



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, May 1, 2002**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Wednesday, May 1, 2002

The House met at 2 p.m.

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*Prayers*

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• (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 St. John's West.

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

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## STATEMENTS BY MEMBERS

[English]

### IMMIGRATION

**Mr. Stockwell Day (Okanagan—Coquihalla, Canadian Alliance):** Mr. Speaker, the Minister of Foreign Affairs appropriately acknowledges the role of our embassies in foreign lands in doing all they can to limit the possibilities of terrorists getting into Canada. It is therefore completely unacceptable that the Canadian government is giving ultimate decision making authority to local employees of our immigration offices overseas to select who gets into the country and who gets visas.

Canadians should be concerned when we hear reports of alarming rates of bribery and smuggling involving some of our embassy employees overseas. It damages our reputation as a country and the reputation of the many excellent embassy employees at home and abroad. Four out of every five employees at our embassy immigration offices overseas are local hires. While hiring locally is appropriate, the ultimate decision as to who is eligible to enter Canada must be left in the hands of Canadians citizens.

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### SUTHERLAND CUP

**Mr. Roger Gallaway (Sarnia—Lambton, Lib.):** Mr. Speaker, hockey is everywhere these days. As we slowly slide toward the end of spring it is a great national preoccupation. No matter what one does or where one goes the game cannot be avoided.

With that fact in mind I am pleased to inform the House that the Sutherland Cup, representative of Ontario Junior B supremacy, was decided and ended last night in the old Sarnia arena in my riding. For the players and coaches of the Sarnia Blast, game seven of the final

series against Elmira allowed them to truly be number one in the province.

First presented in 1919, the Sutherland Cup, named after pioneer hockey coach Tom Sutherland, is dedicated as a memorial to our young men who died in the first great war. On this the 83rd year of the Sutherland Cup presentation I congratulate players, coaches and fans of this Sarnia team for a championship year. They have achieved a win and become part of Sutherland Cup history and the heritage of our national preoccupation: hockey.

\* \* \*

[Translation]

### ALBERT BÉCHARD

**Mr. Georges Farrah (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, Lib.):** Mr. Speaker, we were saddened to hear of the death of Albert Béchar, notary, which occurred on Sunday, April 28.

Albert Béchar sat in this House from 1962 to 1972 as the member for Bonaventure, and from 1972 to 1979 as the member for Bonaventure and Îles-de-la-Madeleine.

He chaired several of the House standing committees and was as well chairman of the committees of the whole.

From July 1966 to April 1968, he was Parliamentary Secretary to the Secretary of State of Canada, and from 1970 to 1972 Parliamentary Secretary to the Minister of Justice and Attorney General of Canada.

This was a great Canadian who defended the interests of his province in the Parliament of Canada. Albert loved his native Gaspé, and after his retirement spent five months of the year there at Carleton.

To his wife Lucette and his children, Carl and Pierre, I extend my most sincere personal condolences as well as those of the people of the Îles de la Madeleine and the Gaspé.

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• (1405)

### CENTRE D'ACTION BÉNÉVOLE DE SAINT-HUBERT

**Ms. Yolande Thibeault (Saint-Lambert, Lib.):** Mr. Speaker, I would like to congratulate the Centre d'action bénévole de Saint Hubert, in the riding of Saint-Bruno—Saint-Hubert, which encourages exchanges between organizations and business people.

*S. O. 31*

Last Tuesday evening, a meeting was held in order to encourage exchanges and co-operation between the various organizations and the business community in Saint-Hubert. They took advantage of this opportunity to issue an official invitation to take part in Volunteer Week from May 1 to 5.

Rollande DiLalla, honorary Volunteer Week chairperson, and Henriette Lemire, director of the centre, are already delighted with the prospects for exchanges and partnerships.

My congratulations to these people of Saint-Hubert. I encourage everyone to take part in Volunteer Week.

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#### SYLVAIN LELIÈVRE

**Ms. Carole-Marie Allard (Laval East, Lib.):** Mr. Speaker, we were shocked to learn of the death of Sylvain Lelièvre.

An accomplished artist, he had won the hearts of Quebecers. A creator, writer, lyricist, pianist and educator, he told Quebec's story as few have.

I still recall the lyrics of a song of his, *Petit matin*, that I used to hum:

Petit matin sans horizon  
Petit café, fumée d'usines  
Je r'garde le derrière des maisons  
Les femmes sont à leur cuisine

Thank you, Sylvain Lelièvre. In your own quiet but distinctive way, you have left your mark on our culture. What you have created has become a part of our history.

Mr. Speaker, my colleagues join with me in offering our deepest condolences to the family and friends of Sylvain Lelièvre. Together, we mourn his passing.

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[English]

#### AGRICULTURE

**Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance):** Mr. Speaker, the Liberal government and the agriculture minister do not understand what is happening outside their comfortable offices, limos and jets. Last week's announcement by the agriculture minister that \$21 million will be spent for a soil conservation advertising campaign is insulting.

Advertising the benefits of soil conservation to people who already know about it is a waste. Farmers and ranchers are among the finest conservationists in the country and do not need the government wasting millions of dollars to tell them something they already know. While farmers and ranchers face unbelievable hardship due to weather conditions, foreign subsidies and low return on their products the government is funding awareness programs.

The minister needs some awareness. Agriculturalists need reliable safety net programs, open access to marketing, drought relief programs and help in fighting foreign subsidies. The government's lack of priorities and vision for agriculture is incomprehensible.

[Translation]

#### TECHNOLOGICAL INNOVATION

**Mr. Nick Discepola (Vaudreuil—Soulanges, Lib.):** Mr. Speaker, today I wish to tell the House about the incredible support provided by the Canadian Foundation for Innovation toward the creation of a unique Canadian research and development laboratory in Varennes, Quebec.

Thanks to this funding of over \$5.8 million, Canada now has a state-of-the-art nanotechnology research infrastructure. The scientific and technological spinoffs from this initiative will have a significant impact in the telecommunications, biomedical, aerospace and intelligent transport sectors.

This is something tangible that the Government of Canada has done to develop a unique Canadian network of excellence with a number of universities and research centres. For the people of the riding of Verchères—Les-Patriotes, it is one more example of the contribution the federal government is making to the development of excellence in the regions and of our commitment to put Canada right up there with world leaders in technological innovation.

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#### SYLVAIN LELIÈVRE

**Mr. Pierre Paquette (Joliette, BQ):** Mr. Speaker, I am grief stricken today because one of my classmates from the Collège Maisonneuve died prematurely yesterday. Sylvain Lelièvre was a singer, songwriter, composer, and poet who started his career at the age of 15 by writing his first poems and composing his first songs, which led to him winning the grand prize of the 1963 "Chansons sur mesure" international competition.

A poet who chronicled everyday life, over the years, Sylvain Lelièvre gave us masterpieces such as *Marie-Hélène*, *Petit Matin* and *Lettre de Toronto*. He was awarded a Félix for best songwriter in 1994 for his album entitled *Qu'est-ce qu'on a fait de nos rêves?*, and the 2001 Félix for anthology/re-release/compilation of the year.

In addition to his work as an artist and teacher, Sylvain Lelièvre was a staunch advocate for songwriters' royalties. He believed strongly in developing and encouraging new talent. I remember him saying, in jest, "I have been considered new talent for 30 years now".

His voice, his lyrics and his piano playing will remain etched in our memories forever. Hats off to a virtuoso who never had the pretensions to be one.

•(1410)  
[English]

### LOOK GOOD FEEL BETTER

**Ms. Beth Phinney (Hamilton Mountain, Lib.):** Mr. Speaker, last week was National Volunteer Week in Canada, a chance to recognize and honour those individuals whose contributions make our communities better places to live. Many volunteer organizations took this opportunity to honour their volunteers and highlight the good work they are doing.

Look Good Feel Better was one group in Hamilton which did exactly that. Celebrating its 10th anniversary nationally and 7 years of service locally, Look Good Feel Better provides a unique service to women in the acute stages of cancer therapy. Volunteer hair and wig specialists and cosmeticians give women practical advice and demonstrations on how to manage the appearance effects of radiation and chemotherapy treatments. Since 1992 Look Good Feel Better has assisted over 350,000 women suffering from cancer. The program operates on the philosophy that looking good on the outside can help cancer sufferers feel better on the inside.

On behalf of all the women they have helped and the residents of Hamilton Mountain, I thank the group and its volunteers for their time and service.

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### NATIONAL DEFENCE

**Mr. Leon Benoit (Lakeland, Canadian Alliance):** Mr. Speaker, plans for a review of Canada's defence policy are long overdue. It has been nearly a decade since the last white paper and our Canadian forces are in crisis. It is alarming that whatever is being done is occurring in secret despite the defence minister's promise that MPs, senators and ordinary Canadians would be involved. Even the House of Commons defence committee has no indication of what its involvement will be. This is completely unacceptable.

We do not need another unaccountable review process run by the Prime Minister's Office which reaches conclusions that are predetermined. That is not what we need. I call on the government to fully engage parliament and produce a full white paper by the spring of 2003. This white paper must include a specific commitment of money to carry out the plan, starting with an immediate \$2 billion added to the defence budget.

The defence minister promised a new defence review. Canadians expect a new defence policy and they expect to be involved in the process.

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### RESPONSIBLE FISHING AWARDS

**Mr. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I rise today to acknowledge and congratulate the winners of the Roméo-LeBlanc National Awards for Responsible Fishing.

This award recognizes four Canadian fishermen who have contributed to the development and promotion of responsible fishing practices from coast to coast to coast. It is individual fishermen who are most aware of the need to manage fisheries in a responsible manner. This award gives them the recognition they deserve.

*S. O. 31*

The 2002 recipients are: Allen Gordon, Arctic laureate; Gary McLeod, Atlantic laureate; Milford Purdy, freshwater laureate; and Jake Fraser, Pacific laureate and recipient of the Roméo-LeBlanc Medal. These fishermen, finding better innovative methods of fishing, are role models for a younger generation who will be looking to Canada's great ocean resources for their future.

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### REFUGEES

**Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP):** Mr. Speaker, the true Liberal position on refugees has now been exposed. It is not pretty and it has inflicted untold damage on Canada's international humanitarian reputation.

On Monday, the government unilaterally dropped the vital refugee appeal provisions in the new Immigration Act, leaving refugee claimants worse off and at greater risk than under the old act. Next, it was totally ineffective in defending refugees from being equated with terrorism, allowing them to be scapegoated for its own incompetence in running our immigration program.

Government cuts and understaffing, not refugees, are responsible for backlogs and enforcement problems, but the scapegoating did not end there. Instead of showing that a hearing is the only fair way to determine if a refugee claim is valid, the Liberals joined the Alliance chorus to turn refugees away point blank as queue jumping opportunists, an unpardonable smear against all those refugees who have fled here and need our protection.

The Liberal government apparently prefers to join with the Alliance in a frenzy of refugee bashing instead of owning up to its own incompetence. Liberals like to talk the talk. It is time for them to walk the walk.

\* \* \*

[Translation]

### INTERNATIONAL WORKERS DAY

**Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ):** Mr. Speaker, it being May Day, a day dedicated to workers, the Bloc Québécois is asking the federal government to grant pregnant or nursing women under federal jurisdiction the same rights granted to women in Quebec. We have been talking about this for ten years now. The time has come to take action.

The government should also take advantage of today to announce that it will stop treating a woman who has a child as a woman who has lost her job, and to finally contribute to Quebec's parental leave program.

*Oral Questions*

I also urge the government to admit that it is mistaken in refusing to eliminate the provisions of a collective agreement that discriminates against new members of the workforce and by continuing to tolerate scabs.

I remind the government that employment equity must be seen as something from which everyone benefits, and that we cannot afford to avoid it.

I salute the workers who are shaping our society. Our thoughts are also with those who have been deprived of this basic right. They deserve better than this federal government's inaction.

\* \* \*

• (1415)

[English]

**RESEARCH AND DEVELOPMENT**

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, I congratulate NSERC and SSHRC on following through on their commitments to strengthen northern research. The announcement of six university chairs for northern research, representing a \$6 million investment, is a major step in the right direction.

I also congratulate the universities receiving the chairs, McGill, Carleton, Wilfrid Laurier, Laval, Manitoba and Alberta, along with the recipients themselves. I am pleased that the research spans the physical, life and social sciences.

The NSERC-SSHRC task force on the state of northern research also proposed scholarships, strategic research projects, partnerships between universities and northern communities, and new equipment and infrastructure to reinvestigate northern research in Canada.

I hope this first step means that we are well on the way to systematically strengthening northern research. This is a polar country. We need strong northern science and it should be one of our special contributions to global research.

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**TRANSPORTATION**

**Mr. Loyola Hearn (St. John's West, PC):** Mr. Speaker, the present government has completely ignored the transportation needs of many rural parts of the country.

The costs of travel to Newfoundland and Labrador are prohibitive to most. This has a major effect on the central Newfoundland area and on Gander in particular, where there is now only one Air Canada flight in and out each day.

This makes it almost impossible for businesses who depend on the movement of goods and services to compete on a level playing field. Tourists and the travelling public are being hit. The net result is having a negative effect on the economy. This area and other areas of rural Canada deserve better.

The government says these problems are at arm's length, out of its reach, and so will the Gander—Grand Falls seat be on election day.

**ORAL QUESTION PERIOD**

[English]

**ETHICS COUNSELLOR**

**Mr. John Reynolds (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, a cloud of corruption hangs over the government. We have been trying to get at the truth but no one over there seems willing to tell it.

We asked for information about the ethics counsellor's handling of the arrangement between the finance minister and Jim Palmer. The issue is Palmer's position as a departmental consultant who also raises money for the minister's under the table leadership bid. A request for details of records of this discussion was answered this way: There is no record.

Could the Prime Minister tell Canadians, what is this government covering up?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, when ministers or members of parliament talk to the ethics counsellor, they call, they talk, they discuss the problem. That is exactly what the Minister of Finance did, twice.

There is no need to have a record of a private discussion. Members go there and discuss their private affairs with him. They receive advice.

He gives them the advice to follow all the guidelines and that is exactly what the Minister of Finance did.

**Mr. John Reynolds (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, we asked the right person and the right department the right questions, but there was no answer, no record, not even a single piece of paper.

Still, we know that something was done because a \$25,000 donation to the stealth leadership was returned. How do we know that is where the conflicts of interest ended?

Surely the Prime Minister must be concerned. Will the government table Mr. Palmer's contract and a list of all those he was paid to consult with?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the counsellor, Mr. Wilson, discussed that with the Minister of Finance. He looked at all the facts and he concluded that there was no conflict of interest. That is the end of the matter for me.

If the hon. member wants to have information about the contract, he has access to information. He can file the application with the Department of Finance and of course according to the law it will have to table the document eventually. It is the process that has to be followed and I know that in this case the Minister of Finance has followed the regulations properly.

• (1420)

**Mr. John Reynolds (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, the Prime Minister just says there is nothing wrong, but it is obvious that somebody thought something was wrong: The minister's off the books leadership organization sent back the offending cheque.

*Oral Questions*

We wonder if there are other ghost campaigns that had undocumented ethics meetings resulting in other returned cheques from his ministers who are seeking the leadership of his party. How can the Prime Minister assure us that this \$25,000 cheque that was sent back is the only one sent back and how can he assure Canadians? There has to be something in writing or the ethics counsellor should be reporting to parliament, not to him.

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the ethics counsellor appears regularly in front of committees where they can ask questions.

He is there to advise members of parliament. Some from both sides have consulted him, ministers and the Prime Minister, and his role is to give advice. There was no such job before we formed the government. He is there. He is knowledgeable about that. He is involved in the registry of the lobbyists too. He gives very good advice. He has been very useful to the government. He has been a very good witness very often in front of committees, replying to all the questions from members from all sides.

**Mr. Grant Hill (MacLeod, Canadian Alliance):** Mr. Speaker, as the Prime Minister said, he has been really useful to the Liberals. Indeed.

In fact, there is a little stench of sleaze and corruption hanging over the government like a cloud. The Prime Minister interestingly enough claims that there is no corruption because no ministers have resigned. Might I remind the Prime Minister that our ambassador to Denmark did not get there as a promotion?

The Prime Minister also says that everything is fine because no authorities have been called in. Might I remind him that on the Shawinigan affair, two of those individuals have been convicted by the courts?

My question is, do those things not count?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I can measure the dishonesty of the member across. Yes, two persons were found guilty in my riding, and it is my office that called the police. He should get up and say so to the House of Commons.

**Mr. Grant Hill (MacLeod, Canadian Alliance):** There is more, Mr. Speaker.

Here is another example of what I call sleaze. The opposition brings forward an issue on Groupaction and how the government paid twice for it. The auditor general is now called in on that issue. When the auditor general says that should go to the police, what is the Prime Minister going to say then?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, whenever there has been a case to be referred to the police it has been done, since we formed the government, but I see this person who tried to raise money himself, and he probably failed badly in his own leadership, and he has never given the names of the people who gave him money a few months ago.

\* \* \*

[Translation]

**PUBLIC SAFETY ACT**

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Minister of National Defence may play on words like he did

yesterday, the new bill on public safety will deprive citizens of their right to undertake civil action.

The bill is clear: it is the government, not the courts, that will determine the amount of compensation that plaintiffs will receive if damages, losses or injuries result from the creation of a military zone.

Since his minister is unable to tell us, will the Prime Minister agree that his government is in fact violating a foundation of our democratic society, which is the possibility for any citizen to assert his or her rights before a civil court?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, if the hon. member wants to raise these issues, that is fine with me.

At this point, we have a bill before parliament. This legislation will go through second reading and then be referred to a committee. The hon. member will have the opportunity to raise all these issues before the committee. It goes without saying that if he is right, adjustments will be made. Bills are reviewed in the House and then referred to a committee precisely to be improved if necessary.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Prime Minister does not sit on the committee.

Yesterday, the Minister of National Defence told us that it would be possible to take civil action.

The government is responsible for the legislation that it proposes, and the Prime Minister must know it. He is telling us that it is better because it is better.

If it is so much better, could the Prime Minister tell us now why clause 74 prevents someone from taking civil action? It is written in black and white in the bill. Could we get an explanation on this act that is supposedly so much better?

• (1425)

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I said that if the hon. member is not pleased with any measure contained in the bill, he can go before the committee and explain why. The deputy minister and public officials will answer his questions.

But why make a big fuss now, considering that he will have the opportunity to raise all the issues that he wants before the committee in the coming weeks?

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, the privacy commissioner is justifiably concerned about the powers conferred upon the RCMP and CSIS by Bill C-55, which gives them unrestricted access to personal information relating to people travelling within Canada or to other countries.

Is the Prime Minister going to take steps to ensure that the government respects the rights of citizens, as requested by the privacy commissioner and demanded by the Bloc Québécois?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the member can go before the committee.

This information is, I am told, made available to the U.S. authorities for security reasons. Thought is being given to this being required within Canada as well, as it is in the United States. We are prepared to discuss this at the committee.

*Oral Questions*

Therefore, let him go before the committee, where he will hear the views of the ministers responsible and their departmental staff. Eventually, it will be up to the House to decide.

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, never have we seen a Prime Minister of Canada so incapable of responding to questions in the House of Commons that he passes his responsibility on to his MPs.

In committee, we all know that the Prime Minister is not there and the Minister of National Defence will not answer questions. The MPs are the ones who will.

Instead of patting himself on the back about his Canadian Charter of Rights and Freedoms, as he has been doing for the past two weeks, I call upon the Prime Minister to require his government to respect the rights of citizens. Bill C-55 violates those rights.

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, for the past nine years, I have realized that the louder the hon. member speaks, the less sure he is of his argument.

I would simply respond that he has just indicated that the law will be illegal. If we enact illegal legislation, the courts will say it is illegal. There is a justice system in place. So if the law is not valid, he need not worry; the courts will dismiss it.

\* \* \*

[English]

**WORKPLACE SAFETY**

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, last year 882 Canadians were killed on the job. Hundreds of thousands more suffered workplace injuries or illnesses. It has been 10 years since the Westray explosion in Nova Scotia that cost 26 miners their lives. A public inquiry documented that those deaths were preventable and called on the federal government to amend the criminal code to hold corporations and their executives criminally responsible for knowingly endangering the lives of their workers.

Ten years after Westray, why has the government not enacted the necessary legal changes?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, the member is indeed referring to a very serious issue and we are pleased to see that the standing committee will be proceeding with some hearings about that subject.

I would like to draw everyone's attention to the fact that the Department of Justice has prepared a corporate criminal liability discussion paper to help the committee. Of course the department will get involved in the process and will be of assistance.

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, it should go beyond discussion to action. The government's failure to prevent the tragedy of workplace deaths is absolutely incomprehensible. The Westray inquiry began its work in May of 1992. Since then 8,000 more Canadian workers have been killed on the job.

Those who have lost their loved ones do not want to dwell on the past. They want prevention. They want to know that the government will enact and proclaim the criminal code changes holding corporations and their principals criminally accountable before the

end of 2002. Will the Prime Minister make that clear commitment today?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I will say again that I am glad the member is raising a very serious issue and a very important question. There are many other questions to be asked with regard to liability within the criminal code. As I said, I am glad to report that we have prepared a discussion paper for the committee. Of course we will assist the members of the committee and will get involved with the process if requested.

\* \* \*

● (1430)

**PUBLIC SAFETY ACT**

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, Bill C-55 lets the Minister of National Defence establish martial law wherever he puts something that belongs to the military. It could be a tank. It could be a staff car. That martial law applies to the air above and any water or land surrounding the military vehicle. This is drive-by martial law.

Moreover, the minister may choose not to tell anyone the order has been issued. Yet he can fine or imprison any person found in the area surrounding the vehicle. How will a citizen know when the car he is beside makes him subject to martial law and a fine and imprisonment?

**Hon. Art Eggleton (Minister of National Defence, Lib.):** Mr. Speaker, that nonsense from the drive-by leader of the Conservative Party is clearly untrue. There is no such thing as martial law. We are simply talking about the protection of military equipment or personnel.

If a visiting ship is in a civilian harbour, such as when the USS *Cole* was anchored in a civilian harbour while visiting Yemen and was attacked by terrorists, we will have military police to help protect the immediate area, just as civilian police frequently cordon off areas for similar kinds of protections in the civilian world.

[Translation]

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, Bill C-55 allows the Minister of National Defence to promulgate martial law, even within the precinct of the National Assembly, should he decide to park one of the military vehicles there, and parliament will have no say on this.

The present Emergency Measures Act gives parliament the power to revoke or modify any order issued in an emergency situation.

Could we have an explanation of why these powers are not included in Bill C-55?



*Oral Questions*

[English]

**Hon. Art Eggleton (Minister of National Defence, Lib.):** Mr. Speaker, the right hon. member has it all wrong. We are trying to protect military equipment, not protect international conference centres or people from demonstrators. None of that is in here. It only talks about the protection of military equipment that might be off a base site. That is simply all it is. It needs only to cover a reasonable area around that equipment. It could be tested in the courts if someone thinks it is not reasonable.

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**LEADERSHIP CAMPAIGNS**

**Mr. John Williams (St. Albert, Canadian Alliance):** Mr. Speaker, let us get back to the many under the radar leadership campaigns that are going on over there. Unfortunately, it seems they are starting to smell.

Last November the Minister of Industry's right-hand man, Mr. Satpreet Thiara, travelled to Winnipeg five times supposedly on government business. Yet the government will not release his expense accounts even though they have been requested through access to information and even though the Prime Minister has directed that all expense accounts be released.

Is the fact that these trips coincided with a crucial Liberal Party organizational meeting in Manitoba the reason we cannot get the truth?

**Hon. Allan Rock (Minister of Industry, Lib.):** Mr. Speaker, in fact my office has made full disclosure. Its disclosure complied with the treasury board guidelines, complied with the Prime Minister's directive and complied with the Access to Information Act. I think the member's problem is he does not like the information he got. However, that is the truth.

**Mr. John Williams (St. Albert, Canadian Alliance):** Mr. Speaker, he is right we did not like the information from the credit card statement, but we still do not have the expense accounts submitted.

We know that Mr. Thiara bought five tickets to Winnipeg for \$5,200. We also know that he reimbursed the taxpayers for one ticket three days after the *Winnipeg Free Press* filed an access to information request. What a coincidence.

Since the minister will not reveal what the meetings were that Mr. Thiara had, or what government business he was doing or what he was doing on behalf of the minister there, will he just tell us that he was electioneering on behalf of the minister?

**Hon. Allan Rock (Minister of Industry, Lib.):** Mr. Speaker, what I will tell the member and the House is that I take very seriously my responsibility to account for public funds. I can tell the member and the House that any expenses that were submitted or reimbursed at public expense were expenses incurred on public business. No expenses that were incurred otherwise were claimed. That again is the truth.

● (1435)

[Translation]

**IMMIGRATION**

**Ms. Madeleine Dalphond-Guiral (Laval Centre, BQ):** Mr. Speaker, yesterday the Minister of Immigration said, and I quote:

Everybody seeking to become a refugee has the right to due process.

He added that he intended to fulfill this commitment.

How can the minister make such statements with a straight face, given that he decided to suspend refugees' initial right of appeal?

**Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, I thank the hon. member for her question. Obviously, we are in an implementation stage. We are in transition between two systems, the old system and the new one. I think that this should be done on solid ground.

For this reason, I said that we would not suspend, but delay the implementation of this appeal division to ensure that we do it properly. However, in the meantime, there are other courses of action open to refugees.

**Ms. Madeleine Dalphond-Guiral (Laval Centre, BQ):** Mr. Speaker, for those who work in the field, this right of appeal was a necessary compromise in order to reduce the number of members from two to one. However, by suspending the right of appeal, the minister—who is claiming to be the defender of the rule of law—is arbitrarily amending a statute enacted by parliament.

Is the minister aware of the contempt he has shown parliament? When does he plan to re-establish the appeal section?

**Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, it is not contempt I am showing. I am being honest and trying to ensure that the system works so that we respect the rule of law.

I am giving myself a year to finalize the plans. In the meantime, it is clear that refugees have rights. We respect these rights and we are in favour of refugees here in this country.

\* \* \*

[English]

**LEADERSHIP CAMPAIGNS**

**Mr. James Rajotte (Edmonton Southwest, Canadian Alliance):** Mr. Speaker, my question for the Minister of Industry is about his travelling staffer, Mr. Thiara. This individual worked for the minister when he was in the health portfolio. Could the minister explain exactly what he did for taxpayers at Health Canada? Could he explain exactly what he does for the minister now in industry? Is he really doing something for taxpayers on these trips to Manitoba or is he in fact working on the minister's unofficial leadership campaign?

*Oral Questions*

**Hon. Allan Rock (Minister of Industry, Lib.):** Mr. Speaker, the member invites a repetition of the salient facts and they are these. All disclosure has been made when I have been asked for disclosure in accordance with the treasury board guidelines, the Prime Minister's directive and the Access to Information Act. Most important of all, any expenses that were claimed were claimed for business done for the public and any expenses other than that were incurred were not claimed.

**Mr. James Rajotte (Edmonton Southwest, Canadian Alliance):** Mr. Speaker, here are the salient facts. The Minister of Industry has a person in his office doing departmental work in Manitoba. At least that is the official story. However there is no expense record or no official documents that show any departmental work being accomplished. There is \$5,200 worth of plane rides coinciding with Manitoba Liberal fundraising and organizing events.

Would the minister reveal the truth about the spending of these taxpayer dollars to further his own leadership ambitions?

**Hon. Allan Rock (Minister of Industry, Lib.):** Mr. Speaker, those are the facts and he will have to be content with reality. Their fevered imaginations are running away with them. They have been spending so much time on leaderships that it is distracting them from the business of the nation.

The fact is any expenses that were incurred on public business were claimed. Other expenses were not. Disclosure was made when asked for, all in accordance with the law.

\* \* \*

[Translation]

**CANADA LABOUR CODE**

**Ms. Monique Guay (Laurentides, BQ):** Mr. Speaker, the Canada Labour Code does not provide adequate protection to workers who are on strike or locked out. Cargill workers in Baie-Comeau have been locked out for two years and are currently being replaced by scabs. As for Radio-Canada, it is using foreign companies to fill the void created by its locked out workers.

Does the Minister of Labour not think that it is urgent to amend the Canada Labour Code to ban the use of scabs, as her government wanted to do as early as in 1990, and thus restore some balance in employer employee relations?

**Hon. Claudette Bradshaw (Minister of Labour and Secretary of State (Multiculturalism) (Status of Women), Lib.):** Mr. Speaker, the review of part I of the Canada Labour Code was completed after eight years of work with employees and employers.

The Canada Labour Code belongs to these two groups. The issues that were put in the Canada Labour Code were included by employers and employees, based on their needs, not our needs.

**Ms. Monique Guay (Laurentides, BQ):** Mr. Speaker, we still do not have anti-scab legislation at the federal level.

By not including specific provisions to allow female workers to get paid in cases of preventive withdrawal, the Canada Labour Code creates two categories of pregnant workers in Quebec.

Will the minister finally make good on her promises and amend the Canada Labour Code, so that Quebec female workers who come under federal jurisdiction will stop being penalized?

• (1440)

**Hon. Claudette Bradshaw (Minister of Labour and Secretary of State (Multiculturalism) (Status of Women), Lib.):** Mr. Speaker, as the Bloc Quebecois member knows—and we have had several discussions on this issue—we are now looking at part III of the Canada Labour Code, which deals with standards. As promised to the Bloc Quebecois member, employees and employers will discuss this issue. They will decide what should be included in the code.

Our government wants to ensure that the Canada Labour Code belongs to employers and employees, not to politicians.

\* \* \*

[English]

**LEADERSHIP CAMPAIGNS**

**Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance):** Mr. Speaker, it seems the Minister of Canadian Heritage is not above mixing government business with partisan activity at taxpayer expense. The minister needs to explain why her fundraiser and long time organizer, Joe Thornley, was under contract to her department at the same time he was collecting cash for her leadership campaign.

Why did the minister think it was acceptable to put her fundraiser on the public payroll? Was the conflict of interest not apparent to her?

**Hon. Sheila Copps (Minister of Canadian Heritage, Lib.):** As a matter of fact, Mr. Speaker, it is that kind of allegation that is absolutely below even responding to because the fact is that the communications advice which has been given to me by Mr. Thornley over a period of a number of years has been given because he is an excellent adviser.

I have never made a link between any work that he might do as a volunteer in the Liberal Party in the same way as members opposite who have people working for them as volunteers should be accused of such a thing. It is absolutely despicable.

**Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance):** Mr. Speaker, there is a pattern of deceit and sleaze in the way that leadership aspirants use government money, tax money, to fund their efforts to replace the Prime Minister.

We know about the heritage minister's cozy relationship with certain individuals and organizations. She gives \$1 million dollars to a Toronto organization and, voila, its chairman pledges to raise \$7 million for her campaign.

Is it any wonder that so many Canadians think that the government is corrupt?

**Hon. Sheila Copps (Minister of Canadian Heritage, Lib.):** Mr. Speaker, there is one thing that people have in politics and that is their good name. I have not spent over 20 years in public life to have my name smeared by somebody who does not know the facts.

I would invite the hon. member to make the statement that she just made in the House outside and she will be seeking the appropriate advice from her libel and slander lawyer.

\* \* \*

#### GOVERNMENT EXPENDITURES

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, this morning's *National Post* suggests that the replacement Challengers contain some new multimillion dollar defence suite straight out of a Hollywood movie.

Could the Minister of Public Works and Government Services confirm this and give us some details about the suite?

**Hon. Don Boudria (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, although I certainly cannot go into specific details on security measures for the Challenger fleet, I can assure the hon. member that the contracts provide for equipment similar to the one we had in the other plane. To be more precise, this does not include any type of new defence system such as the one suggested erroneously by the media.

\* \* \*

#### NUCLEAR WASTE

**Mr. Joe Comartin (Windsor—St. Clair, NDP):** Mr. Speaker, the Bush government is pushing ahead with plans for the shipping of nuclear waste for disposal at its Yucca Mountain facility in Nevada.

As part of this ill-conceived plan, it intends, within the next decade, to ship thousands of tonnes of radioactive waste by barge on Lake Michigan. This will put communities, like mine in Windsor, and tens of millions of people in the Great Lakes basin at risk.

Have any consultations gone on between this government and the U.S. with regard to this ill-advised plan?

• (1445)

**Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.):** Mr. Speaker, the U.S. government has made no representation to us with regard to the movement of radioactive material. However I can assure the member that this would require consultation with the Canadian government.

We also have an international joint commission, on which the former Deputy Prime Minister is a member, to assure that any movement will require full consultation and approval by the Canadian government.

**Mr. Joe Comartin (Windsor—St. Clair, NDP):** Mr. Speaker, the department, which studied this plan, showed that 108,000 shipments of radioactive waste will be made to that facility. It has proposed that there will be at least 50 to 300 accidents. This will have a direct effect on the drinking water of 30 million people in the Great Lakes area.

Will the Prime Minister ask the U.S. president to cease this plan, express our opposition and tell us what steps he will take to protect this country?

**Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.):** Mr. Speaker, as I said earlier, we have not been approached by the U.S. government. If it does approach us, it will be required to get approval from the Canadian government, the appropriate regulatory approval,

#### Oral Questions

and the Canadian government must be consulted fully before a decision on this is made.

However we have had no request and there is no proposal before us. Until we have the full plan we do not know. If a request does come forward the appropriate review will take place.

\* \* \*

#### TERRORISM

**Mr. Inky Mark (Dauphin—Swan River, Ind. Cons.):** Mr. Speaker, since September 11 Canada has been focused on keeping our country safe and secure from terrorists, yet yesterday the immigration minister tabled a report which indicated that ministerial permits were signed to allow 11 terrorists into this country in the last year.

These permits were given to those who had been engaged in terrorism. Why does the minister of immigration allow terrorists to enter into Canada?

[Translation]

**Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.):** Mr. Speaker, we did indeed table the report on special permits yesterday.

Incidentally, all the members of this House submit special requests asking that we show compassion in certain cases.

We are here to ensure public safety. We definitely do not want to let terrorists enter our country.

\* \* \*

[English]

#### NATIONAL DEFENCE

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, it seems that with each passing week the Minister of National Defence is forced to confirm further problems with his bargain basement used subs.

Last week he would not comment on the possibility of problems with the hull valves, yet yesterday his officials confirmed that we were correct.

The question we now ask again concerns metal fatigue. Can or will the minister confirm that one or more of these used submarines is currently plagued with metal fatigue? Can or will the minister advise the House of all the problems currently known to his department with respect—

**The Speaker:** The hon. Minister of National Defence.

**Hon. Art Eggleton (Minister of National Defence, Lib.):** Mr. Speaker, there is a lot of mental fatigue coming from that end of the Chamber.

It is like having a car. If the car has a couple of problems under the hood, what do we do? We do not write it off, we get it fixed. If it happens to be covered by warranty, we cover it by warranty, put it back out on the road and operate it. That is what we will do with these submarines.

*Oral Questions***ETHICS COUNSELLOR**

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance):** Mr. Speaker, with so much evidence of scandal before us, it is time the government made a firm commitment to end it.

The Prime Minister could simply do what we have been asking him to do, which would fulfill the promise he made to Canadians, to have the ethics counsellor report directly to parliament. Why can the Prime Minister not keep that simple promise?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, there was no ethics counsellor before we formed the government. When we introduced this concept it was approved by the opposition. An individual's name was sent to the leader of the Alliance, the Reform Party at that time, and the name was approved. The individual was praised by the member of parliament who was the critic and he was praised by Mr. Bouchard who was the leader of the opposition at that time. It was understood that the ethics counsellor would advise ministers, members of parliament and appear before committees to reply to all questions. This is accountability. If he gave advice to me, he gave advice to me. If he gave advice to a minister, he gave advice—

**The Speaker:** The hon. member for Port Moody—Coquitlam—Port Coquitlam.

• (1450)

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance):** Mr. Speaker, with governing like this, thank God this Prime Minister is not running again.

In his red book, the Prime Minister promised that there would be an independent ethics counsellor reporting to the House. He broke his word.

Could the next Liberal leader please stand up and tell Canadians whether or not he or she will resuscitate this promise to Canadians?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, in 10 days from now I will have my eighth leader of the opposition on the front bench. Since that party has had a new leader the quality of the questions has gone down. I see the former leader smiled when I said that.

\* \* \*

[Translation]

**WIND ENERGY**

**Mr. Jean-Yves Roy (Matapédia—Matane, BQ):** Mr. Speaker, on November 16, 2001, the member for Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok announced funding of \$2.2 million towards the development of the wind industry in the Gaspé.

Yesterday, the member for Beauce announced another \$2.2 million for the same industry.

Are we to understand from these two announcements, including the one made yesterday by the member for Beauce, that Economic Development Canada's investment in Gaspé's wind industry has gone up to \$4.4 million?

**Hon. Claude Drouin (Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.):** Mr.

Speaker, we have perhaps taken a page from the book of the PQ, which announces the same news four times.

What I would like to say today in the House is that when the hon. member for Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok made the announcement, it was conditional on approval by the backers. This was recently given and I confirmed it yesterday in the House.

That is why we announced it. We give you the real news: \$2.2 million.

**Mr. Jean-Yves Roy (Matapédia—Matane, BQ):** Mr. Speaker, in light of what we have just heard from the member for Beauce—

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

**The Speaker:** Order, please. The hon. member for Matapédia—Matane.

**Mr. Jean-Yves Roy:** Mr. Speaker, what hurts the Gaspé is the government making the same announcement two and even three times, rather than announcing a real program to develop the wind industry in the region.

What is the government waiting for to show as much interest in the wind industry in the Gaspé as it has shown in oil in Newfoundland?

**Hon. Claude Drouin (Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.):** Mr. Speaker, does the hon. member want us to announce it a third time? No. Seriously, we will continue to do so.

If we receive applications for other projects, we will analyze them as we have always done. We will show that we are looking out for the development of the regions, as we did with the Gaspesia mill, as we did with the aluminum technologies centre.

These are projects which we have supported in the regions and which we will continue to support because Economic Development Canada is looking out for the development of the regions.

\* \* \*

[English]

**ETHICS COUNSELLOR**

**Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance):** Mr. Speaker, a dark cloud still hangs over the government because of its poor handling of recent ethical questions. Mixing of partisan activity and public business by the finance minister and the industry minister is wrong. Canadians need more accountability.

Will the Prime Minister create an independent ethics counsellor who reports to parliament right now?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, at the request of the committee, the ethics counsellor has appeared in front of the committee many times in a year. He already reports regularly to the House of Commons.

I do not understand why they have problems. If I ask for his advice he gives me advice. If the hon. member wants to ask him for advice he will give her advice because that is his role.

*Oral Questions*

If people want to know what he is doing, he appears before the committee and has not refused to debate any issue in front of the committee of the House of Commons.

**Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance):** Mr. Speaker, the Prime Minister has broken his promise to Canadians. Seventy percent of Canadians think the government is corrupt.

The Prime Minister's ethics coach does not have the tools to do his job. Why will the Prime Minister not keep his promise? It is time to create an ethics counsellor who reports to parliament and not just to the Prime Minister. What is the hold up?

•(1455)

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I am sorry to inform the hon. member but she was included in that survey because it stated that all politicians were like that.

It is because of the irresponsibility that we see in the House of Commons that they are painting themselves in the corner.

\* \* \*

**RESEARCH AND DEVELOPMENT**

**Mr. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, Canadian researchers need to have flexible and powerful tools that will support innovative projects requiring large amounts of processing power distributed over multiple locations.

Could the Secretary of State for Science, Research and Development inform the House what the government is doing to ensure that our researchers are getting this type of network support and to ensure that Canada remains competitive in a knowledge based economy?

**Hon. Maurizio Bevilacqua (Secretary of State (Science, Research and Development), Lib.):** Mr. Speaker, I recently announced with the Minister of Industry a \$110 million funding agreement to develop and operate CA\*Net 4. CA\*Net 4 is an advanced research and innovation network, the first of its kind in the world. It gives Canadian scientists and researchers access to excellent information to do leading edge work in areas such as health care, environment and education.

It also allows our scientists to pursue worldclass research in these growing areas. Canada is number one in this field.

\* \* \*

**ETHICS COUNSELLOR**

**Mr. John Reynolds (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, let us do a review: consultant to the finance minister raises money for him on the side; another minister uses tax dollars to organize his leadership campaign in Manitoba; another minister sends grants and gives fat contracts to chums who worked to fulfill leadership dreams. Those are just the recent stuff. We have Shawinigate, billion dollar boondoggles, phoney reports, smelly land deals and, yes, \$101 million of new jets.

How much more will Canadian taxpayers have to endure until the Prime Minister lives up to his promise and gives Canadians an ethics counsellor who reports directly to all parliamentarians?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the ethics counsellor appears before the committee all the time. This institution did not exist. It was established with the agreement of the opposition party in 1993.

I think that on the other side we had one member who used all the money to help another person for his campaign. It was well publicized, the member for Calgary Southeast. He used all that he had at that point going everywhere, not to educate the Canadian people but to try to have for this House a better leader than the one we will have next week.

**Mr. John Reynolds (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, let us go through that list again. The finance minister hires his bagman as a departmental consultant to advise on energy taxation. Another minister pads his department payroll with a party organizer. Another minister with leadership dreams uses grants and contracts to build her fundraising team.

If we add those things to all the other scandals, it is a banquet of bungling, a smorgasbord of sleaze and a cornucopia of corruption.

When will the Prime Minister live up to his promise to have an ethics counsellor who reports to all parliamentarians?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, talking about sleaze, a guy by the name of Jim Hart was persuaded to give up his seat to the leader of that party so he could come into the House of Commons. He was promised \$50,000 but was not given one damn cent. The guy lost his seat and members of his party turned their backs on him. That is the party which now gets up and gives us little lectures.

\* \* \*

[Translation]

**BOOK INDUSTRY**

**Ms. Pauline Picard (Drummond, BQ):** Mr. Speaker, the recent announcement of the bankruptcy of one of Canada's largest book publishers and distributors has raised concerns within the industry.

Will the Minister of Canadian Heritage agree that the time has come for the Liberal government to abolish the GST on books, as the Government of Quebec has, in order to give a hand to Canada's book industry.

What is she waiting for before she acts?

**Hon. Sheila Copps (Minister of Canadian Heritage, Lib.):** Mr. Speaker, we have a fairly comprehensive system for helping publishers. One of its components is the Book Publishing Industry Development Program, which provides \$40 million in direct financial assistance, half of which will go to publishing houses in Quebec.

*Government Orders*

That said, I believe everyone involved in the publishing industry has a great deal of respect for Jack Stoddart. We hope a solution can be found for the problems his publishing house is experiencing. This is a person who has put a great deal of effort into building his publishing house in Canada, and Canada is greatly indebted to him.

\* \* \*

• (1500)

[English]

**LEADERSHIP CAMPAIGNS**

**Mr. Ted White (North Vancouver, Canadian Alliance):** Mr. Speaker, it is ridiculous to expect the public to believe that Mr. Thiara used \$5,200 worth of airline tickets to Winnipeg and back without filing any expenses.

How does the Minister of Industry explain the contradiction? If his assistant went to Winnipeg on government business, why was there no expense account? If the assistant went to Winnipeg to work on his leadership campaign, why the expenditure on the air tickets? How does he explain this use of taxpayer money?

**Hon. Allan Rock (Minister of Industry, Lib.):** Mr. Speaker, disclosure was made of all expenses for which a claim was made against the public purse. Is the member complaining that insufficient expenses were claimed?

I have to tell him that the facts are the facts. We gave a complete answer to the ATIP request entirely in accordance with the guidelines. Any money that was claimed back as public expenses was used for public purposes.

\* \* \*

[Translation]

**MICROBREWERIES**

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, the government is refusing to grant a reduction of the excise tax to microbreweries, on the grounds that there is not enough time to draft a complex piece of legislation to eliminate the injustice done to microbreweries, whose foreign competitors benefit from a highly preferential excise tax treatment.

Since there is very little on the legislative agenda, will the Minister of Finance pledge to immediately start working on a bill to modernize the Excise Act for microbreweries, and introduce this legislation before the end of the parliamentary session?

**Hon. John McCallum (Secretary of State (International Financial Institutions), Lib.):** Mr. Speaker, the Bloc Quebecois continues to engage in smear tactics.

Bloc Quebecois members are well aware that the bill has nothing to do with beer. It never had anything to do with beer.

All they are doing is continuing to rely on smear tactics and cheap political tricks.

[English]

**AIRLINE INDUSTRY**

**Mrs. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, my question is for the finance minister.

WestJet has announced that it will be cutting flights as a direct result of the government's security tax, Canada's new GST. Halifax airport is laying off a quarter of its workforce. The air travel complaints commissioner has called this new GST an extravagant amount. He is getting numerous complaints against it.

It costs \$5.1 million a year to operate Thunder Bay airport but this tax is taking \$8 million from that community.

This tax is devastating the air and tourism industries in Canada which, by the way, bring in some \$17 billion of tax revenue annually. In view of the \$7 billion to \$10 billion surplus, why does the minister not repeal this tax?

**Hon. John McCallum (Secretary of State (International Financial Institutions), Lib.):** Mr. Speaker, as the government has said many times, we will conduct a thorough review of this charge, which is, I remind the hon. member, a charge and not a tax, in the fall. Should the revenues exceed the projected expenditures, the government has committed to not only reducing the charge but we are also open to any manner of suggestion as to changes in the structure of this charge.

\* \* \*

**TERRORISM**

**Right Hon. Joe Clark (Calgary Centre, PC):** Mr. Speaker, on April 11 Nizar Naouar blew up a synagogue in Tunisia, killing 16 people. The Tunisian government has labelled this a terrorist act.

Will the minister of immigration confirm that Nizar Naouar was a Tunisian student on exchange in Canada in 1999? Is he one of the 138 missing Tunisians that Immigration Canada cannot find?

**Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.):** Mr. Speaker, my right hon. colleague should be aware that we do not discuss investigations on the floor of the House of Commons or in public. Our security intelligence and police forces work with other security intelligence and police forces around the world to ensure that people who break the law are brought to justice.

**GOVERNMENT ORDERS**

[Translation]

**EXCISE TAX, 2001**

The House resumed from April 29 consideration of the motion that Bill C-47, An Act respecting the taxation of spirits, wine and tobacco and the treatment of ships' stores, be read the third time and passed, and of the amendment.

**The Speaker:** It being 3 p.m., the House will now proceed to the taking of the deferred recorded division on the amendment to the motion for third reading of Bill C-47.

Call in the members.

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

*(Division No. 284)*

**YEAS**

Members

Asselin	Bachand (Richmond—Arthabaska)
Bachand (Saint-Jean)	Bellehumeur
Bergeron	Bigras
Borotsik	Bourgeois
Cardin	Clark
Comartin	Crête
Dalphond-Guiral	Davies
Desjarlais	Desrochers
Dubé	Gagnon (Champlain)
Gauthier	Girard-Bujold
Godin	Guay
Guimond	Hearn
Herron	Keddy (South Shore)
Laframboise	Lalonde
Loubier	MacKay (Pictou—Antigonish—Guysborough)
Marceau	Mark
Martin (Winnipeg Centre)	McDonough
Ménard	Paquette
Perron	Picard (Drummond)
Plamondon	Proctor
Robinson	Roy
St-Hilaire	Venne
Wasylycia-Leis	Wayne — 46

**NAYS**

Members

Ablonczy	Adams
Alcock	Allard
Anders	Anderson (Cypress Hills—Grasslands)
Anderson (Victoria)	Assad
Assadourian	Augustine
Bagnell	Barnes
Bélangier	Bennett
Benoit	Bertrand
Bevilacqua	Binet
Blondin-Andrew	Bonin
Boudria	Bradshaw
Breitkreuz	Bryden
Bulte	Burton
Byrne	Calder
Caplan	Carroll
Casson	Castonguay
Catterall	Cauchon
Charbonneau	Chrétien
Coderre	Collenette
Comuzzi	Copps
Cotler	Cullen
Cummins	Day
DeVillers	Dhaliwal
Dion	Discepola
Dromisky	Drouin
Duncan	Duplain
Easter	Eggleton
Epp	Farrah
Finlay	Fitzpatrick
Folco	Fontana
Forseth	Gallant
Galloway	Godfrey
Goldring	Goodale
Gouk	Graham
Grewal	Grey
Grose	Guarnieri
Harris	Harvey
Hill (Macleod)	Hill (Prince George—Peace River)
Hilstrom	Hinton
Hubbard	Jackson
Jennings	Johnston
Jordan	Karetak-Lindell
Kenney (Calgary Southeast)	Keyes
Kilgour (Edmonton Southeast)	Knutson
Kraft Sloan	Laliberte
Lastewka	LeBlanc
Lee	Leung

*Routine Proceedings*

Longfield	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacAulay
Macklin	Mahoney
Malhi	Maloney
Marleau	Martin (Esquimalt—Juan de Fuca)
Matthews	McCallum
McCormick	McGuire
McKay (Scarborough East)	McLellan
McTeague	Meredith
Merrifield	Mills (Red Deer)
Minna	Moore
Murphy	Myers
Nault	Neville
Normand	O'Reilly
Owen	Pankiw
Parrish	Patry
Penson	Peric
Peschisolido	Pettigrew
Phinney	Pickard (Chatham—Kent Essex)
Pillitteri	Price
Provenzano	Rajotte
Redman	Reed (Halton)
Regan	Reynolds
Ritz	Robillard
Rock	Saada
Savoy	Scherrer
Schmidt	Scott
Sgro	Shepherd
Skelton	Sorenson
Spencer	St. Denis
Steckle	Stewart
Strahl	Szabo
Thibeault (Saint-Lambert)	Tirabassi
Toews	Tonks
Torsney	Ur
Valeri	Vanclief
Vellacott	Volpe
Wappel	Whelan
White (North Vancouver)	Wilfert
Williams	Wood
Yelich — 175	

**PAIRED**

Members

Bonwick	Brien
Dhaliwal	Fournier
Gagnon (Québec)	Harvard
Lanctôt	Lebel
Manley	Mitchell
O'Brien (Labrador)	O'Brien (London—Fanshawe)
Sauvageau	St-Jacques
Tremblay (Lac-Saint-Jean—Saguenay)	Tremblay (Rimouski-Neigette-et-la Mitis) — 16

● (1510)

**The Speaker:** I declare the amendment lost.

[*English*]

**Mr. Joe Fontana:** Mr. Speaker, I rise on a point of order. I cannot see you, Mr. Speaker, and I do not know if you can see me. I want to make sure my vote has been recorded.

● (1515)

**The Speaker:** Yes, I can confirm that the hon. member's vote was recorded.

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**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 four petitions.

*Routine Proceedings***COMMITTEES OF THE HOUSE****HUMAN RESOURCES DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES**

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** Mr. Speaker, pursuant to Standing Order 109 I am pleased to submit two copies, in both official languages, of the government's response to the sixth report of the Standing Committee on Human Resources Development and the Status of Persons with Disabilities entitled "The Guaranteed Income Supplement: the duty to reach all".

\* \* \*

**TERRORISM**

**Hon. Bill Graham (Minister of Foreign Affairs, Lib.):** Mr. Speaker, it is my honour to inform the House that just weeks ago on April 3, Canada deposited instruments of ratification for the International Convention for the Suppression of Terrorist Bombings. With this ratification Canada is now a party to all 12 of the international counterterrorism instruments required by UN security council resolution 1373.

September 11 reminded us all that terrorism is an ever present threat to the tranquility of our lives, to peace and security everywhere and to the well-being of men, women and children of all faiths, all national and ethnic groups and all religions.

[Translation]

Since the attacks, the world community has come together to join in a campaign that goes far beyond military intervention and to cooperate in almost all international bodies.

[English]

We have moved beyond condemnation and condolences to practical action. To a large extent this action is guided by the UN milestone security council resolution 1373 which requires member states to take specific steps to counter terrorist financing and deny terrorists safe haven. It also urges the implementation of all relevant international conventions and protocols relating to terrorism.

All international laws on counterterrorism are rooted in the 12 UN counterterrorism conventions and protocols which together constitute a framework for preventing terrorist acts such as hijacking, hostage taking and terrorist bombings.

● (1520)

[Translation]

The Convention on the Suppression of Terrorist Bombings gives countries jurisdiction over the unlawful and intentional use of explosives and other lethal devices in public places with intent to kill or cause serious bodily injury, or with intent to cause extensive destruction of a public place.

Canada's ratifying and implementing the convention strengthens the powers of the international legal community to suppress such terrorist bombings.

[English]

We have reached another milestone in the search for international justice and the global effort to counter the threat of terrorism.

**Mr. Stockwell Day (Okanagan—Coquihalla, Canadian Alliance):** Mr. Speaker, we in our party agree with the direction of the ratification. I congratulate the minister for anything he and others in his department had to do with advancing the cause.

However we are concerned about whether we can live up to the full spirit and letter of the accord. I make reference specifically to the issue of terrorist financing and the steps needed to counter terrorist financing as the minister has indicated.

[Translation]

The minister himself has stated that the convention requires member states to take specific measures to stop financing and harbouring terrorists.

Unfortunately, I have to say that the Minister of Foreign Affairs is still tolerating terrorist financing in Canada, since he is refusing to ban Hezbollah fundraising here, in Canada. Hezbollah is a terrorist group.

[English]

I do not want to belabour the point but the minister's remarks leave me no choice. He cited an international accord which we support. However he cited a line in the accord which talks about doing everything we can to stop the financing of terrorism.

Did the minister inform his counterparts in the United States and Israel, countries which have banned all fundraising to the terrorist group known as Hezbollah, that Canada allows supporters of Hezbollah to openly raise funds and send the money overseas to Hezbollah agents as long as the agents promise to be good old boys and not use the dollars to continue their blood splattered record of terrorism and murder in Israel and a number of other countries? The RCMP, CSIS and experts on international terrorism have all testified that our government is being totally naive, and I would suggest delinquent, in allowing fundraising for any group which takes pride in blowing up innocent civilians.

We congratulate the minister for his overall part in the accord and for making Canada a signatory. However as the ratification speaks specifically to the suppression of terrorist financing, we must achieve this by stopping fundraising for groups like Hezbollah in Canada.

[Translation]

**Ms. Francine Lalonde (Mercier, BQ):** Mr. Speaker, seven and a half months after the attacks of September 11 in the United States, I would like to commend Canada's ratification of the international convention on the suppression of terrorist bombings.

This convention, adopted at the UN General Assembly on December 15, 1997, will improve international co-operation in fighting the problem of terrorism, which is defined as the actions of a person who:

unlawfully and intentionally delivers, places, discharges or detonates an explosive or other lethal device in, into or against a place of public use, a State or government facility, a public transportation system or an infrastructure facility



*Routine Proceedings*

The 19 states that ratified this convention are committed to criminalizing such acts, bringing those who commit such acts and their accomplices before the court, and co-operating with other states by sharing information in order to prevent new attacks.

When it comes into effect, following the 22nd ratification, the convention will in no way change the fragile, but critical balance between security on the one hand, and freedom on the other. It specifies that the normal rule of law will continue to apply, as will international conventions safeguarding human rights.

With the ratification in February of the international convention for the suppression of the financing of terrorism, Canada has now finally signed the 12 UN conventions on terrorism.

The Bloc Québécois is very happy about this. Terrorist violence only leads to more violence and repression. For this reason, in the days following September 11, the Bloc Québécois asked the government to ratify these conventions. This is why we supported the principle of anti-terrorism legislation that would allow the government to put these conventions into effect.

However, we deplore the fact that the government took advantage of the climate of crisis to diminish citizen's rights, as in the controversial Bill C-55. The government should have taken its cue from the convention and maintained the balance between security and human rights.

• (1525)

[*English*]

**Mr. Svend Robinson (Burnaby—Douglas, NDP):** Mr. Speaker, I too rise to support the decision of the government to ratify the International Convention for the Suppression of Terrorist Bombings. This brings to 12 the number of conventions we have ratified.

[*Translation*]

In this war against terrorism, as mentioned by my colleague from Mercier, we must also ratify the other international instruments dealing with human rights.

[*English*]

All states should be encouraged to ratify international human rights conventions at the earliest possible time, particularly the six core treaties. As well, ratification of the Rome Statute of the International Criminal Court should be promoted along with a strengthening of the mandate of the court to enable it to deal with terrorism which may not constitute a crime against humanity. In the struggle against terrorism the importance of respecting fundamental human rights and freedoms must be underscored. As Bacre Ndiaye of the United Nations High Commissioner for Human Rights pointed out:

There is evidence that some Governments are now introducing measures that may erode core human rights safeguards.

In some countries, non-violent activities have been considered as terrorism, and excessive measures have been taken to suppress or restrict individual rights—

Here at home the so-called anti-terrorism legislation Bill C-36 and the legislation just tabled, Bill C-55, raise serious human rights concerns as well.

In the fight against terrorism we must do far more to tackle the conditions which give rise to desperation and hopelessness and can

ultimately be exploited by terrorists. These include poverty, the injustices that continue in the Middle East with respect to the illegal occupation by Israel of the occupied Palestinian territories, the inhumane sanctions on Iraq, and the continued denial of the rights of the Kurdish people.

We in our party welcome the decision of the government to ratify the treaty. However much more work must be done if we are to effectively counter terrorism around the globe.

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, I am honoured to rise on behalf of my colleagues in the Progressive Conservative Party to express our immense and unequivocal support for the ratification of the International Convention for the Suppression of Terrorist Bombings.

[*Translation*]

I also want to congratulate the minister and all those who took part in this important process.

[*English*]

Ratification of the convention marks the fulfillment of Canada's commitment to United Nations Security Council resolution 1373, making Canada a party to all 12 international counterterrorist instruments. It is an opportunity for all Canadians to appreciate and demonstrate that our nation is fully committed to the abolition of terrorism and to playing an active role with our international counterparts against campaigns of terror.

The convention was created in New York City in 1997. It could be considered ironic that four years prior to the events of September 11, 2001 the international community came together in New York City to help draft the convention. The effort proved to be a proactive approach to the tragic situation that befell New York and affected victims in a way none of us could have imagined prior to the event.

Canada did not hesitate to offer assistance to the United States in the immediate aftermath of September 11. We continue to be committed in all efforts in the war against terrorism, today and in the future. Our commitment to peace and rights for all citizens has not been compromised. Rather, it has been strengthened because of our active participation in the campaign against terrorism. The efforts of our military men and women, nationally and abroad, are cause for all Canadians to hold their heads high and be proud. All Canadians share in the pride that comes with the responsibility we have elected to bear. The ongoing efforts of our military positively impact its surroundings wherever it goes. It reinforces the reality that in times of conflict Canadians are always there.

Canada's completion of UN resolution 1373 should be looked upon as a great accomplishment and a valued betterment to Canadian society. However this chapter should not be closed. Ongoing vigilance and work is needed to continue to ensure the security and safety of all Canadians.

*Routine Proceedings*

●(1530)

**COMMITTEES OF THE HOUSE**

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

**Ms. Beth Phinney (Hamilton Mountain, Lib.):** Mr. Speaker, I have the honour to present, in both official languages, the 17th report of the Standing Committee on Foreign Affairs and International Trade. The Sub-committee on Human Rights and International Development held hearings on the human rights situation in Zimbabwe and prepared this resolution as a result of the testimony received.

## PROCEDURE AND HOUSE AFFAIRS

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, I have the honour to present the 54th report of the Standing Committee on Procedure and House Affairs regarding its order of reference from the House of Commons of Tuesday, February 28, 2002, in relation to the main estimates for the fiscal year ending March 31, 2003, in regard to vote 5 under "Parliament", "House of Commons". The committee reports the same.

\* \* \*

**MEDICALLY UNNECESSARY ABORTION REFERENDUM ACT**

**Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.)** moved for leave to introduce Bill C-452, an act to provide for a referendum to determine whether Canadians wish medically unnecessary abortions to be insured services under the Canada Health Act and to amend the Referendum Act.

He said: Mr. Speaker, it is my pleasure to introduce the bill, the title of which of course speaks for itself in terms of the intent.

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

\* \* \*

**RIGHT TO WORK ACT**

**Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.):** moved for leave to introduce Bill C-453, an act to amend the Canada Labour Code, the Public Service Employment Act and the Public Service Staff Relations Act (trade union membership to be optional).

He said: Mr. Speaker, the purpose of this enactment is to allow workers to decide whether or not they wish to join or be represented by a trade union and to provide that no union dues are to be deducted from the wages or the salaries of employees who are members of a union. It also prevents discrimination by the commission against persons applying for employment on the basis of whether or not they wish to be a member of a union.

Rank and file union members are often denied a meaningful say in how negotiations are conducted on their behalf. The purpose of the legislation is to give workers greater freedom and choice with respect to how they are represented in the collective bargaining process. Although the bill is restricted to federal labour relations, I encourage the provinces to demonstrate leadership by enacting similar legislation on behalf of workers.

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

**PATENT ACT**

**Mr. Dan McTeague (Pickering—Ajax—Uxbridge, Lib.):** moved for leave to introduce Bill C-454, an act to amend the Patent Act (patented medicines).

He said: Mr. Speaker, with Canadians being concerned about the high price of drugs, the bill is intended to repeal provisions of the Patent Act, patented medicines, that enable brand name pharmaceutical manufacturers to initiate automatic injunctions against generic drug companies for alleged patent infringement. Of course under the current regulations a brand name pharmaceutical manufacturer can claim there has been infringement on its drug patent without the need for evidence to suggest that it has actually occurred. This is unique not only in terms of most nations around the world but indeed under the Patent Act. The bill is intended to repeal just that.

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

\* \* \*

●(1535)

**USER FEES ACT**

**Mr. Roy Cullen (Etobicoke North, Lib.)** moved for leave to introduce Bill C-455, an act respecting user fees.

He said: Mr. Speaker, I am very pleased to introduce my bill, an act respecting user fees. The bill would provide for parliamentary scrutiny and approval of user fees set by federal government departments and agencies. It also would provide for a greater transparency in the cost recovery and fee setting activities of those authorities by requiring them to engage in a participatory consultation with clients and other service users before introducing or amending those fees. The intent of the bill is to provide greater transparency and accountability in the user fees charged by federal government departments and agencies.

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

\* \* \*

**CRIMINAL CODE**

**Mr. Raymond Bonin (Nickel Belt, Lib.)** moved for leave to introduce Bill C-456, an act to amend the Criminal Code and the Corrections and Conditional Release Act to provide for judicial discretion to assign a security classification of maximum to high-risk violent offenders.

He said: Mr. Speaker, it is my honour to introduce the bill. The intent of the bill is to enhance public safety. The bill would give a sentencing judge the authority to assign a binding security classification of maximum to high risk and violent offenders.

*Routine Proceedings*

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

\* \* \*

**CORRECTIONS AND CONDITIONAL RELEASE ACT**

**Mr. Raymond Bonin (Nickel Belt, Lib.)** moved for leave to introduce Bill C-457, an act to amend the Corrections and Conditional Release Act to establish an Office of Victims Ombudsman of Canada.

He said: Mr. Speaker, the bill would create the office of victims ombudsman. This independent body would investigate victims' complaints on the conduct and policies of Corrections Canada and the National Parole Board. In other words, the bill is about victims' rights and how to guarantee they are respected.

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

\* \* \*

**CORRECTIONS AND CONDITIONAL RELEASE ACT**

**Mr. Raymond Bonin (Nickel Belt, Lib.)** moved for leave to introduce Bill C-458, an act to amend the Corrections and Conditional Release Act to establish a Board of Management to oversee operations of the Correctional Service of Canada.

He said: Mr. Speaker, I stand to table another bill designed to reform our corrections system. The bill would enhance accountability at Corrections Canada. The legislation establishes a seven member board of management which would be responsible for the operations of the correctional system. Two members of the board would represent the interests of victims.

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

\* \* \*

**CORRECTIONS AND CONDITIONAL RELEASE ACT**

**Mr. Raymond Bonin (Nickel Belt, Lib.)** moved for leave to introduce Bill C-459, an act to amend the Corrections and Conditional Release Act to provide for the disclosure of certain information about offenders.

He said: Mr. Speaker, I have the honour to introduce the bill. The legislation is about transparency and about providing information to the public and victims on how justice is implemented in Canada. The legislation would make the security classification of offenders public information and would also greatly enhance the access of victims to information about offenders, like advance notice of prisoner transfers.

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

\* \* \*

● (1540)

**PETITIONS****FISHERIES**

**Mr. John Cummins (Delta—South Richmond, Canadian Alliance):** Mr. Speaker, I would like to present a petition from citizens throughout British Columbia who call to the attention of the House that the minister has a constitutional obligation to protect wild fish in their habitats. They point out that the auditor general and others have completed reports which demonstrate quite clearly that

this is not the case. They request that parliament require the minister of fisheries to fulfill his obligation to protect wild fish in their habitats.

**DOMESTIC VIOLENCE**

**Mr. Dan McTeague (Pickering—Ajax—Uxbridge, Lib.):** Mr. Speaker, I am glad to present a petition with over 900 signatures from residents of Pickering—Ajax—Uxbridge and other places throughout Durham region who are very concerned about domestic violence and the efficiency of our current restraining orders. With tragic events like the murder-suicide in June 2000 in Pickering, which claimed the life of Gillian Hadley, the petitioners request that individuals who have been issued restraining orders be required to wear electronic monitoring devices.

**RAIL TRANSPORTATION**

**Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance):** Mr. Speaker, I have with me over 10,000 signatures on petitions from residents of Vancouver Island. At issue is the E & N Railway, about 181 miles of track on Vancouver Island and part of the agreement that brought British Columbia into Confederation. The residents, business people and politicians at all levels are calling on the government to take some action. At issue are safe transport, toxic materials being transported and a tremendous potential in development for rail service on the island for transportation alternatives for tourism and for community development.

These petitions were generated with a great deal of enthusiasm and have come from coffee shops and different sources and unfortunately are not all in the appropriate parliamentary format, but the theme is consistent. Petitioners are asking the Minister of Transport to ensure that rail continues on Vancouver Island.

Mr. Speaker, I would ask that you would give leave to ask my colleagues in the House if they would be willing to give unanimous consent to present these petitions representing more than 10,000 people on Vancouver Island.

**The Speaker:** Is there unanimous consent for the hon. member to present the documents as petitions?

**Some hon. members:** Agreed.

**Some hon. members:** No.

*Routine Proceedings***QUESTIONS ON THE ORDER PAPER**

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the following questions will be answered today: Nos. 128 and 129.

[Text]

Question No. 128—**Mr. Paul Forseth:**

With regard to the activities of the Canadian embassy in Tunis and Tunisian students who disappeared after their arrival in Canada: (a) were the applicants each individually interviewed; (b) were their claims of being students certified by checking with the intended Canadian universities that they were paid-up registered students; (c) were the bank accounts of the applicants checked to see if they had sufficient money to travel; (d) did the embassy or the Department of Foreign Affairs and International Trade do anything to change procedures and discipline staff; (e) was there concern about fraud from any employee; (f) what specifically has been done to prevent a repeat of this situation; and (g) why, when discovered in Canada, were all students not detained and deported?

**Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.):** With regard to the activities of the Canadian embassy in Tunis and Tunisian students who disappeared after their arrival in Canada:

(a) Most of these visitor visa applicants were full time students at the post-secondary level with adequate financial means to pay for a trip during their school holiday.

In order to ensure that this was a genuine visitor movement, the embassy established certain ground rules, such as the need for each applicant in these proposed tours to present the documentation requested and to attend any requested interviews.

A triage was performed on applications based on the criteria established; only applications of concern were interviewed. Other applications were waived the interview. In addition, measures were put in place to monitor compliance of returns to their country, Tunisia, by preceding groups before subsequent groups could be accepted.

(b) Media reports indicating that this was a student movement are inaccurate. In fact, this movement was a visitor movement comprised of primarily Tunisian student applicants visiting Canada as tourists in order to explore post-secondary educational opportunities in Quebec for the longer run. Thus, there was no need, nor possibility, to ask for acceptance letters or to verify registration.

(c) Information regarding the applicants' financial situation formed part of the required documentation and was reviewed as part of the decision making process.

As all members of the first groups of visitors had returned to Tunisia without incident, the office streamlined the triage process to further reduce processing time. The profile of the new crop of applicants was similar to the first group, i.e. full time students at the post secondary level and with adequate financial means to pay for their trip.

(d) When Tunis received the first report from Dorval on July 31, 2000 indicating a problem with young Tunisian visitors arriving with limited funds and vague travel plans, the embassy responded immediately by cancelling the visas of travellers who had not yet

departed Tunisia and re-examining applications which had not yet been finalized. The embassy also immediately terminated the service offered to this group of travel agencies.

There was no need to discipline staff. Any misrepresentation made on applications originated with the applicants or their travel agencies and not with staff members. Our review has confirmed that staff made a reasonable decision based on the information available at that time. They made immediate adjustments when information suggesting fraud surfaced.

(e) No. Employees of the embassy were not involved in the submission of these applications from the travel agencies. They processed the visitor applications as part of their normal responsibilities applying reasonable judgment for what was known at the time. Adjustments to their assessment were made within a matter of days when new information surfaced suggesting fraud. The system, which relies on check and balance and feedback, worked.

(f) The embassy in Tunisia considers all cases on an individual basis rather than as part of a group recommended by anyone. This is the procedure for all visitor applications; the visa office no longer receives applications submitted as group submissions. Interviews are conducted and documents are verified as required.

Closer scrutiny of visitor applications has been the norm since that time. All applicants, whether they have applied as part of a group or not, are assessed based on the merits of each individual case. This is reflected in the current refusal rate, which jumped from 13.77% in 2000 to 28.63% in 2001.

(g) In late July 2000 officers at CIC Dorval suspected that an illegal movement was occurring because visitors were arriving from Tunisia in groups of 10 to 20 individuals.

Effective July 31, 2000 the officers at CIC Dorval detained and referred for inquiry all Tunisian visitors who were not, in their opinion, genuine visitors within the meaning of section 19(1)(h) of the Immigration Act. CIC Dorval issued 40 report 20s between July 31 and August 6, 2000.

In order to monitor Tunisian visitors more closely, CIC Dorval also asked customs officers to refer all Tunisians for a secondary examination by Immigration officers.

On August 7, 2000 CIC Dorval ceased detaining Tunisian visitors and referring them for inquiry because the adjudicators in the adjudication division of the Immigration and Refugee Board had systematically freed and admitted as visitors the people who had been previously referred for inquiry. The adjudicators based their decisions on the fact that they considered these people to be genuine visitors. Having been admitted as visitors, the Tunisians were not subject to removal orders and therefore could not be deported.

The adjudication division of the Immigration and Refugee Board is an independent administrative tribunal.

Question No. 129—**Mr. Scott Reid:**

What is the budget of the support fund allocated to the two national human resources development committees, and what is the mandate of both the support fund and the committees in question?

*Routine Proceedings*

**Hon. Jane Stewart (Minister of Human Resources Development, Lib.):** On March 19, 2002 the hon. Minister of Human Resources Development, HRDC, announced the \$24 million dollar support fund allocated over the next two years to official language minority communities across Canada under Labour Market Partnerships.

The creation of the National Committee for Canadian Francophone Human Resources Development and the National Human Resources Development Committee for the English Linguistic Minority is a tangible demonstration of the commitment made by the Government of Canada to help official language communities enhance their potential, accelerate their socioeconomic development, build their community capacity and make optimum use of their labour force.

This funding has been reviewed to ensure compliance with the administration of the Department's grant and contribution programs. This funding was provided for in the December 2001 federal budget and is therefore built into the existing financial framework.

Human Resources Development Canada, HRDC, will be working closely with the National Committee for Canadian Francophone Human Resources Development and the National Human Resources Development Committee for the English Linguistic Minority to enable the committees to implement their strategic plans to promote human resources development, employability and capacity building in Canada's linguistic minority communities. This funding complements the funding from existing programs at HRDC and other federal departments.

The support fund renewal is for a two year period in the amount of \$12 million per year.

[*English*]

**Mr. Geoff Regan:** I ask, Mr. Speaker, that the remaining questions be allowed to stand.

**The Speaker:** The questions enumerated by the hon. parliamentary secretary have been answered. Is it agreed that the remaining questions be allowed to stand?

**Some hon. members:** Agreed.

\* \* \*

### 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-32 in the name of the hon. member for New Brunswick Southwest is acceptable to the government except for those documents which cannot be released pursuant to the Access to Information Act and the papers are tabled immediately.

Motion No. P-32

That an Order of the House do issue for copies of all documentation including correspondence, memoranda, notes, minutes of meetings, reports, phone records, e-mails, and briefings pertaining to Lancaster Aviation and Airspares Network Inc. between the Minister of National Defence, the Department of National Defence and the Royal Canadian Mounted Police.

• (1545)

**The Speaker:** Is it agreed that Motion No. P-32 carry, subject to the reservations expressed by the hon. parliamentary secretary?

**Some hon. members:** Agreed.

(Motion agreed to)

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would ask you to be so kind as to call Notice of Motion for the Production of Papers No. P-33 in the name of the hon. member for Sackville—Musquodoboit Valley—Eastern Shore.

Motion No. P-33

That an Order of the House do issue for copies of all documentation, including reports, minutes of meetings, notes, e-mail, memos and correspondence since 1994 within the Department of Fisheries and Oceans pertaining to the Tulsequah Chief Mine.

**Mr. Geoff Regan:** Insofar as the Department of Fisheries and Oceans is concerned the Motion for the Production of Papers is deemed unacceptable due to the following practical considerations in responding to this motion:

One, the documentation since 1994 is voluminous and is housed in Ottawa at various current and archived files and other sources: Vancouver; Smithers, B.C. and White Horse, Yukon.

Two, the documentation would require an extraordinary length of time to compile given the various source locations and the need to apply access to information and privacy criteria, which means identifying legal opinions, papers dealing with international relations and possibly affecting future foreign relations, papers affecting federal-provincial relations and requiring consent of the province, and commercial and confidential mining process information provided by a third party. It is estimated that it would take approximately two to three months to compile this information and a further two to three months to have it reviewed by officials of the Department of Fisheries and Oceans and the Department of Justice.

Three, much of the federal documentation is readily available to the public on British Columbia's provincial website, [www.eao.gov.bc.ca](http://www.eao.gov.bc.ca), and as part of the Canadian Environment Assessment Act public registry.

Four, almost all documentation is in English only and would require translation. The cost would be at least \$30,000.

Five, likely this amount of effort toward addressing the motion could cause delay in co-ordinating the department's Canadian Environmental Assessment Act screening report since the same individuals could be involved in both exercises.

Given the excessive costs and the staff time required, we respectfully ask the hon. member to withdraw his present motion and submit a more specific request.

**The Speaker:** The hon. member for Sackville—Musquodoboit Valley—Eastern Shore is not here to give an answer to the hon. parliamentary secretary at this time. Perhaps we could hold the matter over until he is able to be here to answer.

Is that agreeable to the parliamentary secretary?

**Mr. Geoff Regan:** Yes, Mr. Speaker, indeed it is.

*Government Orders*

Mr. Speaker, therefore I would ask that all of the Notices of Motions for the Production of Papers be allowed to stand.

**The Speaker:** Is that agreed, including this one?

**Mr. Geoff Regan:** Yes.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

**The Speaker:** I wish to inform the House that because of the deferred recorded division and the ministerial statement, government orders will be extended by 21 minutes.

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## GOVERNMENT ORDERS

[*English*]

### PUBLIC SAFETY ACT, 2002

**Hon. David Collette (Minister of Transport, Lib.):** moved that Bill C-55, an act to amend certain acts of Canada, and to enact measures for implementing the Biological and Toxin Weapons Convention, in order to enhance public safety, be read the second time and referred to a committee.

He said: Mr. Speaker, I rise today to speak to Bill C-55, the Public Safety Act, 2002. This new bill proposes to amend 20 acts of parliament and to enact one new one as part of the government's anti-terrorism plan.

[*Translation*]

Following the tragic and horrible events of September 11, we acted immediately to put in place the necessary strategic, operational, financial and legislative tools to strengthen our ability to protect Canada and Canadians against terrorism.

To that end, the 2001 budget included a \$7.7 billion investment in safety over a period of five years. During this initial process, we drafted Bill C-42, which was our original framework to ensure public safety.

[*English*]

Since that time we have reflected upon how we can best contribute to making our country as safe and secure as possible. We have listened to the provinces, the territories, the public and of course most important, the members of the House, especially my colleagues in the Liberal caucus.

We have responded to their views. This is the essence of parliamentary democracy. Initiatives are brought forward, they are debated and arguments are made. The government has listened, has withdrawn the original bill and has brought forward a new bill which is improved and would deal with the criticisms that were levelled. While the new bill contains many of the important elements of Bill C-42, it also incorporates many significant improvements.

• (1550)

[*Translation*]

Several technical and consequential changes were made to the new bill, and several clauses were renumbered. I can discuss this in committee.

I would like to look more closely at three of the main changes that we made to the bill, namely the provisions dealing with interim orders, with access zones and with providing the solicitor general with access to airline passenger information for transportation security, antiterrorism and other law enforcement purposes.

[*English*]

First, we have revised the provisions concerning the government's ability to issue interim orders when they are essential to combat an immediate and serious threat or risk to health, safety, security or to the environment.

As we know these orders are issued in extraordinary circumstances when there is no regulation or inadequate regulation to address the threat under acts within the mandate of the Ministers of Health, Environment, Fisheries and Oceans, and Transport.

Members will recall that the provisions would ensure that the interim order must be valid for a period of up to one year and must be published in the Canada *Gazette* within 23 days from the time it is issued. It could be repealed at any time and would be subject to judicial review.

We felt that all of those safeguards were in place in the original Bill C-42, especially the fact that any of these orders could be challenged in the courts. There were a number of questions raised in the House and we have added additional safeguards to the new bill.

For example, we have reduced the period within which a minister would be required to obtain approval from the governor in council from 90 days to 45 days after the order is made. We have also required that a copy of these interim orders of general application, including those made under the Aeronautics Act, be tabled in parliament within the first 15 sitting days after the order is issued.

This is a particularly important feature of the act. Unlike in Bill C-42, the orders would be tabled with the Clerk of the House. That means, when a document is given to the House, hon. members may move the appropriate motion if they wish it to be debated. I would submit that this does give parliamentarians a formal role to express their views on these interim orders.

It is not a question of parliamentary consent being given. That consent of course is given when the law is passed in its original form. That means it is legal for the government to issue such orders. If there is a challenge to a particular order, if it is controversial, if public pressure is needed to ask the government to modify that order, then we believe, by tabling that order in the House, it means there is an opportunity to have it debated if indeed that is required.

We believe this strikes the right balance between ensuring that the government can meet its responsibility to act immediately in a crisis situation while ensuring that an appropriate degree of control is exercised.

[*Translation*]

Second, we are following up on issues raised in connection with a number of amendments in Bill C-42 concerning the National Defence Act.

*Government Orders*

“Military security zones” have been replaced by “controlled access military zones”. The new provisions significantly reduces the size of these zones by limiting their use to the protection of defence establishments as well as Canadian Forces and visiting forces personnel and property located outside the defence establishments.

We have also included time restrictions and more stringent requirements for zone establishment and approval. For instance, a zone would be designated for up to one year, unless renewed by the governor in council. Also, we have taken all appropriate measures to ensure that a zone designation or variance notice is published in the *Canada Gazette* within 23 days.

[English]

Third, we responded to assertions by some hon. members that the former bill did not go far enough to prevent access by terrorists to Canadian planes. We have added an amendment to the Aeronautics Act that would provide the solicitor general with access to airline passenger information for transportation security, anti-terrorism and other limited law enforcement purposes.

Under this amendment select designated RCMP officers would be able to match the passenger information with other information under their control. For example, the RCMP officers in the air carrier protective program would be able to use this information to determine which passengers may pose a risk to public safety or to transportation security so they may decide on which flights RCMP officers should be present.

Other designated RCMP officers could use the information to check whether a passenger is subject to an arrest warrant for a serious offence such as murder or kidnapping, or subject to a warrant issued under the Immigration Act.

• (1555)

[Translation]

Also, CSIS officers would have access to this information for the purpose of investigating potential terrorists or terrorism threats, pursuant to their mandate under the Canadian Security Intelligence Service Act.

[English]

In addition to these strict access and use provisions we have added other provisions limiting disclosure. For example, these officers would only be able to disclose this information to a third party for purposes restricted to transportation security, outstanding arrest warrants, compliance with a subpoena or court order, or for immediate threats to life, health, safety or transportation security.

We believe it is essential to protect the privacy of personal information. For this reason we have built in numerous privacy safeguards. For example, under this proposed regime: passenger information must be destroyed within seven days unless it is reasonably required for transportation security or for investigating security threats to Canada; written requirements of all retention and disclosures must be kept; the RCMP commissioner and the director of CSIS must conduct annual reviews of information retained by designated officers and further retention must be justified; and only a CSIS designated officer would be able to disclose to another CSIS

employee for a counterterrorism investigation under the CSIS Act, and only after approval by a senior designated CSIS officer.

We believe that we have effectively balanced the legitimate information needs of law enforcement and intelligence officers with respect to the privacy of Canadians. We believe that we have protected both our democratic rights and our rights to live safely and securely. Once we begin to evaluate people the debate between the privacy of individuals and the security of the flight begins.

Bill C-55 places this debate squarely where it should be, within parliament with its proposals on how, and for what purpose, airline passenger data can be accessed. I know there will be a vigorous debate on this and other matters in the bill. I understand that today the privacy commissioner issued a letter of concern on some of the provisions in the bill. I met with him last week to talk about the general direction of the bill and told him the aims of the government in bringing the bill forward. After the bill was tabled he had an opportunity to look at its wording, and he has some concerns. I am sure he will address those concerns and be called before the relevant committee to make his point.

I would ask members to keep in mind that prior to September 11 it was generally accepted that screening should ensure that no undesirable item be carried onto an aircraft such as a gun, hunting knife or hand grenade. It was obviously made clear on September 11 that a group of five people could take over an aircraft with ordinary objects. We believe this requires that screening no longer simply look for the object, but that people themselves be considered. That is why we need some of the changes in this particular bill.

I want to look at the major changes in the new bill which directly come under my responsibility as Minister of Transport.

We have retained our amendment to the Aeronautics Act to be able to access airline passenger data for transportation security purposes only. Under this limited regime we would collect airline passenger data on a specific person or on all persons on a specific flight in the event of an immediate security threat so that we may issue appropriate security measures or emergency directions. Once again, we have built in strict privacy safeguards to the regime.

*Government Orders*

In the interest of enhancing transparency we have added to the bill the details that we said previously would be set out later in regulations. As a result we have specified: the exact data elements that are to be provided to the minister in the schedule attached to the bill; the persons to whom the minister may disclose the information, namely the Canada Customs and Revenue Agency, Citizenship and Immigration Canada, the Canadian Air Transport Security Authority and to persons designated by the RCMP or CSIS; and strict use and destruction requirements, namely that the information could be used only for transportation security purposes and could only be disclosed within the organizations I just mentioned, and that it must be disposed of within seven days of the date it was first received by those organizations. The only exception is when that information is disclosed by Transport Canada to the officers designated by the RCMP and CSIS, those agencies would follow the provisions of their regime.

Given that the Canadian Air Transport Security Authority or CATSA was not in existence when Bill C-42 was drafted, we have proposed some amendments to the CATSA act in the new bill.

• (1600)

We have clarified the definition of a screening point to indicate that an authorized aerodrome operator may act on behalf of CATSA in the delivery of screening services.

In addition we have added amendments that would allow CATSA to enter into agreements with any airport operator to contribute to the costs of policing at the airports. There were some airports that were not covered originally. One in particular in the home province of the critic for the Alliance, Kelowna, which is owned by the city, would not have had the benefit of receiving such contributions. This would deal with that particular anomaly.

[*Translation*]

Finally, following concerns expressed by Canadian port authorities, we are proposing amendments to the Marine Transportation Security Act so that the Government of Canada can make financial contributions in respect of actions that enhance security on vessels or at marine facilities.

These contributions would need the approval of the Governor in Council given on the recommendation of the Treasury Board. This financing comes with a sunset provision that will come into effect after three years, since all security initiatives requiring capital investments should be over by then.

[*English*]

In tabling this new bill the government has signalled its openness to improve the legislative framework that would enhance our ability to respond quickly and effectively should a significant threat arise and to provide Canadians with a safe and secure environment. It will continue to be flexible as we move forward in the legislative process, and we will continue to work in the interests of all Canadians as we strive to protect Canada from the tragedy of war or terrorism.

I believe that the Government of Canada acted with dispatch after the terrible events of September 11. We introduced new regulations. We provided moneys for additional security. Canadians have been assured by what the government has done.

Just in the aviation field alone, the president of the Canadian Air Force Council was here yesterday to meet with some of us. He told me that airport traffic as of the end of last month was down only 9% over a year earlier. Given what happened on September 11 and given of course the slower economy last year, this tells me that Canadians are coming back into the skies, they are flying, because they have confidence. Yes, the economy is improving, but they really have confidence in the security that we have put in place.

In the United States the situation is not the same. Our friends in the U.S. are still not really assured that it is safe to fly. I believe the U.S. government has done an admirable job. We have worked with the FAA. We have worked with our counterparts in the department of transportation in Washington. For any Americans who are watching the proceedings today, they should know that their government has done an admirable job in bringing in tighter controls and newer regulations.

Of course on September 11 the attacks were made in the United States. Americans feel that they are perhaps more vulnerable and they are the targets. Perhaps Canadians do not feel that way. However we believe that air travel is safe and that people are indeed flying once again.

I know the hon. members would like me to not be as thoughtful. They would want some histrionics. I am sure my friend from Port Moody—Coquitlam—Coquitlam will be there, arms waving and making the normal outrageous insinuations that he has made over time. I will not fall into that trap today because this is serious business. I can see the gravitas on the faces of my colleagues because they take this seriously.

We have done a good job. We continue to do a good job. I would hope that the members of the House will support this initiative. It is worthy of their support. We have listened to parliamentarians. We have listened to Canadians. This bill is worthy of the support of all members of the House and I hope that they will support it.

• (1605)

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance):** Mr. Speaker, I congratulate the transport minister on at least waking up the justice minister to his wonderful display of arm waving which was good.

First, I want to comment on his final comments with regard to airport traffic. I will move specifically to Bill C-55 in a moment. The minister said that airport traffic is back after September 11 and somehow that is a great feat by the government.

First, airport traffic is back because people already bought their tickets prior to April 1, so they did not have to pay the \$24 tax. Second, people are booking their flights today for the summer to avoid paying the \$24 tax and it is the travel season. Third, the vast majority of air carriers are having broad seat sales right now because they are scared of going under because the government is taxing them into the ground.

I rise on Bill C-55 which is an act to amend certain acts of Canada and to enact measures for implementing the biological and toxin weapons convention to enhance public safety. It is also known as the public security act.



*Government Orders*

Bill C-55 gives cabinet members acting alone outrageous and broad new powers with limited checks and balances. If these powers were exercised to their fullest possible extent, they could represent a grave threat to the notion of parliamentary democracy that Canadians hold so dearly.

We were glad that the Liberals withdrew their Bill C-42, but they seem to have missed the entire reason why so many members of the House and so many members of the public were exercised with concern about the problems of Bill C-42.

Specifically, the concerns that Canadians had with Bill C-42, which are still present in Bill C-55, are the capacity of cabinet ministers to invoke a number of interim order measures and the capacity for the minister of defence acting alone to create military security zones. Both of those aspects of Bill C-42 are alive and well in Bill C-55. It is because of those aspects that a number of Canadians will continue to have concerns about the bill and that the official opposition will oppose the bill and encourage all others to do so as well.

As I said, the government can still create a military security zone to protect, as the bill says, "property that is provided for the armed forces for the department and is situated outside a defence establishment".

In the old bill the government could have declared an area like Kananaskis where the G-8 summit will be a military security zone. It still can in Bill C-55. All it has to do is put some military equipment like a jeep or a helicopter in the zone and they can therefore declare it a security zone under section 260.1(3) which reads:

A controlled access military zone may consist of an area of land or water, a portion of airspace, or a structure or part of one, surrounding a thing referred to in subsection (1) [basically equipment and personnel]...The zone automatically includes all corresponding airspace above, and water and land below, the earth's surface.

This power should not be in the sole, arbitrary hands of the minister of defence.

A recent poll has shown that 69% of Canadians see our federal political system as being corrupt. Canadians are unlikely to be thrilled by this legislation such as this, where the government grabs more unchecked power for ministers. At present the public's faith in democracy is tainted more than ever by the Liberal government's track record on things such as imposing a \$24 air tax, despite the fact that air security at most airports has not been improved as the minister says and that the transport committee recommended against such an extreme airline killing measure.

Also, the government invoked closure to impose the legislation, Bill C-49, and which imposed the tax. These things do not build confidence with Canadians. The government also has a lack of respect for free votes in this place and the treatment of private members' bill. It has a lack of commitment to a democratically elected Senate. It has muzzled politically free speech for their own backbenchers. It has a lack of free votes allowed by Liberals in this place. There are also countless other examples and they do not build the confidence of Canadians.

The government should be building the confidence of Canadians in democracy and governance. Bill C-55 will only work to continue the downward spiral of public faith in the institution of governance.

Bill C-55 is a vast and comprehensive bill affecting some nine federal departments. It amends 20 federal statutes and implements in domestic law an international convention that Canada ratified back on March 26, 1975. That treaty is the biological and toxin weapons convention and it shows a stunning lack of vision that it has taken us a quarter of a century to finally make it part of our laws.

In times of trial lucky nations remember great leaders. The British remember Winston Churchill. His unbroken spirit strengthened British resolve during the darkest days of the second world war. Americans remember Franklin Delano Roosevelt as the president who led their nation to great victories across two different oceans at a time when freedom itself was at stake.

All those who are alive today know that President Bush, former New York mayor Rudy Giuliani and Prime Minister Blair will fare similarly well with historians. As we struggle to deal with the aftermath of September 11, now roughly eight months ago, these three leaders have set the standard by which the world will judge political courage in a time of crisis in the years to come.

● (1610)

Those standards are tough. They mandate a committed ongoing and continuous fight against terrorism and the defence of our way of life, the rule of law, pluralism and democracy. Tougher still, they will require respect for diversity and understanding through dialogue so that in our zeal to protect the democratic Liberal values, which the western world so shares, we do not inadvertently diminish or deny that which we are striving to protect.

Finally and perhaps most important, those standards require firm, principled leadership. That leadership requires two very simple things: a clearly identified goal and a precise way of reaching it.

In the immediate aftermath of September 11 President Bush led. He set a goal of making America safe against further terrorist attacks and of restoring the confidence of Americans. He launched six different initiatives.

The first was the office of homeland security to deal with threats against American territory and appointed Vietnam veteran, former army ranger and former Pennsylvania governor, Tom Ridge as its director.

Second, he created a military campaign to fight terrorism abroad and involve America's allies in that campaign.

Third, he launched an aggressive worldwide campaign to identify and prosecute those who were responsible for the September 11 attacks.

Fourth, blocking of terrorist financing was a priority and access to international banking networks was fought.

*Government Orders*

Fifth, he launched a concerted diplomatic effort with America's allies to secure the co-operation of the United Nations Security Council, NATO and the Organization of American States in collectively fighting terrorism.

Sixth, he established a fund to help Afghan children, recognizing that they too were victims of the events of September 11.

Each of President Bush's initiatives were and are distinct and well designed, rather like the blades of a Swiss army knife. Each has a specific purpose but the six together are a powerful and comprehensive combination. Quite simply, they have been designed like a Swiss army knife, to work well together so as to be greater than the sum of their parts and like a Swiss army knife they are designed to get the job done.

If we think of President Bush's initiatives as a Swiss army knife, this government's attempts to deal with the aftermath of September 11 are rather like the tools we might find at the bottom of a box at a rummage sale. Some are good, some are missing pieces, some are quite beyond redemption and even the ones that work are not necessarily designed to work together.

Of all the governments on this continent, the Canadian federal government has by far the most legislative and administrative power. An arrogant Prime Minister can appoint his cabinet ministers and he can make them do his bidding or face political exile in the obscurity of the government backbenches. His decisions are supported by 170 plus Liberal voting machines. Their unquestioning support of every piece of government legislation gives the Prime Minister a degree of concentration of power unseen in other liberal democracies.

Given the vast powers of the Canadian Prime Minister, virtually any bold incisive solution was possible in response to September 11. Whatever measure, whichever regulation desired would have easily become a legal reality. Given such latitude, it is sad, perhaps even a bit frightening, that with respect to the public safety act this is the third time in three attempts that the Liberal government has dropped the ball.

When after September 11 Canadians clamored for a collective sense of security, the government increased taxes on air travellers. Today in reaction to polls showing that Canadians do not trust government, the federal Liberals offer up not accountability but a power grab for the cabinet.

Bill C-55 is another omnibus bill that the government has tabled since September 11 and the tragedy therein. The first was Bill C-36 which the government introduced on October 15, over a month after the tragedy and which amended over a dozen statutes and added a new one.

Bill C-55, the public safety act, is just as cumbersome and every bit as complex as Bill C-36. Indeed this bill's complexity and the ham-fisted way incompatible themes have been duct taped together into one bill is obviously a sign of a government unable to and arguably incapable of leading in a time of crisis.

On November 20, 2001 at about 5.25 in the evening the government House leader sought unanimous consent to suspend the standing orders and introduce a government bill at 2 p.m. the next afternoon. The bill, "An Act to amend certain Acts of Canada

and to enact measures for implementing the Biological and Toxin Weapons Convention, in order to enhance public safety", would be complex and a briefing to staff would be offered. After two months of hibernation on aviation security legislation, there was now a flicker of hope that our government would finally react.

• (1615)

At 2 p.m. on November 21, 2001 the promised bill was nowhere in sight. Last minute problems delayed its introduction. Bill C-42 was introduced the following day on November 22 and contained some 19 parts dealing with everything from money laundering to the implementation of a 1977 treaty on biotoxins. A miniature section on aviation security was thrown in for measured optics.

With the same deft touch that marked the bill's introduction on Wednesday, November 28, within a week of its first reading in the House, the government House leader was again on his feet to state that unanimous consent had been required and obtained to delete clause 5 which dealt with section 4.83 of the Aeronautics Act regarding the provision of information. The clause was to be reintroduced in Bill C-44, an act to amend the Aeronautics Act, which was ordered for consideration at second reading a mere two sitting days later.

Examination showed that the clause which was deleted had been written to comply with section 115 of the U.S. aviation and transportation security act which had been signed by President Bush days prior. In short, airlines would not be able to fly into the United States after January 18 unless they provided certain information to the U.S. customs service.

There was one problem. The clause allowing Canadian airlines to comply with the U.S. legislation was buried deep in a massive omnibus bill and there was no hope of getting the omnibus bill passed before January 18, 2002. The government took the only possible option. It took the useful clause out of Bill C-42 and introduced it as Bill C-44, a one clause bill which was passed in the House on December 6 and received royal assent on December 18.

The Liberals' stunning mishandling of the public safety act is underlined by the fact that more than five months after Bill C-42 was introduced we are discussing and debating a virtually identical bill with most of the same problems. The government seems to have learned nothing.

Bill C-55 addresses a number of totally unrelated ideas. It should be broken up. Just as it made sense last November to put clauses of Bill C-42 into a separate bill, Bill C-44, it now makes sense to break Bill C-55 into separate bills so they might in turn get the committee's scrutiny. This is what our system of government was designed for. It is what Canadians expect. It would allow the various committees of the House to study the relevant parts of the bill instead of sending the entire bill to a single committee, in this case the Standing Committee on Transport and Government Operations.

*Government Orders*

Bill C-55 deals with money laundering and the implementation of a 1977 treaty on biotoxins, topics which would hardly be considered the domain and responsibility of a transport committee. Having said that, I will deal in specific terms with the sections of the bill that deal truly with transport. It is our intention to give each of our party's critics the opportunity to speak to the parts of Bill C-55 that would affect the departments they monitor. It is also our intention to allow our justice critic the hon. member for Provencher to address the parts of the bill that would give ministers the power to make interim orders with respect to unforeseen threats in their departments.

I will address the key areas with respect to transport. The first is the apportionment of security costs. As members opposite may notice, this is not dealt with in Bill C-55. That is part of the problem. Bill C-42 which Bill C-55 replaces was also called the public safety act. It contained a clause which would have introduced a new subsection to the Aeronautics Act. Proposed subsection 4.75(1) read:

The Minister may apportion the costs of any security measure between the persons to whom it is directed, or by whom it is carried out, and any person or persons who, in the opinion of the Minister, would reasonably be expected to benefit from the security measure.

In the context of passenger screening this might have apportioned costs among the flying public to whom it was directed, the airlines and airport authorities who carried it out, and any person who could have reasonably benefited from it. Given that the September 11 victims were mostly in office towers and on the ground, this might well have been the general taxpayer.

These sentiments were expressed in recommendation 14 of the report of the Standing Committee on Transport and Government Operations, "Building a Transportation Security Culture: Aviation as the Starting Point", which was released on Friday, December 7. I am glad the Parliamentary Secretary to the Minister of Transport is here because the report which tabled 15 recommendations on airport and airline security was supported unanimously at committee.

The Parliamentary Secretary to the Minister of Transport, the hon. member of parliament from Chicoutimi, said the government should not impose a \$24 tax and put it all on the shoulders of passengers. He said we should spread out the costs. The view was supported unanimously but the government rejected it. It rejected its own parliamentary secretary and the hard work of the committee.

• (1620)

The recommendation I am referring to reads:

All stakeholders—including airports, air carriers, airline passengers and/or residents of Canada—contribute to the cost of improved aviation security. In particular, the amounts currently spent by airports and air carriers should be continued—

They are not now continued by law. The recommendation goes on:

—with appropriate adjustments for inflation. A ticket surtax could also be implemented, and any funding shortfalls could be financed out of the Consolidated Revenue Fund.

The initial apportionment of security costs was a good idea. It was in the spirit of what the transport committee had recommended. I was surprised the clause was not included in the new public safety act Bill C-55. After all, we read constantly in the press that the Liberals want to listen to Canadians and their concerns.

When I heard WestJet was cutting 13 weekly flights between Edmonton and Calgary and dropping its Victoria-Kelowna service as a result of the oppressive impact of the Liberal government's air tax on short haul carriers, I hoped the Liberals were listening. I thought maybe they were having a change of heart. Then I noticed the apportionment of costs clause was gone from Bill C-55. If Bill C-42 had not been withdrawn and had been reintroduced in virtually its original form with only a number change, the apportionment of security costs would have ended up being debated and scrutinized by the transport committee which had recommended an apportionment of security costs model in the first place.

Given that the model was rejected by the finance committee after the Liberals who supported it were removed and by the Liberal voting machine which heeded the Prime Minister's orders on Bill C-49, the government did not want the apportionment of security costs clause going back before the committee. Since it was the only way to avoid having such a clause debated by committee the government pulled the bill, deleted the clause, renumbered the bill and reintroduced it as a brand new piece of legislation in Bill C-55. After all this government members wonder why 69% of Canadians think federal politics is corrupt.

The second transport related clause of Bill C-55 that I will address is the new anti-air rage provision. Clause 17 of Bill C-55 would introduce a new section to the Aeronautics Act, section 7.41. In many ways the section would build on concepts contained in the 1963 Convention on Offences and Certain Other Acts Committed on Board Aircraft which Canada ratified on November 7, 1969, and the 1971 Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation which Canada ratified on June 19, 1972.

Essentially these treaties make interference with cockpit crew an international offence. Clause 17 of Bill C-55 would make it an offence punishable by a \$100,000 fine and/or up to five years in jail to interfere with any crew member in the performance of his or her duties or anyone who is following the instruction of a crew member. We in our party fully support clause 17 of Bill C-55 and applaud its introduction by the government.

Clause 5 of Bill C-55 deals with the type of information an airline or other transport authority may provide to authorities. It would modify sections 4.7 and 4.8 of the Aeronautics Act. Under clause 5 of Bill C-55 the new subsection 4.82(4) of the Aeronautics Act would read:

The Commissioner, or a person designated under subsection (2), may, for the purposes of transportation security or the identification of persons for whom a warrant has been issued, require any air carrier or operator of an aviation reservation system to provide a person designated under subsection (2), within the time and in the manner specified by the person imposing the requirement, with the information set out in the schedule

(a) that is in the air carrier's or operator's control concerning the persons on board or expected to be on board an aircraft for any flight specified by the person imposing the requirement; or

(b) that is in the air carrier's or operator's control, or that comes into their control within 30 days after the requirement is imposed on them, concerning any particular person specified by the person imposing the requirement.

*Government Orders*

The modified subsection 4.82(5) of the Aeronautics Act would enable the RCMP to share this information with CSIS. These powers, correctly used and perhaps modified by committee, might give Canadian intelligence authorities access to the same type of information the Americans have in their Computer-Assisted Passenger Prescreening System or CAPPs. It is imperative that this be the case.

For years Canadians have bragged about having the world's longest undefended border. We have had access to America like no other nation. Those days are over because of the government's mismanagement since September 11. Armed national guardsmen now protect the previously undefended border. That single fact, breaking with years of tradition, is a damning indictment of the government's post-September 11 record. By guarding the border the Americans are sending Canada a simple, four word message: "We don't trust you".

• (1625)

Sunday's *60 Minutes* report may help convince some of the voting machines opposite of the urgent need to act. We face a choice as a nation. With regard to the new fortress America we can either be inside looking out or outside looking in. We are on probation. It matters greatly what we do in the coming months.

It is critical that we build computer system like the one America has, the Computer-Assisted Passenger Prescreening System or CAPPs. This would show we were serious about protecting our border from terrorism and those who would use our tremendous support of legitimate refugees as a cover for criminal acts. A cornerstone of CAPPs is getting information from airlines. Bill C-55's modifications to subsections 4.82(4) and 4.82(5) of the Aeronautics Act are a step in the right direction.

It may come as a surprise to members of the House that airlines maintain two types of files on their passengers. First, they maintain a passenger name record or PNR. This is the file airlines create when they reserve a seat for a passenger. It contains information such as the passenger's name, address, phone number and form of payment. It also contains reservation information such as boarding city, destination, connections, flight numbers, dates, stops and seat assignment. Based on this information the manifest is prepared for each flight showing who is sitting where. Routinely at present this is the information handed over to authorities when there is an airline accident.

Second, airlines maintain the APIS or advanced passenger information system data. It includes five fields: passenger name; date of birth; citizenship, nationality and document issuing country; gender; and passport or document number. Other than the passenger's name this information is not normally collected by the airlines. Unless passports are machine readable much of the information must be entered manually. For this reason airlines only collect it when they must provide it to immigration authorities.

The U.S. currently requires this type of information for U.S. bound Asian passengers transiting through Vancouver under the Canada-U.S. memorandum of understanding which allows such passengers to go through U.S. customs without first passing through Canadian customs. It is not immediately clear whether the modified subsections 4.82(4) and 4.82(5) of the Aeronautics Act would apply

only to PNR information which airlines normally have in their reservations systems or also to APIS information which may be collected as passengers board flights overseas destined for Canada.

In the U.S. the new aviation and transportation security act mandates that the administrator of the Federal Aviation Administration require air carriers to expand the application of the Computer-Assisted Passenger Prescreening System or CAPPs to all passengers regardless of baggage. In addition, passengers selected under the system are subject to additional security measures before boarding including checks of carry on baggage and of their person. Both the PNR and APIS information is sent electronically to the U.S. customs supercomputer in Newington, Virginia where the CAPPs system enables the passenger profiling that keeps America's skies safe.

The U.S. is actively fighting a war on terrorism. It is walking the walk, unlike the Liberal government. Given that page 95 of the budget allocates \$76 million to improving co-ordination and information sharing among government agencies, I call on the government to follow America's lead and send both PNR and APIS information to a single agency so Canada can create its own CAPPs system to enhance intelligence gathering on would-be terrorists. This would keep Canadians safe in the air and on the ground. More importantly, it would help restore America's trust in Canada's commitment to fighting terrorism as opposed to merely talking about fighting terrorism which is all we have seen from the government. It would be nice if the government would make the real legislative and budgetary commitments to send that signal. With a view to enabling this type of information gathering the Canadian Alliance will be tabling amendments at committee.

**I conclude by calling on the government to divide Bill C-55 so the appropriate standing committees may give the bill proper examination. I move:** That the motion be amended by deleting all the words after "that" and substituting the following:

"this House declines to give second reading to Bill C-55, An Act to amend certain Acts of Canada, and to enact measures for implementing the Biological and Toxin Weapons Convention, in order to enhance public safety, since the Bill reflects several principles unrelated to transport and government operations rendering it impractical for the Standing Committee on Transport and Government Operations to properly consider it".

• (1630)

**The Acting Speaker (Ms. Bakopanos):** I do not know if the hon. member would like to know whether his amendment is in order or not, but the Chair will take it under advisement and will get back to the House as soon as possible.

*Government Orders*

[Translation]

**Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ):** Madam Speaker, let us remember that, on November 22, 2001, the Government of Canada introduced, in great haste, its second public safety bill, Bill C-42. The Bloc Québécois reacted immediately to the introduction of that bill, which constituted the worst attack ever seen by Quebecers and Canadians on their rights and freedoms.

Those who are listening to us will have understood that, since November 22, the Bloc Québécois has vehemently opposed Bill C-42. We saw the results. Last week, the federal Liberal government withdrew Bill C-42 to introduce Bill C-55, which, believe it or not, is five pages longer than Bill C-42, which had 98 pages. Bill C-55 has 103 pages.

The Bloc Québécois reacted strongly to this attack on human rights and freedoms from within Canada by the federal Liberal government. When dealing with terrorism, there is nothing worse than trying to counter terrorist attacks by sacrificing our rights and freedoms. It is the worst possible reaction, because the objective of the terrorist network throughout the world is actually to attack the fundamental values that made Quebec and Canada such a great democracy.

Today, I am proud to have helped, with my leader and my colleagues in the Bloc Québécois, make the federal Liberal government understand that it could not take away the fundamental rights enjoyed by all Canadians. However, it was easy for us to fight Bill C-42 because the ministers who were supposed to defend that bill, namely the Minister of Transport, the Minister of National Defence and all the others—I will name them later—were not the strongest defenders of the bill. Why?

Quite simply because Bill C-42, just as Bill C-55 we are examining today, was prepared by and for public servants. How are things done in a society like ours? In any crisis situation, the government tries its best to pass legislation to achieve its old unfulfilled dreams. That is what happened with DND and its land staff, Health Canada, Transport Canada and all the other departments, which took advantage of the terrible crisis situation resulting from the September 11 events to include in Bill C-42 numerous infringements on our freedoms and rights, and yet more state control.

Such a situation brings us closer to a more militarized, centralizing and controlling state. This is what the Liberal government is trying to do, once again today, with Bill C-55. Even if it was upgraded and improved, even if the Bloc's recommendations were taken into account, it has proven impossible to escape the government machinery which, once again, attacks our rights and freedoms in Bill C-55. I will demonstrate it in a minute.

Another similarity with what happened when Bill C-42 was introduced is the fact that the Prime Minister went before the press yesterday, and with his typical candour and naivety, he could not answer one very simple question from a journalist who was asking if our rights and freedoms will be better protected under the new legislation. He answered "Yes, because I am telling you it is better".

● (1635)

Once again, questions were put to the Prime Minister today and he was unable to answer them. Yesterday, it was the Minister of Defence who could not provide the answers.

In the next few minutes, I will try to summarize the purpose of this bill for the benefit of everyone in Quebec who might be watching this debate, and to show why we constantly have to badger the federal Liberal government which, in an attempt to do some nation building, has let the bureaucracy pursue its objective of centralization. We now have a centralizing state, which is detrimental to the rights and freedoms for which people, especially in Quebec, have fought so dearly.

Today, the Prime Minister even added in this House, "Anyway, all of these questions will be answered in committee and we will make all the appropriate revisions and changes".

My colleague from Berthier—Montcalm knows better. On Bill C-7, he single-handedly moved more amendments and brought more witnesses before the committee than all the Liberal members from Quebec. Despite all his efforts, none of the amendments to Bill C-7 concerning young offenders was passed. Except for some very minor changes, the bill was passed almost exactly as it was introduced in the House.

So today, the Prime Minister said to us, the members from Quebec, "With respect to Bill C-55, you can ask your questions in committee, you will have the chance to call witnesses, and we can make changes when the time comes".

For all those Quebecers who are listening, for all those groups who appeared before my colleague from Berthier—Montcalm's committee to comment on Bill C-7, the Youth Criminal Justice Act, I regret to inform them that it is not true that significant changes can be made in the House.

There was consensus in Quebec and, believe it or not, the new Minister of Justice, the member for Rosemont, from Quebec, succeeded in forcing Bill C-7 on Quebecers, once he was elected. This despite the fact that the day after his nomination, he told the media that he would meet with all of the groups and representatives in Quebec that are affected, and he did not do this.

This is the reality of this centralizing federal Liberal government, which, once again, with Bill C-55, has used its political power to take away rights and freedoms from Quebecers and Canadians.

Allow me to provide some examples, as the Prime Minister, the Minister of Transport and all of the other ministers should have done to explain Bill C-55. Given that there are three sections of this bill, as the Minister of Transport was saying, as far as I am concerned, it should have been divided into as many bills.

*Government Orders*

Yet again, the government is using a bill that is almost an omnibus bill, with 20 different parts, a bill that amends more than 10 acts, in an attempt to push through a bill that is packed with provisions that violate people's rights and freedoms.

For the benefit of Quebecers and Canadians who are listening, as the Minister of Transport said, there are three main sections to this bill. I will comment on them in the order that he presented them.

The first part concerns the ministerial power to make interim orders. I will give the list of the ministers who are involved. Anyway, the wording is the same for all amended statutes. The provisions are very lengthy, but the principle is always the same. Every time a minister is granted the power to make an order, he is subjected to the same standards and restrictions, but our rights and freedoms are also violated in the same way.

● (1640)

Here is the list of the ministers who are mentioned in the bill, with the title of the statutes being amended. The Department of Health Act and the Food and Drugs Act are administered by the Minister of Health. The Hazardous Products Act, the Safety Act, and the Navigable Waters Protection Act are under the responsibility of the Minister of Fisheries and Oceans. The Pest Control Products Act and the Quarantine Act are administered by the Minister of Health. The Radiation Emitting Devices Act and the Canada Shipping Act are administered by the Minister of Fisheries and Oceans, and the Canada Shipping Act, 2001, by the Minister of Transport.

Major amendments are made to all these statutes, and each of the ministers responsible will get new powers I will specify.

Let us take for example the Minister of Health and the Department of Health Act. The same provisions are repeated for all the other statutes and for all the other departments.

Here is clause 33, amending the Department of Health Act, at section 11.1:

The Minister may make an interim order that contains any provision that may be contained in a regulation made under section 11 if the Minister believes that immediate action is required to deal with a significant risk, direct or indirect, to health or safety.

This therefore confers on a minister the authority to make interim orders. For all the ministers I have listed so far, and all the laws they administer, they have been authorized to make interim orders, which have regulatory force. This is not done just any old way.

Subsection 4 of clause 11 reads:

An interim order is exempt from the application of sections 3, 5 and 11 of the Statutory Instruments Act and published in the *Canada Gazette* within twenty-three days after it is made.

What has just been given to the ministers, including the Minister of Health, is the power to enact interim orders with regulatory force and without the constraints of the Statutory Instruments Act sections 3, 5 and 11. It is worthwhile quoting the sections in question, which enable a minister such as the Minister of Health—I will give an example shortly—to make interim orders with regulatory force and no obligation. For instance, section 3 reads as follows:

Subject to any regulations made pursuant to paragraph 20(a), where a regulation-making authority proposes to make a regulation, it shall cause to be forwarded to the

Clerk of the Privy Council three copies of the proposed regulation in both official languages.

Thus there will no longer be a requirement to forward them promptly to the Clerk of the Privy Council.

On receipt, the Clerk of the Privy Council, in consultation with the Deputy Minister of Justice, shall examine the proposed regulation to ensure that: it is authorized by the statute pursuant to which it is to be made; it does not constitute an unusual or unexpected use of the authority pursuant to which it is to be made; it does not trespass unduly on existing rights and freedoms and is not, in any case, inconsistent with the purposes and provisions of the Canadian Charter of Rights and Freedoms and the Canadian Bill of Rights.

This is what is termed the Canadian Charter of Rights and Freedoms filter.

Now, these interim orders by the ministers of Health, Transport, Fisheries and Oceans and the others, including Environment, in compliance with the laws I have listed, will no longer have to gain approval or be filed in three copies with the Clerk of the Privy Council for the text to be examined in light of the Canadian Charter of Rights and Freedoms and the framework of the enabling legislation.

Let me give an example. During the September 11 crisis, the Minister of Health bought generic drugs, this in violation of the Patent Act and the patent held by the Bayer company. So, the minister awarded a contract to a company called Apotex. This action was brought up in the House and it was questioned, because it did not comply with the Patent Act. Of course, the Minister of Health argued the decision was not his, that he had simply raised the issue with his officials and they had made the big decision.

Under Bill C-55, the Minister of Health will now have the power to make interim orders whereby public officials would have the mandate to acquire drugs. In the example that I gave, the drugs were bought to counter the effects of anthrax, but it could be any drug to fight any disease. These drugs could be bought without checking who owns the patents for them and, again, without ensuring that all is done in compliance with the charter of rights and freedoms.

● (1645)

With these interim orders, the responsibility of making decisions that may involve public funds and have major consequences on individual rights and freedoms rests solely with one person, namely the minister. He could force the whole population to get a vaccine and take medication. Let us not forget that, in our society, there are communities and individuals who are subject to restrictions with respect to the consumption of drugs, among other things.

All this went unnoticed. However, what I just read is the same text that was in Bill C-42. In the new Bill C-55, the following was added regarding interim orders:

5.1(3) An interim order has effect from the time that it is made but ceases to have effect on the earliest of

(a) 45 days after it is made, unless it is approved by the Governor in Council,

Before, in Bill C-42, it was 90 days. Now, we are told 45 days, and the following is added:

5.1(7) A copy of each interim order must be tabled in each House of Parliament on any of the first 15 days on which that House is sitting after the interim order is made.

*Government Orders*

Earlier, the minister told us, “Yes, it gave authority for an interim order to be tabled in both Houses, here and in the other place, and there could be motions and a debate”. Note that he said that there could be a debate, if they wanted one and if it were necessary.

People have obviously understood that when there is a debate here, it is the Liberal majority that decides. We can move a motion but, if the Liberal majority decides that we are not going to deal with it, there will not be any debate.

We are told that the interim order will be tabled on any of the first 15 days on which the House is sitting and that it will now be valid for 45 days instead of 90. But an interim order is urgent and is made within hours or days of an event. Inevitably, the harm, if any, will be done. And this will not change with Bill C-55, any more than it did with Bill C-42. Nothing has changed.

The government can say that the issue is evolving, but when an interim order with the force of a regulation does not need to be tested against the Canadian Charter of Rights and Freedoms—the charter filter—the rights of parliamentarians have been violated, and citizens no longer have any way of finding out whether the decisions of one man, a minister, respect their rights and freedoms.

The second part of Bill C-55, as set out by the minister, deals with the famous military security zones, which have become controlled access military zones. The Bloc Québécois waged a very vocal campaign against this military interference in the civilian activities of militants, of groups of protestors who often take part in demonstrations. The government has obviously eliminated large parts of this bill.

But as for the meaning, the scope and everything DND officials and all those who thought they were going to get new military authority wanted, the basic outline is still there.

It is simple. Members have talked about two pages. In two pages, the government imposes a military state, allows a single person, the minister, to send the army into an area. The new wording is as follows:

260.1(1) Subject to subsection (2), the Minister personally, on the recommendation of the Chief of the Defence Staff, may designate a controlled access military zone in Canada in relation to:

• (1650)

The minister is the only one who can make this decision. The wording is simple. The only man who can make this decision is the defence minister. The very man who did not see fit to inform the Privy Council, cabinet, the Prime Minister and the government that Canadian Forces had taken prisoners in Afghanistan. This is the man. And he is the one who will have the authority to designate controlled access military zones. Of course, only regarding the following:

(a) a defence establishment;

(b) property that is provided for the Canadian Forces or the Department and is situated outside a defence establishment;

(c) a vessel, aircraft or other property under the control of a visiting force that is legally in Canada by virtue of the Visiting Forces Act.

They seem to be telling us that they want to protect our defence establishments. This makes sense. They must be protected. However, they are already military zones. A military base or any property

belonging to the Department of National Defence is already a military zone entirely under its control.

So why add this? Because of the following paragraph which says:

(b) property that is provided for the Canadian Forces or the Department and is situated outside of a defence establishment.

The objective is to say that the minister will be able to designate a zone including a military establishment or military equipment, but not on property belonging to the department, therefore on civilian territory. Of course, there are many appropriate examples of this, which we will point out during the vigorous debate that will be triggered by bill C-55.

For instance, there is the Citadel in Quebec City and everything around the Armoury, which belongs to the Canadian Forces. As you know, across from the Citadel there is the National Assembly and the Quebec government. This, of course, could be part of what is outside a defence establishment.

Therefore, this means that under this bill, in order to protect his establishment, the minister, the man who did not want and did not bother to inform the Prime Minister, cabinet, the Privy Council and the government that the army had taken prisoners in Afghanistan, will be able to designate, around the Citadel in Quebec City, a controlled access military zone that could include the National Assembly.

This is the reality. Examples abound as the minister is asking the same for “a vessel, aircraft or other property under the control of a visiting force that is legally in Canada”.

We often talk about G-8 meetings and these sorts of things. Some heads of states and governments arrive with their own military equipment. When there is a meeting of the most influential people on the planet, that is members of the G-8, the defence minister could automatically designate a zone around the site of the meeting where there is military equipment—of course, I hope heads of states will land with their helicopters and their planes close to where these meetings take place—to protect such equipment.

This is quite astounding. And it is not only the equipment. The next paragraph says:

The Minister may designate a controlled access military zone only if it is reasonably necessary for ensuring the safety or security of

(a) any person—

Obviously, it is not only to protect property, but also to protect people. Who are these people? They are all the people who could feel threatened at any location where there is military equipment.

Subparagraph (b) refers to property that is provided for the Canadian Forces.

So it is not only property that belongs to the Canadian Forces, but also property that is provided for them. It could be any federal building that the government decides to lend to the Canadian Forces to set up headquarters or for some other reason.

Obviously, the government could do indirectly what Bill C-42 enabled it to do directly. These provisions can be interpreted that way.

*Government Orders*

Yesterday, the ministers, particularly the defence minister, told us that we should not presume that they are acting in bad faith. Bad faith is never presumed, it is observed. Every day, we see the government's bad faith in this House. How could we trust the defence minister who, as far as I am concerned, has lost all credibility over the last few months?

So one man, the Minister of National Defence, is entrusted with the task of designating controlled access military zones, including in Quebec. Of course, we are being told that this will be done only if it is reasonably necessary. This expression is used four times. The zone cannot be of any size. The controlled access military zone may not be larger than is reasonably necessary.

• (1655)

We hear about the zone, the area—

**The Acting Speaker (Ms. Bakopanos):** Order please. 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 Saskatoon—Humboldt, Gun Registry; the hon. member for Scarborough East, Foreign Affairs.

**Mr. Mario Laframboise:** Madam Speaker, in this bill, the expression “reasonably necessary” is used four times to define size. The dimensions of the zone are set out in paragraph (4):

(4) The dimensions of a controlled access military zone may not be greater than is reasonably necessary—

And:

(6) A designation or renewal may not be for a period longer than is reasonably necessary—

What will the time limit be for that zone and what area will it cover? Under what conditions do we give to a single individual the authority to determine what is reasonably necessary? One must hope that it will be a reasonable person because, otherwise, we could find ourselves in a bad spot, and that is exactly what is happening.

In Quebec, it is clear what the Bloc Québécois is asking for will remain unchanged. I hope the other parties will understand that, to preserve a degree of control, the provinces must be consulted and the federal government must obtain their consent, and that applies not only to the Quebec government and the Quebec people, but also to all other provincial governments.

We cannot have controlled access military zones in Quebec without the Quebec government's consent. That is the reality.

That leads us to the last part of the bill. It is not complicated. There are a few paragraphs that give the legislation all its meaning. I could explain, for the benefit of our fellow citizens, the Quebecers who are listening, why the Bloc Québécois is opposed to those controlled access military zones. Some might have questions for us.

For example, paragraph (12) states:

(12) The Canadian Forces may permit, control, restrict or prohibit access to a controlled access military zone.

So, they are the ones controlling everything that is going on in that area. Moreover, paragraph (14) states:

(14) No action for loss, damage or injury lies by reason only of the designation of a controlled access military zone or the implementation of measures to enforce the designation.

Not only the military will restrict our movements and control us within that zone, but citizens arrested or prevented from functioning or under arrest will have no recourse against the government, and that in spite of the statements made by the defence minister who is telling us “Yes, recourse through the courts is always available to them”.

Give me a break. Once again, I am pleased to read this text, which does state:

(14) No action for loss, damage or injury lies by reason only of the designation of a controlled access military zone or the implementation of measures to enforce the designation.

One can always go before the court to challenge the military zone. That is what the defence minister is telling us. “You can challenge it”. Yes, we can challenge a military zone. But, in the meantime, citizens, Quebecers will be arrested, imprisoned and will have no recourse against the federal government. They will be stripped of their rights and liberties, and they will have no recourse. Again, this is what the federal government wants to do.

This is an attempt by the government, the officer corps or the land staff to centralize in the hands of the defence minister and his staff the power to control more and more the movements of individuals and groups which may want to protest.

They will not be able to protest near a building, a defence facility or piece of equipment, not even near an army vehicle. They will not be able to do that anymore.

They will not be able to protest if someone in the federal government feels threatened. This person will ask the military staff to make a recommendation to the defence minister, who, in my opinion, has not been a reasonable person up until now. The defence minister will then have the power to designate military zones, presumably to protect the interests of the government, all this to the detriment of the interests, rights and liberties of our fellow citizens.

• (1700)

I would like to close by commenting on the third part, which deals with providing personal information. We recall Bill C-42 and wonder why a government would withdraw a bill. Once again, it is because of what the opposition did, and the fierce battle led by the leader of the Bloc Québécois and all of the members from our party against Bill C-42. We saw that the government appeared to back down.

However, the big question raised at the time that made the government back down—we all remember it—was when we asked the Prime Minister, “What were you not able to do after September 11 that you could have done if you had had Bill C-42?”

The same question applies today. What is the Canadian government not able to do if ever a situation like September 11 were to occur, which would be the worst incident in the history of Canada? What is it that it could not do then, and therefore could still not do today, that it could do with Bill C-55?



*Government Orders*

We could not get an answer today from the Prime Minister, nor from the Minister of National Defence, nor from the Minister of Transport in his speech. Nobody answered us. When one is politically strong, as is the Liberal government right now, riding high in the polls, everything is fine, everything is coming up roses, and one becomes arrogant. This is what happens when one is arrogant. Mistakes are made, bad bills are introduced. Slight changes are made, and the bill comes back with four more pages than it used to have.

This is how it works, and the government thinks that people will swallow it. The Prime Minister said yesterday in a scrum, "There are days when I am a dictator, and other days when I am not a dictator". This is what he said yesterday. Unbelievable. This is in Canada, and our Prime Minister said in a press scrum, "Today I am not a dictator, but tomorrow I will be a dictator. I am the one who decides".

In the end, he is the one who decides. He decided to introduce Bill C-55. He decided that with his Liberal majority, he would succeed in showing that he was right and that, in any case, people will have no other choice. They will accept it and the Liberal Party will not suffer in the polls. This is the reality. This is why we have to deal with Bill C-55 today.

When we questioned the government about Bill C-42 on November 22, 2001, we were told that there were two important elements in this bill. First, there was the information required by the Americans so that Canadian airlines could fly over their territory. The whole section dealing with personal information was taken out of Bill C-42. It became Bill C-44. Bill C-42 had a whole section dealing with immigration. Our listeners will have understood, after watching *60 Minutes*, that there are problems with immigration in Canada. Despite anything the immigration minister may say, there is a problem. As some would say, there is a certain uneasiness about the whole issue.

Once again, they took out the part on immigration and introduced Bill C-11 on immigration. That is fine, we supported it. We supported Bill C-44. In fact, this is what the government needed after September 11. It needed a bill that would allow it to give the Americans the personal information they require so that our airline companies could fly over their territory.

But believe it or not, in Bill C-44, the list of information that the American government requires from the airline companies in title 130 of its act, which is equivalent to ours, is not the same list. They require about 15 items. I will come back to this later.

We are having fun today, we are reacting, but in the coming weeks we will have the opportunity to talk about this list. However, Canada is asking for about 20 items of information more than the Americans. This is the reality. We must provide personal information and a schedule was made and tabled.

This schedule is designed to please public officials, who are asking for an increasingly controlling and centralizing state as regards people's privacy. They asked for things that the Americans are not asking for. These things are in the schedule. This is what the minister was telling us. From now on, airlines will be required to provide personal information to authorities. I will say to which authorities, but first I want to read part of the schedule. Perhaps I

should begin by reading an excerpt of the act, so people will believe me. We must be careful with the Liberals. They may well claim that I am wrong.

• (1705)

This government's legislation reads as follows:

The Minister, or any officer of the Department of Transport authorized by the Minister for the purposes of this section, may, for the purposes of transportation security, require any air carrier or operator of an aviation reservation system to provide the Minister or officer, as the case may be, within the time and in the manner specified by the Minister or officer, with information set out in the schedule that is in the air carrier's or operator's control concerning the persons on board or expected to be on board an aircraft.

The information that government officials wish to have includes, among other things:

The passport number of the person and, as the case may be, the visa number, or the proof of stay;

the city, country or travel covered by the passenger file;

the cities listed on the itinerary as points of departure or arrival;

the name of the user of the aircraft on board of which the person is likely to be;

the telephone number of the person;

the address of the person;

the type of payment used for the person's ticket;

as the case may be, an indication that the itinerary covered by the passenger file includes any segment that must be travelled by using an undetermined mode of transportation;

the itinerary of the trip covered by the passenger file, namely the points of departure and arrival, the codes of aircraft users, the stopovers and the land portions of the trip.

They want to know everything. When you are travelling, they want to be sure they control you. Of course, the airline company has to keep this information and disclose it to the authorities. This is always done for reasons of security.

That is the beauty of it all. The minister, or a transport department official authorizing what the minister can authorize, can obtain this information. But the government says:

Information provided under subsection(1) may be disclosed to persons outside the Department of Transport only for the purposes of transportation security, and it may be disclosed only to—

When the Department of Transport requests this information, it can disclose it to:

(a) the Minister of Citizenship and Immigration;

(b) the Minister of National Revenue;

(c) the chief executive officer of the Canadian Air Transport Security Authority;

—it does not exist yet, but it is in the works—and

(d) a person designated under subsection 4.82(2) or (3).

The persons designated under subsection 4.82(2) or (3) are the Commissioner of the Royal Canadian Mounted Police, and the Director of the Canadian Security Intelligence Service, or CSIS.

All the personal information mentioned on the form filled out when you buy a plane ticket to go on a trip can be shared with five or six departments, at the whim of the minister.

*Government Orders*

People will say, "Look, this is the information that the U.S. will be asking for anyway." I said earlier that the information required by the U.S. is not the same as that required by Canada. Also, pursuant to the following provision, the government can make changes to that list.

(10) The Governor in Council may, on the recommendation of the Minister, by order amend the schedule.

So, the minister could, on his own initiative, have a talk with the governor in council and decide to amend the list of information to be gathered by the airline company. This is serious.

Again, the government wants to gain control. I am getting the signal that I only have a minute left, so I will conclude by giving the House an example. I hope no Quebecer and no Canadian will be flying on a plane with a suspect, because we know how things will be done.

Pursuant to this bill, for seven days, while someone is on vacation, all the departments I have just mentioned, including the revenue department, the RCMP and CSIS, will be able to investigate the suspect and determine that he or she presents a security risk. Knowing in which country this individual is, they could have him or her arrested and interrogated in a country that might not have the same respect for human rights than we have in Canada. Again, this is what the Bloc Québécois will try to fight—

• (1710)

**The Acting Speaker (Ms. Bakopanos):** The hon. member for Churchill.

[*English*]

**Mrs. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, I am pleased to join in the debate on Bill C-55 on behalf of the New Democratic Party. I want to follow on some comments made by my hon. colleague from the Bloc along the lines of what was needed after September 11.

Did we hear any questions after September 11 as to what the government ministers were unable to do that did not allow them to proceed and protect the security of Canadians? We have not heard of anything. In all the meetings I have attended and in all the discussions, I have not heard once that something was missing, that some legislation was missing where the ministers were not able to act responsibly.

Quite frankly we have heard there was great reaction at the airports from the workers and from the people in the communities. In spite of all the tragedy that was taking place and everything that was going on and the chaos in the industry, everyone responded wonderfully. That says to me that Canada has a good system in place. Good honest people throughout the country were willing to jump to the measure that was needed. They came through when everything was going on. Therefore it is hard for me to understand why we are in this situation today.

The Minister of Transport calls the bill the public safety act. How Orwellian. What a misleading name. This bill has very little to do with enhancing public safety and has everything to do with grandstanding by the Liberal government. That kind of grandstanding is very dangerous to the freedom of Canadians. It is a knee-jerk reaction to the terrible events of September 11. All the

government has been capable of since September 11 is knee-jerk reactions like this bill.

This approach to public security has more to do with public relations and trying to look like the government is doing something about security than actually doing the things necessary to counter the threat of terrorism. The bill gives sweeping powers to government ministers to do whatever they want whenever they want supposedly in the name of security.

The only precedent for something like this in the history of this great democracy was the War Measures Act. The last time the War Measures Act was used was in October 1970. Hundreds of innocent Canadians were dragged from their homes, arrested and held without charge while the government tried to find a tiny group of terrorists who had assassinated Quebec cabinet minister Pierre Laporte and kidnapped a British trade envoy.

History came to show that using the War Measures Act to crush the FLQ was like using a wrecking ball to squash a fly. A fly swatter would have worked just fine and would have knocked the wall down. All the unjustified arrests of innocent people who had nothing to do with the FLQ terrorists shook Canadians' faith in their government. It showed us just how fragile our freedom really is.

At least the War Measures Act was repealed after the FLQ was crushed. However this bill is like a permanent War Measures Act. It allows government ministers to issue executive orders covering a huge range of areas anytime they want to. These orders have the force of law the moment the minister signs them. This kind of power in the hands of one individual is unheard of in a democracy like Canada.

Normally when a minister wants to make a change or a regulation, he or she has to go through a process that involves public consultation and a regulatory impact study. The change then has to be approved by cabinet. Again I remind everyone that there has not been a single indication that ministers were not able to respond on September 11.

With this bill the Liberal government is saying it wants to bypass the democratic process and issue decrees at its whim. That means no public input and no impact study. The government says it will only use these new powers in an emergency but here is the kicker: there is absolutely no accountability to the public when a minister uses his or her power. When ministers make one of the decrees that this bill allows them to make, they never have to explain to the public why they did it. They can just do it and never have to explain themselves.

One of the great legislators and statesmen of the 20th century was Senator William Proxmire who represented the people of Wisconsin in the United States senate for over three decades. He once said "Power always has to be kept in check; power exercised in secret, especially under the cloak of national security is doubly dangerous". Those words were especially meaningful coming from Senator Proxmire because he was elected to the U.S. senate in the seat vacated by Senator Joseph R. McCarthy in 1957.

*Government Orders*

• (1715)

Senator McCarthy is of course known for McCarthyism, the time in the 1950s when America tore itself apart looking for communists. Like the Canadian government did to hundreds of suspected FLQ terrorists under the War Measures Act, McCarthyism wrongly persecuted thousands of innocent Americans who had absolutely nothing to do with communism.

When Senator Proxmire, McCarthy's successor, spoke those words about the need to keep power in check and about how power exercised in secret under the cloak of national security was doubly dangerous, America was just coming to grips with the mistakes and excesses of the McCarthy era. He did not want Americans to forget the hard lessons they had learned in the McCarthy era about how fragile their freedom was.

Canadians learned that lesson in October 1970. It is a real tragedy that the Liberal government has forgotten that lesson in its mad rush to look like it is doing something about terrorism since September 11.

The so-called interim order powers in the bill would give to ministers and the Minister of National Defence the power to create military zones. That is exactly what Proxmire warned us against. It would give these ministers the power to exercise in secret under a cloak of national security.

The Liberal government wants us to believe that these powers are limited. It even went as far as withdrawing the original version of Bill C-42 and reintroducing it in a slightly watered down form. That action was supposed to make us all think everything was fine now.

Canadians are supposed to be reassured because these executive orders must be reviewed by cabinet within six weeks, instead of three months under the old bill. The name of military security zones has been changed to controlled access military zones and a few vague limitations have been inserted where they can be applied. The fact remains that individual cabinet ministers can exercise these powers in secret.

There is no public accountability for the government's actions. There is no obligation to show the public that a decree issued under the authority of the bill is justified. It can do what it wants and never have to explain why. The public's ability to challenge an action taken under the legislation in the courts is also extremely limited, which removes the courts from their constitutional role as a check on executive power. The other check on executive power, namely parliament, is reduced to an afterthought.

Decrees issued under the legislation only have to be tabled in parliament 15 sitting days after they are issued and there is no authority for parliament to override them.

By sidelining parliament and the courts the Liberal government has done the other thing that Proxmire warned against, it has removed the checks and balances on power.

I cannot help but ask why the Liberal government thinks a bill as draconian as this one is necessary. Bringing in a permanent War Measures Act like this is not a rational approach to dealing with terrorism. Terrorists like Osama bin Laden are out to destroy western democracy. If our reaction to the threat of terrorism were to

undermine freedom and democracy in the name of national security, as Bill C-55 does, then we would be giving the terrorists what they want. The government clearly has not thought through the consequences of what it is proposing.

In my role as the NDP transport critic I have spent the last few months fighting against another one of the Liberal government's knee jerk reactions, the new \$24 government security tax on air travel. This is another case where the government acted without thinking. It imposed this huge tax on an industry that was already in deep trouble without any impact analysis whatsoever. Indeed, the government based the amount of the tax on a poll done by the ministry of finance, not a sober economic analysis, but a poll taken shortly after September 11 to see how much it could squeeze out of Canadians.

Because it acted so irrationally and introduced the tax without thinking through the consequences, tourism this summer is projected to drop over 10%. The economy is taking a huge hit because of this tax and it is putting all kinds of jobs at risk.

The worst part of all about this \$24 security tax is that most of the money is not even going into airport security. The tax is just a smokescreen the government dreamed up to try to give the impression that it is improving airport security and cover the fact that it really has no plan whatsoever. Has the problem of security guards not receiving quality training been addressed? No.

• (1720)

Has there been a document prepared as to what items should be checked at airport security gates? Who really believes that a nail clipper or a conductor's baton are a risk? For what possible security benefit are eye shadow compacts being checked or pages of a Bible and pages in a folder being flipped through after the items have gone through x-ray? Is this the transport minister's answer to security? It is a farce. However if one questions him about the security that he has in place he cannot tell us because it is too secret.

In that sense Bill C-55 is exactly like the airport security tax. It is obvious that the Liberal government has no idea what to do about the threat of international terrorism. If it had any kind of plan for dealing with terrorism it would have a bill full of specifics. Instead it has written itself a blank cheque. It has as much as admitted that it does not know what to do about terrorism.

With the bill the government is saying, to give it a bunch of sweeping powers to bypass the entire democratic decision making process to do whatever it wants if it thinks there might be a security threat. That is not how we protect the public. We protect the public by being proactive, by identifying risks and threats and doing something about them before they threaten the public.

*Government Orders*

To be fair there are specifics in the bill that the NDP supports. We support provisions to fight money laundering by terrorist groups. We support the new criminal offences for bomb threats and the implementation of international conventions to fight the proliferation of biological weapons, explosives and people smuggling by organized crime.

Unfortunately these are just tangents to the main thrust of the bill, a blank cheque for government ministers to do whatever they want. There are plenty of proactive things the government could do to make us safer from terrorism, rather than this blank cheque approach. It could give more resources to the RCMP, to CSIS and to the military. It could tighten things up at the border and work to improve the ability of Canada customs and immigration to do background checks. Like the lack of specifics in the bill, the government's failure to take any proactive steps to stop terrorism betrays its lack of a plan.

The privacy commissioner has also indicated his grave concerns with the bill. Those I know will be discussed further in committee. The controlled access military zones without absolute specifics as to when they could be applied does little to alleviate the fear Canadians have that they would be applied any time the government wanted to infringe on the democratic rights of freedom of expression and the right to assemble and protest. We should not forget the actions taken at APEC.

I want to comment on how strange it is that a bill dealing with public safety in a variety of different areas, and we have all recognized that it is quite the omnibus bill, would be referred to the transport committee. One of the greatest problems of the bill is the infringement on the civil liberties and democratic rights of Canadians and the bill is being referred to the transport committee.

The bill deals with the Aeronautics Act; the Canadian Air Transport Security Authority Act; the Canadian Environmental Protection Act, 1999; the Criminal Code of Canada; the Department of Health Act; Explosives Act; Export and Import Permits Act; the Food and Drugs Act; Hazardous Products Act; Marine Transportation Security Act; National Defence Act; National Energy Board Act; the Navigable Waters Protection Act; Office of the Superintendent of Financial Institutions Act; Pest Control Products Act; Proceeds of Crime (Money Laundering) and Terrorist Financing Act; Quarantine Act; Radiation Emitting Devices Act; and we have another one, the Canada Shipping Acts.

Does this sound like a transportation issue? Is this the committee that should be taxed with dealing with the civil liberties of Canadians, the greatest infringement of the bill, and the right of military access zones to infringe on the democratic rights of Canadians? I do not think so.

The bill says to me that a weak government would pass a blatantly undemocratic piece of legislation that puts no faith in the people of Canada and no respect for the people of Canada. The bill may satisfy the Liberal government's pollsters and spin doctors who say the government has to do something, anything so that it can say that it has done something about security.

● (1725)

The bill will not satisfy the real need to take a proactive approach to eliminating terrorism. The cost of Bill C-55 to our democratic freedom is far too high. I hope the government and all members in the House will take note of that and make sure that the bill does not pass.

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance):** Madam Speaker, I enjoyed very much the member's speech and I agree with virtually every point made by my colleague from Churchill.

The timeframe for the imposition of interim orders has been reduced from 90 days to 45 days. It seems to me that like the airport tax where the government picked \$24 out of thin air, it has arbitrarily cut 90 days to 45 days but has not established a new principle. The government arbitrarily decided that. This allows a cabinet minister to impose interim orders without getting the ratification of full cabinet for 45 days.

If General Motors were to have a problem with one of its automobiles and decided the automobile had to be recalled, it would only need to get a quorum of the board of directors together and have a vote. This could probably be done inside of about 12 hours with modern technology.

It is stunning to me that the government requires 45 days to do the same thing. I believe a quorum of cabinet is five members. It is ridiculous that the government could not get five members of cabinet together inside of 12 hours with modern technology. I would ask the member to comment on that.

As a social democratic party that has a long history of expressing its concerns vis-à-vis peaceful protests, I would also like her to address the issue of preventive arrests.

**Mrs. Bev Desjarlais:** Madam Speaker, there was nothing missing on September 11. The government was able to accomplish everything it had to do without running into any major roadblocks. It was just not there. There was a serious emergency. There is absolutely no reason to have ministers make blatant interim orders without any accountability.

**Mr. James Moore:** Quebec City.

**Mrs. Bev Desjarlais:** Absolutely. The member mentions the protest in Quebec City. Our whole caucus went to Quebec City, and it was quite an experience for me. I had never been part of a major protest march such as that. I went there a bit nervous because we often get a horrible feeling about huge protests.

There were 60,000 peaceful protestors in Quebec City. One would have thought that a massive armed military would have been needed because of all the hype ahead of time saying the protest would be horrible and awful. The media only showed a few people who carried on some actions. Some human rights activists and social activists from around the world were targeted and told not to show up simply because they might have done something nasty, not because they had done anything nasty, but just might. Should they have been picked up? I do not think so.

*Government Orders*

If known terrorists were to come into an area and we knew something would happen, I would be shocked to see someone object to their detention. There should be some opportunity to detain them. No one would object to that. However I am talking about the infringement of the democratic rights of innocent people because this body may think they might do something. I wonder if I was on that list because I was in the peaceful protest in Quebec City. Would I be a risk because I protested my disagreement with what the government was doing? Would I be at risk because I did not believe in trade policies that did not ensure that labour rights and human rights were maintained? Bill C-55 scares me because it might do that.

• (1730)

[*Translation*]

**Mr. Jean-Yves Roy (Matapédia—Matane, BQ):** Madam Speaker, I listened very intently to my colleague from Argenteuil—Papineau—Mirabel and my colleague from Churchill. I see that both of them do not agree with the bill before us.

My question will be brief, but it would deserve a more elaborate answer. Unfortunately, we will not have the time for this. Concerning the famous controlled access military zones, I consider that this issue is very ill defined in the bill. It gives huge power to the government machinery as well as to people who will have to enforce the provisions of this legislation.

I would like my colleague to further explain what a controlled access military zone means, in practical terms, and what the designation of this type of zone in a critical situation means for the people who will have to deal with this.

[*English*]

**Mrs. Bev Desjarlais:** Madam Speaker, there is no question it is a problem. There needs to be specifics related to that. I am not convinced we even need this type of clause. I do not think there would be objections if there was a serious threat to an area. The government would be able to do the things it needs to do and there would be no objections.

I am concerned about an item that was in the last bill and I questioned it. Does this mean that if the president or some other representative of the American government enters Canada with military personnel that our government will declare a military zone and cordon off a whole area? That is a problem. It is still a problem in the bill. There are absolutely no specifics to alleviate that concern.

**Mr. Rick Borotsik (Brandon—Souris, PC):** Madam Speaker, I too appreciated the comments of the member for Churchill. She mentioned a number of very good points with respect to this poor piece of legislation.

One thing she emphasized was that because of the security nature of the legislation, it should not necessarily go to the transport committee. If one thinks about it logically, that is probably the worst possible committee it could go to.

Does the hon. member have any thoughts about a better committee to send it to? I would not put words in her mouth, but perhaps the defence committee would be a good suggestion.

**Mrs. Bev Desjarlais:** Madam Speaker, actually at the transport committee the other day members questioned whether or not the bill

should come to that committee. The Minister of Transport always says the committee is the master of its own work, endeavours or whatever. Members asked if they had to take the bill and if they were mandated to take it.

**Mr. Pat Martin:** Return to sender.

**Mrs. Bev Desjarlais:** Yes, return to sender is a good one. I mentioned the number of different departments that are affected: defence; security; justice. That is where the bill should be. There is no way this issue should be discussed at the transport committee and leave out the opportunity for questions to be asked specifically about security and the attack on civil liberties.

**Mr. Gary Lunn (Saanich—Gulf Islands, Canadian Alliance):** Madam Speaker, my question relates to the \$24 airport security tax since we are talking about security.

I have come to learn that in any airport across the country which has international flights or flights to the United States, because the travelling public is now paying the \$24 tax but is not getting anything new for security, the government wants to create the perception that the public is actually getting something for the \$24 and will require armed RCMP officers or local police officers in all of those airports. That will take police officers away from regular community policing just to create the perception that the public is getting something for the \$24. This has just happened over the last few days. I would like the member's comments on that.

• (1735)

**Mrs. Bev Desjarlais:** Madam Speaker, that \$24 security tax should not be there at all. Canadians should not have to pay for their security. The tax should not be there. It should come out of general revenue. There is a \$7 billion to \$10 billion surplus in the budget and that much more will be grabbed from Canadians.

The member is quite right. The security is not there. I fly out of the airport in Thompson. If I take a certain air carrier, there is no security. I pay the charge. When I get to Winnipeg and change carriers, I have to pay again. The security is no different.

I mentioned about flipping through Bible pages, flipping through folders and checking an eye shadow compact. All those things happened to me. Did I feel any more secure? I felt darned worried. That is what it has resorted to. Am I supposed to feel secure? I do not think so.

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Madam Speaker, I am very pleased to take part in this important debate. I want to pay tribute to all of my colleagues who have spoken previously. They have brought a great deal of sensibility and reasonableness to the debate. They have raised issues of great importance that have been left unanswered essentially by the bill itself and which were left unanswered by the minister when he spoke.

The Minister of Transport stood in the House at the beginning of the debate and said that the bill is the essence of parliamentary democracy. That is how he described it. I would qualify the statement by saying that the bill is the essence of Liberal parliamentary democracy because it completely bypasses parliament.

*Government Orders*

Perhaps it is an attempt to further concentrate some of the arbitrary power in the hands of government and more specifically the minister but it is certainly the opposite of parliamentary democracy. It was referred to at one point as drive-by democracy or perhaps fast food democracy. That might be a more appropriate way of characterizing what we have before us in Bill C-55.

I would not go so far as to say what the federal privacy commissioner has said in terms of describing it. He used the term totalitarian in discussing aspects of the legislation.

Certainly there are troubling elements. There are elements that seem consistent with the Prime Minister's continual contempt for parliament and attempts to bypass any sort of process of review or any check or balance on his powers. It is consistent with his style of executive decree and making decisions unilaterally and simply not being able to justify them.

The bill is one which in time will get the scrutiny it deserves. It is fair to say that Canadians are intelligent enough and able enough to decide for themselves whether these steps are necessary, whether the bill will in fact violate their fundamental rights.

A huge unanswered and unaddressed issue keeps coming back time and again from the time we saw the first incarnation of this bill as Bill C-42. That is the fundamental question of is it necessary, do we need it right now? I would say there are parts of the bill that arguably we do need. However when we saw the first incarnation, Bill C-42, we knew it was coming in the wake of a very tragic event that invoked strong emotions and a strong sense of instability among countries, including our own.

An hon. member from British Columbia, the transport critic for the Alliance Party, talked about the fact that Bill C-36, the criminal code amendments, another omnibus bill, brought together certain excessive responses given the circumstances. It received a lot of scrutiny in the House and a lot of concern even from members of the government.

However it was not until a full two months later that we saw Bill C-42. Then the government skated. The government delayed. It went to great lengths to not bring the bill forward. It was debated for a very short time in the House and then it was sloughed off and put on the back burner until after Christmas. As people started to look at it more closely in the light of day in a more rational time, it became apparent that the bill was fatally flawed.

We have gone through the examination. The critic for the Alliance took us through a detailed analysis of why the government carved out a certain aspect of it to meet with American legislation and regulations that we had almost overlooked. We almost missed the time line because of the sloppiness and the convoluted, cumbersome method in which that legislation was drafted. The government took to its scrapers and had to rush to pull an element out and draft a new bill which was passed through the House very quickly.

It is indicative again of the lack of consultation not only with the stakeholders which is important but with other parliamentarians as well. They should be given the respect they deserve by consulting with them to see if there are ways in which legislation could be passed in a more effective non-partisan way.

Let us be very clear that the bill is another seriously flawed piece of Liberal legislation. It is a slap in the face to those who value their privacy, their rights of protection of property rights and many other fundamental democratic rights.

● (1740)

In the wake of September 11 it was understandable that the legislation that was brought forward and which was on the drawing board might go to extreme measures. In the shadow of such a threat, reflecting on the legislation is extremely important. That is part of what we do. It is part of what we should be expected to conduct.

The arbitrariness of the decision making found in the legislation and the decision making process itself is palpable. It will permeate and permit further war measures like activities within the country. That word should not be thrown around lightly. We should not get into the habit of hyperbole when we talk about the War Measures Act.

I would like to briefly give a comparison between the Emergency Measures Act and Bill C-55, just so we have it in context. Bill C-55 has no other objective than to give ministers arbitrary power that would come in the face of a real threat, an issue that was going to no doubt disrupt and perhaps put Canadian lives in peril. However we already have legislation on the books today, the Emergency Measures Act, that allows for a very swift and decisive response.

The Emergency Measures Act is a declaration of emergency. It becomes effective immediately upon proclamation, immediately upon the government declaring that such a state exists. It also goes to parliament within seven, not 45, but seven sitting days. If parliament is not sitting, parliament shall be recalled. That is reasonable.

Parliament debates the declaration of emergency immediately and can vote it down if it decides to do so. Every order or regulation that would come out of the Emergency Measures Act must go to parliament within two sitting days. There is an exception for exempt or classified orders. That is reasonable in the circumstances if the military so determines, but they are sent directly to an all party parliamentary review committee which would be sworn to secrecy. Parliament can revoke or amend any order or regulation.

That is the state of the current legislation. That is a summary of what is currently available and in the hands of government in the wake of an emergency.

By comparison what Bill C-55 will do also comes into effect immediately but no declaration of emergency is required to be proclaimed by parliament beforehand. Parliament is out of the loop. Parliament has no vote on the existence or the determination of the emergency, nor are interim orders to be tabled in the House until the first 15 days on which the House is sitting after the interim order is made. There is no debate in parliament. Parliament cannot revoke or amend any interim order.

*Government Orders*

Under the Emergency Measures Act parliament is the place where the orders are debated, amended, defeated, approved and reviewed. The government would be accountable to parliament. Under Bill C-55 parliament is the place where orders are simply published. We become a clearing house, a publishing place for the government's decisions. The government is not accountable under Bill C-55.

Putting this much power in the hands of a minister does nothing to benefit Canadians. On the other hand it does a great deal to give more arbitrary power. It also cloaks the government in greater secrecy as to what it is doing. It also bypasses the scrutiny that would be expected in most circumstances.

The interim orders that are made by the minister and the minister alone without parliamentary approval can remain in place for 23 days in secret. No one would know that they had been invoked. They can be in effect for 45 days without any cabinet approval. Forty-five days; it is ridiculous to think that the cabinet would not convene within 45 days if a national emergency took place.

The orders can be invoked by a person unnamed, unknown, but designated by the minister. Unless specified in the order, the order can be in effect for a year and if the minister so chooses, it can be renewed for at least another year. Where is the balance? Where is the scrutiny? Why is the Prime Minister and the minister so intent on avoiding parliamentary scrutiny? Why are they displaying this continued contempt for the House?

We know what happens when things go awry and there is a report to be prepared or a committee to look at things. It is simply thrown on a shelf. That is what happens.

• (1745)

Or if there is an investigation like we saw at the APEC inquiry, a public inquiry, the Prime Minister simply can choose not to go, or the minister himself might just say that he does not think he will go there to account for what he has done.

The changes from Bill C-42 that we see now before us in Bill C-55 are what I would deem a slight improvement, but once again parliament and the public are relegated to the back seat. It seems that parliament increasingly is becoming an afterthought and an irritation to the government.

Changes to the National Defence Act are a perfect example. Here we have a minister who in the past has demonstrated that he has been less than forthright to parliament, his party, his caucus and even the Prime Minister, although I think in fairness we may have found that it was probably fair to say the Prime Minister was briefed and chose to let the defence minister twist in the breeze. This minister hardly inspires confidence that this minister or a person he deems suitable should be making those decisions. It is that decision making power that I think Canadians and parliamentarians here on the opposition side certainly question.

In that instance we had a circumstance in which Canadian soldiers should have been given accolades. Yet what we saw was this public debate and debacle over questions. Did we take hostages or did we not? Were the hostages handed over or were they not? Was the Prime Minister told or was he not? That should have been a moment of pride, yet it was stolen by some of the stumbling and bumbling of the minister. It took three briefings to get up to speed before

something clicked and yet the Prime Minister wants him to have the ability to declare unchecked, uncontrolled access to declaring a military zone somewhere in the country.

The Liberals say that they would consent to a short term extension if we wanted to finish this debate today, so I wonder if I might ask the Chair if we would be prepared to do that.

Make no mistake about this. This legislation and the government can drive a tank onto a street corner or a field anywhere in the country and then at the discretion of the minister deem it to be a military zone.

Under paragraph 260.1(1)(b), "Controlled Access Military Zones", there has to be some question as to what the government means by property. Is this real property? Is this real estate? Or is it property in terms of equipment such as a main battle tank or a military vehicle or perhaps even one of our embattled Sea Kings which the Prime Minister of course is refusing to replace because of his hardheadedness and his previous decision to cancel them? I would suggest the answer to this question about the definition of a military zone is found in proposed subsection 260.1(3), where the designation of the nature of the zone is stated:

A controlled access military zone may consist of an area of land or water, a portion of airspace, or a structure or part of one, surrounding a thing referred to in subsection (1) or including it, whether the zone designated is fixed or moves with that thing. The zone automatically includes all corresponding airspace above, and water and land below, the earth's surface.

That is a pretty broad definition. Pretty much any place would fit that bill. Key in that definition is the phrase "or moves with that thing". This is the nature of the legislation. Were it to create such zones or around areas which permit permanent structures not designated as military bases, there would be no need for a clarification or classification of this type. This gives the government, or rather one minister in this instance, the ability to designate a controlled military access zone around any piece of military property if he feels it necessary to do so. As the equipment moves through the area, so goes the zone. For Canadians working long, hard hours for everything they own, a stroke of the pen would negate the expectation that a person's castle is their home.

It is totally unacceptable. We need to know that protections for private property and public property exist. There have to be greater checks and balances. The Liberals might suggest that the checks and balances are contained in proposed subsection 260.1(6) where the maximum time limit of one year is put on the zone. However, clearly we know that with more jiggery and pokery and legal wrangling, the average Canadian's—

• (1750)

**The Acting Speaker (Ms. Bakopanos):** I apologize to the hon. member but time has lapsed for this debate. He will have 5 minutes and 26 seconds when we resume debate.

The hon. member for Pictou—Antigonish—Guysborough.

**Mr. Peter MacKay:** Madam Speaker, if I might, I would ask members present for the ability to finish my remarks seeing as there are only five minutes left and it would appear that we have time on the clock. I would ask for unanimous consent.

*Private Members' Business*

**Ms. Marlene Catterall:** Madam Speaker, I am perfectly happy to agree to that provided the extension is for five minutes if that is sufficient for the member. Then obviously we would add the same amount to private members' business.

**The Acting Speaker (Ms. Bakopanos):** I have to advise the House that if we have five more minutes until the end of the debate then there will be the matter of questions and comments, which means another ten minutes. That means extending private members' business for another fifteen minutes.

**Ms. Marlene Catterall:** Madam Speaker, I think the hon. member for Pictou—Antigonish—Guysborough might agree that we extend his speech for five minutes, add that to private members' business and dispense with questions and comments.

**The Acting Speaker (Ms. Bakopanos):** Is there consent?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Ms. Bakopanos):** It being 5.52 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

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## PRIVATE MEMBERS' BUSINESS

[English]

### TAX CREDIT

**Mr. John Herron (Fundy—Royal, PC)** moved:

That, in the opinion of this House, the government should consider introducing a tax credit based on the repayment of Canada Student Loan principal, to a maximum of 10 per cent of the principal, per year, for the first ten years after graduation provided the individual remains in Canada.

He said: Madam Speaker, it really has become quite a cliché to begin a speech in the House by saying that one is pleased to participate in the debate on the subject before the House. However, I can clearly say that there is no issue of public policy that is more critical to the competitiveness of the nation, that is more important to the nation, than the accessibility to post-secondary education. This is the first time that we have had a comprehensive debate on the issue of accessibility to post-secondary education in the five years since I have been a member of the House. I know that the NDP was generous enough to dedicate one of its opposition days, but this is the first time that we have really had a chance to take up this issue.

There is no public policy issue in Canada that the Government of Canada is not addressing that is more important than the accessibility of post-secondary education. It has been a dreadfully long time since there has been any substantial debate on the accessibility of post-secondary education. I am pleased that the motion we put forward, which is only one component of the strategy that must address the problems with the system, has started this very urgent national public conversation to address this national crisis.

One does not have to travel far or speak to many people to hear appalling stories. There are stories of students who owe so much money in student debt that they will be in their thirties, if not their forties, before they are capable of paying it off. There are stories about Canadians who have chosen to drop out of university or

college because the debt burden was becoming that severe. There are stories about young people who have been forced to decide not to pursue post-secondary education in the first place due to inadequate loan programs and ever rising tuition rates. There are stories about new graduates faced with massive debt loads who have now moved south of the border to pay off their debt by seeking opportunities in the United States.

Quite simply, this is a national tragedy. We cannot allow it to continue. There are very specific and enormous consequences of the sorry state of post-secondary education in Canada, from the lack of competitiveness and reduced economic growth and to brain drain.

There are also the more fundamental reasons to make post-secondary education a national priority. Edward Everett wrote "Education is a better safeguard of liberty than a standing army". A few months ago I introduced two motions to help address the crisis of accessibility in post-secondary education. One is to lessen the financial burden on students, which is the motion we have before us today. It is a surgical strike to address the issue of student debt and provide a mechanism or tool that would empower students to have the capacity to pay back their student loans. The second one is to remove the taxable status of scholarships. I would advocate that this must be one of the most draconian taxes that we have in Canada. We actually shamelessly punish performance by taxing university scholarships.

The principal reason why the motion put forward today has been deemed votable is that it has to be an issue of national importance that the Government of Canada is not taking up. I applaud the members of the subcommittee who have recognized this issue. For the record, the motion states:

That, in the opinion of this House, the government should consider introducing a tax credit based on the repayment of Canada Student Loan principal, to a maximum of 10% of the principal, per year, for the first ten years after graduation provided the individual remains in Canada.

The motion goes to the heart of the Tory conviction that the actual costs borne by students must be addressed. A mechanism must be developed to put money directly back into the pockets of post-secondary education students who on average acquire a debt load of over \$25,000 upon graduation or completion of university.

Let us take a moment before I continue on to paint a picture of post-secondary education in Canada today to show why we must address the problems that we have in the system.

● (1755)

The principal reason why student loans have quadrupled in the last decade is because during the same period tuition rates increased 126%, precipitated by the fact that since 1993 the Liberal government cut \$5.3 billion from post-secondary education funding in Canada. Using current rates, the federal government's share of university operating revenues has decreased by almost 50% from 1990 levels.



*Private Members' Business*

As the government slashed Canadian health and social transfer money to the provinces, tuition rates skyrocketed. At the current rate, in 2008 tuition fees will be 226% higher than they were in 1990. The higher tuition fees have resulted in swelling debt loads. The average student debt load for someone completing four years of post-secondary education now sits at \$25,000, up from \$13,000.

The Liberal government has claimed that it has made an attempt to do something to help university grads struggling with these unprecedented debt loads. Liberal members sitting opposite are all probably primed to rise and speak about the initiative called debt reduction and repayment, which was announced in the 1998 federal budget.

I am here today to ensure that Canadians know the whole story about the program. When it was announced, the federal government declared that eventually 12,000 borrowers would be assisted each year. By 1998-99 only 44 borrowers were helped and the total cost of the program was under \$200,000.

The cost of the program for 1999-2000 was just twice that amount. We are talking about 100, maybe 150 students, who were actually helped, out of the 12,000 who were intended. It is simply preposterous.

Even the finance committee agreed when it said last year in its report:

We recommend that the government re-evaluate the criteria for some of its student debt relief initiatives to determine if they are too stringent.

I applaud the finance committee and I know that the former vice chair of the finance committee is here and is keenly interested in the issue, as well.

It is clear that the one initiative the government has used publicly to counter criticism that it is not doing anything to help students is a farce. To state the obvious, there are serious consequences by the lack of funding for post-secondary education.

First, there is accessibility. The impact of higher tuition fees and debt loads can be seen in exacerbated inequalities of access. There are significant gaps emerging between low and high income students.

Studies show that there is a trend toward a greater proportion of family after tax income needed by low income households to cover costs of tuition and fees. The lowest quintile of families would have had to set aside 14% of their income in 1990 to pay the cost of university tuition. In 1998-99 that rate increased to 23%. In contrast, for the richest families in the nation, the increase went from 3% to a mere 4%. These statistics are worrisome and require urgent attention. They point to further inequalities of accessibility in the years ahead.

The second major consequence of the tragedy of post-secondary education involves Canada's competitiveness and innovation. If Canadians are to prosper in the international marketplace of ideas and jobs in the next century, the serious problems of our post-secondary education system must not only be addressed but resolved.

Market demands, along with the competitive pressures and technological change, are shifting the mix of occupations in Canada. The proportion of new jobs requiring at least 16 years of schooling

has risen by about 40%. If current government policy is allowed to continue, many young Canadians will choose not to pursue post-secondary education and that threatens the very competitiveness of our nation in the international arena.

• (1800)

Moreover Canada's demographics are changing and a huge number of baby boomers are retiring en masse just as many thousands of young people become severely indebted with increasing tuition rates and inefficient loan programs. This will have a stifling effect on Canada's economy since these young people effectively are indentured due to excessive debt loads, given that they have significantly reduced spending capacity because of the burden of student debt.

**Mr. Peter MacKay:** A mortgage and no house.

**Mr. John Herron:** The hon. member for Pictou—Antigonish—Guysborough has used an analogy on a number of occasions. Essentially the level of student debt of many of these students in professional disciplines is equivalent to what it would cost to actually purchase a home. They have a mortgage but no home and no capacity to financially contribute to the economy.

Canada simply cannot afford to set these young people and their lives behind. I would like to explain for a moment how my motion would work.

The motion would allow post-secondary education students to deduct up to 10% of the principal of their student loans for up to 10 years provided they remained in Canada, which effectively would reduce their loan payments. This would allow young people to pay back their debts more quickly, which would then allow them to become more productive members of society and make large contributions by purchasing goods and stimulating the economy.

There is an economic stimulus to this aspect. This is the main reason why members of the Canadian business community have endorsed this motion as well. In their book published last year called *Northern Edge: How Canadians Can Triumph in a Global Economy*, Tom d'Aquino and David Stewart-Patterson, senior vice-president of the Canadian Council of Chief Executives, endorsed this very motion. In fact they endorsed the post-secondary education electoral platform of the Progressive Conservative Party of Canada.

It was from that electoral platform that this motion was extracted. I want to pay immense tribute to the learned member from the riding of Kings—Hants who was the principle author of our electoral platform in the year 2000 and was the scribe that ensured that this aspect was included in our platform.

They wrote, referring to the Canadian Council of Chief Executives, "a tax credit equal to the significant portion of the principal of the student loan each year would enable all students to finance their education without taking on a lifelong burden of debt".

Gilbert Chesterton wrote: "Education is simply the soul of a society as it passes from one generation to another".

*Private Members' Business*

Let us be clear. If we do not address or resolve the problems of Canada's post-secondary education system, we risk cutting that transfer. We promise ourselves a future less bright and far less competitive than that which we deserve.

The second major way in which my motion addresses the crisis in post-secondary education is that it works to reverse brain drain. This is an initiative brought forth to use income tax as an instrument to mitigate the impact of student debt. However one only gets to benefit from the program if one is paying taxes in Canada.

To put this in perspective, using the health care profession as an example, an occupational therapist in my riding of Norton owes over \$70,000. She went to St. FX and did very well there. Then she went to Dal and took occupational therapy. Now she owes \$70,000. Quite easily a town in Nebraska could offer to pay down her debt if she gives five or six years service stateside. We lose not only the investment we have made in her education but we lose one of our best and our brightest. That is what we cannot afford to lose. Unfortunately that is what is happening each and every day in a myriad of professions due to their enormous debt load.

Third, the motion goes to the heart of student indebtedness and will positively affect thousands and thousands of students in Canada.

The intent of the motion is to provide a surgical strike right where it counts in addressing student debt. It puts money directly into the pockets of students. We know that if we merely transfer money to the provinces and on to the universities, the universities have to invest in the infrastructures of their schools. It may not result in lower tuition fees or address the issue of student debt. That is the intent of this.

● (1805)

I know the member for Saint-Hyacinthe—Bagot and his colleagues are supportive of this motion, especially due to the positive effect it will have on students who have both federal and provincial loans. I know the member is particularly attuned to the need for this motion since he himself only finished paying off his student debt recently at the age of 35, which I suspect must have had to be just last year.

We all know that provincial tax law quickly follows federal tax changes, and that the benefit of this motion would only be amplified. We are talking about a lot of students. The Canada student loan program lent out \$1.7 billion to students in 1998-99.

In 1998-99, 350,000 full time students made use of the Canadian student loan program and borrowed on average over \$4,600, and that is for one year. The average from provincial student loan programs is another \$3,000, a combined debt of approximately \$7,700 for one year.

It is true that the motion I have presented will cost Canadians something. When we prepared our 2000 election platform, we costed out this measure to somewhere around \$1.2 billion over five years. I say somewhere because we used the most conservative of estimates.

There is a similar initiative that the Government of Canada is using at the moment where it enables a student to deduct the interest of their student debt from their income taxes. That costs the Government of Canada in the neighbourhood of \$100 million right now.

If the same rate of take up was used for the principal issue, it may only cost in the neighbourhood of \$400 million. That is the range we are utilizing. The most conservative estimate is the \$1.2 billion program.

The fourth point I would like to mention is that it is important for us to start the much needed debate on the accessibility of post-secondary education.

The Canadian Alliance of Student Associations, known as CASA, a non-partisan organization representing well over 310,000 post-secondary students in Canada, endorsed my motion back in March and for very good reasons. Students in Canada have waited a very long time for this discussion. Liam Arbuckle, the national director of CASA, said that it had been a long time since the federal government seriously looked at improving post-secondary education in Canada and did something about it.

Institutions of that nature, whether it be CASA or the Canadian Federation of Students, have said that while this initiative is a positive one, it only addresses half the problem. They would like to have more upfront funding to mitigate the cost of tuition in the first place. I fully support where CFS is coming from, but this is one aspect to address the issue of student debt. We all know we need that kind of mechanism in place so we can mitigate the impact of student debt.

I am particularly appreciative of the support I have received from the Bloc and from Liberal members as well. All too often politicians sell out Canada's young students by arguing that we should be restrained with this subject by a constitutional straightjacket.

This is about students and not indenturing an entire generation. It is not about jurisdictional battles. It is about providing moneys to educate Canadians wherever they reside.

I am particularly pleased that this is now starting to cross partisan lines. I read the *Telegraph-Journal* earlier today, a learned publication. It said on page A3 that the finance minister supported the student debt reduction motion of the member for Fundy—Royal. We will see what kind of language we hear in this debate because this is when we find what the truth is in that regard.

I know the member for the riding of Fredericton, a Liberal member, is amenable to this. I have had a series of conversations with Liberal members and I expect this votable motion will receive support from all political backgrounds.

● (1810)

I also want to pay tribute to my colleague, the member for St. John's West, who is listening here tonight, for hosting a round table and for working on this issue.

This is the first time we have had a significant debate. It is a pleasure to have this votable motion discussed.

**Mr. Bryon Wilfert (Parliamentary Secretary to the Minister of Finance, Lib.):** Madam Speaker, today we are debating a motion put forward by the member for Fundy—Royal. The motion asks the government to consider introducing a new tax credit for students.

*Private Members' Business*

The credit would be for repayments of the principal of a graduates' Canada student loans. Each year, for 10 years after graduation, the graduate could claim a credit on the principal that he or she repays.

The member would limit this credit to 10% of the principal per year and would limit it to graduates who stay in Canada. In other words, graduates who stay in Canada would receive a credit for the full loan repayment over the 10 years following graduation.

Let me say at the outset that the member's objectives are laudable. In the new economy, supporting post-secondary education and post-secondary students must be a priority.

The government has taken action on several fronts to help students with the cost of education. However I must take this opportunity to raise some concerns about the member's motion.

Foremost, I want to tell the members of the House that there is a better way to help students with the cost of post-secondary education, and we are already doing it.

Today we have a tuition tax credit that recognizes tuition costs. We have an education tax credit that recognizes non-tuition costs of education, such as the purchase of textbooks.

Starting in 2001, we doubled the monthly education amounts to \$400 for full time students and \$120 for part time students. In fact we have increased the full time education credit fivefold since 1985.

**Mr. John Herron:** And quadruple their debt.

**Mr. Byron Wilfert:** I hope the member is not going to heckle throughout my response. Since I listened to him, I would hope he would listen to my comments. However I know the Chair will keep an eye on him.

In the 1998 budget we also opened the education credit to part time students. We made it possible for unused tuition and education amounts to be carried forward into future tax years.

These measures are quite generous. The tuition and education credits alone provide over \$1 billion in tax assistance to some 1.4 million students each year. Largely because of these credits, 80% of full time students pay no tax at all while they are studying.

Not only are these measures generous but they are fairer than the credit proposed by the hon. member. The existing credits apply to all students, not just the ones who use the Canada student loans to finance their studies. Students who take part time work instead of borrowing also benefit.

As a final comment on the member's motion, I share the member's desire to encourage our graduates to stay in Canada. A graduate's decision about where to work after school is complex and money is no doubt an important factor in that decision.

As a former educator, I am particularly interested in the debate and in the comments that all colleagues will be making with regard to the motion.

Would the member's proposal actually encourage graduates to stay? I doubt it. Here is why. For someone with a \$20,000 student loan, this measure would be worth about \$320 per year. Surely this amount is far too small to sway a graduate's career choices.

In my view, the government is taking the better path. Our measures to promote research, innovation and excellence, and to reduce the tax burden represent a fairer and more effective way to attract and keep talent in Canada.

I have already pointed to some highlights in the government's record on support for post-secondary education. I would like to share some other examples that clearly show the government's commitment.

In the 1998 budget we launched the Canadian opportunities strategy. The strategy introduced several important measures, like the \$2.5 billion millennium scholarship program. The program awards over 90,000 scholarships every year to post-secondary students on the basis of their financial needs. The average scholarship is \$3,000. That was just a start.

● (1815)

In the 1998 budget we introduced a credit for the interest portion of student loan repayments. We strengthened support for advanced research. We introduced the Canada education savings grant to encourage families to save for their children's education. We introduced a Canada study grants for students with exceptional financing needs. I could go on.

Since then, we have not been content to simply rest on our laurels. We have continued to find ways to make post-secondary education more affordable and accessible for more Canadians.

In 2000, for example, we increased the amount of scholarships and bursaries that are exempt from income by a factor of six.

I should also mention the changes we made to the Canada student loans program. This program is a cornerstone of Canada's system of support to post-secondary education students. It provides essential financial aid to some 400,000 Canadians. And we have taken steps to make it stronger.

Before I explain these changes, I first want to discuss some comments made by the hon. member. In his press release, he stated that the credit would lessen the debt burden faced by Canadian students.

Debt burden is an issue for some but, thankfully, most graduates can manage their student debt. This is no surprise. A post-secondary education is probably the best investment one can make. It means better job prospects and better pay. For example, for someone with a post-secondary degree the likelihood of being unemployed five years after graduation is one-third of the general youth unemployment rate.

As I said before, debt burden is an issue for some. That is why the government has taken significant action to make student debtloads more manageable. Now graduates who have difficulty repaying their loans can apply for various relief measures.

*Private Members' Business*

The relief period, before interest starts to accumulate on their loans, can be extended by up to 54 months. Their loan repayments can be extended from 10 to 15 years. After that, if they are still having financial difficulties, they can apply to have their debt reduced. The relief that we have put in place is efficient and fair.

We will continue looking for ways to do more.

Just last February the government launched two papers on Canada's innovation strategy. In those papers we reinforced our strong commitment to learning. We proposed an ambitious national goal: to ensure that all qualified Canadians have access to high quality post-secondary education. This national dialogue is an important step toward building a stronger future for Canada and for Canadians.

In closing I would like to reiterate that the government has a better approach to helping students with the cost of post-secondary education. Our approach is also fairer. It not only assists those who use Canada student loans to finance their education, it also assists those who rely on other means, such as part-time work.

If our objective is to attract and keep the best and the brightest, then I would suggest that the best way is to focus on creating more opportunity in Canada. We will do this through our strategy to promote innovation and excellence.

For those reasons, I would urge hon. members not to support the motion. However I do commend the member, in spite of some of his heckling, for putting this issue on the floor. It is an appropriate venue for us to discuss it. I am looking forward to hearing the comments from members of other parties and from my colleagues on this side of the House. As I said before, we are always looking at innovative approaches.

• (1820)

**Mr. Monte Solberg (Medicine Hat, Canadian Alliance):** Madam Speaker, it is a real pleasure to stand and address this important issue. I commend my friend from Fundy—Royal for raising this as an issue. It is obviously a very important one to many Canadians.

We are discussing the issue of student loans and the high burden many students and their families have to bear as a result of rising tuition costs in Canada.

I have to say that one of the most enriching things in life is the privilege of getting an education. It opens all kinds of doors. It does not just provide people with careers and jobs, it provides them with all the knowledge they need to see the world through new eyes. That is very important. When people get a good, broad, liberal education they really do see the world in a different way. It allows them to have a much richer life.

A number of proposals have been floated over the years as to how to deal with student debt.

My Liberal colleague, who just spoke, talked about the millennium scholarship program, \$2.5 billion over 10 years, reaching about 100,000 students a year. My friend has proposed a plan to grant a tax credit on the principal of a student's loan as long as he or she remained in Canada over a 10 year period.

My own party has proposed a plan called income contingent loan repayment. It would allow people to pay back their student loans over a period of years at a flat rate so that as their income went up the amount they would pay back would go up as well. That is something that is already in place in the United States, the U.K., New Zealand and Australia.

These plans do not eliminate the pain of a high debt burden. They make the pain more bearable and spread the debt out over a longer period of time.

There is merit to all these proposals. They all have their strengths and weaknesses but, to be fair, they shift income from one taxpayer to another. For instance, in the case of the proposal that my friend just made, as is the case with the Liberal proposal, the students enjoy a tax credit which is, in effect, funded by taxpayers who already have higher incomes or pay more taxes. As students earn higher incomes, they do the same thing for the students who come along after them. That is commendable but it is really a shifting around of income.

Our proposal is slightly different but it has the same effect. When people get older and their incomes grow they can then pay back the loans.

My point is that in all the scenarios I have talked about, we are just shifting income around, either from person *A* to person *B* or person *A* pays his or her loan over a longer period of time. The real answer to this is to create more wealth overall.

I want to explain what I mean by that. Right now we see the phenomenon of many people graduating from university going to the United States, for instance, partly because they can pay back their student loans because of the higher incomes they enjoy or, in many cases, especially when the economic boom was at its height in the United States, because of the large signing bonuses that were offered from all kinds of companies. A computer programmer, for instance, who received a \$25,000 signing bonus in U.S. funds, could pay off his or her entire student loan.

My point is that instead of nipping at the edges of the problem with all these schemes to redistribute income or delay the paying back of loans, would a better approach not be to think big about this and ask the government to take the issue of Canada's falling productivity and lagging standard of living more seriously and create more wealth overall, instead of just distributing the wealth around in the pie, as it is today, making the pie bigger?

• (1825)

That is why people go to the United States. If there were more wealth it would be easier to pay down the loans. The loans are much smaller in a relative way.

I would like to add some facts to underline my premise. Productivity in Canada over the last 12 years has averaged about 25% less than that in the United States. It is about 1 1/2% here and 2% in the United States. We are about 80% as productive as the United States.

*Private Members' Business*

The result is that our standard of living has gone down. Today it is around 67% of that of the United States and it continues to drop year after year. People say that if they have the skills and abilities, can command a higher income and a more interesting job, that is where they will go. Many of them go to the United States. They pay off their student loans very easily and they are gone. We lose that phenomenal talent that Canada is so rich in to other jurisdictions.

I have nothing negative to say about my friend's proposal. I will argue that we have the focus wrong. The focus should be on the big picture. It should be on creating more wealth in Canada.

If we were to take the measures necessary to make ourselves as productive as the United States and our standard of living grew, there would be more jobs in Canada. I have said this many times in this place. If we were to have a situation where we had three jobs chasing one person as opposed to three people chasing one job, wages would go up and we would see people with much greater capacity to pay off things like student loans.

However right now our unemployment rate in Canada, although we are proud it has gone down, is still about 35% higher than it is in the United States. We still have people with education who either cannot find a job or cannot find a job that is suitable given their credentials.

In the long run, although all these plans and schemes and whatever have their merits insofar as they make the pain more bearable, none of them alleviate the pain over the long run. The only way to do that is to create more wealth overall, and if we were to do that then everyone would benefit. In a way, it does not matter how we do it. If we were to create more wealth in the economy we could subsidize education more, although there are negatives to that as well as positives, or we could have people pay more of their education.

The point is they would have an increased capacity over their working career to pay back those loans. If someone's income were to double tomorrow they would have a greater capacity to pay back a \$25,000 student loan. That is where Canada's emphasis should lie.

I would argue that our government has not taken a bold approach when it comes to making Canada more productive, enhancing our ability to create prosperity for the men and women who are just looking for some hope and opportunity. Many of them, sad to say, do not see it here anymore. They see it in other places, particularly the United States.

I cannot speak ill of the motion or of the millennium scholarship, although we have concerns about jurisdiction and that kind of thing. I am saying it is time to quit this timid approach to the economy.

Canada could be the most prosperous country in the world if we were to put our mind to it as a government. If we were to say we would start lowering taxes, paying down debt, getting rid of those burdensome regulations and creating an incentive for people to come and invest here, and spend their lives here, Canada could become truly the greatest wealth producing nation in the world. That is something that is due because Canada is so blessed with human and natural resources. We are simply not achieving our potential today.

I would argue that although all these plans have their merits they do not address the central issue which is our capacity to create

wealth. If we were to do that then issues like student debt burden would become much less.

• (1830)

[*Translation*]

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Madam Speaker, it is with pleasure that I rise to speak to the motion put forward by the hon. member for Fundy—Royal.

I would like to begin by congratulating the Progressive Conservative member for Fundy—Royal on this marvellous initiative. As he mentioned in his speech introducing the motion, it is rare that we talk about helping students in this parliament. Once a year, when he brings down the budget, the Minister of Finance boasts about his measures to help students. But a closer examination shows that, since coming to power, the Liberal Party has done nothing but reduce any assistance for post-secondary education.

Before speaking to this issue, I would like to pick up on what the member for Fundy—Royal mentioned earlier. It is true that the Bloc Québécois supports his motion. We will support it with all our strength, because it is an initiative to help those students who have invested effort and money for years and, with school now behind them, are just starting out on their career and find themselves in a difficult situation, even in a period of economic prosperity.

The Parliamentary Secretary to the Minister of Finance has perhaps forgotten all this because it has been so long since he was in school. When one is starting out on a career, it is extremely difficult to break into the job market and prove oneself, and still have the stress of paying back student loans accumulated over four, five, and even six years in some cases.

Reducing the tax burden of students who invest in an education and in our society is not, strictly speaking, an issue which is constitutionally contentious. It is not, for example, like asking the federal government to invest directly in education programs or to interfere directly in education. It is a tax measure to provide relief for young men and women who have invested in an education for the greater good of our society. That is the distinction.

When the government, through the Parliamentary Secretary to the Minister of Finance, tells us that the federal government is investing heavily in student assistance, that is incorrect. The Canada social transfer and provincial transfer payments for post-secondary education are the lowest they have been in 30 years. That is what last year's figures show.

For every dollar invested by the provincial governments in post-secondary education, the federal government's share is 8 cents. Some provinces have decided, given this drop in federal funding, to increase tuition fees at the post-secondary level.

In Quebec, we chose to make up for this drastic funding cut to post-secondary education transfer payments elsewhere. Some provinces could not do this and did not go that route. As a result, tuition fees have risen dramatically. When we talk about student debt, we need to look closer at where this debt comes from.

*Private Members' Business*

This debt comes from increased tuition fees. Tuition fees have been raised in most provinces of Canada because the federal government has cut its contribution since 1995.

Since 1995, \$38 billion should have flowed into provincial government coffers and Quebec to fund health, post-secondary education and social assistance. This figure is based on the level of investment of the Canada health and social transfer that existed before the drastic cuts implemented by the Minister of Finance and the Liberal government. This figure of \$38 billion is an indexed figure. They may cry about it on the other side, but this remains a fact. When we compare the federal government's contribution in 1994, before the Minister of Finance slashed the budget, and if we take annual inflation into account, we come to a shortfall of \$38 billion.

• (1835)

Some have raised tuition fees specifically to compensate for the federal government withdrawal. This is the reason for the student debt load. That is why I congratulate—

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

**Mr. Yvan Loubier:** Madam Speaker, they are still carrying on over there. Could you ask them to calm down?

Obviously, it is painful to hear something as true as that. Again, my congratulations to the hon. member for Fundy—Royal for this excellent initiative.

Unlike our Liberal colleagues and my colleague from Medicine Hat who has just spoken, he can differentiate between a government expenditure and a government investment. When education is concerned, it is an investment. My colleague has the wisdom to ensure that education, and the contribution a student makes to it, are treated as an investment.

It is an investment not just for the student himself or herself, but for society. It enriches society, thus ensuring that, from the standpoint of the economy and of the reputation of Quebec and Canada, we may achieve a level of intellectual development that is appreciable, comparable, even economically advantageous, and ultimately train and retain our best minds.

Earlier, I heard my colleague from Medicine Hat say “Yes, they go to the United States because of the better standard of living. They can pay back their student loans after two or three years of working”. He neglected to point out, however, that after those two or three years, they stay there. They stay in the States and do not come back here. Perhaps a very few of them do, but most stay in the U.S.

In Quebec, as in Canada, if they had a better chance right from the start, better conditions—I am not saying that the proposal by my colleague from Fundy—Royal is going to solve everything, but if we added such a measure, if we treated them better from the start—maybe these students would stay instead of leaving. Perhaps they would not take off for the States, perhaps they would stay here and contribute to Quebec and to Canada. Perhaps also the brain drain would not be becoming more and more of a sad reality in Quebec and in Canada.

I support such an initiative. I regret the fact that we have, across the floor, people who love to quash initiatives, admirable initiatives such as the one of my colleague from Fundy—Royal, people on the side of the Parliamentary Secretary to the Minister of Finance who go around quashing worthwhile initiatives.

Since I have a few minutes left, I would like to go back to some of the comments made by the Parliamentary Secretary to the Minister of Finance, who seemed to be criticizing this worthwhile initiative without reason.

He said, “There are better ways of helping students in Canada”. Sure, but which ones? Which other means did this government put in place over the past few years, other than make drastic cuts to the Canada social transfer, to help post-secondary education in all the provinces, including in Quebec? The parliamentary secretary said that “thanks to the Liberal government's initiatives, 80% of the students do not pay taxes”.

I should point out that the hon. member's proposal does not directly target students who are still in university, but those who have graduated. The Liberal member seems to forget that the reason 80% of the students do not pay taxes is that they do not have sufficient income to do so in the first place.

The measure proposed by the hon. member for Fundy—Royal is primarily designed for those who are completing their education, those who are on the labour market and who want to have the best opportunities from the start and thus be able to live without stress, as they begin their professional career.

The parliamentary secretary referred to the Canada education savings grant. It goes without saying that this is a good initiative. In fact, when the Minister of Finance introduced this program, we welcomed it, because it is very good. However, this program is designed for the parents of children who will eventually pursue a post-secondary education. It is also designed for parents who have the financial means to take advantage of it.

In order to fully benefit from a registered education savings plan such as the one introduced by the Minister of Finance, parents have to invest at least \$200 per month. So, this is not for everyone, and this program overlooks a reality in that an increasing number of students no longer rely on their parents. They pay for their own education and, when they graduate, they must pay off the debt they have incurred. Therefore, we must help these students.

This is why the Bloc Québécois will happily, enthusiastically and readily support an initiative such as the one proposed by the hon. member for Fundy—Royal.

• (1840)

[*English*]

**Ms. Libby Davies (Vancouver East, NDP):** Madam Speaker, I am pleased to participate in this debate today. I would like to begin my remarks by thanking the hon. member for Fundy—Royal for bringing forward the motion. It is actually a rare occasion to have a debate in parliament about post-secondary education and why it is so important. I have certainly tried to bring forward this debate and have had motions in the past. It sometimes comes up during the budget debate, but it is rare to actually have a debate on it. We will have three hours of debate on this motion and that is very good.

*Private Members' Business*

I have listened very carefully to the debate. I think there are some things we all agree on. There is probably one thing we agree on. Everybody is aware that with respect to the future labour market and how it is evolving it is critical to have post-secondary education. The federal labour department has done a study on this and has predicted that by the year 2004, 72% of all jobs will require three years of post-secondary education. This is one reality that I think we can see and certainly it is one that young people know about.

There is also another reality that is facing young Canadians in particular. We are facing the greatest barriers that I believe we have ever had in this country with respect to accessibility for post-secondary education. One only has to look at the facts. Since 1990-91, tuition has risen 126%, six times faster than the rate of inflation. This is an enormous cost that individual Canadians and families are taking on. From 1990 to 2000, the debt load has quadrupled from \$8,000 to \$25,000.

No one has really addressed the question of why we have this crisis in post-secondary education. When I listened to the Liberal member who spoke to the motion, I did not know whether to cry or laugh when I heard the excuses and the suggestion that somehow most graduate students are managing their debts quite well. I can assure everyone that most graduate students are reluctant to even leave school because the thought of facing the debt wall they have and graduating into poverty is pretty overwhelming.

The reason we are facing this crisis is that the federal government made a conscious decision to cut \$7 billion from federal transfers. As a result, we have real per capita funding for post-secondary education that is now 17% lower than it was 10 years ago. Another fact is that federal support for post-secondary education has now dropped to 34%, the lowest level in 30 years. That is a fact. That is what is now causing the crisis in post-secondary education.

The impact of that decision by the Liberal government to erode accessibility in the retreat of public funding is that tuition fees have been forced up. As we know, higher tuition fees mean lower participation for low and moderate income students. There is just no escaping that fact. In fact, even Statistics Canada documented this in its report of December 2001. It showed that as far as student participation rates in 1998 were concerned, students from high income families were two and a half times more likely to attend college or university than those from low income families.

Canadians know this themselves. They do not need the info from Statistics Canada. A poll in October 2000 asked Canadians why they did not pursue post-secondary education if they were not already involved in it. The overwhelming response was that the main reason was the lack of financial accessibility, so I really have to protest the information that we have heard today from the Liberal government, the little bits of tinkering and pieces that have been put forward.

If the government had truly addressed the crisis facing us and students in the country, first, we would not be here debating this motion today and, second, we would not be facing the most severe limits on accessibility that we have ever seen. What is happening in the country is that high tuition is now discriminating against low and moderate income students.

● (1845)

In fact we also know that the converse is true. We have evidence that tells us that where there are lower tuition fees enrolment increases, particularly for low and moderate income students. We only have to look at British Columbia, where we had a tuition fees freeze in effect for five years and the enrolment in B.C. increased while in the rest of the country it actually decreased. Only two provinces, B.C. and Quebec, have really taken this on and frozen tuition fees and really tried to compensate for the retreat of public funding from the federal government. I am sad to report that now in B.C. the farm team of the federal Liberals, the provincial Liberals, has chucked out the tuition fees freeze. Tuition fees in B.C. now are going up by as much as 300%. Again, that will severely impact the accessibility for low income and moderate income students.

The current situation is clearly intolerable and it is simply not sustainable. We in the NDP believe that education must be a national priority, with the federal government playing a critical and decisive role. We require stable, long term federal funding. We require a national grant program, which has been advocated for by groups like the Canadian Federation of Students for many, many years. We do not need a millennium fund based on scholarship, but a national grants program. We are the only industrialized country that does not have a national grants program.

We also need to have a tuition fees freeze. We need to have a rollback so that students have some capability and some chance of getting through their post-secondary education without graduating into poverty.

We also need to have the bankruptcy law repealed. The government brought about changes to the bankruptcy law that discriminated against students simply on the basis that they were students and basically raised the number of years after which they could declare bankruptcy to 10 years, virtually eliminating the idea that they could at any point declare bankruptcy.

Finally I want to say that probably one of the most important things for post-secondary education is to have some sense of national standards around accessibility. In fact, the Canadian Association of University Teachers has put forward a Canada post-secondary education act modelled on the Canada Health Act to provide not for profit, comprehensive, affordable, universally accessible and publicly administered post-secondary education across Canada.

Until we deal with those fundamental issues, I would suggest that we will still be facing a crisis.

I want to conclude my remarks by saying that I actually seconded the motion before us today because I saw it as one small step that could be taken to provide some relief, but I also believe that mitigating a disaster after it has happened really does not get us very far. What we really have to do is deal with the disaster before us. We have to recognize that the fundamental decision made by the Liberals in 1993 to cut the transfers and to decrease the amount of money going into post-secondary education, which forced tuition fees up and almost eliminated accessibility for low income students, is what we are really facing.

*Adjournment Debate*

While the motion provides some relief, and again I am very glad that the member has brought it forward, I still believe that we have to deal with the fundamental issue and recognize in this country whether we believe education is a right for all Canadians to enjoy or simply a privilege for those who can afford it because they are affluent enough.

We in the NDP believe in the former. We believe that education is a right and that the federal government has a responsibility to show leadership on funding and for national standards in that regard.

• (1850)

**The Acting Speaker (Ms. Bakopanos):** The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

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## ADJOURNMENT PROCEEDINGS

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

[*English*]

### GUN REGISTRY

**Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.):** Madam Speaker, on February 27 I asked a question of the government with respect to information I had obtained from a question on the order paper with respect to the use of firearms in the commission of violent crimes.

Statistics have shown that since 1994, when the Liberal government implemented the firearms registration act, the use of firearms in the commission of violent crimes has gone up. In the case of murders it has increased by 3%. In the case of attempted murders there has almost been a 20% increase in the use of firearms.

My question was with respect to the statistics that showed a trend of an increasing use of firearms in the commission of violent crimes, which was contrary to what the Liberal government predicted would happen when it implemented the bill. With respect to the enormous cost that is being incurred by taxpayers, should the government not admit now that it was a huge mistake and take measures to correct it by scrapping the legislation, ending the targeting and harassment of law abiding firearms owners, sports shooters, hunters, ranchers and farmers?

I did not receive an answer to that question so I will ask it again. In light of the statistics that demonstrate a trend in the opposite direction of the government's prediction that the firearms registration act would cause a decline in the use of firearms in the commission of violent crimes, should the government not admit that it does not work and that it is not achieving the desired result?

Some \$800 million have been spent thus far and we are still a long way from full implementation of the program. The Liberal government promised, when it implemented the act in 1994, that it would only be \$85 million, so the costs are ten-fold greater than what it said it would be. That large sum of money, \$800 million, and any future money to be spent on the firearms registration act and its continued implementation could be directed to constructive uses.

For example, not taxing the money from Canadian taxpayers in the first place would be a tremendous boost to the economy and create jobs. Furthermore there is serious underfunding of some federal programs. We have a health care crisis with increasing waiting lists that could be partially remedied because part of the problem is lack of funds. Surely if that \$800 million were to be injected into the health care system we would have some tangible and substantial benefits.

It could be put into infrastructure projects such as highways, bridges and road systems. With respect to the issue of crime we could have put that money into policing and had real and tangible results that would benefit our communities in terms of making them safer.

We have a drought on the prairies. Agriculture is in a perpetual state of crisis and \$800 million would do a lot to alleviate the competitive disadvantage our farmers face against the unfair subsidies of our trading partners, the United States and Europe.

Should the Liberals not admit that it was a mistake and take the proper corrective measures now, stop the mandatory registration scheme and redirect those resources into more productive uses?

• (1855)

**Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, I thank the hon. member for Saskatoon—Humboldt for the opportunity to provide some context for his comments.

In his question the hon. member stated that the federal government's important public safety initiative, the Firearms Act, was passed in 1994. To clarify, Bill C-68 was actually introduced in the House on February 14, 1995 and received royal assent December 12, 1995.

Let us also be clear that the public safety program is much more than a gun registry. It is a multifaceted practical approach that addresses the prevention of firearm death and injury, and crime deterrence.

The screening of all gun owners, tracking of firearms and minimum sentencing help deter, prevent and prosecute firearm crime. That is why Canada's law enforcement community recognizes and supports the firearms program as an important public safety initiative.

In fact, information on firearms and their owners is a critical tool in police investigations. It allows firearms to be traced back to their original owner. It enables police officers to take preventive action, such as the removal of firearms when they are responding to volatile situations. It sometimes provides a system of tracking firearms and their owners that helps identify and crack down on the illegal movement of firearms.

The premise of the hon. member's question is flawed. It assumes that the introduction of a bill equals its immediate implementation. The hon. member should well know that the firearms program is not yet fully implemented.



Canadian firearms owners were required to be licensed to possess and acquire firearms as of January 1, 2001. That is the licensing process. All licensed firearms owners must register all their guns by the end of this year. Only next year will comprehensive licensing and firearms registration be fully in force. Only in the years that follow will we be able to analyze and attribute any change in firearm violence.

Let us look at some facts. Assume for a moment, as the hon. member has, that 1994 is a valid starting point. In 1994 according to the Canadian Centre for Justice Statistics, there were 196 firearm homicides in Canada. In 2000, which is the last year for which statistics are available, there were 183. There was a decrease of 13 homicides, and not the 3% increase the hon. member's question suggested. In fact, the number of firearm homicides in 2000 was significantly lower than the 200 homicide average for the previous 10 years, that is, between 1990 and 1999. I should add that the overall homicide rate in Canada is at its lowest level since 1967.

This is good news. It can only get better with the continuous screening of all applicants and licence holders to ensure that they pose no risk to their community, to their family or to themselves.

Our government's commitment clearly is public safety. The hon. member for Saskatoon—Humboldt and his colleagues opposite would ask us to ignore the deadly reality of domestic violence. That is as wrong as the premise of the hon. member's question.

I thank the hon. member for the opportunity to bring these facts to the attention of the House.

• (1900)

**Mr. Jim Pankiw:** Madam Speaker, with respect to the statistics quoted by my hon. colleague in the years 1994 to 2000, as he pointed out the overall rate of homicides was down so using the actual number is misleading. The important statistic to look at is the percentage of homicides that were committed with the use of a firearm. That in fact has gone up 3% in the case of murders and almost 20% in the case of attempted murders. The way he attempted to misrepresent those statistics is misleading.

Further, the Canadian Police Association, against the advice of many of its rank and file members, initially endorsed the plan of the Liberals. However, the association said the support was contingent upon demonstrated results of a decrease in the use of firearms in the commission of violent crimes. In fact, all the statistics show the trend to be otherwise and is ample reason to scrap the plan. It is clear the Liberals are not prepared to do that.

My hon. colleague said that the plan will be fully implemented by next year. If the statistics next year and in the following years continue to show an increased—

**The Acting Speaker (Ms. Bakopanos):** The hon. Parliamentary Secretary to the Minister of Justice.

**Mr. Paul Harold Macklin:** Madam Speaker, I would like to make sure that we go back to basic principles here. The member has to appreciate that we are talking about a public health and safety issue.

The public support is quite enormous. In the most recent poll that I have seen, over 76% have suggested that they are very much in support of the program. They are concerned about firearms being in

the hands of those who should not have them. It clearly has been shown that we can reduce domestic violence by taking firearms out of the home.

To date over 4,000 potential licensees have either had their licences revoked or refused. Screening is a very important part of the process to make sure that we protect the families we consider so dear.

The hon. member has to appreciate that the public support is behind this program for a good reason. This is not a program that is directed at hunters nor is it some ill thought out plan. It is a positive and beneficial program.

#### FOREIGN AFFAIRS

**Mr. John McKay (Scarborough East, Lib.):** Madam Speaker, I asked a question of the Minister of Foreign Affairs whether under his watch the one China policy vis-à-vis Taiwan would change.

Taiwan is easily one of the most vigorous democracies in Asia. It has transformed itself from a military dictatorship to a vibrant democracy in less than two generations. Taiwan is also our fourth largest trading partner in Asia-Pacific and our 13th largest trading partner overall.

In the beginning of the 19th century, Taiwan was a colony of Japan. It was a fairly benign relationship. Among the older Taiwanese leaders Japanese is their second language.

In 1945 after the war, Japan let its colony go. That was followed by the invasion of Chiang Kai-shek. He was losing the war to Mao Tse-tung and he thought it was a keen place to set up shop in Taipei and proclaim the true legitimate government of China from Taipei. No one really believed this fiction, with the exception of course of Chiang Kai-shek and possibly his wife. His brutal government oppressed the leadership. He was succeeded by his son who might have been a kinder, gentler version but nevertheless had no legitimacy. Then the government of Taiwan started to transform itself into a true democracy.

The PRC was starting its journey toward a more powerful world entity and Canada negotiated its one China policy under then Prime Minister Trudeau. China in the negotiations wanted Canada to take note of the policy that it had that it claimed Taiwan. Canada duly took note. China's claim to Taiwan is specious at best and Canada's taking note is merely that; it takes note that China has a claim to Taiwan.

Unfortunately however, Canada conducts its affairs in a fashion which keeps an eye on what the PRC might think any time it enters into discussions with Taiwan. Unfortunately Canada seems to conduct its relationships as if there were just one China. This leads to multi levels of absurdity.

*Adjournment Debate*

For instance, we have no formal diplomatic or government relations so we cannot receive the president of Taiwan or any of his cabinet ministers. Similarly our Prime Minister cannot visit Taiwan nor can any of the cabinet ministers even when it might well be in our best interests to do so. We cannot even have former President Lee here to commemorate the MacKay memorial. President Chen's wife is a paraplegic and she was invited to receive an award. A bit of a diplomatic kerfuffle was created over that point alone.

Indeed, Canada will not support Taiwan's request to be admitted to the WHO as an observer. We pile up absurdity upon absurdity and it is a policy frankly that needs a revisit.

Hence my question for the minister is, will Canada's one China policy change under his watch? How about a Taiwan policy? We are in the strange position of having formal government to government relationships with China which has a dubious record on human rights and is clearly not a democracy, but not having formal government to government relationships with one of the most vigorous, dynamic democracies and economies in the world. How much sense does that make?

• (1905)

**Ms. Aileen Carroll (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.):** Madam Speaker, I want to share with the member the policy of the government to date.

Canada remains encouraged by the continuing process of democratization in Taiwan, characterized most recently by free, open and peaceful elections in the legislative assembly, the Yuan. However, in keeping with our one China policy, Canada does not have diplomatic relations with the Republic of China.

[*Translation*]

Canada's one China policy is flexible enough to allow us to establish and maintain solid cultural, economic and individual ties with Taiwan. Canadian cultural and trade activity is evidence of these unofficial ties that are growing steadily.

[*English*]

Canadian companies continue to enjoy the benefits of our strong economic links, particularly in the high tech, aerospace, biotech, agrifood and environmental sectors. The Canadian trade office in Taipei has a trade and investment team made up of five Canadian trade commissioners supported by eight locally engaged commercial officers and assistants. All of them work to support Canadian companies in one of the most dynamic markets in the Asia-Pacific region.

The National Research Council of Canada maintains one of its most important R and D relationships in Asia with Taiwan's National Science Council. This year actually marks the fifth anniversary of a memorandum of understanding on scientific co-operation between Canada and Taiwan.

Canadian culture is also front and centre with shows and exhibits ranging from the Royal Winnipeg Ballet to contemporary video artists from Quebec. We also have the Canadian Education Centre in Taipei which for many years has been successfully promoting Canadian higher education to Taiwanese.

All of this has been made possible through the sustained efforts on the part of Canadians who have been working to develop strong ties with the people of Taiwan. By working within the framework of our one China policy, we will continue to develop stronger economic, cultural and people to people ties with Taiwan.

[*Translation*]

Canada is not the only country with a one China policy, and we did not invent the concept. Even today, the Government of Taiwan continues to adhere officially to this principle. The fact is that there is no mechanism allowing a country to officially recognize both the People's Republic of China and the Republic of China, as Taiwan persists in wanting to be called.

[*English*]

We believe it is in the best interests of all for both sides of the Taiwan Strait to resolve their differences amicably. Canada continues to urge both Taipei and Beijing to engage in constructive dialogue in the resolution of those differences. Our concerns about the threat of military confrontation have been stressed to both sides along with our strong appeal for a peaceful and negotiated settlement.

• (1910)

**Mr. John McKay:** Madam Speaker, certainly it is charming and touching that we have people to people contacts and cultural things. However, that hardly deals with the issue. The issue is really about when we will have a nation to nation interaction with the democracy of Taiwan.

We have this bizarre situation where literally hundreds of thousands of people come from Taiwan to Canada, and back to Taiwan from Canada, and Canada will not support the country's admission to the WHO. Disease knows no global or jurisdictional boundaries, yet we have no protocols between the two countries.

We are in this bizarre position of where we say we support democracies but in fact we are supporting a dictatorship.

I put it to the hon. member again that as charming and touching as it might be for all of these people to people contacts, we need government contacts.

**Ms. Aileen Carroll:** Madam Speaker, I thank the hon. member for his kind use of the word charming but I do think there was a little more meat to my response than the word charming would indicate.

That is to say it is not just warm and fuzzy people to people contacts. It is indeed some very strong economic, business, government research and cultural links. Those are the kinds of charming links that create a set of dynamics that produce very strong working relationships.

*Adjournment Debate*

With regard to the World Health Organization, Canada fully supports Taiwan's access to all of its programs, all of the health protection and promotion available under the current circumstances. In no way do we block nor did we ever block access by many people in that country who need the services that are provided. They are currently able to access health information from the WHO. Canada would support a consensus on Taiwan's participation in the WHO.

[*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 7.12 p.m.)

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