canada will continue to work with stakeholders to develop effective federal regulations regarding movements of non-hazardous waste and regulations which complement existing provincial controls by elaborating a mechanism of prior informed consent that includes the full participation of all provincial authorities.

[*Translation*]

Mr. Serge Cardin: Madam Speaker, my understanding is that we do want, of course, to co-operate with the provinces, all of Canada and Quebec.

Since the government is basically allowing Quebec to ban the importation of waste, how does it reconcile that with the fact that even though we want to stop the importation of waste we do have an obligation under section 11 of NAFTA? How can we be assured that the importation of waste will not be forced upon Quebec and Canada?

[*English*]

Mrs. Karen Redman: Madam Speaker, it is the intent of this federal regulation that it be adhered to across Canada. There is no intent to ask any province to lower that standard. If Quebec were to continue to have a standard that may be a bit more stringent than those of other provinces and territories, it would be respected by the federal government.

[*Translation*]

The Acting Speaker (Ms. Bakopanos): 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 6.35 p.m.)

CONTENTS

Wednesday, March 20, 2002

STATEMENTS BY MEMBERS

Bullying	
Mr. Bagnell	9879
Taxation	
Mr. Bailey	9879
Halifax Gazette	
Mr. Regan	9879
National Pay It Forward Day	
Mr. Pickard	9879
Zimbabwe	
Mrs. Barnes	9880
Rights of Children	
Mr. Spencer	9880
Johnny Lombardi	
Mr. Volpe	9880
International Day of La Francophonie	
Mr. Sauvageau	9880
International Day of La Francophonie	
Mr. McTeague	9880
Gun Control	
Mr. Breitzkreuz	9881
International Day of La Francophonie	
Mr. LeBlanc	9881
International of la Francophonie	
Mr. Godin	9881
Salon du livre de l'Outaouais	
Mr. Laframboise	9881
International Day of La Francophonie	
Mr. Bélanger	9881
Dalton Camp	
Mrs. Wayne	9882

ORAL QUESTION PERIOD

Grants and Contributions	
Mr. Toews	9882
Mr. Boudria	9882
Mr. Toews	9882
Mr. Boudria	9882
Mr. Toews	9882
Mr. Boudria	9882
Government Appointments	
Mr. Pallister	9883
Mr. Manley	9883
Mr. Pallister	9883
Mr. Manley	9883

Grants and Contributions	
Mr. Duceppe	9883
Mr. Boudria	9883
Mr. Duceppe	9883
Mr. Boudria	9883
Mr. Lebel	9883
Mr. Boudria	9883
Mr. Lebel	9884
Mr. Boudria	9884

Government Appointments	
Mr. Blaikie	9884
Mr. Manley	9884
Mr. Blaikie	9884
Mr. Manley	9884

Grants and Contributions	
Mr. Clark	9884
Mr. Boudria	9884
Mr. Clark	9884
Mr. Boudria	9884

Leadership Campaigns	
Mr. White (Langley—Abbotsford)	9884
Mr. Manley	9885
Mr. White (Langley—Abbotsford)	9885
Mr. Manley	9885

Grants and Contributions	
Mr. Duceppe	9885
Mr. Boudria	9885
Mr. Duceppe	9885
Mr. Boudria	9885

Softwood Lumber	
Mr. Duncan	9885
Mr. Manley	9885
Mr. Duncan	9885
Mr. O'Brien (London—Fanshawe)	9886

Grants and Contributions	
Mr. Gauthier	9886
Mr. Boudria	9886
Mr. Gauthier	9886
Mr. Boudria	9886

Employment Insurance	
Mrs. Skelton	9886
Mrs. Stewart	9886
Mrs. Skelton	9886
Mrs. Stewart	9886

Privacy	
Mr. McKay	9887
Mr. MacAulay	9887

Iraq	
Mr. Robinson	9887
Mr. Manley	9887

Aboriginal Affairs	
Mr. Martin (Winnipeg Centre).....	9887
Mr. Nault.....	9887
Fisheries	
Mr. Hearn.....	9887
Mr. Thibault.....	9887
Mr. Hearn.....	9887
Mr. Thibault.....	9888
The Environment	
Mr. Mills (Red Deer).....	9888
Mr. Anderson (Victoria).....	9888
Mr. Mills (Red Deer).....	9888
Mr. Anderson (Victoria).....	9888
Lumber	
Mr. Paquette.....	9888
Mr. O'Brien (London—Fanshawe).....	9888
Mr. Paquette.....	9888
Mr. O'Brien (London—Fanshawe).....	9888
Foreign Affairs	
Mr. Martin (Esquimalt—Juan de Fuca).....	9889
Mr. Paradis (Brome—Missisquoi).....	9889
Mr. Martin (Esquimalt—Juan de Fuca).....	9889
Mr. Paradis (Brome—Missisquoi).....	9889
Mr. Lee.....	9889
Mr. Kilgour.....	9889
Health	
Mr. Lunney.....	9889
Ms. McLellan.....	9889
Highway Infrastructure	
Mr. Crête.....	9889
Mr. Collenette.....	9889
Canadian Heritage	
Miss Grey.....	9890
Ms. Copps.....	9890
Research and Development	
Mr. Scott.....	9890
Mr. Bevilacqua (Vaughan—King—Aurora).....	9890
Presence in Gallery	
The Speaker.....	9890

PRIVATE MEMBERS' BUSINESS

Questions in the House of Commons	
Motion P-20.....	9890
The Speaker.....	9890
Motion negatived.....	9891

ROUTINE PROCEEDINGS

Government Response to Petitions	
Mr. Regan.....	9891
Committees of the House	
Procedure and House Affairs	
Mr. Saada.....	9891

Canada Transportation Act	
Mr. Casson.....	9891
Bill C-436. Introduction and first reading.....	9891
(Motions deemed adopted, bill read the first time and printed).....	9892
Child Predator Act	
Mr. Pankiw.....	9892
Bill 437. Introduction and first reading.....	9892
(Motions deemed adopted, bill read the first time and printed).....	9892
Royal Assent Act	
Mr. Goodale.....	9892
Bill S-34. First Reading.....	9892
(Motion agreed to and bill read the first time).....	9892
Payment Clearing and Settlement Act	
Bill S-40. First reading.....	9892
(Motion agreed to and bill read the first time).....	9892
Committees of the House	
Canadian Heritage	
Mr. Regan.....	9892
Motion.....	9892
(Motion agreed to).....	9892
Non-Medical Use of Drugs	
Mr. Regan.....	9892
Motion.....	9892
(Motion agreed to).....	9892
Procedure and House Affairs	
Mr. Saada.....	9892
Motion.....	9892
(Motion agreed to).....	9893
Petitions	
Justice	
Mr. Benoit.....	9893
Trade	
Mr. Robinson.....	9893
Nuclear Weapons	
Mr. Robinson.....	9893
Questions on the Order Paper	
Mr. Regan.....	9893
Motions for Papers	
Mr. Regan.....	9893
(Motion agreed to).....	9894
Request for Emergency Debate	
Aboriginal Affairs	
Mr. Martin (Winnipeg Centre).....	9894
Speaker's Ruling	
The Speaker.....	9894

GOVERNMENT ORDERS

Act to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act	
Bill C-15B. Report stage.....	9894
Mr. Lanctôt.....	9894
Mr. Bailey.....	9896
Mr. Keddy.....	9897

Mrs. Skelton.....	9898
Mr. Casson.....	9899
Mr. Pallister.....	9900
Mr. Johnston.....	9901
Mr. Epp.....	9902
Mr. Vellacott.....	9904
Mr. Elley.....	9905
Mr. Spencer.....	9906
Mr. Reid.....	9907
Mr. Benoit.....	9908

PRIVATE MEMBERS' BUSINESS

Cenotaphs

Mrs. Wayne.....	9908
-----------------	------

Motion.....	9908
Mr. Provenzano.....	9910
Mr. Bailey.....	9911
Mr. Plamondon.....	9912
Mrs. Desjarlais.....	9913
Mrs. Wayne.....	9914

ADJOURNMENT PROCEEDINGS

The Environment

Mr. Cardin.....	9914
Mrs. Redman.....	9915

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:

Communication Canada - Publishing
Ottawa, Ontario K1A 0S9

En cas de non-livraison,

retourner cette COUVERTURE SEULEMENT à :

Communication Canada - Édition
Ottawa (Ontario) K1A 0S9

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

Also available on the Parliamentary Internet Parlementaire at the following address:

Aussi disponible sur le réseau électronique « Parliamentary Internet Parlementaire » à l'adresse suivante :

<http://www.parl.gc.ca>

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Additional copies may be obtained from Communication Canada - Canadian Government Publishing, Ottawa, Ontario K1A 0S9

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.

On peut obtenir des copies supplémentaires en écrivant à : Communication Canada - Édition, Ottawa (Ontario) K1A 0S9

**On peut obtenir la version française de cette publication en écrivant à : Communication Canada - Édition
Ottawa (Ontario) K1A 0S9**