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(HANSARD)

Thursday, May 30, 2002

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Thursday, May 30, 2002

The House met at 10 a.m.

Prayers

• (1005)

[English]

The Speaker: I wish to inform hon. members that the air conditioning service in the parliamentary buildings has been restored.

[Translation]

Consequently, the order passed yesterday on the dress code for members in the House no longer applies.

[English]

The Chair will no longer ignore a state of déshabille.

ROUTINE PROCEEDINGS

[English]

ORDER IN COUNCIL APPOINTMENTS

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

* * *

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

[Translation]

COMMITTEES OF THE HOUSE

NATIONAL DEFENCE AND VETERANS AFFAIRS

Mr. David Pratt (Nepean—Carleton, Lib.): Madam Speaker, I have the honour to table, in both official languages, the fourth report of the Standing Committee on National Defence and Veterans Affairs entitled "Facing Our Responsibilities: The State of Readiness of the Canadian Forces".

Notwithstanding Standing Order 109, the committee would like the government to respond within 120 days.

[English]

I would like to take this opportunity to thank all members of the Standing Committee on National Defence and Veterans Affairs, in particular the two vice-chairs, the member for Lakeland and the member for Compton—Stanstead.

I would also like to take this opportunity to thank the research staff and other committee staff: Mr. Wolf Koerner; Mr. Michel Rossignol; Diane Deschamps, our clerk; and Lieutenant Colonel Barry Hamilton, our consultant.

Finally, I would like to thank the 92 witnesses who appeared before the committee over the course of 39 meetings.

* * *

MAIN ESTIMATES 2002-03—AGRICULTURE AND AGRICULTURE AND AGRI-FOOD

The Acting Speaker (Ms. Bakopanos): The following motion in the name of hon. the Leader of the Opposition is deemed adopted.

That, pursuant to Standing Order 81(4)(b), consideration by the Standing Committee on Agriculture and Agri-Food of Votes Nos. 1, 5, 10, 15, 20, 25, 30, 35 and 40 under AGRICULTURE AND AGRI-FOOD in the Main Estimates for the fiscal year ending March 31, 2003, be extended beyond May 31, 2002.

(Motion deemed adopted)

* * *

PETITIONS

DISABILITY TAX CREDIT

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Madam Speaker, I would like to present a petition to the House of Commons which was started in my riding of Saskatoon—Rosetown—Biggar on which there are names of people from right across Canada.

It states that the disability tax credit, having been taken away for no apparent reason from the numerous disabled persons, be reinstated without delay. It is a grave injustice to state that a disabled person is no longer deserving of the DTC. The removal of DTC creates monetary hardships for many of the disabled who face higher cost of living expenses than Canadians without disabilities. The petitioners request that parliament reinstate the DTC.

Government Orders

The original petition, which began in my riding, had over 3,600 names within a month. I salute the people for bringing it forward. I ask the House of Commons to look at this seriously.

• (1010)

NATIONAL DEFENCE

Mr. Rex Barnes (Gander—Grand Falls, PC): Madam Speaker, today I present a petition pursuant to Standing Order 36. I am honoured to present the petition on behalf of the employees in my riding of Gander with regard to the Department of National Defence contracting out the military supply chain.

Since we have a new Minister of National Defence, I am sure that he will take the petition into account and revisit the contracting out of the supply chain to a British company. We hope we can reverse this with the hon. minister so that we can work on behalf of all the people in my riding and for the good of the country.

[*Translation*]

RURAL ROUTE MAIL COURIERS

Mr. Serge Cardin (Sherbrooke, BQ): Madam Speaker, I wish to present a petition to add to the hundreds of signatures on petitions already presented by my colleagues in the House concerning rural route mail couriers.

Since my arrival in parliament, three and a half or four years ago, this issue has always been a topical question, but the government has never responded favourably. This explains why people continue signing petitions asking for the to negotiate their wages and working conditions. Often, they work for less than minimum wage. They practically have to pay for the pleasure of sending their income tax cheques to the government.

In this regard, of course, I support these petitioners who call on the government and parliament to repeal subsection 13(5) of the Canada Post Corporation Act so that these workers can have decent working conditions.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Acting Speaker (Ms. Bakopanos): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

PUBLIC SAFETY ACT, 2002

The House resumed from May 29 consideration of the motion 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; and of the amendment.

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Madam Speaker, I wish to say a few words on the bill before the House today. I am glad the solicitor general is in the House. Maybe he will take a serious note of some of the changes that people want made in the legislation.

I want to begin by saying that the bill is known as the public safety act, 2002. It replaces Bill C-42 which was introduced of course in the wake of the great tragedy in the United States on September 11. Today marks the official end of the cleanup of ground zero in New York. The appropriate ceremonies will take place there sometime today.

I suppose we can say that the bill represents an improved package for public safety initiatives over what we had in the previous package, which was the government's response in the wake of September 11.

September 11 was a great tragedy for the people in the United States. It was also a great international tragedy. Many people died, including many Canadians. I think some of the reaction of September 11 was to overreact in terms of our response to a very legitimate fight against terrorism.

I think the very first bill the government brought in was a bill of great overreaction. I guess that is probably a fact now. The government then withdrew the bill because of widespread public criticism throughout the country. There were all kinds of objections from civil liberty groups, parliamentarians from all political parties in the House of Commons, many commentators, people in provincial governments and the like. Bill C-42 was withdrawn and Bill C-55 has been brought in to replace it.

We in our party oppose Bill C-55 because it is still in our opinion an attack on human rights. It gives unprecedented powers to certain federal cabinet ministers, particularly the Minister of Transport. I think that is a dangerous way to go.

I was in the House of Commons in the 1980s when we had great pride in enshrining a charter of rights in our constitution. We went through a great debate about individual rights, the freedom of speech, the freedom of mobility, what should be in the charter and what should or should not be enshrined in the constitution.

After a long and sometimes acrimonious debate we decided to enshrine a charter of rights in the Constitution of Canada to protect the individual rights and liberties of every Canadian regardless of background or where we came from.

I suggest to members that the bill before the House today is an attack on those human rights. It gives far too much power to the Minister of Transport and certain other ministers of the crown.

We live in a parliamentary democracy. I think we need a great deal of parliamentary reform in terms of democratizing this institution and democratizing our electoral system in Canada. To give more power to a cabinet minister who can exercise those powers through an edict basically, through an order in council, through permission from fellow cabinet ministers around a cabinet table in this very building, I think goes too far.

Government Orders

I also believe that the present criminal code and the police powers we have are adequate. The present laws are adequate to deal with any terrorist threat, real or perceived.

Once we give this kind of power to a cabinet minister, regardless of who that individual may be, there is always the possibility of abuse of that power. I remember the War Measures Act in 1970. I remember the Trudeau government of that day. Pierre Trudeau was a person who was committed to civil liberties and civil rights. Despite the fact that he talked a lot about a new democracy and participatory democracy he invoked the War Measures Act to deal with the Front de Libération du Québec in 1970.

•(1015)

It was an overreaction. The Government of Canada under Pierre Trudeau took a sledgehammer to open a peanut. There were troops outside the House of Commons. It was my second year in the House. All kinds of innocent people were arrested under the War Measures Act. If I remember correctly there was a member of parliament across the way who was arrested under the act. He was the leader of the teachers' union in Quebec at the time. Other members of the House of Commons might have been in similar situations. I knew all kinds of people who were arrested under the War Measures Act in an overreaction by the federal government.

The leader of the opposition at the time, Robert Stanfield, supported the invocation of the act. When he left public life he said the biggest mistake he had made in his political career was to get up and support the invocation of the War Measures Act by then Prime Minister Pierre Elliott Trudeau and the Liberal Party. It was an overreaction.

I was one of the 16 members of parliament who stood in the House in opposition to the act. There were 23 of us in the NDP caucus and 16 of us stood in opposition to the invocation of the act. A feeling of hostility greeted us from some members of the House and many members of the public because of the fear being whipped up throughout the country at the time.

The government already has awesome powers. It and the military have tremendous powers under existing law. The criminal code gives police powers that are broad in scope. We have seen those powers exercised in the past. Additional powers do not need to be given to the Minister of Transport and other cabinet ministers to deal with the threat of terrorism.

There is nothing as fundamental as individual freedoms and civil liberties. That is why so many people are concerned about Bill C-55. That is why it should not be passed in the House of Commons before we recess on June 21. Sober thought should be given to the bill by all members of parliament over the summer months. I hope when we come back in the fall the Government of Canada will withdraw the bill and find it is not necessary in terms of security, peace, justice and freedom in our country.

Many of the freedoms we have were hard fought for and difficult to achieve. Taking them away by giving a cabinet minister this kind of power would be the wrong way to go. The powers the government wants to give itself are unnecessary. They would be an infringement on the rights of the Canadian people. We are a proud country in terms of trying to defend minority rights. I mentioned the War

Measures Act as a sad reflection on our history where the Government of Canada overreacted.

As I watched the hon. member from Vancouver East walk into the House of Commons I thought of another time a Canadian government overreacted. Japanese Canadians were rounded up during the second world war and shipped to internment camps in the interior of British Columbia because they happened to be of Japanese ancestry. Canadians of Japanese ancestry were arrested and put into internment camps. That is part of the history of our country.

I am not suggesting this would happen again but it has happened in the past. Giving this additional power to a cabinet minister and the Prime Minister would invite overreaction in the future. That is why our party does not want to see Bill C-55 through the House of Commons. Bill C-42 which was in the House before and after Christmas was widely criticized as being draconian and dangerous for the freedom and liberty of Canadian citizens. I am sure that is why the government did not proceed with it. There was a public perception that the bill was an overreaction. Unfortunately, Bill C-55 offers little improvement.

•(1020)

[*Translation*]

In fact, this is the same bill. It may be slightly different, but this is essentially the same bill. This is why we must hold an extensive debate in the House and defeat this bill. This is crucial.

[*English*]

I hope my hon. colleagues in the Liberal Party will at least listen to one of their own members, a prominent civil rights lawyer from Montreal who expressed deep concern in the House that the bill would give undue power to cabinet ministers and diminish the civil liberties of Canadians.

Where is the liberalism in the Liberal Party? Why do its members not get up and defend the freedoms of ordinary Canadians? Is it not ironic that a Liberal Party is bringing in this kind of draconian legislation? I appeal to members of the Liberal Party to get up on their small-l liberal legs to speak out against this draconian piece of legislation.

[*Translation*]

Mr. Michel Gauthier: Madam Speaker, on a point of order. I apologize to the hon. member, but I will be brief.

We just heard on the news that authorities have invited the Hells Angels to join the official celebrations marking the 50th anniversary of the accession of Her Majesty Queen Elizabeth II to the throne.

Under the circumstances, I seek unanimous consent of the House for the following motion. I move:

That the House—

The Acting Speaker (Ms. Bakopanos): Consent of the House must be requested before moving a motion.

Is there unanimous consent to allow the hon. member to move the motion?

Some hon. members: Agreed.

Government Orders

Mr. Michel Gauthier: Madam Speaker, on a point of order. I do not think it is in order to ask for consent when the House is not aware of what the motion is about. I am entitled to read my motion, and I will start over again.

That the House of Commons express its surprise at the decision of Her Majesty Queen Elizabeth II to invite the Hells Angels, a criminal bikers gang, to take part in the festivities of the 50th anniversary of her accession to the throne, and beg her to reconsider.

I would like the House to pass this motion unanimously.

The Acting Speaker (Ms. Bakopanos): First, is there unanimous consent for the hon. member to move the motion?

Some hon. members: Agreed.

Some hon. members: No.

• (1025)

The Acting Speaker (Ms. Bakopanos): There is no unanimous consent at this time to move the motion, but the hon. member could come back with his motion after consulting with other concerned parties.

Mr. Michel Gauthier: Madam Speaker, I would like to understand. I sent the motion to parliamentary leaders of all political parties.

Now, you are telling me I do not have unanimous consent. I do not understand what—

The Acting Speaker (Ms. Bakopanos): The hon. deputy government whip on a point of order.

Mr. Jacques Saada: Madam Speaker, on a point of order. I do not have any reservation about the content of the motion.

I just need the time to read it. I am on duty in the House today. I need to step back, check the motion, read it over, and come back in the House with my response. It is that simple.

[*English*]

Mr. Scott Reid: Madam Speaker, I rise on a point of order. We require unanimous consent to proceed whether the leader of the Liberal Party agrees or not. I do not, so that is the end of it.

[*Translation*]

Mr. Gilles-A. Perron (Rivière-des-Mille-Îles, BQ): Madam Speaker, thank you for this opportunity to speak to Bill C-55.

I will summarize the process by which Bill C-55 ended up the House today. Everyone of course recalls the tragic events of September 11 in New York City. As a result, all countries panicked somewhat and decided to tighten up security and to enact legislation, which was more or less logical, because of this unacknowledged and officially undeclared war against terrorism.

For instance, I remember Bill S-23, an act to amend the Customs Act and to make related amendments to other acts, which in fact modified all procedures, particularly those involving the border with the U.S. and Canadian air or shipping entry points.

Even today, I will not criticize Bill S-23. It was, over all, a bill that made sense. It is still my position, however, that we moved far too quickly in passing it. We could have passed it with a provision to

revisit it again in the House, maybe six months, a year, or eighteen months later, to see whether our decision had been the right one.

A number of members, if not the majority, have perhaps exaggerated or over-reacted to the events of September 11. The outcome of this was some of the bills that got introduced, such as Bill C-55.

Naturally, the ancestor of Bill C-55, though not much older than it, was Bill C-42. Hon. members will recall, in connection with that bill, that the Bloc Québécois was strongly opposed to it, because we found it far too exaggerated. The whole opposition was against Bill C-42, as were some members of the party in power. The press was against it. Canadian rights and freedoms advocates were against it.

What has this government done? It has simply reproduced or cloned—cloning is very much a current issue—another bill, namely Bill C-55, by slightly altering the embryos to finally produce a new baby called Bill C-55.

Bill C-55 deals primarily with controlled access military zones. If we are not mistaken, a controlled access military zone means that the government and—this is what is especially hard to take—some ministers have discretionary power. Even some public officials could say tomorrow morning “We are taking control of this part of a city. It thus becomes a controlled access military zone”.

Can we really let ministers have the power to designate a zone and have it controlled by military personnel, when we know that many of them are not even able to control their own staff or themselves? I am referring here to the infamous sponsorship contracts. We have to wonder about this.

• (1030)

Considering how some of these ministers are currently behaving and spending taxpayers' money, will they be able to designate and control a controlled access military zone in an intelligent way?

I am personally affected by Bill C-55, because of my political convictions. The government opposite keeps telling us “Ours is a flexible federation. Ours is a federation that is in contact and in touch with the provinces”. Not true. Under Bill C-55, the federal government will never consult the provinces to find out what they think of a controlled access military zone. The decision will be made unilaterally and the provinces will have to deal with the problems.

Another part of the bill that concerns me has to do with the dimensions of the controlled access military zone. The bill provides that the dimensions of the zone cannot be greater than is reasonably necessary. What does reasonably necessary mean? It does not necessarily mean the same thing for me or for the hon. member for Charlevoix. My idea of what is reasonably necessary is completely different from that of each member in this House, including you, Madam Speaker. Yet, decisions on these dimensions are left up to the Minister of National Defence. He is a recruit. He has just been appointed to this position. His predecessor is gone; I do not know why, but I have an idea. The new minister will invoke what is reasonably necessary. Will he be reasonable or not? This is excessively dangerous.

Government Orders

Something else bothers me. Controlled access military zone may be created for reasons of international relations or national defence or security. The G-8 conference will be held in Kananaskis this summer. Will the Kananaskis region be designated as a controlled access military zone for reasons of international relations and to ensure the safety and security of participants? I do not want to be a scaremonger, but I would not be surprised if the passing of Bill C-55 lead to the designation of a huge area all around Kananaskis, which is a small secluded estate in a forest in the northern part of a province, as a controlled access military zone.

We should think twice. We are playing games with people's freedom. Is this bill not similar to the legislation known as the War Measures Act put forward in 1970 by then Prime Minister Pierre Elliott Trudeau?

•(1035)

As my colleague from Regina—Qu'Appelle indicated, to deal with a small group of 12 or 15 FLQ members, legislation was passed which violated the rights of thousands of Quebecers.

Unfortunately, I see that my time is up, even though I have a lot more to say.

Ms. Pauline Picard (Drummond, BQ): Madam Speaker, I am pleased to speak to Bill C-55, which replaces Bill C-42, which was withdrawn by the government. Bill C-55 was introduced in the House on April 29, 2002. Bill C-42 was withdrawn by the government because of strong criticism from the Bloc Québécois in particular.

I would like to summarize the main features of Bill C-55 which are still problematic for the Bloc Québécois. I would like to talk about certain points, such as controlled access military zones.

In Bill C-55, the government has tightened up the criteria for designating controlled access military zones, having listened to the Bloc Québécois' arguments. However, our objections to certain points in Bill C-42 have not been reflected in the current bill and this is what bothers us.

It is still the minister alone who has the authority to designate controlled access military zones, the same minister who neglected to inform his government about the prisoners of war. Now he has been replaced by a minister whose experience lies in the banking world. What worries us a bit is that the latter has not yet proven his worth. He is responsible for an entire department. We hope that he will make the right decisions and that he can take a close look at this so that some of the problems in Bill C-55 are ironed out.

With everything that has been going on in the House recently, giving so much power to one minister, who is new to the department, is enough to worry us and the public.

One of our biggest worries is that it is still the minister alone who has the authority to designate controlled access military zones. In addition, the approval of the government of Quebec is still not required to designate a controlled access military zone in its jurisdiction. There is also the criterion of "reasonably necessary". What does this mean? This criterion for determining the borders of military security zones has not really changed; it is still very discretionary.

The minister could, for reasons known only to him and without consulting anyone, define what is deemed reasonably necessary. In the largest city in my riding, there is an armoury. With this power that is conferred upon the minister alone, if he deemed necessary to protect his establishment or his property and if he deemed necessary to extend this protection to a larger area, he could, without notifying or consulting anyone, create a security zone.

I do not have anything against the fact that it may be necessary to protect a certain area and to ensure adequate security in a potentially dangerous situation, but perhaps it would be appropriate to notify the authorities, the property owners and the people.

•(1040)

In that regard, we think that it is difficult to confer that kind of power upon one single person, without any obligation to consult. That person alone will decide what is or is not good, and this is very dangerous, as the precedents have shown.

There have been cases where the minister alone has made a decision that has caused prejudice to those people affected by it. It is inadmissible that such power be conferred upon one single person in our society. It is like a dictatorship. It is just as if, one morning, someone woke up and said, like the Prime Minister did recently, "One day I am a democrat, and the next day I am a dictator".

I am sure you agree with me that there is cause for concern when this kind of responsibility is given to one single person who has all the powers, as is the case now under Bill C-55.

As I said, the creation of a controlled access military zone or the making of interim orders would cause prejudice to certain people. These people could not always take legal action for loss, damage or injury.

If a situation like the one I was describing a moment ago arose, those who were wronged would have no legal recourse. It makes no sense. The power that would be given to one single person is immense: he would decide and he would apply his law, it is tantamount to a dictatorship. People would not have any avenue of legal recourse, could not find out how to defend their rights, because the minister alone would have decided everything. This is not what is called a democracy.

The grounds of international relations and the defence of national security, for which controlled access military zones could be created in Bill C-42, were not kept in Bill C-55. We can just imagine that now, any reason is grounds enough, as I described earlier.

There is another problem. It has to do with interim orders. The new bill still contains provisions allowing different ministers, and in one case, public officials, to use interim orders.

With regards to these provisions, there are two minor changes: tabling copies before parliament within 15 days, and the shortening of the period for which the order has effect without approval of the cabinet from 90 to 45 days

It also lacks an advance verification for consistency with the charter and the enabling legislation by the Clerk of the Privy Council.

Government Orders

The means justify the end. It makes no sense. To see what is going on right now, the way powers are being grabbed, someone can say “We will not consult anyone”, and no one can say a word. People may be wronged, but for reasons that the minister or certain officials find reasonably necessary—even though we do not really know what this means—all kinds of rights can be trampled without any consultations.

Based on the definition of the word dictatorship in the dictionary, it appears that this is where this bill is leading us. It is very alarming.

There is also the question of information. Bill C-55 will allow two other persons, the RCMP commissioner and the director of CSIS, to obtain information directly from the air carriers and reservation and passenger information systems operators. This means that privacy will be violated. They will obtain the passenger list.

• (1045)

The list can be distributed to the RCMP commissioner and the director of the Canadian Security and Intelligence Service for any reason, without those involved being informed and in violation of their rights. This is what happened back in Stalin's day.

[*English*]

Ms. Wendy Lill (Dartmouth, NDP): Madam Speaker, I am deeply concerned that again we have this legislation before the House in its present form. It is especially disturbing that the government has decided to refuse the reasoned and rational requests for major amendments. The bill has to be changed. Like its predecessors Bill C-36 and Bill C-45, which was wisely withdrawn, it gives priority to an anti-democratic measure taken in the name of protecting our democracy. It fails the basic test of protecting our civil liberties from the state.

We are a country with a proud tradition of fighting for democracy. On Monday, I was dockside for the return of one of our proud naval vessels from anti-al-Qaeda patrols in the Arabian Sea. It is alarming to see the paradox of our brave sailors putting their lives on the line for our democracy while parliamentarians are trying to rush through a bill which would take powers from parliament and allow more single decisions from ministers to deprive Canadians of their civil liberties.

As an example, let us first look at the part of the bill that I find most troubling, the so-called military security zones from Bill C-42. These have now been changed to “controlled access military zones” in Bill C-55. The bill, with amendments, stipulates that these zones can be created only to protect Department of National Defence property or foreign military assets within Canada. These changes do not sufficiently address our concerns about how the power to create these zones could be abused. The basic message of the bill is that all of us, and including the very institutions Canadians have created to express their democracy and protect their freedoms, like parliament, like a free press, like public debate, have to trust the decision making ability of a single minister to restrict access to a designated place for any length of time the minister would like and we should not be able to question the decision. In fact we may not even publicly know about the decision.

Given our history of policy over reaction at APEC or in Quebec City or at the G-20 meetings just down the street from our Chamber,

I frankly do not trust any single minister to protect the civil liberties of Canadians. Given the state of allegations of scandal and mismanagement being levelled at the ministers opposite, I am not sure that any Canadians trust any single minister to protect their civil liberties when left behind closed doors, yet this is what Bill C-55 is asking us to do. By doing this, the bill is attacking the democratic values those brave sailors who came home on Monday are fighting to defend.

Last year, along with my leader, I met with women from the Muslim community in Halifax and Dartmouth and we heard their very real fear of the legislative changes that the government was bringing forward in response to the September 11 attacks in the United States. Many of them came to Canada because they believed that our democratic traditions would protect them from oppression, but this series of security bills, of which Bill C-55 is the latest, makes them afraid to answer their doors: once again it may be the police taking them away because of the ethnicity of their name. Specifically, I wonder if provisions of the bill could be used against them because of their religion or their ethnic background.

I have been with teachers opposed to this bill because of the attacks on their civil liberties. I have met with immigrant service organizations who tell me of the fears of their clients. This legislative reaction of the government in response to the September 11 attack goes way too far and, we believe, way too fast. Where is the sunset clause on these measures?

One of the ideas touted by numerous witnesses on Bill C-36 was the idea of an American style sunset clause. This would have had the effect of forcing the government to reintroduce, debate and amend the legislation for it to take effect for another period of time. A three-year time limit affecting different aspects of the legislation was suggested by numerous witnesses.

• (1050)

The New Democratic Party proposed an amendment that addressed these concerns. However, the government had already decided that it would only include a watered down sunset clause by which the House and the Senate would vote after five years for a motion to extend the investigative hearings and preventive arrest sections, two of the most controversial measures in the bill. Though this is better than no clause at all, it is not a sunset clause in the true sense. Rather than the government having to reintroduce and re-examine legislation, this would simply require that the government tell its members and senators to vote an extension of that which currently exists in Bill C-36. The government refused to sunset Bill C-36 and it has never even entertained debate on a sunset clause for Bill C-55.

Government Orders

In just a few weeks there will be a G-8 summit meeting in Kananaskis, Alberta. I was amused yesterday to see that the member for Wild Rose was on his feet calling protestors terrorists for insurance purposes even before any protest has taken place. Even though I fully expect that the people in the Calgary march and the demonstrations will be peaceful and I believe that if there is a protest village in the bush the only violence committed will be against the mosquitoes and the black fly population, I fear for the protestors' safety because of reactions of people like the member for Wild Rose, people who have already called these peaceful labour and anti-globalization activists terrorists, a word that has serious legal consequences thanks to Bill C-36 and Bill C-55.

After seeing the violence at the summit of the Americas in Quebec City and at the APEC conference in Vancouver, I wonder how long it will take for the minister of defence or others in the government to simply start using these laws to stifle legitimate dissent that threatens the political future of the minister, dissent that does not have any real threat for the nation. Do not get me wrong, I oppose vandalism, even of McDonald's, but I also oppose any law that would equate these actions with the evil events of September 11.

I am strongly suspicious of the government. The tens of thousands of peaceful protestors are also suspicious of the increasing use of police force against demonstrators. The stubbornness of the government in refusing reasonable amendments to this historic legislation gives credence to these suspicions.

I believe in a democratic Canada. I take our civil liberties, given in our charter, extremely seriously. Let us take the time and make the effort to produce a law that protects our security while it defends our civil liberties in this anxious period in our history.

• (1055)

[*Translation*]

Mr. Gérard Asselin (Charlevoix, BQ): Madam Speaker, I am pleased to rise this morning on behalf of the Bloc Québécois to speak to Bill C-55.

Bill C-55 is a reincarnation of Bill C-42. Why was Bill C-42 not approved unanimously, or at least by the majority of parliamentarians in this House? Why did they not support Bill C-42?

First, because of the Bloc Québécois' performance. MPs from every opposition party did what they had to do to make the government aware of the mistake it would make if Bill C-42 was passed as drafted. Naturally, opposition MPs tried repeatedly to ask questions of the government during oral questions period. In committee, they tried to do their job as parliamentarians and asked those who would be affected to various degrees by Bill C-42 for their input. The majority of witnesses who appeared before the committee said clearly that the federal government was on the verge of making a major management mistake by passing this bill as drafted.

The Bloc Québécois was not satisfied to just state its position and speak up against Bill C-42; it did its part by participating in the debate to make the government aware of the problem, and putting forward amendments to fix the bill, which smacked of dictatorships and gave responsibility to just one person, for which the government could have suffered some serious consequences should one minister make an error in judgment.

As a result of the Bloc Québécois' position and the quality of the speeches made by the Bloc Québécois' leader, the parliamentary leader, various critics and the work done by party staff—we put forward some worthwhile and quality amendments—the government had no choice but to say “This makes sense. What they are saying is important. We are on the verge of making a mistake. We must change our bill”. This is how Bill C-55 came about.

However, Bill C-55 does not get to the bottom of things. The government put back in the bill part of what the Bloc Québécois' amendment had modified, it removed what lobbyists did not want to see in Bill C-42, what was bothering or intimidating them. We are talking about those who have connections, or have access to various ministers on the government side. The government did not want to disappoint them. This part of the bill was eliminated.

The bill before the House has been improved, but I believe it is still unacceptable. Why? Because it would give extremely dangerous powers to a single minister who, since he may act in a moment of panic or exercise responsibilities without consulting cabinet, might make an unfortunate decision.

Of course, if it were Friday, the Prime Minister would defend his national defence minister, as he did for the public works minister. On Friday, he defended the minister. What happened on Saturday? On Sunday we learned that the two same ministers were gone. Yet, on Friday, they were considered to be good ministers. They had done what they had to. The decision they had made was important. On Friday, everything was fine.

An hon. member: That was last Friday.

Mr. Gérard Asselin: That was not long ago. I will point out, for the benefit of our viewers, that this was last Friday.

• (1100)

Last Saturday, the Prime Minister learned that it was no longer the case, that things had changed. Even the minister misled the Prime Minister. There were elements which he did not consider important but which actually were important under the code of ethics for ministers. He should have informed the Prime Minister. On Sunday, the Prime Minister took his responsibilities, perhaps to sweep the scandal under the rug.

Who got the axe? The Minister of National Defence did. He made an error of judgment by giving a contract to his ex-girlfriend; this was unacceptable. Such a thing cannot be tolerated, because it amounts to patronage. The government is managing the taxpayers' money.

Public affairs have to be managed properly, by calling for tenders and going with the lowest satisfactory bidder. This is complying with the requirement for transparency. The fact that bidders are party members, former or future contributors to the party or are close to the organization is irrelevant. Such things should not be taken into consideration.

Government Orders

When reference is made to controlled access military zones, the Summit of the Americas, held in Quebec City, comes to mind. The Government of Quebec, the Quebec government machinery, was very close to the site. Hon. members will recall the demonstrations that took place during that summit.

Why? Because the public has become more aware of globalization, and wants to know what is going on at such summits, to know what will be discussed, how it will affect them, and what will happen as a result. The texts were not made available, which created frustration. I supported their actions resulting from those concerns about decisions often taken by only one person.

If at some point a controlled access military zone were to be declared, emergency measures could also be declared and any citizen found in that zone could be arrested. This would be the case even if that person's home, workplace, school, or other place he or she generally went to happened to fall within this zone.

For a certain length of time—reduced from the original 90 days to 45—they could arrest and imprison young people, women, men, seniors, anyone who happened to find himself or herself in the wrong place, because the federal government, the defence minister, had decided that, in connection with a given event, a given area would become a controlled access military zone. The minister can determine that this zone will cover x square kilometres around the site in question.

Had this been the case during the Summit of the Americas, it might have had the effect of immobilizing the population of Quebec City. This is why we in the Bloc Québécois deems it unacceptable.

Then there are the interim orders. The minister may decide—a little correction has been made, changing the 90 days to 45—their initial duration. Then they need to be confirmed by the governor in council.

The other thing, which we see as minimal, is that these interim orders must then be tabled in both houses of parliament within 15 sitting days following the decision.

• (1105)

Should the Minister of Health decide tomorrow morning, as my colleague from Argenteuil—Papineau—Mirabel has pointed out, that everyone needs to be immunized because of some bacteria or other substance, what would happen? What if the Red Cross or Héma-Québec had a blood shortage and the decision was made to require everyone to donate blood to replenish the supply?

In closing, I would like to point out that I come from a region that is far away from the federal government. My riding of Charlevoix is on the north shore. Bill C-55's \$24 air travel surtax is unacceptable. It is harmful to the people in the regions, it is harmful to the carriers, and it should be taken out of the bill.

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Madam Speaker, this is the second time I speak to Bill C-55 and every time I take the floor I try to bring a feminist dimension to the debate. I believe it is important to do, so because women make up 52% of the Canadian population. They have the right to express their opinions on such an important bill, which will regulate some of their actions in months and years ahead.

This morning, I will base my comments on what women told us following the events of September 2001. They came to meet us in last October or November to oppose unilateral decisions that would impact on the safety of their families and children.

I believe women are not against an act designed to maintain public safety. Women in Canada and in Quebec, however, have concerns about the safety of their children and their families and really want this bill to be debated in a spirit of transparency. Women do want their children and families to be safe, but under fair and sound measures.

Women have problems with some of the provisions of the bill. They believe three elements will create a very significant problem. The first element deals with unlimited powers that one or more ministers may have in the areas of health, emergency measures or transportation.

In terms of health, allow me to consult the notes I took following this meeting. Part 5 of the bill, which amends the Department of Health Act, empowers the minister to make an interim order if he believes that immediate action is required to deal with a significant risk to health or safety. I believe that the provisions about dealing with a significant risk are those women are suspicious of. It will come back to this later.

As regards emergency measures, what is urgent? At the moment, women have needs. They have become the backbone of health care across Canada through their personal involvement. They play the same role in education. Is this not urgent? What is urgent for one is not necessarily urgent for another.

With regard to transportation, the element that raises a problem is safety. We know that air carriers will have an obligation to provide information. I am thinking about an abused woman who is hiding, about a woman who needs to leave the country in order to get information. If she is tracked down and found, this does not really ensure her safety.

The second element has to do with controlled access military zones. I will also come back to them.

The third element deals with personal information. We now know that the privacy commissioner has said that there would no longer be personal information because we will be forced to provide it to an agency under a minister or an senior official.

With regard to the first element, the unlimited power to make interim orders, women in Quebec and Canada remember how the then Minister of National Defence behaved in December, I believe in the case of prisoners taken in Afghanistan and brought to Guantanamo base. Women remember the defence minister's lack of judgment; he hid these operations from parliament and Canadians. We also think of Big Brother.

Government Orders

•(1110)

Women's confidence in the Government of Canada is very limited, in view of some of its actions. Women want to know how far ministers who have to make decisions under Bill C-55 will go. They do not trust the government. They wonder how much logic and transparency these men, who govern, who make decisions, will demonstrate. Indeed, we know that there are not many women in the decision making circles. Will women's views be taken into consideration?

Women also wonder about the credibility of both the Canadian Security Information Service and officers. It is mentioned in Bill C-55 that officers may take decisions. Women are concerned by this. As for the controlled access military zones, once again, women's quality of life would be affected.

I also want to stress that the women of Quebec, and I am one of them, remember the October crisis in 1970. I experienced that crisis personally. At the time, I lived in a Montreal neighborhood where there was an army presence. The psychological impact of that was terrible. I remember the events as if they had happened yesterday. I remember the atmosphere of war and some images are stuck in my mind. I was in what could be called a controlled access military zone at the time. In my neighbourhood, there was a curfew and we were watched. I was a young girl and I could not even go out as I pleased. This marked me.

Just like me, the women of Quebec remember that. They are not convinced that controlled access military zones will not reproduce what they experienced in those days.

Furthermore, getting back to women's demands, and I want to stress this, we see that the women of Quebec, just like the women all over Canada, have taken part in marches. The first one was not promoted as widely; it was called the bread and roses march, and was held in 1995. Women took part to say "We experience poverty every day; we are often victims of violence. We need a more equitable and fair system. We need measures for our children and our families. We need the government to pay better attention to our concerns".

In 1995, they marched. In 2000, they marched again and they went and got support from around the world. It was another step. They came here to tell us that the situation could not go on. There is still a great deal of poverty in Canada, where there are 1.3 million poor children. There is still a great deal of poverty among single parent families with low incomes. The federal government has withdrawn from social housing. There is also a great deal of violence that does not get much attention.

I think that women have had enough. They have marched twice, but they will not march three times. When women see the federal government with a \$60 billion surplus while they are the ones struggling to maintain health care, education and social services, as I was saying earlier, they could possibly march a third time, but this time it will be with a lot more clout.

They could possibly go further in their actions. What guarantee do they have that, in a context of transparency, justice, equity and freedom, they will be able to make their grievances known? When they marched at the people's summit, if I understand the current bill

correctly, they would have been in a controlled access military zone and they would not have been allowed to express their views.

Women are so sick and tired of the situation, they are so exasperated that they will have to go further. And when they do decide to go further, will they be told that they are not allowed to do so for public safety reasons? Will controlled access military zones be created to prevent them from expressing their views?

Im closing, I will just say this. How does the Public Safety Act, 2002 make women feel safer?

•(1115)

[*English*]

Right Hon. Joe Clark (Calgary Centre, PC): Madam Speaker, I had an opportunity to speak earlier on this bill and I intend to again because it constitutes a very fundamental and important threat to the freedom and civil liberties of Canadians. I also believe that it is a bill that is absolutely unnecessary. All the powers the government needs already exist in the Emergencies Act, as my colleague just indicated. That Emergencies Act was brought in more than a decade ago to replace the War Measures Act which was used with such terrible imprecision by the Trudeau government, the Liberal government of the day, to throw Canadians into jail without charge in a shocking chapter of our Canadian history.

What did the Parliament of Canada do about that? For years we were concerned that powers of that kind not be invested again in a national government. The Liberal Party frequently offered and promised, as it promised for example to bring in an ethics commissioner, that it would change the War Measures Act, but it did not change it. It took another government, one in which I was honoured to serve, to introduce changes that got rid of the War Measures Act and brought in the Emergencies Act in its place. It gave the Government of Canada the same powers that it needed to act in an emergency but also built in for the first time the capacity of parliament to review, revoke and control any government actions taken under the War Measures Act.

What does this bill do? It retains the power for the government but takes away the power of control by this parliament.

This is not about terror. This is about accumulating more power for a Government of Canada that already has too much power. Day after day in the House the government has demonstrated that it is far too open to abusing its power. This bill would be bad at any time, but particularly now when we have a serial situation of minister after minister, on relatively minor matters, breaking the trust of the House and abusing their powers.

Imagine, if the Liberals abuse that kind of power with regard to advertising contracts, how threatening it would be to Canadian citizens if a government, whose tradition has already been to invoke the War Measures Act, had the power to abuse the fundamental rights and liberties of individual citizens without any kind of recourse or control by parliament.

Government Orders

It is a very dangerous piece of legislation. I am pleased to see that some members of the government party are standing up and taking exception to individual portions of the bill. Certainly we in our party, and I am pleased to see other parties in the opposition as well, will do what we can to draw attention to the very dangerous aspects of this bill.

Among other things, Bill C-55 will allow the Minister of National Defence to act solely on the recommendation of his chief of defence staff, to designate what are called controlled access military zones. This means any property in Canada, private or public, can be designated a military zone if there is a piece of property or a person which the government believes needs to be protected.

The language of the bill is imprecise. In effect, what it says is that if the government moves any military equipment any place in Canada, the bill would allow it to designate the air above, the ground below and the territory around, wherever that military instrument is put, as a military zone. What instrument might it be? It could be a staff car, a tank, an army boot or anything that under a reasonable definition of the law constitutes something that belongs to the Department of National Defence.

If that is the case and that staff car suddenly shows up in Kananaskis or suddenly shows up on the front lawn of the national assembly of the province of Quebec, or the front lawn of Queen's Park, or the front lawn of the legislative assembly of Alberta, by this law the federal government would have the right to declare the air above, the ground below and the area around that military item to be a military zone where federal martial law could apply. That is a frightening provision. It may or may not be the intent of the government, but that is clearly what this law says.

• (1120)

[*Translation*]

Section 74 of Bill C-55 amends the National Defence Act to add the definition of a controlled access military zone. The minister may now designate any property that is provided for Canadian Forces or the department and is situated outside a defence establishment—clearly civilian territory.

The new section defines a controlled access military zone as, and I quote subsection 260.1(3):

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.

In effect, the minister would be able to designate a tank, a car, a ship or an army boot as a controlled access military zone.

All area around it, above or below is now subject to control by the military. The dimensions of the zone are not defined. The bill only states, and I am quoting from subsection (4), not greater

than is reasonably necessary to ensure the safety and security of any person, thing or property.

Note that it says reasonably necessary. Who is the judge of what is reasonably necessary? This is left entirely to the discretion of the Minister of National Defence.

An hon. member: One minister.

Right Hon. Joe Clark: One minister.

What this means is drive-by martial law. The zone can be established wherever the minister parks a military vehicle. Anyone can be forcibly removed from a military zone. The penalty for contravening a controlled access military zone is a fine or a year in prison.

The minister's designation is not subject to the Statutory Instruments Act. The minister will not have to ensure that the designation is authorized by other statutes, and that it does not breach the Canadian Charter of Rights and Freedoms. It is an extraordinary power, an unlimited power, which the government wants to give the Minister of National Defence. It is a power which could establish martial law anywhere in Canada.

As I have said, this could be in the National Assembly of Quebec, or on the grounds of Alberta's legislative assembly. It could be anywhere at all. This power is in the hands of this government and it will not be subject to the limits set out in the legislation governing the government's activities in other cases.

• (1125)

[*English*]

I raised these matters, not only in the House, but also in a letter some days ago to the Prime Minister. On May 21, I received a letter from the Prime Minister telling me not to worry, to be happy, that there was no problem. Does the House actually believe that a government that would send Alfonso Gagliano to Denmark would abuse its authority over military power? That is the essence of the letter.

Let me quote two or three portions of the letter. He addresses my argument that we do not need this law because we already have the Emergencies Act. The Prime Minister, in his letter dated May 21, said: "The Emergencies Act is a means of last resort".

Does that not put into a very interesting context the frequency with which the government intends to use the power it would have under Bill C-55? He said the government would use the Emergencies Act as a last resort, and that is not enough. Therefore the government is asking for a power where parliament has no control. It is a power it would use as a first resort, not a last resort, but whenever the mood struck it. It would use this terribly abusive instrument to establish marshal law wherever the Minister of National Defence chose to establish it, or to abuse the other provisions in the bill, without any consultation with his colleagues .

In my time here I cannot remember a more dangerous piece of legislation than the one before us. Everyone who was shocked by the throwing into jail without charge of Canadian citizens under the War Measures Act must remember that this bill would take the Liberal government of the member from Saint-Maurice back exactly to the point and to the power exercised and abused by the government of the late Mr. Trudeau. Mr. Trudeau had the War Measures Act. The present Prime Minister wants it back. The difference was that after the Emergencies Act we in parliament had control to protect the citizens of Canada. This bill takes away that control of parliament. It is a bad and dangerous bill.

Government Orders

[*Translation*]

Mr. Pierre Brien (Témiscamingue, BQ): Madam Speaker, I listened to the previous speeches in this debate and I found them interesting.

We must stop and think about what we are about to do here in parliament. I invite members across the way, who are rather silent, to say their piece. I question their ability to defend the merits of this bill, since very few of them are taking the floor these days.

We are reviewing a bill through which parliament, the elected representatives in this House, will put in the hands of one single individual extraordinary powers of nearly unprecedented scope.

Yes, I heard the last comments and, without getting into this debate, I would say that the trauma caused by the War Measures Act and the abuses it brought is still felt in Quebec.

The bill would give a single individual considerable powers, such as the power to designate controlled access military zones, with all the risks this involves for the rights of people in such zones, not to mention the abuses that could occur with regard to the choice and the size of a zone, and the reasons for doing so.

In passing Bill C-55, parliament would give up its responsibility to have a say in such a situation, by giving a lot of power to a single individual who would not be required to follow the usual legislative process. Again, that person would not be subject to the usual requirements when taking such extraordinary measures, whether or not they are extraordinary.

This is a concern. We have a new defence minister, but a few weeks ago we had a really worrying situation when the military chain of command failed to inform the Prime Minister that Canada was taking prisoners; supposedly it was an error in judgment on the part of the defence minister.

This was the government's defence. This person made a serious error in judgment, because the whole Canadian position in an extremely important debate in the international arena, namely the debate on the status of prisoners, was affected as a result. Even though this person was removed, this could very well have been the same one; anyhow—

An hon. member: It is not any better.

Mr. Pierre Brien: No, I do not think it is necessarily for the best. Such extraordinary powers could be given to such an individual. This is of enormous concern to me.

True enough, this is the aftermath of the September 11 events, but I would like somebody to explain to me in a very practical way how the actions taken would have been different if Bill C-55 had been passed. What difference would it have made? Now, they want to give the impression that the government is getting more powers to act. That is a way to avoid all discussion or debate on whether the existing powers have been properly used.

The same thing happened in the United States. We have seen that especially in the last few weeks, when we have learned that there had been serious warnings some time before the events about impending threats.

It is not always the theoretical powers that count when events such as those of September 11 happen, but the ability to use the existing powers. There is already an impressive array of powers to ensure control and security.

Unforeseen disasters can always happen, of course. Concerning this, we should be careful here, because the government will boast that it has passed legislation. This is not the first time it introduces a security bill since September 11. There was another one in the last session. That bill, Bill C-42, was even worse. But many unacceptable elements still remain.

We are now in a situation where, at the end of this session, in June, just before we leave for the summer, the government would like to pass this bill at second reading, send it to committee and, I am sure, ram it through, in the hope to pass it before the summer.

I am quite worried, because they are using the same tactics they used at first with Bill C-42: they want it deal with fairly quickly, arguing that it is not all that bad, that in fact everything is fine, that these powers are necessary. Face with fierce opposition from the Bloc Québécois, other parties and the general public, the government relented and admitted that, in some instances, it went too far.

Yet, it is the same government that said, when it introduced Bill C-42, “No, no, everything is fine. Do not worry”.

• (1130)

It is very dangerous to improvise in this type of situation and to go too fast. Governments often take advantage of situations. We saw it after September 11. It is not unique to this country; other countries have done so, and Canada is going down the same path of taking advantage of situations. When people have safety concerns, the government increases its powers under the guise of improving safety. This is happening once again. In this case, the power is in the hands of a member of the executive and not necessarily in the hands of parliament. This tendency is quite common. It is political opportunism for the government to increase its powers in such a way.

I hope the House will exercise caution with regard to this bill. It will take time. Realistically, I do not think that we will succeed in convincing the Liberals at the second reading stage. We have reached the point where we are discussing an amendment. Where should that debate take place? Before which committee of the House?

When the time comes to consider this bill in greater detail, the committee will have to take its time. Several people have already sounded the alarm. They told us, “Wait a minute, this goes much too far. The government is taking advantage of a particular context”.

As we distance ourselves from September 11, and emotion has already diminished, the basis for decisions will be much sounder; they will not be improvised, taken in a panic or tainted by the opportunism of those who wield power and want more of it.

Government Orders

We need to be cautious. As I said earlier, I have a lot of difficulty with hasty decisions. So much the better if the government is sent back to the drawing board now. I would like the Liberals to say "Wait a minute, this is going much too far", and come back to a more modest and realistic approach to improving security. Again, there should be very concrete examples of what was not done and should have been. From a legislative point of view, I would like to know what tools were not used that would have been necessary in practical terms. I do not want to hear general statements about stricter legislation being required.

Legislation is one thing, but the means to implement it are something else. How can we ensure that our security is protected? At the same time, let us not delude ourselves: this is a huge territory. However great the means available, they remain modest. While not the primary target of terrorist acts, we are not totally without protection either.

In discussions and in the media, we hear that individuals use our territory to serve in organizations having international links with terrorism. This is the most worrisome aspect, and something we have been suspecting for a while. Of course, we must continue to deal with the issue. Secret services and information services have a key role to play in this regard, but we must be aware that those powers should not be used in an abusive way or in all kinds of internal situations having nothing to do with the fight against terrorism. We must target our action carefully. These are normal and legitimate concerns.

It is not because we oppose this bill that we believe nothing should be done, but on the other hand the government does not need disproportionate powers. And in this case, it is not the government, but a single minister. I have a great deal of difficulty with that. All the powers are given to the minister of defence. This is a huge concern. I hope we will hear from the hon. members on this.

The hon. member for Mount Royal said publicly that he disagreed. When he votes, I hope that he will act according to what he said in the past, when he stated that this was unacceptable. I wish that other colleagues of his will do the same. The best way for them to be heard is also to send a message to their government. We are not asking them to defeat the government, just to send it a message saying that what is happening in this bill is nonsense, and the government will do its homework.

At worst, if ever the bill gets to committee, let us hope that it will not be rammed through, in keeping with the government strategy whereby it tries to pass the bill in a hurry before the summer recess, only to ease its conscience, saying it has done something for security. In real life, it is not so. The government will have given itself major powers that might lead to serious abuse.

• (1135)

Several people have already sounded the alarm. I will conclude by saying that I hope to hear the Liberal members, not just here and there in the hallways, but by exercising later the real power they have to stand up and vote.

[*English*]

Mr. R. John Efford (Bonavista—Trinity—Conception, Lib.): Madam Speaker, I have only been in the House a few days. This is

actually my second week. I have taken great interest in the debate by sitting in my seat and listening to speakers from both sides of the House. I am trying to understand the procedures of the House. I said I would wait and take some time before I rose for debate. I have been listening with great intent to the opposition on the public safety act.

I remember back to September 11 when I was in my hometown of Port de Grave, Newfoundland. I was in my pleasure boat coming into the harbour when I heard the tragic news. I have no doubt that September 11 struck with great impact on every single individual who heard about the tragedy of that particular day in Canada and around the world.

One of the first questions that came to my mind on that particular day was: How well equipped are we in Canada to deal with a situation like that? We live in the greatest part of the whole world in the greatest country, Canada. Every individual in this nation can take pride in saying that. However we must also be aware that we must have confidence in our armed forces and in our government so that Canada could and would be protected from such a tragedy.

I have listened to members of the opposition. The second last speaker from Calgary West mentioned things that happened and made accusations in the House over the last couple of days. I heard no reference at all to Mr. Gagliano. I heard no reference at all to false accusations made by the opposition this week on what the public safety act is all about. I see no room for discussion when statements are sensationalized.

We are talking about the future safety of Canada. The safety of the people in Canada is at risk. That is what we are talking about. The purpose of introducing this piece of legislation would give all Canadians confidence as to where we stand in the future, just in case the worst possible tragedy might happen. We hope and pray that September 11 will never be repeated again in any part of the world. We only hope and pray that terrorists will never strike in that way again, but we can never be sure.

We must be prepared. We must have confidence. We must give the leaders of our armed forces the reason and the ability to put forth confidence in the people and security measures so we can rest at ease. Whether one lives in western or eastern Canada, there is no difference. I do not understand how the opposition or anyone could oppose a piece of legislation, a bill that is before the House of Commons of this great nation, that would give us security and confidence.

One of the things the bill talks about is controlled military zones. If it were necessary to add a controlled military zone that would give us the security that we need, why not? The member for Calgary West talked about the land below and the air above, as well as a reference to a lawn or a staff car or some piece of equipment sitting there, and how that would automatically become a controlled military zone. If that is not sensationalism I would like to know what is. That is taking it to its worst extreme.

Government Orders

The opposition says it has no more confidence in our armed forces, in our ministers, and in the leaders of our government. Regardless of one's political stripe, if the ministers in the government, including the Minister of National Defence in charge of the armed forces, make a decision, will we say that the only place to have a controlled military zone is on someone's front lawn? I could not believe it.

I have been in government since 1985. I have been involved in many debates on both sides of the House. I was in the opposition from 1985 to 1989. It is the role of the opposition to question a piece of legislation. I will never argue with that. However if the opposition is going to stand in the House of Commons, as we are here today and will be for some time in the future, it should at least be constructive. It should at least show the people of Canada that it means what it is saying and not just stating the extreme.

● (1140)

We do not know what will happen tomorrow or next year. We do know one thing, we have an armed forces in this country that we are very proud of.

Do we make mistakes? From all the history I have read and all the discussions I have had I know that human beings make mistakes. Only those people that sit idly by and do not do anything do not make mistakes.

If we make a mistake, as was referenced by the opposition over the last number of days about things that were done in the past, we will learn from those mistakes. That is the reason why the bill is before the House, to ensure that mistakes are not repeated in the future.

We must place confidence in our government. We must place confidence in the leaders of our armed forces, whether it is the army, navy or air force. We must also give them the room to make decisions.

If we go back to the second world war, are we saying that every time the leaders of any nation or country had to make a decision that was critical of time and place they had to go back to their house of parliament to consult with the people to make a decision? How foolish can that be? Are we saying to the people of this country that the head of our armed forces is going to say that their front lawn could be a controlled military zone or that a staff car driven up the road and stopping in a certain position could be a controlled military zone? That is not bringing the right information to the people. As parliamentarians, regardless of where a member sits, we all have a responsibility to bring out the correct information to the people of this country.

Is it any wonder why the general public does not have confidence in our elected representatives. We all sit here day after day and listen to members of the opposition make such false statements and give out misleading information on many issues.

I have only been sitting here a few short days. I cannot believe the type of tripe that is coming out from that side of the House. Two days ago the Alliance leader made a statement about Atlantic Canadians. He said that Atlantic Canadians are a defeatist people. I can tell this House that we are proud in Atlantic Canada. We are proud of this country from east to west and north to south. We are

proud of our armed forces and leaders. We are proud of everything that is going on and we will not take a second seat to anybody.

I will tell the House that I will stand on my feet and support the minister of defence any time he brings a piece of legislation before this House that will give me confidence in the future. We must have a good protection system in place just in case a tragedy ever happens. It may be never and we hope never.

I am so fortunate that I live on the east coast. I have a small grandchild. I am glad he will live in a safe and secure country when he grows up. That is what this is all about.

This is not partisan politics. This is not one group against the other. This is for the future of our country and for the protection of our children. This is for the right of someone to make a decision.

We would criticize the minister of defence if he did not bring this type of legislation into the House. The opposition would be first to criticize him for not doing so. When he does bring the legislation into the House he is criticized for doing so. The opposition should make up its mind. Either the opposition wants Canada protected in the future or it does not. I for one want Canada protected.

I want the leaders of our government, our defence and our military to be able to make a decision. I do not want them to have to come back to the House for public consultation to determine whether we can do this or not when it is a critical time to make a decision. No. Confidence in leadership and in our armed forces is what we want. This particular piece of legislation would give me and the government the confidence that we need.

● (1145)

Mr. David Chatters: Madam Speaker, I rise on a point of order. I did not wish to interrupt the speaker in full flight. I would like the record to show that the member he was referring to was not from Calgary West but from Calgary Centre.

Mr. R. John Efford: I do apologize, Madam Speaker. I just do not have familiarity with all of the members. I have only been here a few short days. Whether it is east or west, it is Calgary. I do apologize. I will get it right the next time.

The Acting Speaker (Ms. Bakopanos): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Ms. Bakopanos): The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Ms. Bakopanos): All those in favour of the amendment will please say yea.

Some hon. members: Yea.

The Acting Speaker (Ms. Bakopanos): All those opposed will please say nay.

Some hon. members: Nay.

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The Acting Speaker (Ms. Bakopanos): In my opinion the nays have it.

Some hon. members: On division.

The Acting Speaker (Ms. Bakopanos): I declare the amendment lost.

(Amendment negatived)

• (1150)

Ms. Libby Davies (Vancouver East, NDP): Madam Speaker, I understand that we are now debating the main motion. I listened with great interest to our colleague who was just recently elected to the House of Commons, the member for Bonavista—Trinity—Conception, and actually could not believe my ears in terms of what he was prepared to do to give his government so much licence with the bill. I listened to him today and heard him say that we have to place confidence in our government, we have to give the government the room to make decisions. He talked about World War II and used that as an example.

I have to say for those of us in the federal NDP that we are actually appalled at the scope and the dangers that are inherent in the bill. From the very first day that it was introduced, formerly as Bill C-42, now as Bill C-55, we have spoken out against the principle and the substance of the bill. How much room does the member want the government to have? It would have so much power under the bill. The power that would be conferred upon the minister and the cabinet is so enormous, and I think many members of opposition parties and organizations that are monitoring the bill have pointed out that many of our civil liberties would be at risk.

I would really beg to differ from the comments that the hon. member made. This is not about having trust and confidence in our government. This is about having an intelligent debate, looking at a very significant piece of legislation and determining the proper balance that is required to provide security but not infringe upon the democratic and civil rights of all Canadians.

I do not know whether the member has fully studied the bill, has followed the debate prior to getting here or has read some of the commentary and the analysis, but I can only say that having read the analysis and looked at the bill, one cannot come to any conclusion but to state that the bill is fundamentally wrong. To somehow equate the situation to what took place during World War II and the emergency measures and powers that required is a false premise. In fact, other members of the House have talked about the emergency War Measures Act that was enacted 30 years ago. I guess one of the really scary things is that even in that time, when the emergency War Measures Act was brought forward by the Right Hon. Mr. Trudeau, prime minister at the time, it was very controversial, but even that was a time limited thing. It was something that was not enshrined in legislation forever in a permanent way.

I was a young person attending university at the time the War Measures Act was brought in and I felt appalled that our Canadian government would go to that length and basically violate the civil liberties of people in Quebec under the guise that these full powers had to be put forward. However, I have to say that in looking at Bill C-55 we are now facing a much more serious situation in terms of the impact of this legislation and what it will do.

I wanted to begin by responding to the comments made by the new member for Bonavista—Trinity—Conception. I certainly welcome him to the House. However, the idea of giving the government carte blanche, of just sort of turning over all and every power to a minister or a cabinet under the name of security is something that I find very offensive and deeply disturbing. I, as one member of parliament, and all of us in the federal NDP caucus will do and say everything we can to make sure that the bill does not go through.

• (1155)

We are now back to debating the main motion and reviewing the provisions of the bill before us. I do not think that Canadians really have an idea of the far ranging scope of the bill and how many other pieces of legislation it impacts on. For example, the bill before us would amend the biological and toxin weapons convention. It would amend the Aeronautics Act. It would amend the Canadian Air Transport Security Authority Act. It would amend: the Canadian Environmental Protection Act; the criminal code; the Department of Health Act; the Organization of American States inter-American convention against the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials; the Export and Import Permits Act; the Food and Drugs Act; the Hazardous Products Act; the Marine Transportation Security Act; the National Defence Act; the National Energy Board Act; the Navigable Waters Protection Act; the Office of the Superintendent of Financial Institutions Act; the Pest Control Products Act; the Proceeds of Crime (Money Laundering) and Terrorist Financing Act; the Quarantine Act; the Radiation Emitting Devices Act; the Canada Shipping Act and the Canada Shipping Act, 2001; and it would enact the biological and toxin weapons convention implementation act.

That is an incredible scope. I think we can begin to see just how far-reaching the impact of Bill C-55, if it were enacted, would be on all kinds of other pieces of legislation that have been debated in this House. We in the federal NDP feel very concerned about the fact that the federal government is now trying to rush through this legislation. The first piece of legislation that came forward, Bill C-42, drew enormous public opposition from individuals, organizations and the media. Clearly the government had to respond to that opposition and withdraw the bill. It has now come back to the House with Bill C-55.

Although there are some changes in the bill, upon examining it the reality is that the fundamental premise of the bill, the conferring of enormous power to a minister and a cabinet away from parliament and away from public oversight, is still contained in this new version. For that reason we in the NDP continue to oppose the bill.

My colleague from Dartmouth, in speaking to the amendment, mentioned her concerns regarding what would happen at the upcoming G-8 summit in Kananaskis. She spoke about her concerns regarding what would happen to young people, seniors and members of the labour movement who are planning to gather to voice their legitimate right to dissent around what is going to take place at the G-8 summit. I certainly concur with her concerns. One has to question the bill and be suspicious as to whether or not the government's intent is to use its provisions to shut down legitimate protest and shut down the voice of dissent.

Government Orders

I, along with my colleagues in the federal NDP and activists from across the country, participated in the demonstrations and the protest that took place in Quebec City last April on the free trade agreement of the Americas. We saw the kind of police brutality and violence that took place in responding to legitimate demonstrations. I find it very scary that this legislation will legitimize and increase the powers of law enforcement agencies as well as government to stifle protests and to stifle dissent.

I am sure there are members of the Liberal backbench who privately share many of our concerns but are being whipped into place to get this legislation through the House. I sure wish some of those members would speak out, not only within their own caucus but publicly as well, because what we are about to do today is something that will set into motion a piece of legislation that will be here for the long term, for the foreseeable future.

I am proud to rise in the House to speak against this legislation and to encourage other members to do so as well. This is a bad piece of legislation. It goes too far. It tramples on the civil rights of Canadians and should not be supported.

• (1200)

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Madam Speaker, I am pleased to rise again to speak to Bill C-55. It is important that the people from Quebec and Canada who are listening understand in what terrible context this bill is being submitted to the House.

If I may say so, if we could have chosen the timing for the introduction of Bill C-55, it would certainly not have been at a time when the Liberal government and its ministers are up to their ears in scandal. Why? Because never in Canadian history has a bill ever given so much power to individuals in a ministerial position. The defence minister is not alone. The bill also gives powers to the ministers of health, transport, immigration, the environment, and a score of ministers who, under Bill C-55, will be given exceptional powers that will not be subject to the approval of this House. That is the most terrible aspect of Bill C-55, and that was the most terrible aspect of Bill C-42.

Why has the Bloc Québécois done such good work? Because we had just one question to ask, one thing to say to the government and all its ministers, and that was “What were you unable to do on September 11 that bills like C-42 and C-55 would have allowed you to do? When you can give us an answer, we will talk”.

That is why Bill C-42 is no longer on the order. Bill C-44 was introduced because an important measure had to be implemented following September 11, so that the government could provide personal information to the Americans, based on their own formula, in order for airplanes to be allowed to fly over the United States. That was the only measure the government needed. We approved that bill in the House so that our airline companies could resume their operations.

Now we have Bill C-55. Bill C-42 had 98 pages from which they removed the part dealing with personal information to be supplied to the U.S. as I just explained. Believe it or not, this new Bill C-55 has 102 pages. It is a bigger bill, one which still gives exceptional

powers to ordinary individuals and ordinary ministers who, on their own initiative, can designate military zones. For his part, the health minister could make an interim order and make vaccination mandatory. The Canadian Charter of Rights and Freedoms would not apply to all this.

Orders in council and interim orders, which would have the force of regulations, and which the ministers I listed a moment ago would have the power to make, would be beyond the control of this House and beyond the control of the regulatory process, which requires that regulations be reviewed by the Privy Council to ensure they are consistent with the charter of rights and freedoms.

For 15 days and up to 45 days, the decisions of a single individual, of a single minister, could affect the whole population of a whole territory, and the House would not be allowed to look at them. Worse still, within controlled access military zones, people would not be able to call for the protection of the courts or their lawyers. The would lose their rights, especially the right to sue the government.

Of course, this is what we are opposing and what other opposition parties are opposing. The government is trampling on rights, on the authority of a single person.

To stress that the current debate is not about party politics, but is a societal debate, especially on Bill C-55, I will read quotes from various sources including newspaper articles. I will give the dates. On May 2, 2002, an article in the newspaper *La Presse* read as follows “The privacy commissioner condemns Bill C-55. Some measures are directly inspired by totalitarian states, he warned”.

• (1205)

That was in the daily *La Presse*, but this statement was also made in most newspapers in Canada.

It is following these discussions that the Prime Minister of Canada, who even refused to answer our questions on Bill C-55 in the House, went so far as to say, outside the House, “There are days when I am a democrat and then there are days when I am a dictator”. This came following discussions on Bill C-55, when journalists were asking him “Can you explain to us the content of Bill C-55?”

The problem for Liberal members in this House is that they have not read Bill C-55 and, more importantly, they do not understand its nature. Moreover, the leader of the government, the Prime Minister himself said, of course, “Wait, we will discuss it in committee”. This is what the Liberal government spokesperson said.

On May 19, 2002, the headline in the daily *Le Soleil* read “Anti-Terrorism, Half Truth and Misleading Statement: Privacy Commissioner accuses Solicitor General of using September 11 Attacks to give Police Undue Extra Powers”.

We are talking here about the solicitor general, who is at the centre of the scandal condemned by several opposition parties in the House and who, of course, was defending Bill C-55, which deals with powers that will be given to him and to other ministers. Again, the privacy commissioner was calling the solicitor general to order.

Government Orders

On May 29, 2002, *Le Devoir* wrote "September 11 has hurt human rights. Amnesty International has taken stock. Canada has followed the world tendency by adopting anti-terrorism legislation, and by attacking fundamental rights, privacy rights".

Today, Michel C. Auger, who is a highly respected journalist, writes in the *Journal de Montréal* that "All over the world, the law of terror, national security and anti-terrorism are becoming the best excuses to violate fundamental rights. The fight against terrorism has become a pretext for all sorts of abuse". And he talks about Canada and says "Today again, parliamentarians are discussing".

This is in today's edition of the *Journal de Montréal*. It says "Today again, parliamentarians are discussing another bill, namely Bill C-55, which gives the government and security forces all sorts of new powers that would have been unacceptable to the public just a few months ago".

This is what we are talking about. In this regard, it is difficult to have to speak in the House and, particularly to get through to Quebec Liberal members, who hardly spoke on this. Of course, the majority of other Liberal members and, particularly the ministers affected by Bill C-55, toe the party line.

We heard earlier a Liberal member say "I trust the minister of defence". It is not even the same person; a new one has been in office since the shuffle a few days ago. Last weekend, he surely saw that the former defence minister, who had been in office for several years, disappeared among the scandals. Of course, we have now a new defence minister, a banker.

I have a great deal of respect for bankers, but what have bankers been doing in the last 10 years in Canada? They have been digging into our pockets to show profits to their shareholders every quarter. This is what they have been doing. They have been raising fees, monthly charges, for all the small users of banking services, and they have paid less interest to seniors on their investments. This is what bankers are doing today: they take away from the poor to make their shareholders rich.

We now have a banker as minister of defence. We are going trust this new minister of defence and give him the power to designate controlled access military zones that extend beyond military property.

The Bloc Québécois recognizes that the government and the Canadian Forces must defend their facilities; this is true. However, we have a problem with Bill C-55 allowing the government to go beyond its territory to protect, as they say or as they try to say, personnel and property that could be located outside defence establishments.

Controlled access military zones will be created, and the new minister of defence, a former banker, will make this decision alone without consulting anyone, especially not the provincial governments and those responsible for safety in most Canadian provinces.

That is what the Bloc Québécois opposes and what all Canadians, particularly Quebecers, are concerned about.

With all the scandals involving various ministers, why is the government so intent on conferring upon individual ministers the

power to make decisions that, in an emergency, will no longer be submitted to this House or to provincial authorities?

• (1210)

[English]

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, I am pleased to be able to take part in the debate. I think it is my third time.

Now I have had a chance to examine Bill C-55 very carefully, line by line with Bill C-42 its predecessor, which the government withdrew to try to do a better job of it. I think the happy news is that Bill C-55 is much improved over its predecessor. I think the legislation is better written. I think, on the limitations on interference of fundamental liberties, a balance has been attempted there and the government has gone a long way to achieving that balance.

This is not to say that the bill still does not have problems and I will allude to those, but I will pick up on several of the issues that opposition members and some Liberal members have expressed concerns about.

The military controlled access zones in Bill C-55 are much, much more limited than what was defined in Bill C-42. Notwithstanding what the previous speaker said, if we go to the legislation we will see that the controlled access zones specifically are limited to where the military might have to go to respond to an emergency. There are paragraphs that qualify the range of that zone. They are very explicit that these zones can only be established when there is a clear concern for security or public safety.

What we are really responding to is a situation where there is an emergency event somewhere in the country, perhaps a terrorist event, and the military has to go in there and of course establish a controlled access zone to protect the military. It is very, very different than what people say this has to do with, throwing a cordon around the Quebec national assembly. It is just not true.

Second, the improvements to getting information about passenger travel, one of the important features of this bill is it provides legislative rationale for access to the passenger manifests of people travelling on aircraft coming into Canada. Again notwithstanding the histrionics of the privacy commissioner this bill is very, very modest in setting parameters around what is required or available to police and security authorities from passengers that are travelling on aircraft coming into and going out of Canada.

Mr. Speaker, I refer you to schedule 1 in this bill which did not exist in Bill C-42. It defines very, very clearly exactly what type of information the authorities are entitled to get. In that context I would suggest that the bill does not go far enough. It merely requires when passengers are coming from overseas or wherever else into Canada that the airlines surrender the passport number, the name, address and certain ticket information and it is not consistent with technological capability, and indeed I think it creates a problem.

Government Orders

It is interesting. The president of the United States just signed into law not two weeks ago the enhanced border security and visa entry reform act. What that does for the Americans, and we need to think about this very carefully as Canadians, is it requires the American immigration authorities to move immediately to set up the ability to electronically scan travel documents for biometric information by which they mean fingerprints and faces. In other words, where the Americans are going, and it is defined in the bill, is that by the year 2004 every person entering the United States, including it would appear from my reading of that act, people crossing the border from Canada, Canadians crossing into the United States, will be required to have a document that can be machine scanned for fingerprints and photographs.

• (1215)

I do not propose that we require fingerprinting of travellers coming into Canada. I do not accept that. I think we are a long way from that, but I would suggest that it would be consistent to put in the schedule now that the authorities would be entitled to get photographic information from the airlines. In other words, I think it is very important for Canada to be up front with Canadians and people coming to Canada that the technology is going to come for photo identification and we are going to need to use it, because very clearly we have a terrorist threat out there and photo identification rather than just a passport number and address gives a greater certainty that there will not be a mistake when somebody is travelling into Canada and this information is being previewed by the security and police authorities in the ongoing search for terrorists. I think we should look at that.

Finally, my real reservation with the bill still centres on the issue of interim orders. I understand the rationale for this provision in the bill. What we found in the situation of September 11 was that ministers were suddenly faced with emergency situations where they had to make decisions which involved cordoning off areas and limiting access of people.

The difficulty is that unless we define these powers in law then in a limited emergency situation such as what happened in the United States we may have a situation where ministers are forced to go outside the law in order to authorize actions that are absolutely necessary under the limited emergency. If we have a terrorist attack for instance anywhere in Canada in a large urban centre the transportation minister, the health minister and the environment minister may have to take prompt action to respond to that kind of attack.

Right now we do not have that type of power in legislation, so the idea is fine. The problem with the idea is these powers of making an interim order in a significant risk situation. We are not talking about a national emergency. We are talking about a highly localized event that is an emergency, and that is why the member for Calgary Centre does not seem to have read the legislation. He seems to have been reading briefings on the legislation but he is not focused.

The interim orders pertain to a limited emergency in a limited circumstance, but the way it is phrased now is that when the minister issues this emergency order this order stands for 45 days before it needs cabinet confirmation. I believe that is too long a time. I do not really see why any interim order responding to a sudden emergency

requires 45 days before it gets cabinet collective approval. I would think a seven day period is certainly enough. Surely the cabinet can be brought together after a terrorist attack or similar limited emergency within seven days. To extend it to 45 days unnecessarily gives too much power to the minister, and we do not need to go that way.

Furthermore, I am concerned that the interim orders fall outside the Statutory Instruments Act, and that again is something that has been brought up by the Bloc Québécois. I think it is a very valid concern and I would urge the minister to look at that again because the minister may make a mistake, and much as sometimes I am critical about the civil service I think we need the input of the leading authorities in the Privy Council Office when this type of situation occurs, so I think that needs to be re-examined.

Finally, there is the question of parliamentary involvement and not having to table anything before parliament until 15 days after parliament is sitting. Of course, if parliament is not sitting this creates a problem of many months before parliament is consulted.

I would urge the minister to examine these latter issues very carefully. I think they are very crucial to a bill that is otherwise very well framed notwithstanding, if I may say so, some of the histrionics that have been circulating about this piece of legislation both in this Chamber and, I regret to say, by officers of parliament outside this Chamber.

• (1220)

Mr. Inky Mark (Dauphin—Swan River, Ind. Cons.): Mr. Speaker, I am pleased to take part in the debate on Bill C-55 and on the amendment.

The bill is unnecessary, as was Bill C-36. Bill C-36 was unnecessary because we already had a new version of the War Measures Act known as the Emergencies Act. That is the purpose of the Emergencies Act. There is no reason the government cannot invoke the Emergencies Act during such times.

Since being passed by both Houses, how many times has Bill C-36 been used to fight terrorism? It has not been invoked once. I voted against Bill C-36 because it is bad legislation. It jeopardizes the values of a free society under the smokescreen and rationale of security. The real way to make Canada more secure is to have good intelligence, good police forces, good immigration policy and good customs and border personnel.

Bill C-55 falls under the same category as Bill C-36. If Bill C-36 has not been invoked up to this point in time why would the House and the country need another bill called Bill C-55, a so-called second version of Bill C-36 under the guise of national security?

Like Bill C-55, the Liberal government's gun control bill, Bill C-68, was not necessary. A report by the Library of Parliament to the House committee stated that Bill C-17, the former Tory bill for gun control which was brand new at the time, had not had time to be implemented before the Liberal government started another gun control bill. The Liberal government did not listen and we ended up with the big mess we have today under Bill C-68.

Government Orders

Canada has always had gun control. Handguns have been registered since 1934. Will registering all firearms make the country safer? Of course it will not. We all know that. Let us look at the statistics. Over the last four years since Bill C-68 was implemented gun murders have doubled. An Ontario study showed that 80% to 90% of illegal handguns are Saturday night specials that come over the border from the U.S.A. Canadians who own legally registered handguns are not potential criminals. This is an illustration of how unnecessary Bill C-55 would become.

Through Bill C-68 the government has criminalized all Canadians who use firearms legally. Unfortunately, Bill C-68 has divided Canadians along urban-rural lines. As has been said many times, rural Canadians use firearms as necessary tools in their culture and environment.

Canadians support gun control but not the kind created by the Liberals to gain votes from urbanites. There has been little accountability from the Liberal government regarding gun control expenditures. Other than buying votes and creating jobs in Liberal ridings the government's expenditures of over \$700 million have done absolutely nothing for the health and safety of Canadians. I am comparing Bill C-68 to Bill C-55 because I hope doing so will foreshadow the bill's possible effects.

Cancer kills many more people annually in Canada than firearms. In 1999 there were 536 homicides of which 165 were shooting deaths. In 1997 there were 58,703 deaths due to cancer. The Liberal government has spent over \$700 million on gun control in the last eight years. How much do members think the government has committed to cancer research? Since 1992 the government has committed only \$25 million to breast cancer research. In the 54 years since 1947 only about \$700 million has gone to cancer research. Those are pretty lopsided figures.

There is something wrong with this picture. Statistics Canada tells us we are 320 more times likely to die of cancer than by being shot. Is it not ridiculous that the Liberal government has spent over 25 times more on gun control than breast cancer?

Bill C-55 would give the optics of security. However it would do nothing more than give Canadians a false sense of security. It would attack whatever was left of the freedoms of being a Canadian and living in a democracy.

• (1225)

Part 6 of Bill C-55 would impact every firearm owner in Canada. In amending the Explosives Act it would give the government the right to regulate and put an end to the making, purchasing, possession and use of all ammunition. It would take us back to a time when one had to write in a permit book how much and what kind of liquor one purchased at a vendor. Will the next step be to control the amount of bullets and empty cases one can have in one's home? Part 6 of the bill defines "inexplosive ammunition component" as:

—any cartridge case or bullet, or any projectile that is used in a firearm—

Would plumber's lead come under this class? It has the potential of being made into bullets. Perhaps lead fishing weights and jigs would qualify. How about shotgun wads, felt pads and patches? I do not imagine too many Liberals even know what a patch is.

How would part 6 of Bill C-55 protect Canadians from terrorists? Terrorists would keep bags of bullets and empty cartridge cases hidden. As far as I am concerned, poor unsuspecting law-abiding Canadians would be the victims of another Liberal bill much like Bill C-68 and Bill C-36. With laws like C-55 why would law-abiding firearms users or any other Canadian trust the Liberal government?

The biggest problem in Canada is that the Liberal government thinks it knows what is best for Canadians. However it does not listen very well. We have heard over and over again that in Canada we have government by one Liberal. It is not far from the truth. Is it surprising to see the Liberal government embroiled in corruption charges in recent weeks?

The government pays only lip service to the needs of Canadians. Let us look at our problems in softwood lumber and agriculture. Europeans receive 56 cents on the dollar in subsidies. The Americans will end up with the same. The poor Canadian farmer fighting to survive receives only nine cents on the dollar in subsidies.

Like Bill C-68 and Bill C-36, Bill C-55 is nothing more than a snow job and a power grab. Canadians need to wake up before it is too late. Canadian values are being attacked daily by the Liberal government. It is time to change the government.

Mr. R. John Efford (Bonavista—Trinity—Conception, Lib.):

Mr. Speaker, I find it necessary to stand for a few moments to speak to the bill in response to what some members of the NDP and Bloc Québécois have said this morning. I find it difficult to understand the reasoning and logic of some of the statements made in the House criticizing this piece of legislation. I will try to recapture some of the things that were said and the logic behind them.

Members keep using the word corruption in the House in reference to the lack of confidence in the new minister of defence. Before coming to the House of Commons last week I had been in the Newfoundland house of assembly since 1985. Corruption was not a word we would use. If we wanted to criticize the government we would say a minister, an MP or a government official made an error in judgment. It is wrong to use the word corruption in reference to lack of confidence in a piece of legislation that would play a major role in the future safety of Canada. The hon. NDP member, the third last member who spoke, referenced all—

Ms. Pauline Picard: Where do you come from?

Mr. R. John Efford: Why do you not—

Government Orders

• (1230)

The Deputy Speaker: Order please. The hon. member who has the floor is a recent arrival in the House. I would not want hon. colleagues to even think of taking advantage of someone who might appear to be a rookie but who is really not, having come from another legislature as have some other hon. members.

However I would remind the hon. member and other members that all interventions must be made through the Chair and not directly to one another. I think we have all been served well by that process and procedure for a long time. I will make sure as best I can that we continue that fine tradition.

Mr. R. John Efford: Mr. Speaker, coming from the honourable house of assembly of Newfoundland and Labrador gave me experience but I admit, not the experience that I will gain over the coming years in this honourable House.

Yes, like all human beings we will make mistakes but, not to be critical of the hon. member who spoke, I do take exception to what she said and I will leave it at that. The bill is too important to get sidetracked into a debate between two members on either side of the House of Commons.

The reference I wanted to make is that I am trying to understand why members are being critical of the bill. We need to listen to all speakers. This is not a bill that we should take lightly. I believe the bill will impact very positively on the safety of all Canadians.

We never know when an act of terrorism will happen. It could happen next week, next month or next year but we hope and pray it will never happen again. It could be spontaneous and it could happen anywhere in Canada, in North America or anywhere in the world for that matter. However we are talking here about Canada.

If we do not give the people in power, whoever they are, the authority to implement measures for the safety of Canadians, then who do we give it to? Who should have the authority to put measures in place to protect Canadians?

I have some difficulty understanding the criticisms being made by the opposition members about the Minister of Transport, the Minister of Health and the Minister of National Defence being given certain powers. In all the speeches I heard this morning, I only heard one member make some positive and constructive comments.

The member from the NDP went on for 10 minutes being negative on every aspect of the bill. That is fine. She has a right to her opinion. However I did not hear her say one constructive thing in those 10 minutes about the bill. That is why I have difficulty understanding exactly where the members of the NDP are coming from with their position. Are they saying that we should have no legislation whatsoever? Are they saying that we should leave Canada at the will of terrorism at any time terrorists so choose? Are they saying that we should not have any change in our ability to protect Canadians? If that is what they are saying I take great exception to their points.

As the debate goes on I am sure I will hear more and maybe I will get the opportunity to hear some constructive statements being made by members of the opposition. Probably that is more wishful thinking than reality but we will wait and see.

Whether it be any minister of any department of the government or the leaders of our armed forces, they need to have the authority to implement measures that will ensure the safety of all Canadians.

I am glad my hon. colleague clarified the military zones when he spoke. I was surprised to hear an opposition member say that he doubted that any Liberal member had read the bill. Let me assure the House that we are reading the bill continuously. If the opposition members had read the bill they would have known clearly what the military zones really meant and would not have made statements to the contrary of what is actually in the bill. It shows that they are reading briefing notes and not studying the bill.

While the bill is being debated in the House today I think it is very important for every member to clearly understand the significance of this proposed legislation and how crucial it is to the future of all Canadians.

• (1235)

[*Translation*]

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, I believe a number of members have spoken on Bill C-55, which replaces the former Bill C-42, as my colleague was saying.

I would like to remind the House that this bill contains two major problems that trouble me. First, the creation of the controlled access military zones; and also the additional information about airline passengers. In fact, the government is giving itself the power to change, as it sees fit, the nature of the information that can be shared between the different services.

Based on the new provisions, the RCMP and CSIS will now have direct access to information held by air carriers. These provisions open the door to the use of personal information that goes far beyond the fight against terrorism.

Currently, a great many people are speaking out against this; even the privacy commissioner has spoken out against Bill C-55 with regards to the use of information on airline passengers.

This morning, Thursday May 30, a Quebec daily paper headline read "The Right of terror". I would like to read a few lines from this article, as it makes one think, and I hope that it will get the members opposite thinking. The article says that:

National security and the fight against terrorism are becoming the best excuses to violate fundamental rights around the world.

Amnesty International, which was awarded the Nobel Peace Prize in 1977, is an organization that works for human rights. It recently published a report, which said that:

Governments are using the September 11 attacks and the fight against terrorism to pit security against human rights. They have used the excuse of September 11 to justify arbitrary detention or to deny the right to a fair trial. There is an increase in official hypocrisy. The fight against terrorism has become the excuse for all kinds of abuses.

Regarding Bill C-55 it says:

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In Canada too civil liberties are being curtailed by anti-terrorism laws which were never proven to be necessary by the federal government. Again today, Parliament is debating a bill, Bill C-55, that gives government and security forces all kinds of new powers that would have been unacceptable to a majority of people only a few months ago.

It is a new version of Bill C-42, a bill which was withdrawn following a great deal of protest; however, the new version maintains its most controversial elements and, in some cases, it is even worse than the previous one.

The Bloc Québécois and opposition parties are not the only ones saying this. Amnesty International produced a report to this effect. Several editorial writers, journalists and agencies are condemning this bill.

Another quote:

Amid general indifference, the Parliament of Canada is about to pass an act the severity of which the government was never able to justify, which is rather serious.

But at the same time, it will end up justifying all kinds of abuses against human rights by repressive regimes that would then be able to honestly say they were only imitating a great democratic country such as Canada.

This is what happens when we start making compromises on fundamental rights.

● (1240)

I believe it is clear. It is really unacceptable and this is what we are speaking up against in this clause, which deals with the power of one single person, a minister, who will create security zones, now called controlled access military zones under this clause. As I said earlier, he will be able to come to my riding where there is an armoury.

We have nothing against the fact that we have to protect ourselves and the government must protect its military equipment by designating such zones. However, this is a far cry from deciding at any given time, under circumstances leading the minister to believe that his security is threatened, to commandeer places and lands without ever consulting anybody, without ever consulting the public, elected representatives, and municipal or provincial governments. He will decide to step in, thinking he is entitled to do so.

The minister could use what is called a reasonable moment. We really do not know what the word reasonably means. One single person, the finance minister, will be able to decide, sorry, it is the defence minister. I am confused because the new minister comes from finance and is now replacing the former Minister of National Defence. All this is a bit ambiguous—

An hon. member: It is six of one, half a dozen of the other.

Mrs. Pauline Picard: You are quite right. It is six of one and half a dozen of the other. I hope that the new minister will listen to reason and will change the provisions giving him so much power. On what grounds and for what reasons are we suddenly deciding to give one person powers that violate the freedom, the rights and the privacy of the people?

In my comments earlier, I did not mention one aspect of Bill C-42 that I disapproved. It is the new tax that also appears in Bill C-55, the bill on safety. In our view, that new tax is just another tax grab. Maybe our new minister will pay better attention to what was said in the Standing Committee on Finance at the time.

At the time, the minister had turned a deaf ear to this issue. At the finance committee, we were told that there had been no consultation and no impact study on this new tax. We have every right to wonder if this is not just another tax grab, similar to what the government did

with the employment insurance fund. We were not the only ones to talk about grabbing. Several organizations have said they think this is unjustified and that this tax will have a major impact, especially in the small regions.

Time goes by so fast and there are so many other topics I would like to address. However, I ask my colleagues on the government side to really pay attention to what the opposition has to say in its criticisms, which have to do with all the problems these provisions will lead to, and I ask them to vote against this bill.

● (1245)

[English]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am very pleased to join the debate on the main motion of Bill C-55. I recently had an opportunity to speak to the amendment. I also have had the opportunity now to listen to a number of other speakers and very thoughtful presentations as we work our way through this very complex bill.

On behalf of the NDP caucus, I would like to address the remarks of the previous speaker from the Liberal Party, the member for Bonavista—Trinity—Conception, who found fault with the NDP's analysis of Bill C-55. He felt that perhaps we were being too harsh and that we were not looking hard enough to find the merits and benefits of the bill.

I would like to point out that we have made a very detailed, in-depth analysis of the bill and we still find it flawed, we still find it worrisome and we still find it necessary to caution the Canadian public that some of the very values by which we identify ourselves as Canadians will be jeopardized by the bill.

I do not think my colleague from the NDP caucus who spoke previously overstated things at all in her speech. Perhaps the hon. member from Bonavista should have paid closer attention to some of the concerns we have raised. We do not raise them just to be obstinate. We raise them as a way of cautioning the Canadian people that this massive power grab of an omnibus bill raises serious concerns and could jeopardize the very way we view ourselves as Canadians, because some of those basic freedoms and principles that we enjoy and are committed to are the very things of which we are most proud.

When I raise specifics, I hope the hon. member listens. He said that the NDP had nothing positive at all to say about Bill C-55. I would like to put it on the record that there are points in Bill C-55 that we find important. In fact I would point out that Bill C-42, which was so hastily thrown together after the tragic events of 9/11, had to be done away with and put out of its misery. Some of the changes in Bill C-55 are improvements over Bill C-42, such as the change to the Aeronautics Act whereby the transport minister's regulation making powers concerning aviation safety will be better defined under Bill C-55 than they were under Bill C-42.

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There are specific areas, to which I am happy to point, where we find Bill C-55 better than the previous bill. I would start by saying though that Bill C-42 was thrown together hastily and when it was pulled, we waited for four or five months for Bill C-55 to come forward. Now we are being told by the government that we must get Bill C-55 through immediately and hastily because it is an urgent issue. Where was the urgency when Bill C-42 languished for five months in bureaucratic limbo prior to us seeing the introduction of Bill C-55?

I do not accept the argument that the same sense of urgency exists as may have existed the day after 9/11. Certainly we are all interested in national security. A lot of Canadians feel that the government currently has a great deal of authority or ability to intervene, if it really thinks there is a clear and present danger. The War Measures Act for instance was always there as a tool, as an instrument for ministers to use.

One of the worrisome things that has been pointed out is a difference between Bill C-55 and the War Measures Act. Under the War Measures Act, the government had to come back to parliament within 48 hours. Under Bill C-55, a minister could exercise this expanded authority, not even report to cabinet for 15 days and not have it dealt with in parliament for 45 days. That is a broad and sweeping power. A lot could happen in 45 days and we would not have a chance to give it parliamentary oversight or scrutiny for 45 days. That alone should be cause and concern enough to the Canadian people that they should be asking us to put the brakes on the bill, let it sit over the summer and rethink if we really want to trade this amount of personal freedom for that amount of national safety.

• (1250)

This is one thing of which I am very critical. I guess to summarize the trend or theme of the bill, it very much expands ministerial authority. It very much diminishes parliamentary oversight. That is a very worrisome theme. That is actually a motif that I have noticed in virtually every piece of legislation introduced by the Liberals in the years that I have been here. There has been a tendency to expand ministerial authority and to diminish the ability of parliament to have true parliamentary oversight.

It is a slippery slope. It is a very tempting and seductive thing I suppose for the ruling party. I would remind the ruling party that it will not always be the ruling party. As it strips away parliament's abilities and powers in the way the government was intended it to be, the Liberals will find themselves on the opposition benches wondering why they do not have any opportunity to intervene, to make legislation and to act as a true parliament. The government will have been the architects of dismantling and downsizing the authority of parliament.

That is a very worrisome trend that is very evident in Bill C-55, enhancing the discretionary authority of ministers and diminishing our ability to exercise parliamentary oversight, especially as it pertains to such sensitive issues of personal freedom.

Another thing is, when we talk about an omnibus bill, most people are tempted to call it a Trojan horse. To achieve what most Canadians would support, which is an enhanced sense of national security, we believe that the bill has been loaded up as an absolute

catch-all for other things that are incidental. They were perhaps part of a plan of the Liberal Party to have them introduced. The government is using this as the vehicle, the Trojan horse, for all kinds of other measures.

There are 15 different acts that will be amended by Bill C-55. These 15 different acts are under the jurisdiction of nine different standing committees. Yet the bill will only go to one standing committee, the transport committee.

I should point out for the record some of the acts that will be amended by the bill; the Aeronautics Act, the biological and toxin weapons convention implementation act, the Canadian Air Transport Security Authority Act, the Environmental Protection Act, the Criminal Code of Canada, the Explosives Act, the National Energy Board Act, the National Defence Act, the Hazardous Products Act and many more will be affected by Bill C-55. However the people in our caucus who are experts in these fields and sit on the appropriate committees will not have the chance to view this document or to move amendments at committee stage or to even scrutinize it at committee stage. They do not sit on the transport committee.

Our health expert, the member for Winnipeg North Centre, sits on the health committee. If this bill will have an impact on the health act, why is it not before the health committee so it can receive the all party scrutiny that we do at committee?

I am trying to itemize the number of legitimate reasons why the NDP caucus cannot support Bill C-55. This is why we are trying to alert the Canadian public that it needs far greater attention and scrutiny.

I am not only asking for more time to debate and less of a rush so that we can hear more brilliant speeches in the House of Commons. I am asking for more time so that we can engage Canadians, so that we consult Canadians, so that we can ask Canadians are they willing to trade these personal freedoms for these issues of national security? How much are Canadians willing to trade? How far as they willing to go?

Those are the questions Canadians deserve to be asked and we need to undertake a process by which we can get input and feedback.

We know it takes time for an issue to percolate from the House of Commons through the general public consciousness. I am sure Canadians are not aware that we are dealing with such a broad and sweeping piece of legislation right now. By the time this gets rammed through it will be too late.

By the time this session ends in a couple of days or a couple of weeks, Canadians still will not have been aware that we are undertaking changes to their personal freedoms that will change the way they live in this country and the way they view this country.

The one example people are fond of is the expanded enhanced ability to declare a military security zone. I think it is not being paranoid to assume this may be tied into the upcoming G-8 demonstrations scheduled for Kananaskis.

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• (1255)

We saw how the government dealt with the gatherings and crowd control at APEC. We saw it again in Quebec City, ducking tear gas canisters as we did. If the bill goes through, the government will have far broader, more enhanced sweeping powers and authorities in dealing with even peaceful demonstrators. That is another good reason why Canadians are concerned and why the NDP caucus has been critical of Bill C-55, just as we were of Bill C-36 and Bill C-42.

Some of the changes between Bill C-42 and Bill C-55 warrant mention. One of the changes to the military—

The Deputy Speaker: Ten minutes goes by quickly. The hon. member for Lévis-et-Chutes-de-la-Chaudière.

[*Translation*]

Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ): Mr. Speaker, the member of the New Democratic Party who spoke earlier talked about the impact of this bill on various sectors, including health.

He was wondering, and rightly so, about the need to consult the health committee on this issue. He only mentioned that one sector, but he could have mentioned nearly all departments because, if we take a close look at this bill, we see that it can amend 20 other existing acts, including some that are very recent. What he just said makes sense. Indeed, it would be worth it to consult the public and the committees more.

The other point I want to raise concerns an article by Michel C. Auger. My colleague from Drummondville mentioned it also. In this article, which was published this morning, he talks about an act that deals with safety but that does not respect human rights or that could violate certain human rights.

Last week, I had the opportunity to hear the last presentation by the federal government's human rights commissioner. In answering questions, she told us that she herself had gone to Geneva this year to appear before the Human Rights Commission because there was some concern about the public safety legislation that the present government wants to pass to restrict human rights here, in Canada.

As member of the Sub-Committee on Human Rights and International Development of the Standing Committee on Foreign Affairs and International Trade, I often see and hear members, ministers, members of this government promote human rights in other countries, and rightly so.

The problem is that, before promoting anything, one should be beyond reproach in that area. It so happens that the commissioner responsible for human rights within the federal government felt the need to say, in Geneva, before the Human Rights Commission, that, in her opinion, certain aspects of the new safety laws, including Bill C-55, were cause for concern.

Being a few weeks from retirement, she probably felt freer and more independent than ever to speak out, because it is well known that retired people, or even public servants who have been retired for a number of years, feel very free to speak out.

Certainly, when one works for the public service and wants to take a position that may not please the authorities, the party in office,

there is sometimes a tendency to self-censorship. I am not saying that it happens all the time, but, it takes a rather rebellious mindset —

An hon. member: One must not bite the hand that feeds.

Mr. Antoine Dubé: As my colleague is saying, one must not bite that hand that feeds. There is a bit of that.

However, if the Government of Canada wants to continue to champion human rights, it should ensure that this country, Canada—since we are still part of it—really practices what it preaches.

I could go on about the events of the past weeks, about the government's contracts—this would be a good opportunity—but I will focus on human rights, because this is important for the people of this country, Canada.

• (1300)

Until proven otherwise, Quebec is still part of Canada, at least until this is decided through a referendum. We, Quebecers, have had a charter of human rights since 1976, I believe. I call on my colleague from Champlain, who was in the national assembly at the time.

An hon. member: It was 1975.

Mr. Antoine Dubé: He tells me that it was 1975.

This was not adopted by nasty sovereignists, but by the national assembly, under the government of Robert Bourassa, a Liberal. The Liberals opposite should remember that this was done by a former Liberal Premier of Quebec. This part of history has to be remembered. We have this charter of human rights, which suits all Quebecers, but it goes farther than the Canadian charter, which is limited to individual rights. The Quebec's charter deals with other aspects of collective life.

I think that we will never ask ourselves this question enough: are we sure, as parliamentarians, in our conscience, and it is worth asking this of ourselves, that it is a good idea to put so much power in the hands of a minister who would have 45 days to get the cabinet approval?

We just changed minister. The new minister's lack of experience in the area of defence is a source of concern for many. We will see. Let us give him a chance to prove himself.

The previous Minister of National Defence took a week to inform the Prime Minister that Canadian troops had taken prisoners in Afghanistan. They did not know what to do. There was this whole saga about respecting human rights and international conventions, such as the Geneva Convention Relative to the Treatment of Prisoners of War.

But we are not talking about prisoners' rights. I know that some are saying that these prisoners got what they deserved. We are talking about respecting everyone's rights. This is a very complex issue. We should take the time to listen to the opinions of those concerned.

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Human rights come into play, but the main issue is the excessive discretionary power given to the Minister of National Defence to designate future military zones. The minister will be able to make this decision on his own, without the authorization of the provinces, without even asking them.

I remember 1970. Having been born in 1947, I remember 1970 very clearly. There was the War Measures Act in Quebec. Under this legislation, several hundred people were arrested and put in jail without even being told why. We all know such people. They were released several days later, sometimes as many as 30, without knowing why they had been arrested. The government panicked.

Here, we are talking about zones. I do not think that it is the government's intention to repeat the unfortunate experience of 1970. The legislation now being proposed concerns millions of people. In theory, all Canadians and Quebecers could be subjected to this legislation. This was done because an incident could occur anywhere. The minister can decide to create a military zone and it would no longer be subject to any statute or regulation. He would become the dictator of the day.

I am mentioning this because of what the Prime Minister told us a few months ago. He said "You know, there are days when I feel like a democrat and others when I feel like a dictator". Since he is the one who chose the new Minister of National Defence, I hope that the latter will not follow this advice.

• (1305)

If the new Minister of National Defence feels like a democrat one day, I will be reassured. But if he feels like a dictator the next day, I will be worried; not just I, but everyone, might be worried. It does not make sense to leave something this delicate, this important, to the judgment of one person, when we do not yet know how he approaches things. I am not attacking him, because he is just starting out, but I am thinking of anyone who could one day become Minister of National Defence, including myself.

Can any one person claim to possess all the knowledge, all the information required to take such a delicate and important decision? No.

Through you, Mr. Speaker, I invite other members to give some careful thought to where they stand on this matter, given its importance.

[*English*]

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): I am honoured to have an opportunity again to speak to this important piece of legislation.

I listened carefully to the debate of other members and I think a theme of alarm at least on the opposition benches is being raised as to the far reaching and extraordinary powers the bill places in the hands of the government but perhaps of more concern, a single minister within the government.

The bill has far reaching and long term implications for the country. It touches on no less than 20 pieces of legislation, some of which I would suggest should have been dealt with separately. As is often the case, we see legislation introduced in an omnibus format that lumps numerous unrelated issues together. That is true to

perhaps a lesser extent in this particular bill but I want to mention for the record some of the elements of the legislation that touch on previous and existing bills. These include the Quarantine Act, the Pest Control Products Act, the Proceeds of Crime (Money Laundering) and Terrorist Financing Act, the Canada Shipping Acts, the Biological and Toxin Weapons Convention, the Radiation Emitting Devices Act, the National Defence Act, the Marine Transportation Security Act, the Export and Import Permits Act, the criminal code and the Canadian Environmental Protection Act.

Let us not beat around the bush. This is a comprehensive bill. It brings about new powers and a new level of concentration of power within the hands of the government. A further concern is the traditional checks and balances, the traditional role of parliament which is further bypassed and marginalized by the form and direction in which the legislation is brought in.

I would not go so far as to use the words of the federal privacy commissioner who termed this type of bill totalitarian when discussing aspects of the legislation. I would not go so far as to even use some of the language of the privacy commissioner in informing Canadians of his legitimate concerns. Yet this is coming from an impartial parliamentary watchdog, someone who is mandated to review bills, situations and actions of government. He specifically stated that there is overriding concerns that should give reason for pause and cause all Canadians to take a closer look.

My fear, as is the fear of other members, is that it has not been the case. This debate is hopefully giving Canadians a window on what the ramifications might be. There are a number of ways in which the bill will impact directly on individual civil rights, individuals' freedom of mobility and their right to privacy. The bill represents another seriously flawed piece of legislation.

Perhaps of note is the necessity of the legislation. Do we need it? Why do we need it? Is there not existing protections that have us covered and at the same time provide protection and checks and balances?

I mentioned the Emergencies Act. There has been no clearly articulated position from the government as to why there is an insufficiency, gap or necessity, given the current parameters of the Emergencies Act, to justify bringing in this new bill. I will dwell for a moment on that and give a brief comparison of what the Emergencies Act and Bill C-55 can actually do so that there is a context.

Bill C-55 has no other objective than to give ministers more arbitrary power that would come in the face of a real threat. That is to say the premise or starting point is that a real threat has to exist. This is the issue that was going to no doubt lead to a disruption, threat, perceived or real impact on Canadians' lives. However the legislation that currently exists, the Emergencies Act, allows for a swift and decisive response from government.

The Emergencies Act is a declaration of an emergency, the starting point. It becomes effective immediately upon proclamation, immediately upon the government declaring that such a state exists. The issue also goes to parliament within seven days. Within seven days, not 45, that issue must be before parliament.

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•(1310)

Even if parliament is not sitting it should be recalled for a reasonable response. Parliament could then debate the declaration of the emergency immediately and have an opportunity to either vote or endorse the invoking of the emergency.

Every order or regulation that comes out of the Emergencies Act must go before parliament within two sitting days. There would be an exemption for an exempt or classified order. That is reasonable given the circumstances. If the military determines that it is of such grave and pressing concern that it be kept secret, so be it. However all of these issues would be sent to parliament and an all-party parliamentary review would occur and could be sworn to secrecy.

Parliament could revoke or amend any order or regulation. That is a check. That is an effective ability to involve parliament, the democratic process and the people of Canada. That is the state of the current legislation that we have today. Legislation is in place if an issue were to come before this country of the magnitude and gravity that would warrant an emergency being declared. I again ask the rhetorical question: Why do we need Bill C-55 if that is the case? Bill C-55 would allow the government to circumvent those checks and balances that are currently in place under the Emergencies Act.

By comparison Bill C-55 would also come into effect immediately. There would be no declaration of emergency being proclaimed by the government nor would the matter come before parliament. Parliament is cut out of the loop. Parliament has no vote on the existence of the determination of the emergency. There are no interim orders to be tabled in the House until the first 15 days in which the House is recalled. We do not know when that recall might occur. There is no debate on the state of emergency. Parliament cannot revoke or amend any emergency orders.

Under the Emergencies Act parliament is the place where the orders would be debated, amended, defeated, approved or reviewed. The government would be held accountable under the current legislation. Under Bill C-55 parliament is placed on the sidelines and the orders that are brought forward are not subject to parliamentary scrutiny. We become a clearing house, a publishing place for the government's decision. The government is not accountable directly under Bill C-55.

Putting this much power into the hands of the minister does nothing to benefit Canadians. On the other hand it does a great deal more to move toward this trend of arbitrary power. It cloaks the government in greater secrecy. In the current environment, is this something Canadians should feel comfortable with? They should be asking themselves if they feel that they can trust the government to make that kind of arbitrary, unchecked decision and are they prepared to live with it. That would be the effect of Bill C-55. It would bypass the scrutiny that would occur in this place in the most basic of circumstances.

Canadians will come to the conclusion that they do not feel comfortable with the bill. It then begs the question: Does the bill represent another seriously flawed piece of Liberal legislation, the type of legislation we have seen in the past that is stubbornly clung to by the government?

Bill C-68 was a perfect example of a registry system that quadrupled in expense from its original intent. It has not worked. It has not protected Canadians. It was presented to Canadians in a mendacious and incorrect way. Clearly, if the bill is in place it would be difficult to revoke and bring back those powers. The Liberal government has demonstrated that it will not change its mind and admit there was any wrong.

This power concentration and power grab continues. The bill is another example of that. The changes to the National Defence Act are the best example. They have been highlighted by many members. The very arbitrary ability to locate and designate a controlled military zone and all of the powers that flow from that decision are scary. There is a need to look at the bill in greater detail to bring about the changes that would ensure the protection of Canadians. Interim orders made by one minister can have a drastic and detrimental effect on the average Canadian's life.

It is for that reason I would like to bring forward an amendment to the bill. 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, because it constitutes an autocratic power grab by the Liberal government at the expense of parliamentary oversight and the civil liberties of Canadians".

•(1315)

The Deputy Speaker: The Chair will take the amendment under advisement and ask Table officers about the acceptability of it from a procedural perspective. I will come back to the House shortly.

[*Translation*]

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ) Mr. Speaker, a while ago I had the opportunity to speak on Bill C-55. After that, I received two phone calls from women's groups, ones that represent not just Quebec, but all of Canada. They are listening as we speak, and I send them greetings. They have been so kind as to indicate to me the position of these two groups as far as this debate is concerned.

I will try to convey what they think in a polite, honest and transparent manner. I have no prepared text and I will try to reflect what they think as faithfully as possible. Anyone wishing to verify this can have the names of the two women's groups.

This morning I was saying that women are greatly concerned about the security of their children and families. There is no problem there. They realize that Bill C-55 arises out of the events of September 11, but they express outrage at the haste with which this bill is being debated in the House, when they have been demanding for ages that their safety be ensured in the face of the violence they have to deal with constantly.

They also express some skepticism as far as the intentions of this bill are concerned. I am reporting what they told me. They see it as official hypocrisy, for the simple reason that they are well aware that the women of Afghanistan had been living with terrorism for more than 20 years without any reaction by the international community until the events of September 11.

Government Orders

These women pointed out to me that we live in the era of globalization. This morning I consulted yesterday's news clippings. One of them read "Globalization: the phenomenon of prostitution". This phenomenon exists in Vancouver, Montreal and Toronto. We know that these are the hubs for it. When a girl services dozens of clients a day, her security is of no importance.

They also pointed that we in Canada are currently facing a horrifying situation of dealing in weapons, drugs and women. All of this is connected with organized crime. There is no law to ensure the safety of women and children in this context.

When a bill such as Bill C-55 on public safety is introduced, these women feeling it is lacking in judgment. How will this bill provide any more safety for women, when there is no law in place at this time to protect them from violent men, or violent gangs which can at any time terrorize or hurt their children?

● (1320)

A spokesperson for one of these groups told me that these women had no faith in this bill. The government introduces legislation to deal with hazardous products, but not with men who are a danger to children and women. Why is that? There is a lot of talk about legislation on sexual predators, but none is as harsh as this one.

Yesterday, these women watched the House of Commons debates on television. Even the Prime Minister downplays violence against women. Yesterday, these women expressed outrage. It had escaped my attention, but women are very vigilant about this issue, and they heard the Prime Minister try to defend himself or one of his ministers, by saying "One could ask a member whether he beat his wife yesterday". The women who called me earlier were really outraged.

They told me that the Canadian parliament was passing a bill whose harshness the government was never able to justify. But does violence against women and children, which is being downplayed, not justify very strict legislation with no loopholes? If the Canadian government cannot ensure the safety of women and children in its own jurisdiction, how will it ensure public safety?

This is in reference to what I said earlier in the day. I wanted those who are listening to us to know about this. When two women's groups phone to say "Perhaps this is worth mentioning", I think it is important.

I want to make one last comment. I was reading the press review for today, May 30, including an article published in *La Presse*, under the title "Hells Angels Invited to Queen Jubilee". Since we have very close ties with Great Britain, these women told me "What assurance do we have that, some day, the Hells Angels will not be invited here, in Canada, and that their actions will not be condoned?"

As we know, many women work for the Hells Angels, who control prostitution. How many Hells Angels have already killed women and children, planted bombs that killed women and children? All this makes us wonder.

I also want to salute these two women's groups for giving me an opportunity to rise and to talk about their daily lives. We, who are responsible for the status of women, often need the support of

women's groups who tell us "This is what it is like in real life, in our everyday life".

● (1325)

Mr. Gilles-A. Perron (Rivière-des-Mille-Îles, BQ): Mr. Speaker, thank you for giving me the time to speak to Bill C-55. I feel like calling my speech "Security vs. freedom".

To begin, I would like to quote Irene Khan, the secretary general of Amnesty International. Members will recall that this is the organization that was awarded the Nobel Peace Prize in 1977. Ms. Khan said that "the respect for human rights must encompass not only the universality, but also the indivisibility of all rights... There can be no trade-off between human rights and security, between justice and impunity".

Incidentally, Bill C-55 is a recast of Bill C-42, and it is virtually a photocopy of the bill, because Bill C-55 still contains some of the most hotly contested elements from Bill C-42.

Having given some thought to Bill C-55 and fundamental freedoms, how can we not believe that the bill will go against these freedoms, when the ministers of transport, defence or health are able to intervene directly, without having to go through the House? Let us not forget that they have 45 days to table their orders here.

How can we leave it up to the new Minister of National Defence alone—and incidentally, I wish him good luck and my best wishes in his new position, I think it is fair to say that he will make a better minister than the former defence minister—to determine the reasonable dimensions of a controlled access military zone?

What are reasonable dimensions? Describe to me reasonable dimensions, Mr. Speaker. Your description will differ from mine, because your reason will never be the same as mine. We may come close on some issues. We may be close, but there will always be a nuance between your reason and my reason. I could never win by trying to argue that my reason is better than your reason, and vice versa.

Now this is will be up to one person. This person will be able to say "I am determining what the reasonable dimensions of this controlled access military zone will be". I expect that if I step inside this zone, there are good chances that I will have my toes cut off.

So it is important for the House, the people sitting here in this chamber, to take part in determining controlled access military zones.

I would like to digress to let the House know how I feel. I do not want to condemn or moralize, but I find it very improper that our colleagues on the other side are remaining silent while we are debating a bill of this importance.

I feel our Alliance colleagues should participate a bit more in the discussion. Our friends from the NDP should get involved a bit more. Should we not all get involved in this debate?

● (1330)

This bill is of major importance and will have a direct impact on the freedom of people. But our colleagues are saying nothing.

Government Orders

In passing, I would like to commend the painstaking and very professional work of my colleague, the member for Argenteuil—Papineau—Mirabel. He made several presentations in caucus on this issue and did some wonderful work.

Another aspect of this bill bothers me, and it is the fact that while the government is bragging about wanting to co-operate with the provinces, talking with them and taking their opinion into account, this bill totally ignores the provinces. This bill says to the provinces “you are nothing, you are insignificant and we will not consult you. Even if we create a controlled access military zone in Quebec, Alberta or Ontario, the elected representatives of those provinces have nothing to say about it”. This is outrageous. They should at least talk with the provinces in question.

What assurances do we have that, in June, when the next G-8 summit will take place in Kananaskis, the whole area will not be declared a controlled access military zone? The bill would allow for the creation of a controlled access military zone for reasons of international relations or international security, or for other reasons.

This is cause for concern. We are in 2002. As you see, I disagree with what the government is doing, but we must look at what other governments are doing.

If it were not for September 11 and what happened in the United States, some legislation would not have been amended. Would they have put military personnel at the border between Canada and the United States? The biggest problem I have with this bill is that it is hypocritical. The government wants to grab more power. But in every country there are laws to ensure the safety of citizens.

For example, here we have an act we owe to Mr. Trudeau, the War Measures Act. It is on the books and it had an impact on individual freedoms. I remember quite well, and I hope I am not mistaken, but the member for Anjou—Rivière-des-Prairies was affected by this act. He was imprisoned for 30 days without knowing why.

Personally, at noon on a Friday, while I was in a tavern in Ville-Saint-Laurent with twelve of my colleagues, I was arrested and taken to Collège Saint-Laurent where I spent the weekend. Why? I do not know. Maybe they did not like the colour of my hair or the colour of my eyes, maybe they did not like my height, I do not know. During the whole weekend, I slept on a cot and I really do not know why I was arrested.

• (1335)

It might have been because we were speaking French or discussing the events triggered by the FLQ at the time. I really have to idea.

But this bill is worse. I believe we should adopt the motion put forward by the Progressive Conservative Party and toss out Bill C-55 and start all over again.

[English]

Mrs. Bev Desjarlais (Churchill, NDP): Mr. Speaker, that last statement pretty much sums up what a good number of us feel should be happening with the bill. It leaves no doubt as to what we think about it.

I am once again pleased to have the opportunity to speak on Bill C-55. I am not speaking on the amendment to Bill C-55 and this is

what has been happening day after day. We are still on the original bill. The other amendment has not been put into place yet, so we will wait to see what happens. I too would like to see the amendment of my colleague from the Conservatives endorsed, because it would accomplish what we hope to do with the bill.

As many speakers have mentioned, the bill reflects a number of areas and as a result has created concern in that many prospective areas as well. I think it has also made it hard for the ordinary person to understand just what exactly the bill is intended to do. It would affect areas in: national defence, Canadian air transportation, marine safety, aeronautics, biohazards, hazardous products, the Food and Drugs Act, and exports and imports. It would affect numerous areas, but what still seems to be missing in the whole scheme of things is some real hardcore evidence that there would some real changes to security.

We have a situation whereby firefighters, for instance, attend most hazardous fires or explosions or different things that happen within our country and the government has done little or nothing to ensure that there is a program in place, that there is proper training, that there are emergency responses. Very little is happening in that regard. There certainly was an opportunity to have that addressed within the bill, but it was not done. Apart from the airport security agency itself, there are no real specifics as to how we will see changes in that security, apart from just collecting money to supposedly provide it but not really do that. There really has been nothing concrete to ensure the security of people in Canada.

One of the greatest areas of concern, and I am sure, Mr. Speaker, you are well aware of this because you have spent a number of weeks hearing comments about it, certainly is the military zones that are suggested, the issue of privacy and freedom and democracy for Canadians. Numerous speakers and numerous Canadians in general have mentioned that they do not want to see their lives affected in such a way that they become the criminals. They do not want their rights infringed to the point that they are suffering more than the terrorists are.

I know that the solicitor general feels that these broad, sweeping powers for CSIS and the police are somehow supposed to improve things as far as security goes. He has had his little back and forth discussions with the privacy commissioner on this issue, but the general consensus out there is that this new legislation would impose a stronger degree of penalty on ordinary, innocent people than it would on the criminals. Innocent people would suffer more from this than anyone else.

We have rules in place now respecting search and seizure and investigation. We have good rules in place right now. There is nothing to stop the RCMP or CSIS from doing this kind of investigation. It is beyond me why we have to somehow give these broad, sweeping powers so that they could literally investigate anyone at will.

I have been cutting out clippings over the last number of weeks and I have with me just a small portion of those clippings about the concerns that are being raised. I just want to read a couple of comments to the House, which state:

Government Orders

• (1340)

By such all-inclusive reasoning, the government could justify anything that might conceivably boost public safety, such as random searches of cars and people, the opening of personal mail and unlimited access to personal bank accounts and computer files.

While this sort of thing just might catch a criminal or non-custodial parent trying to abscond with a child, it would be much more likely to fill police files with information about thousands of law-abiding citizens instead. It would also increase the likelihood that honest people with the same name as a suspected criminal would be detained and questioned by police.

The solicitor general's response to the privacy commissioner was to suggest that the privacy commissioner was overreacting. I want to read a comment made by the privacy commissioner in response to the solicitor general's comments. He said that since some terrorists did not have a criminal record and could be travelling under an alias or using forged documents, authorities needed access to all available intelligence to identify people who could be potentially violent or could have ties to terrorist groups.

In his letter yesterday, Mr. Radwanski, the privacy commissioner, said that these histrionics were deeply misleading since the sort of warrants covered by the bill could apply to more than 150 criminal code offences, including many such decidedly non-violent as fraudulently altering brands on cattle, taking possession of drift timber, unauthorized use of a computer, et cetera. He went on to say, more seriously, that he was not aware of any significant number of instances, if any at all, where wanted murderers, kidnappers or armed robbers had taken actions on board aircraft that posed a threat to security.

No one for a second has suggested that if we find a murderer or someone with a warrant out on them that they should not be arrested. However it is beyond comprehension to suggest that we should be able to check every public list of people to see if maybe there is a criminal among them. I mentioned this once before. Should the RCMP have access to the list of all hospital patients just in case they might find someone with an injury that they may be able to associate to something?

Those are the types of things that are at risk here. The freedom and democracy of all Canadians is what is at risk. Under no way, shape or form should innocent people be penalized more than the terrorists.

Numerous colleagues in the opposition have commented on the fact that we believe the situation on September 11 was handled with extreme professionalism and the areas of concern were addressed. It was not as if the ministers or the powers that be who were in place could not do what they needed to do after September 11. There was absolutely nothing to stop them. We have rules in place that give them the authority to check on criminals. We have rules in place to allow, on reasonable grounds, the issuance of warrants, searches or whatever needs to be done. No one would argue that.

What we have here before us is a bill that was intended quite frankly to pacify and somehow give a feeling that everything will be better, but it will not be better.

I am not convinced the legislation will do any good as far as security goes. Furthermore, as far as the sweeping powers that would be given to CSIS and the RCMP, the CSIS director himself has stated that he does not believe there would any more convictions under this legislation than there would have been otherwise.

Why on earth would we want to penalize innocent people and make them suffer, which would be the result if this legislation is passed, when ultimately we will not be able to convict the people we need to convict: the terrorists and the criminals? Under no circumstances should ordinary, innocent people be criminalized or put to any kind of harassment or intimidation as a result of the legislation.

All members of the House need to be greatly concerned about that. I am extremely pleased that a good number of opposition members have recognized that and have made a point of being here to speak to the issue.

• (1345)

[*Translation*]

Mr. André Harvey (Parliamentary Secretary to the Minister of Transport, Lib.): Mr. Speaker, I am pleased to speak to Bill C-55. I think that the important thing is to approach it with the greatest respect possible.

Let us remember that a legislative committee was formed to study every aspect of the bill. Obviously, we are not necessarily claiming to have come up with the perfect bill. We are here to exchange views and discuss ideas. I think that it is particularly important to bring out certain points.

There is much talk about the bill violating various rights. I think that Canadians' most fundamental right is the right to live in peace. It is the government's responsibility to do everything it can, through Bill C-55 on public safety, to ensure that Canadians can lead a normal, peaceful life, with the government assuming its responsibilities.

On occasion, we have been known to exaggerate, as has the opposition. In our profession, moderation is not always our strongest suit. However, I am certainly going to try to bring out those features of the terminology which strike me as important and which have generated, I think, considerable confusion. It is not always easy to see things clearly.

The most important thing to understand is that our country, like most western countries, is facing an extremely vicious and ruthless adversary, namely international terrorism.

This bill affects almost every department. It will require us to amend approximately 20 statutes—no small number—and in particular the most important tool that our ministers, the government and the House of Commons will subsequently have occasion to use—interim orders.

Solely for the benefit of the House—and if other colleagues have anything to add which would help us better understand what Bill C-55 is all about, they are welcome to do so—I would like to make the following point about interim orders.

We are sometimes given the impression that all of Canada is going to be a controlled access military zone. In reality, this will not be the case. Controlled access military zones will mainly be connected with military equipment and troops, in a spirit of co-operation with all other countries.

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The interim orders referred to in the bill merely allow ministers to speed up processes which already exist under Canadian law. They do not authorize them to do anything beyond what Canadian law permits. Interim orders allow us to speed up the process, which is a minister's privilege.

Interim orders, against which we have heard many members speak out, are necessary to allow a minister to immediately deal with a situation that requires an urgent response to protect Canada and Canadians as a result of a major threat to health, safety or the environment. Interim orders are simply designed to deal with circumstances that do not provide enough time to make regulations as legislation would normally require. Interim orders are aimed at providing a minister with the regulatory tools necessary to deal with a particular threat in a very targeted manner.

The accountability of parliament would not be diminished. Unlike regulations, all interim orders must be tabled in parliament within 15 sitting days. Interim orders are common sense emergency measures to accelerate our current process.

Interim orders are necessary to allow a minister to act immediately to deal with a major threat to health, safety or the environment. Interim orders can only be made in relation to powers that may already be exercised under an act of parliament for which the minister is responsible. This minister would not invent anything. The ministers must act in accordance with legislation passed by parliament. Interim orders are simply designed to deal with circumstances that do not provide enough time to make regulations, as legislation would normally require.

• (1350)

The confusion comes mostly from the distinction between emergency measures and interim orders. Interim orders and the Emergency Measures Act are used for different kinds of problems and in different areas of jurisdiction.

The Emergency Measures Act is a last resort and a far-reaching legislative measure. It is used in an emergency at the national level and only if it is determined that no other law in Canada can effectively resolve the issue and if the emergency is such that one province alone cannot deal with it or that it seriously threatens the capacity of the Government of Canada to protect the nation's sovereignty, security and territorial integrity.

The Emergency Measures Act applies—quite clearly—to four categories of emergency situations: disasters, public order emergencies, international crises and a state of war. In the two first cases, it is up to the provinces to react. In the last two cases, the federal government would exercise a planning function centered on the mobilization of national resources, with the help of provincial and territorial governments as well as the private sector.

By contrast, the interim orders provided for in Bill C-55 are more modest measures designed to deal with situations in areas of federal jurisdiction where regulatory changes are necessary and urgent.

All in all, what is essential is first to read the bill carefully. When dealing with Bill C-55, a major piece of legislation for the security of our fellow citizens, it is very important to examine all the elements we feel are a source of problems, such as providing the list of passengers. How, if we provide a list of passengers to U.S. security

services, can we not co-operate with the RCMP and the Canadian Security Intelligence Service? This is utter nonsense.

All the information provided must be destroyed within a week, unless it had been proved that this information is extremely important for national security reasons.

As for the controlled access military zones, the Emergencies Act is already in place. It is strictly an interim order allowing the minister to act swiftly within the current legislative framework. We will not designate all of Canada as a controlled access military zone. It is strictly for the purpose of protecting our own military equipment and personnel.

All in all, I am sure that the legislative committee, made up of extremely capable members with whom I am anxious to work on Bill C-55, will be able to give careful consideration to Bill C-55, which replaces Bill C-42 and is much more flexible.

What is important, as I said, is to make the distinctions with regard to three or four key elements: the provision of information, the interim orders made under the Emergencies Act, and so on.

I am sure that all my colleagues will easily understand the validity of this legislation. I am sure also that by avoiding exaggeration we will be better able to continue with consideration of this bill, which is extremely important for the security of all our fellow citizens and also to strengthen our co-operation with all the countries fighting against international terrorism.

STATEMENTS BY MEMBERS

• (1355)

[English]

AGRICULTURE

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, Canada's farming community is under threat. The United States farm bill certainly increases that threat but there are positive solutions. Farmers have developed an innovative proposal called the trade injury compensation program.

The Grain Growers of Canada proposal is based upon four principles. First, it would be a program designed to compensate grain and oilseed producers for the economic injury caused by subsidy to the EU and the United States. Second, the program would have a sunset provision which would terminate the program once the Canadian government achieved an international trade agreement that would level the playing field. Third, the program would be green and consistent with the WTO. Finally, the program would require a strong federal commitment of approximately \$1.3 billion annually.

A trade injury program is urgent with the passage of the United States farm. All Canadians must be prepared to stand behind our farmers. We must commit.

* * *

GOVERNMENT OF CANADA

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, the Prime Minister and his deputy object to anyone using the word corruption when we rise to question government ministers on their ethical lapses.

My wife has been watching the performance of the government in question period. Here are a few synonyms she came up with for corruption. I wonder which ones the Liberals would prefer that we use: laxity, iniquity, solecism, turpitude, banality, underhandedness, decay, deceitful, degradation, distortion, improbable, knavish, recreant, and putrescence. Here are a few more words that my constituents came up with on their own: sleazy, slimy, bottom-feeding, pork-barreling, slush funds, patronage, scandal, kickback schemes, and so on.

The Deputy Prime Minister blames the opposition and the media for destroying the reputations of ministers. It is their acts that are destroying their reputations, not the messengers, and causing Canadians to lose confidence in the government.

* * *

• (1400)

HEALTH

Ms. Albina Guarnieri (Mississauga East, Lib.): Mr. Speaker, last week the government of Ontario announced that heart surgery programs in the cities of London and Ottawa will be terminated and children will be shifted to Toronto for treatment. Some parents now face a four hour commute to be near their critically ill children, adding even more financial and emotional strain on already challenged families.

These are parents who are struggling to keep jobs and businesses while trying to be at the side of a sick family member. The closure of these regional heart surgery centres is just the latest evidence that health services in Ontario are failing to give proper regard to the needs of patients' families.

I would ask our Minister of Health to register her objection to these closures and to investigate ways the federal government can ensure that Canadians are not kept at an unreasonable distance from critical health services.

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[*Translation*]

CITY OF SAINTE-CATHERINE-DE-LA-JACQUES-CARTIER

Mr. Claude Duplain (Portneuf, Lib.): Mr. Speaker, I am very proud to announce that the City of Sainte-Catherine-de-la-Jacques-Cartier in the riding of Portneuf ranked second at the gala des Mercuriades. I wanted to share this with all my colleagues.

Selected from among 16 finalists from all over Quebec, Sainte-Catherine-de-la-Jacques-Cartier distinguished itself by its spirit of partnership and entrepreneurship, as well as the quality of the facilities it made available to the public in 2001.

In addition, its enthusiastic development of its recreational, tourism and industrial aspects will be showcased in the June issue of *Commerce*, which will also report on the success of the forestry and lumber technology school at Duchesnay, the Duchesnay ecotourism site, the Ice Hotel, Tibo Forest Products, and the corporation of artists and artisans of the Jacques-Cartier River and Catshalac.

These are all excellent examples of the dynamism and innovate spirit of the people of Portneuf. I wish to congratulate Mr. Marcotte on his appointment.

* * *

[*English*]

FREDERICTON

Hon. Andy Scott (Fredericton, Lib.): Mr. Speaker, it is with great pride and some timeliness that I rise today to inform the House that the new national survey of cities across Canada conducted by *Canadian Business* magazine found Fredericton, New Brunswick to be the best city in Canada to do business.

This comes as no surprise to me but it must come as a surprise to the leader of the Alliance Party. The entire Atlantic region has experienced solid economic growth in recent years, particularly in the knowledge based and resource sectors. Fredericton is one of Canada's top IT and engineering centres, home to two universities, offers excellent amenities and an unparalleled quality of life.

I would appeal to Canadians and businesses to ignore the unfortunate and uninformed opinion of the leader of the Alliance Party and take a good look at Atlantic Canada. They will like what they see.

* * *

GOVERNMENT OF CANADA

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, during debate on an Alliance motion on government corruption this week the Prime Minister promised to bring an ethical package in for ministers. The House is still waiting.

The government has turned the House of Commons into Dr. Seuss' "waiting place" from *Oh, The Places You'll Go!* Dr. Seuss warns against a most useless place, the waiting place, for people just waiting.

I give the House Dr. Seuss' House of Commons for Liberals in waiting:

S. O. 31

Waiting to reward a political hack, to fill the senate, or receive a kickback,
 Waiting for the summer to come, for people to forget, to hide under the sun,
 Waiting for a leadership race—or waiting around for another disgrace,
 Waiting to hire a minister's ex-squeeze, the stench might go away if we create a
 good breeze,
 Waiting for a cheque to cash, a priest to pray, or a bigger stash - everyone is just
 waiting.

Canadians have waited long enough, and as the auditor general said, they deserve better.

* * *

THE ECONOMY

Mr. John Maloney (Erie—Lincoln, Lib.): Mr. Speaker, hockey is not the only reason Canadians are happy to turn on their televisions. There are continuing positive reports on the Canadian economy.

Our employment levels are among the best in the world. Statistics Canada reports that, as of April, the unemployment rate was down to 7.6% with 207,000 jobs created so far in 2002, most of them full time. That is nearly 2.4 million jobs created since 1993.

Canada is the only G-7 country expected to post a balanced budget this year. Further, the IMF and the OECD predict that Canada will post the strongest level of growth among G-7 countries this year and next. Moody's also has confidence in our future, giving Canada a triple A bond rating, the highest possible level. Canadians continue to enjoy very low interest rates. This means more savings for families renewing mortgages or making big ticket purchases and for businesses seeking loans.

It is very evident that the policies of the government have spearheaded this economic growth. Canadians can head on vacation this summer secure in the knowledge that our economy is in good hands.

* * *

• (1405)

[Translation]

LE COURRIER DE SAINT-HYACINTHE

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, this year we are celebrating the 150th anniversary of the weekly newspaper, *Le Courrier de Saint-Hyacinthe*, a veritable monument to the Quebec press, as the first French language newspaper to be published in America.

Of its many contributors, without a doubt one of the most illustrious was Honoré Mercier, a former member for Saint-Hyacinthe and one of the great premiers of Quebec.

In the past, all newspapers supported a given political party. This was the case for *Le Courrier de Saint-Hyacinthe* until 1969, with the arrival of editor Pierre Bornais. From the moment he took over, he made it clear that the columns of the newspaper would be open to all ideas, regardless of the political party, as long as the truth and the readership were respected.

My congratulations to the Chartier family of Saint-Hyacinthe, third-generation owners of the newspaper, as well as those who

make it what it is today, including editor Jean Vigneault. Thanks to them, this regional weekly continues to be one of the most lively members of the Quebec press.

* * *

[English]

KIDNEY DISEASE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have presented scores of petitions on aspects of kidney research signed by tens of thousands of Canadians. Answers to them, tabled in this House, show that they have raised awareness in government and across the country of the importance of kidney research, especially research into a bioartificial kidney. These petitions were initiated by Ken Sharp of Peterborough who has required kidney dialysis all his adult life.

One of the special results of these petitions has been better communication between U.S. researchers engaged in bioartificial kidney research and researchers in Canada. As a direct result of Ken's efforts U.S. and Canadian scientists met and shared experiences. As a result there was increased awareness on both sides. These meetings also stimulated a documentary on CPAC, which has been shown nationwide several times.

I would like to call on all members to join me in thanking Ken Sharp and his friends and colleagues for their continuing efforts to improve the lot of those with kidney disease.

* * *

GOVERNMENT OF CANADA

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, the Canadian Alliance has been raising questions in the House about the way the government conducts its affairs. There is an odour hanging over the cabinet and the Prime Minister. They are trying to paper over the mess, but Canadians are not buying it.

Sending one disgraced minister to Denmark does not provide any reassurances. Firing a minister for giving a contract to an ex-girlfriend does not do anything. Firing another minister for staying at the chalet of a contract recipient does nothing to reassure Canadians. It seems each day there is another incident of overwhelming incompetence catching up with a staggering lack of ethics. Canadians deserve better. Transparency must be the standard.

Here is what the Canadian Alliance has been proposing: an ethics commissioner responsible to parliament; clear, public guidelines for ministerial conduct; less dictatorship from the Prime Minister's Office; and a stronger role for parliamentarians.

The Alliance will continue to point out both the need for change and the way to change.

* * *

[Translation]

MILLENNIUM SCHOLARSHIPS

Ms. Diane St-Jacques (Shefford, Lib.): Mr. Speaker, the Canada Millennium Scholarship Foundation has distributed its awards of excellence for 2002-03.

One hundred and nineteen graduates in Quebec were awarded scholarships in recognition of their academic achievement, community involvement, leadership and innovation.

I would like to congratulate two young people from my riding, Christine Bergeron, a student at Collège Mont-Sacré-Coeur in Granby, and Julie Bergeron, a student at the Granby-Haute-Yamaska cegep, both of whom received awards of excellence.

Winning this award represents a unique moment in the life of a student. It is a reward which recognizes the academic achievement of our young people.

Created through the initiative of the Government of Canada, these awards represent a major investment in the future of our students. They are a fine way to promote academic excellence.

Once again, my congratulations to Christine and Julie. Canada enjoys great wealth in the promise of its youth, and they are a shining example.

* * *

IMMIGRATION

Ms. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, in April, the minister of immigration lifted the moratorium on Algerian nationals. As a result, all Algerians living in Canada who were denied refugee status will be returned to their country. Since then, more than 1,000 people have been living in a state of terrible anxiety as they await a deportation order.

The moratorium, which had been in place for five years, allowed them to escape Algeria's harsh reality, which resembles a civil war. Contrary to what the minister claimed, the situation in Algeria has not changed, and safety continues to be a big concern. Violence, torture and fear are part of the daily landscape, and there is little hope of a resolution to the conflict. Just recently again, 23 people, most of them civilians, women and children, were slaughtered.

The Bloc Québécois supports the claims of the Algerians and asks that the hundreds of cases be examined with justice and compassion.

* * *

• (1410)

[English]

ATLANTIC CANADA

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I wish to say to all members of the House that this is the third time in two years that Atlantic Canadians have been slandered by a member of the Alliance Party. What is worse, it comes from the leader of the Alliance Party.

I would like to remind those people in the Alliance Party that we have had worldclass frigates built in Saint John, New Brunswick. We have worldclass agricultural products coming from P.E.I. We have a worldclass energy sector in St. John's, Newfoundland. We have a worldclass educational centre in Halifax, Nova Scotia surrounded by worldclass people.

Atlantic Canadians gave up more people per capita on the fields of Europe who died to save this country. I say shame on the leader of the Alliance Party. He should resign.

S. O. 31

ATLANTIC CANADA

Mr. Geoff Regan (Halifax West, Lib.): Mr. Speaker, the media is reporting that certain members with national aspirations are still showing very regional biases. These members tend to make derogatory comments about Atlantic Canada based upon outdated stereotypes.

The city of Halifax is one example. It is a booming city whose growth rivals that of any other city in this country. Halifax is home to six fully accredited universities, a thriving R and D sector, a burgeoning oil and gas industry, a worldclass telecommunications hub, as well as biotechnology and medical research. The list goes on and on.

Those who want to govern the country should seek first to represent it. Attacking hardworking Atlantic Canadians and blaming them for their party's lack of support is not leadership. If they want to blame someone they are looking in the wrong direction.

I wish them good luck in building those walls. I suggest a few mirrors while they are at it.

* * *

CANADA-U.S. RELATIONS

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, last night in Halifax the right hon. Brian Mulroney spoke to over 1,000 Nova Scotia Progressive Conservatives telling them that "squalid conduct and stunning hypocrisy will be the only legacy of the Liberal government".

That is in contrast to the visionary policies like free trade of the Mulroney PC government, which were commended in introductory remarks last night from President George Bush Sr. in which the former president said that history had proven Mr. Mulroney right. Mr. Mulroney said, "it's tragic to see Canada getting clobbered regularly by the U.S. in softwood lumber and agriculture".

The current trade minister has explained this tragedy by saying that the current Prime Minister lacks clout in Washington. He is right. It is a situation Mr. Mulroney characterized as "a pathetic failure in international leadership".

Mr. Mulroney's speech provides valuable lessons to the Liberal government in managing international relationships as well as in leadership, integrity and courage.

* * *

[Translation]

HÉLÉNA BUREAU AND OLIVIER POULAIN

Mr. Jean-Guy Carignan (Québec East, Ind.): Mr. Speaker, I am proud to bring to the attention of the House two young students from the riding of Québec East, Hélène Bureau and Olivier Poulain, who were recently on Parliament Hill to receive awards recognizing their academic activities.

Oral Questions

Ms. Bureau is one of the winners of the Centennial scholarship, awarded by the Canadian Pharmacists Association, for her work promoting the school and the profession. She worked particularly hard to bring together the different areas of health sciences by creating the interdisciplinary association of health sciences.

Mr. Poulain was awarded a TD Canada Trust Scholarship for Outstanding Community Leadership. Mr. Poulin established a gay/lesbian/bisexual support and education group, at his cegep to help to break down the isolation suffered by homosexual students.

Ms. Bureau and Mr. Poulain are a part of a new generation of youth who are aware, involved, have a broad outlook on life and who represent the leadership of tomorrow and a bright future for our society.

Once again, I congratulate Ms. Bureau and Mr. Poulain and hope they continue their good work.

* * *

•(1415)

[English]

GOVERNMENT OF CANADA

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Mr. Speaker, the last couple of weeks remind us of that old arcade game, the one where the fuzzy animal pops up from the hole and the contest is to whack him before he disappears again.

There is the Prime Minister trying to whack his problems down but they keep popping up again. One big problem comes up, he gets whacked to Denmark. Another embarrassment comes up and he gets whacked back to his former job as House leader. Another fuzzy brain pops up and he and his girlfriend get whacked to oblivion.

However, they keep popping up: a problem at a college in P.E.I., whack, and a problem with an ad contract here and another problem there, whack, whack. Still the little animals pop out of their holes while the seemingly endless and completely ineffective campaign of whacking continues.

There is only one way to stop it: Change the game and the players and do not feed the animals.

* * *

[Translation]

YVES JOSEPH NOLET

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, Yves Joseph Nolet, of Laval, was honoured when he was asked to create and present a painting for His Holiness, Pope John Paul II. In July, he will have the opportunity to meet Pope John Paul II.

Known for his portrayals of aboriginals, Mr. Nolet painted a grand chief in a semi-figurative style. The figure being offered to the Holy Father is wearing a cross around his neck, and the Pope's miter can be made out when you turn the painting upside down.

Yves Joseph Nolet is a well-know artist, and his paintings can be seen at the Canadian Museum of Civilization in Hull and are

included in private collections. They are also hanging in Canadian embassies.

I would like to congratulate Mr. Nolet for all of his work. I hope that he will continue to impress Canadians and people around the world with his tremendous talent.

ORAL QUESTION PERIOD

[English]

ETHICS

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, my question is about the ethical standards of this government.

Yesterday in defending the solicitor general the Prime Minister indicated—

Some hon. members: Oh, oh.

The Speaker: Order. We are having question period now. I know that many members may have questions but we will hear the Leader of the Opposition first and everyone will want to hear him.

Mr. Stephen Harper: Yesterday in defending the solicitor general, Mr. Speaker, the Prime Minister indicated that a minister has a right, even a responsibility, to lobby officials or agencies under his direct responsibility to help constituents, friends, whoever.

Does the Prime Minister see no ethical difficulty in cabinet ministers acting as lobbyists for some citizens and institutions rather than treating all people fairly and impartially under the law?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I explained very clearly yesterday that a minister has the responsibility to represent his riding and to represent his province.

I understand that the Leader of the Opposition does not like Atlantic Canada very much. His record as the Leader of the Opposition in two weeks is pretty good. He has managed to insult Quebecers on bilingualism and—

The Speaker: The hon. Leader of the Opposition.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker—

Some hon. members: Oh, oh.

The Speaker: Order. We are having trouble today. I know there are strong differences of view in light of recent statements but we have to proceed with question period and we would like a little order so that we can get on with it. The hon. Leader of the Opposition has the floor.

Mr. Stephen Harper: Mr. Speaker, I want to see an Atlantic Canada where Atlantic Canadians do not have to have friends in the federal cabinet to get equal treatment from the government. Instead of rationalizing the pork-barrel politics that the government practices in the region, did the Prime Minister make any attempt before exonerating the solicitor general to seek any kind of ethics advice on the solicitor general's behaviour?

Oral Questions

● (1420)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when a member of parliament is representing institutions of education that give some courses of great quality to make the young people of that province first citizens of Canada with all the abilities to serve their country, these programs apply to P.E.I. just like the \$5 million that was given to the University of Calgary, the \$10 million that was given to the University of Alberta and the \$10 million that was given to the University of Saskatchewan.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, it is not just the RCMP. We have now learned that the college of the solicitor general's brother received millions of tax dollars. It received it from ACOA when this minister was the minister for ACOA. It received the distinction of being the only college in Canada to receive transitional jobs fund money.

Why can the Prime Minister not admit the solicitor general was just wrong to pressure his own departments to fund projects spearheaded by his brother?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the brother was the president of a university. The government would never deprive a university or the people of a province because it happens in a family that one brother is the head of a school and the other brother is serving the Canadian people very honourably in the Parliament of Canada.

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GOVERNMENT GRANTS

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, any suggestion, whether it is real or perceived, that the independence of the RCMP has been compromised is extremely serious. This may be difficult for the ethically challenged members of the government to comprehend, but Canadians must have confidence that the RCMP can do their job without the fear of reprisal or interference from their political masters.

I ask the Prime Minister, does he in fact condone the solicitor general lobbying the very organization that he controls? Yes or no.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when a member of parliament and a cabinet minister receives a request by a citizen of his province to apply for programs that exist in the department under his responsibility, it is his duty to transmit that request to the officials so that the people of his province and his riding will not be penalized because he is serving Canada as a minister.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, we look at Airbus, we look at APEC and we look at Shawinigate. The government is mired in allegations of political interference with the RCMP.

The Prime Minister's defence of the solicitor general putting political pressure on the RCMP for financial favours substantiates those well founded allegations.

How will the Prime Minister restore Canadians' faith that the RCMP can operate free of political interference after he condoned and defended the solicitor general lobbying the RCMP?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I am listening to these people being sanctimonious.

I have an ad here. The Leader of the Opposition was working for a member of parliament, Jim Hawkes, in the House. A few weeks later he ran against him and the National Citizens Coalition spent \$50 million asking the people to defeat Jim Hawkes, the former boss of this person. After that they come to us and talk about integrity?

* * *

[Translation]

GOVERNMENT CONTRACTS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, like the minister of immigration, who stayed at Claude Boulay's condo, the Minister of Justice is also connected to Groupe Everest.

His current chief of staff secured a \$56,000 contract for Everest for the Games of la Francophonie, and his former deputy minister violated the code of ethics when, for \$7 million, Everest, which employed his wife, became "the" communication firm for CED.

Will the Prime Minister admit that the network linking the ministers, their entourage and the firms run by friends of the government is so tightly knit that a public inquiry is necessary to find out the extent of that network?

● (1425)

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, first, as regards my political chief of staff, I wish to point out to the Bloc Québécois leader that she is a childhood friend.

Second, her communication officer, Carole Lavallée, is a former member of Groupe BDDS. Are we going to make a big issue of this?

Third, as regards the communication contracts awarded by CED—and I am no longer responsible for CED—I want to point out that we do not get involved in the process. But perhaps there is indeed a problem and we should redefine the ministerial power, so that we could play our role.

When people vote for us—

The Speaker: The hon. member for Laurier—Sainte-Marie.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, at the core of this network where contracts are awarded in exchange for contributions to the Liberal Party of Canada, we find, on the government side, three key figures: Alfonso Gagliano, the minister of immigration and the Minister of Justice. These are the people who, since 1993, have been the chief organizers for the Liberals in Quebec.

Since his Quebec lieutenants are key members of this network, will the Prime Minister recognize at last that a public inquiry is in order to shed light on the whole political dimension of this new gimmick?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, at the request of the opposition, we have asked a House of Commons official, namely the auditor general, to look into all these issues.

The auditor general will report to us. Those who committed illegal acts, if any, will be prosecuted. This is how we have always proceeded.

Oral Questions

If an investigation reveals that individuals have committed criminal offences, they must be tried before the courts. If they received excessive amounts of money, they must give that money back.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, yesterday in coming to the defence of the minister of immigration, the minister of justice told us a lot more than he intended to by saying "In my opinion, the minister ought to have the opportunity to speak out, to make an official statement. Let us put an end to the hypocrisy".

By indicating that he feels the minister ought to make an official statement, is this not a confirmation that at present, ministers express their opinion, but in an unofficial manner, through their staff, and that he would wish it could be done openly?

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, what I am saying essentially, and I think this is important, is that we are being criticized within a process in which many ministers here do not have the opportunity to act as far as our various powers are concerned.

What I am saying is that there is a malaise from the point of view of how political power is exercised. I think we may have reached a crossroads where we must ask what the exercise of power is, what ministers must do within the powers and the mandates assigned to them.

People vote for us every four or five years, and expect us to exercise these powers. The same goes for backbenchers. Should we give them more power within their ridings?

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the minister of justice has just shown us his true colours.

He and his cabinet colleagues are trying to intervene. They do so via their staff, via third parties, and are unhappy about it because they do not always win out. When they do get their way, however, their little friends stand to benefit.

I would ask this of the minister of justice: Does his point of view not lead directly to a system of patronage, but an open one, as opposed to the existing one, which is rather secret, as long as the opposition does not speak up?

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, my words have been seriously misrepresented. What I said is absolutely clear and explicit.

What I am saying is that politicians are elected every four or five years. We have certain powers. What I am saying is that, even when we do not have those powers, we are criticized.

If we are going to be criticized, let us ensure that the various ministerial powers can be rethought, political power restored, perhaps even redefined, and that, in this context, we can make sure we get the best quality at the best price, and the best service, and that all of this can be accomplished in harmony.

• (1430)

[English]

INTERNATIONAL AID

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the Prime Minister is preoccupied with Liberal double crossing, but could he turn his attention for a moment to a broader concern; the severe crisis in Africa.

Ten million people in southern Africa alone face starvation. The Prime Minister promised lasting solutions from the G-8, but his officials are now running around dampening expectation.

Canada's foreign aid is below .3% of GDP, far below the .7% UN target. Why does the Prime Minister not keep his promise and increase Canada's foreign aid immediately to the .7%? That would be integrity.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, for two years we have increased our program by 8% a year and it is going up every year. On top of that increase, we have allocated \$500 million for the next three years to be applied specifically, above the previous programs, to new programs for the people of Africa.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the Prime Minister fancies himself as the champion of African development, as the champion of democratic rights and freedoms. Yet as of May 25 the International Centre of Human Rights and Democratic Development is operating without a president at a time when its work on African development on human rights and democracy in the context of terrorism is desperately important.

Why has the Prime Minister allowed the appointment of one of his most loyal, competent and respected former colleagues, Warren Allmand, to expire with no replacement?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I hope there will be a replacement named within a week or two.

While I am on my feet, I just want to make a correction. Listening to the opposition members, I tend to take the habit from them to exaggerate a bit. I was speaking about \$50,000 but unfortunately I said \$50 million. It is the atmosphere of exaggeration that exists on the other side that seems to have come over to our side at this moment.

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GOVERNMENT CONTRACTS

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, it is always somebody else's fault.

I have a question for the Prime Minister, which I am sure he has looked into. Did the then minister of state for amateur sport recommend to the Minister of Canadian Heritage in any form that the \$500,000 contract for organizing cross country consultations on amateur sport be awarded to Groupe Everest?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I have no information before me to that effect.

Oral Questions

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, I have a question for the Prime Minister. When accused of improper behaviour, the solicitor general was allowed to speak for himself, so was the former Minister of Public Works and Government Services, so was the former Minister of National Defence, so was the Minister of Justice and so was the Minister of Finance.

On a matter relating to public policy and while he was a minister of the crown, the Minister of Citizenship and Immigration gave two absolutely contradictory stories. The House needs to know which is true.

Why does the Prime Minister not allow the Minister of Citizenship and Immigration the same right as other accused ministers have to stand in the House and speak for himself?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the hon. member, who is a long time member of this House, should know the rules. The rule is that a minister should answer in the House of Commons about his responsibility for the ministry he has at that moment. If it is a question related to his previous ministry, the question should be asked of the new minister. That has been the rule unless the Prime Minister, the Deputy Prime Minister or an acting minister are replying in place of the minister of immigration.

These are the rules and we are obliged to abide by the rules, as the Speaker asks us to do.

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GOVERNMENT GRANTS

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, once long ago the Prime Minister and his cronies were offended by patronage. In fact 10 years ago, when in opposition, this is what they said about getting jobs and contracts for friends, and I quote:

—we've seen two different incidents within the last 10 days of this Family Compact type of affair, I think the people of Canada have a right to know what's going on...

I agree. Do the people of Canada not still have a right to know what is going on with this kind of sleaze and patronage?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, all the facts are known. There is a long time president of a university in P.E.I., an extremely well respected citizen of P.E.I., who is running a public institution. He has requested money, like any other president of a similar institution, from existing federal programs. That is known. He has the right to do it and has done it.

If he is no good at his job, it is up to the provincial government to replace him. However I am told that he has been doing a good job for many years in having one of the best—

• (1435)

The Speaker: The hon. member for Macleod.

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, the problem is he is a brother and it involves the appearance of a conflict of interest. Listen to what they say about patronage today. I am quoting the justice minister, who said:

—it is time to end the hypocrisy and let ministers...have more of a say in which communications agencies are chosen to do [their] work.

More of a say? I say that the Canadian public does not want the minister to have any say in communications agencies, none.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the day will come when opposition members will have to make up their minds. They keep asking questions and demanding that the minister be responsible for what is going on in his department. Right after that they say that the minister should not be responsible. They should make up their minds. Are they for responsible ministers or no ministers at all?

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[Translation]

GOVERNMENT CONTRACTS

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, the Prime Minister is now blaming public officials, his public officials for the problems and misfortunes that are currently plaguing his government.

Yet some time ago, this same Prime Minister said that he would never let others shoulder responsibilities that are his to bear.

Are we to understand that the Prime Minister's change in attitude is mostly due to the fact that he and some of his ministers were caught with their snouts in the trough?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Honestly, Mr. Speaker, I have always taken responsibility for my actions and I will always do so.

By the way, what is disgraceful is that while there are problems in this country, while people would like to discuss agriculture, Kyoto, softwood lumber, all the opposition is interested in is trying to ruin the reputation of members of the House.

You will see, Mr. Speaker, that people will recognize that this government is responsible, that it has always taken its responsibilities seriously, and that the opposition, desperate because it is faced with a good government, is trying to ruin reputations.

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, the real problem in Canada is the Prime Minister, who refuses to answer questions asked in the House.

He lays the blame on public officials who are not here to defend themselves, who are not here to listen to what we have to say. This is completely unfair of the Prime Minister.

Will the Prime Minister admit that until there is a public inquiry, which we are calling for, it is impossible to subpoena public officials, to swear them in and to question them on the extent of political interference, which falls outside the auditor general's mandate?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, it was at the opposition's request that we asked an officer of the House, the auditor general, who has all of the necessary powers to investigate, to look into this issue. She will report, and we will draw conclusions.

*Oral Questions**[English]*

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the Liberal scheme for doling out taxpayer money by passing it through the sticky fingers of their friends is truly unacceptable to Canadians. Lafleur Communications, a fishing buddy of the justice minister, donated \$57,000 to the Liberals after receiving a \$120,000 commission for taking \$1 million in a briefcase down the street to VIA Rail.

When we see options like that out there in front of taxpayers, what they are crying for is a truly independent public inquiry. When will the minister set one up?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, consistent with the obligations that my officials have under the appropriate legislation, including the Financial Administration Act, steps have been taken by the appropriate officials to refer this matter to the RCMP.

• (1440)

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the list grows. Week after week and day after day we see more and more things hitting the RCMP. I hope it has enough members and budget to take it all in.

It does not take a rocket scientist to see that giving huge commissions to Liberal friendly ad companies is just bilking the taxpayers for more money. It is greed and corruption: no reports, no files and verbal contracts, just cancelled Liberal donation cheques, which is really all we can go on.

All these ministers were sitting in cabinet when this scheme was hatched and implemented. How can they not see that it will take an outside independent public inquiry to clear the air?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, there is nothing more independent, more authoritative, than the RCMP. It will conduct the appropriate investigations. It will make the appropriate decisions. The proper course of justice will be served.

[Translation]

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, we want to know the connections that exist between public officials, deputy ministers and ministers. This is why the case of the minister of immigration is of interest to us.

Yesterday, the minister of heritage told us that the recommendation to select Everest had been made by public officials.

Could the minister of public works tell us which Canadian heritage official recommended that the contract be awarded to Everest, because we want to know the connections of this public official with the minister of immigration?

[English]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I do not have that information before

me. Nor do I think it may be appropriate to discuss that in the House of Commons.

However I do want to assure the hon. member that the choice of Groupe Everest was made by officials in the Department of Public Works and Government Services on the basis of the agency's standing offer with the department, and that standing offer was the result of a competitive process.

[Translation]

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, if the government has nothing to hide, why does it not produce the documents relating to the recommendation made by Canadian heritage that Groupe Everest be chosen for the Canada-wide tour of the former Secretary of State for Amateur Sport?

[English]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I will examine the request that has been made by the hon. member to see if further information can be presented. She may rest assured, however, that it is my intention and my responsibility to ensure that transparency, accountability and the public interest are served by my department.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, the justice minister has acknowledge that Jean Lafleur is a friend of his and that he will continue to have a friendly relationship with him even though an RCMP investigation is under way.

Is this the way the minister of justice should conduct himself? Is it right for the minister of justice to pal around with someone who is at the centre of a serious police investigation that may involve a violation of the public trust?

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, it is really a pity to hear such a statement. In Canada one is not guilty until found guilty.

As I said yesterday, I will go back fishing. I also said that Mr. Lafleur did not pay for my fishing trip. I have not been involved at all in the process, and the member knows that. The only thing that he is trying to do is to "assassiner un personnage ou un caractère", as was said by the Prime Minister.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, Canadians deserve an open and transparent way out of the contract mess of the government. There are two simple things the government can do to do that.

The first thing is the British have made public the ethical standards of their cabinet ministers and in fact they are published on the web. The government can do that. It is a very simple thing. The second thing is that the inquiry into the contract mess should be made public. These are two very simple things in which at one time in the past the Liberal government used to believe.

Why are these simple ideas so hard for the government to grasp?

Oral Questions

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, with respect to the matters pertaining to the sponsorship program, the auditor general has conducted an inquiry, she has filed a report, she has referred certain matters to the RCMP and she has indicated that she will be conducting a government-wide audit into all these matters. I would point out that once that report is filed, it is automatically referred to the public accounts committee and to all members of the House.

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[Translation]

AFRICA

Ms. Carole-Marie Allard (Laval East, Lib.): Mr. Speaker, Africa will be on the agenda during the Kananaskis summit, on June 26 and 27.

Could the Secretary of State for Latin America, Africa and the Francophonie tell us what he is currently doing to make Canadians aware of this issue?

• (1445)

Hon. Denis Paradis (Secretary of State (Latin America and Africa) (Francophonie), Lib.): Mr. Speaker, we are extremely proud to be Canadians when we see what the Prime Minister and Canada have done to include Africa as a priority issue during the G-8 summit.

I personally began a Canada-wide awareness tour, along with a number of MPs. We visit schools and we meet special interest groups and members of the local and regional newspapers.

When 53 of Africa's poorest countries agree on a partnership plan to develop that continent, and when eight of the world's richest countries are getting ready to provide a response, I think we are about to witness a historic moment.

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[English]

HEALTH

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, my question is for the health minister.

Given the latest evidence of skyrocketing drug costs, Canadians would really like to know why the Liberals will not abolish the Progressive Conservative inspired drug patent protection act. This is the act that is gouging Canadians and an act the Liberals once promised to scrap.

With almost \$400,000 rolling into Liberal Party coffers from pharmaceutical companies, could it be that Liberals are just as addicted to drug money as they are to communications company money?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, the hon. member is correct that the total cost of drugs in the health care system does continue to rise. This is a matter that was identified as being of concern for first ministers and was addressed in the accord signed in September 2000 by the Prime Minister and the premiers.

The federal government and provincial and territorial health ministers continue to work together, dare I say very effectively, in relation to dealing with tough issues around drug utilization, prices of individual drugs and the total cost of drugs to the health care system.

* * *

AGRICULTURE

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, for years now the agriculture minister has been urging grain farmers to diversify into livestock and they have. Now Saskatchewan agricultural producers are saying that half the cattle herds in that province are at risk because the water has dried up and the pastures have burned up in a devastating drought.

The \$2.2 million in the rural water development program evaporated months ago and more than 2,000 applications are still outstanding. The question the farmers and ranchers want answered by the government is why does the minister of agriculture refuse to take the request forward for an additional \$5 million for this program?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, on an annual basis there is \$5.5 million for rural water projects in western Canada. Last year the government added another \$3.3 million to that. Just a few weeks ago we added another \$1.1 million to it in the hon. member's province.

This is usually done on a cost share basis but in that case the member's own province did not even want to help the farmers in Saskatchewan so the federal government did it on its own for them.

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GOVERNMENT GRANTS

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, the conflict of interest questions surrounding the solicitor general's conduct in helping his brother's college access over \$8 million comes straight out of the Shawingate playbook. They have run this pattern before. Like the Prime Minister, the solicitor general, upon hearing that a loan he wanted approved was rejected, intervened directly and personally with what is supposed to be an arm's length government agency, namely the RCMP.

What exactly did the solicitor general say to the commissioner of the RCMP in his meeting on May 14?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, as I have said many times in the House, what happened was that the proposal was given to my office and submitted to the AIF. When my office received a copy, it submitted a copy to the RCMP. When the commissioner met with me on May 14, he indicated to me that they would have difficulty supporting the project.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, we know what the commissioner said. My question was what did the solicitor general say?

Oral Questions

Can the solicitor general tell the House whether he has pulled any other patterns out of the Shawinigate playbook? In other words, has the solicitor general and political minister for P.E.I. made similar direct interventions to lobby on behalf of any of the millions of dollars in contracts awarded to the APM Group whose CEO, Tim Banks, is the president of the P.E.I. Liberal Party?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, any proposal that I receive from Prince Edward Island is sent to the appropriate department to be dealt with. Any proposal that I have received has been dealt with fairly. I am surprised that my hon. colleague would try to defame people who are trying to make Prince Edward Island and Atlantic Canada a better place in which to live.

* * *

• (1450)

GOVERNMENT CONTRACTS

Mr. Ted White (North Vancouver, Canadian Alliance): Mr. Speaker, Canadians now know that political interference in the awarding of advertising contracts started in the office of the Minister of Finance as far back as 1994. That is when the minister's assistant urged officials to add Liberal firms and donors to the preferred list. Just months after being elected on the Prime Minister's platform of ethical government, there was the Minister of Finance up to his neck in the pork barrel trying to get jobs for his Liberal friends.

For how long after 1994 did the minister continue with this completely unethical practice? Is he still adding names to the list, or has he run out of names?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, in 1993 when we took office the very important Canada savings bond program was in fact in slow motion, if not on the skids. It was in desperate need of revitalization. That was my opinion, the opinion of the department and that of most outside observers.

One of the important ways in which one does this is to increase the professionalism of the services that are being provided for it. What was recommended in the memo was that we go to as open and transparent a bidding process with as many bidders as possible. That is what the memo recommended and that is good policy.

Mr. Ted White (North Vancouver, Canadian Alliance): Mr. Speaker, telling officials to look in the yellow pages is the way to get good competition. In the yellow pages in Ottawa alone there are hundreds of firms listed. That is the way to get a good competition going.

The Minister of Finance has not denied that he pressured his officials to add Liberal firms to his preferred list of appointments. He also added Groupe Everest to that list. He has not complained about Groupe Everest. This could be one of the firms that is under investigation by the RCMP.

Why did the minister instruct his officials to add Groupe Everest to his list of preferred advertising companies? What exact—

The Speaker: The hon. Minister of Finance.

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, Groupe Everest was already there. It had won an open competition long before the memo.

The simple fact is that we now see the difference between the Alliance members and ourselves. We are recommending an open process, a transparent process with as many bidders as possible right across the country from coast to coast to coast. That is how we would award contracts. They would let their fingers do the walking.

* * *

[Translation]

HELLS ANGELS

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, we have just learned to our astonishment that the Hell's Angels are being invited to take part in a cavalcade marking the 50th anniversary of Queen Elizabeth II's reign. As people know, this criminal gang is now embroiled in a sensational trial in Quebec. This morning, the House rejected a motion put forward by the Bloc Québécois House leader asking that this decision be reviewed.

I ask the Deputy Prime Minister if the Canadian government intends to intervene officially to protest this unacceptable decision.

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I was made aware of the proposal made by the hon. Bloc Québécois House leader earlier this morning. We are now looking into what took place to determine whether the allegations in the media are true.

If I understood what went on this morning, the refusal did not come from this side of the House.

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, would the government therefore agree to vote in favour of the Bloc Québécois motion and allow the House of Commons to take an official stand against this decision, or does it intend to make the representations requested in the motion of its own volition?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the question is a hypothetical one, because we have still not been able to verify the allegations as they were presented by the media this morning. Until we have established what took place, it is hypothetical to wonder whether a motion should originate on one side of the House or the other. We will look into this. I consult several times a day with the Bloc Québécois House leader and also with all the other House leaders.

* * *

• (1455)

[English]

GOVERNMENT CONTRACTS

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, the Prime Minister stonewalls questions about the immigration minister's ties to Boulay but the minister has a long history as a Liberal porkmeister.

Oral Questions

The ethics counsellor revealed that the government had all grants in Quebec approved by Liberal political bosses.

The minister as Quebec organizer had a heavy hand in doling out political pork. Then he tried to deny he bedded down at the home of a major beneficiary. He owes Canadians straight answers. Why does he keep hiding behind the skirts of other ministers?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, when we talk about stonewalling, I think really it is time for that glass house to be careful where it is throwing stones. After all, who exactly did contribute to the leadership campaigns on the other side?

We have heard that the Leader of the Opposition denounces Canada's advocacy of a landmines treaty because the Americans might not like it. Were his contributors all Canadians? We do not know who contributes to the National Citizens Coalition. We do not know.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, that was a pretty pathetic diversionary tactic.

Canadians believe that integrity means being truthful. The minister strenuously denied staying at chez Boulay and then changed his story when the facts came to light. His credentials as an honest minister are in question. Instead of facing people openly, he cowers over there in his seat. Is this because he has something to hide?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, interestingly in the byelection campaign the Leader of the Opposition refused to attend public debates, an example that he followed from the member for Calgary—Nose Hill in the last general election. They refused to stand in front of their people and answer questions in open debate with other candidates for election. What is it about their views that they want to hide?

* * *

MIDDLE EAST

Mr. Sarkis Assadourian (Brampton Centre, Lib.): Mr. Speaker, my question is for the Minister of Foreign Affairs.

During his recent trip to the Middle East the minister had the opportunity to meet with the leadership of both sides involved in the ongoing conflict. Can the minister share with the House his observations on the current situation and outline the position of the government in regard to assisting in the creation of a lasting and durable peace in the region?

Hon. Bill Graham (Minister of Foreign Affairs, Lib.): Mr. Speaker, I know the House will be following this question with a great deal of interest. I had an opportunity to speak about it at committee this morning. It is obviously an extremely complex issue.

What Canada is seeking to do is allow the two parties who came very close to an agreement some time ago to restore some confidence which will enable them to once again begin a political dialogue which will end this terrible dispute. It is not capable of being ended by a military solution. We urge the parties and Mr. Arafat to find a way to stop the violence. We urge the Israeli government to make the life of the Palestinian people such that they

will have hope and that we can go forward and turn the page on a past which has been terrible for everybody in that country.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, the Prime Minister is forever telling us to file an access request if we want more information about his scandal plagued government.

Since March 2000 the human resources minister has been sitting on an access request that involves an RCMP investigation dealing with a \$165,000 job grant awarded to a Bloc MP that all of a sudden got diverted into the Prime Minister's riding.

Can the human resources minister explain why she has been stonewalling the information commissioner's legal demands for information for over two years now?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, what I can explain is that my department has a stellar record when it comes to responding to access to information requests. In fact, it was the hon. member's own party researchers who applauded my department for its work in that regard.

It is clear there was a point when our responses were slowed down because there was a ten times increase in the requests that we received. In working with the privacy commissioner and the access to information experts we have restored our integrity in this process. We will continue to provide the information as it is requested.

● (1500)

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, then why does the minister not make a commitment right now to give us that report? It has been sitting on her desk for two years. I take it she is going to do that.

According to the former head of Liberal research, the PMO has now set up a committee whose sole purpose is to block and stall the release of this type of information. There is a 4,000 page report sitting on her desk that the information commissioner has demanded be released. Why will the minister not release that information? Why will she not make that commitment now?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, as I indicated we respond to these requests. The hon. member himself has identified that many of these requests are expansive and there are thousands and thousands of pages that have to be reviewed. Let me confirm to the hon. member and to the House that our commitment to access to information requests is firm and strong. We will respond with information as is appropriate.

Government Orders

[Translation]

GOVERNMENT CONTRACTS

Mr. Robert Lanctôt (Châteauguay, BQ): Mr. Speaker, yesterday we asked the minister of public works whether or not he was planning on suspending the \$2 million contract granted to Robert-Guy Scully for a series on innovation and entrepreneurship, given that the RCMP is currently investigating his series on Maurice Richard. The minister informed us that he would review the file and report back.

Can he tell us today if he had time to examine the contract and if he will suspend the contract, as he did for advertising contracts?

[English]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I have made some inquiries with respect to this innovation television series. I would point out that this is not a sponsorship initiative. Rather, it is a partnership between the Government of Canada and the private sector to promote innovation in this country from coast to coast to coast. There are no communications agencies involved or commissions paid.

BUSINESS OF THE HOUSE

[English]

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, today being Thursday, it is my duty at this time to ask the Leader of the Government in the House of Commons what business he has for the remainder of today, tomorrow and next week.

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, it is my pleasure to respond to my first business question since I came, as I said, back home again.

Today we will continue with the debate on second reading of Bill C-55. This would be followed by report stage and third reading of Bill S-34, the royal assent bill, followed by consideration of a minor technical amendment made by the Senate to Bill C-23, the competition legislation.

Tomorrow we plan to resume business where it leaves off today, with Bill C-15B, the criminal code amendments, as a backup, a bill which I know people are very enthusiastic about supporting.

In any case, it is my intention to call Bill C-15B as the first item of business on Monday.

On Tuesday, subject to progress made earlier, we will commence the report stage of Bill C-53, the pest control legislation. In the evening the House will be in committee of the whole on the Public Works and Government Services estimates, pursuant to our new rule.

Wednesday we plan to debate second reading of a bill respecting nuclear safety about which I gave information to House leaders yesterday. The bill will be introduced at the beginning of the week.

Thursday of next week, that is to say a week from today, shall be an allotted day, the last of this supply period which means, and I say this for the benefit of all hon. members and their plans for that day, that the House will sit into the evening or could sit as late as the evening, depending of course, to consider the main estimates and the appropriation act based thereon.

I want to thank all colleagues, if I can say so in conclusion, for their kind words upon my return as Leader of the Government in the House of Commons.

● (1505)

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I rise on a point of order. The government House leader neglected to say what the government's plans were with respect to Bill C-5, the species at risk bill. I know it is a bit unorthodox but could he tell us what the government's disposition is with respect to that bill?

Hon. Don Boudria: Mr. Speaker, amendments are necessary to further improve the bill. We are reviewing some of those amendments now.

I hope that by the meeting of Tuesday where all House leaders meet that I will be able to indicate to my colleagues across the way from all parties when we will be able to resume consideration of the report stage of Bill C-5.

Mr. Gurmant Grewal: Mr. Speaker, I rise on a point of order. I seek unanimous consent to revert to presenting reports from committees so I may present the sixth report of the Standing Joint Committee on Scrutiny of Regulations.

Hon. Don Boudria: Mr. Speaker, I was not made aware of the subject of this. No one informed me. If the purpose of this is to table the report of the Standing Joint Committee on Scrutiny of Regulations and no other action at this time, I would agree to that, yes.

The Speaker: Is there agreement to revert to presenting reports from committees?

Some hon. members: Agreed.

Some hon. members: No.

GOVERNMENT ORDERS

[Translation]

PUBLIC SAFETY ACT, 2002

The House resumed consideration of the motion 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.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, this is not the first time I speak to Bill C-55. Unfortunately, as consideration of the bill progresses, more and more concerns are raised, and our support for the bill, as a party, is decreasing.

Government Orders

On several occasions, I brought up the issue of controlled access military zones. There are numerous other aspects of the bill with which we have problems. As the debate unfolds, more people are taking position against the substance of the bill.

The privacy commissioner made comments recently. Just this week, while I was part of a delegation for NATO, Amnesty International published a very interesting document on the evolution of this issue in various parliaments. The Government of Canada made the list of parliaments which are tightening their grip and limiting freedom of expression and civil liberties in general. Amnesty International is very concerned about that.

I would like to come back once more to the areas of limitation, which is the crux of the matter as far as we are concerned. There is also the issue of information which will circulate very widely within various government agencies. There is also the issue of interim orders through which the minister and the governor in council will be able to do almost anything they want.

For now, I will focus on controlled access military zones. This part of the act does not make sense, in our view, and I will explain why.

First, one person, the chief of the defence staff, will make a recommendation to a single individual, the Minister of National Defence. Imagine what this means in the present context: we have a new defence minister to whom it could be recommended to create a controlled access military zone.

I often give this example in my speeches. He can suddenly decide to create a very large zone around the naval reserve building in Quebec City and including, for example, all of Old Quebec. Under the bill now before us, the minister would have the mandate and the power to do so on his own, without consulting the governor in council. Without any consultation, he could say, for reasons known only to him, "I am creating a controlled access military zone in Old Quebec, and here is why I have made that decision".

He could also decide not to say a word to anybody. That too is provided for in the bill. People could be in a controlled access military zone without even knowing it. It is true not only for people, but also for their property, their cars, and even their pets, I believe. If your dog bites a military person in a controlled access military zone, you could be prosecuted. You could be forcibly removed from such a zone, which is sometimes done in a quite violent fashion. Once the military is given the mandate to control a controlled access military zone, it will do so its own way. When told to remove somebody from that zone, it will not necessarily do it tactfully.

The minister has complete discretion. The legislation says that this will be done in a reasonable fashion. There are 301 members in the House of Commons and there are probably as many definitions of the term reasonable. Therefore, the minister can, in a reasonable fashion, establish a zone and specify its dimensions, the effective period of designation and whether it will be renewed or not. A single person has the power to do that.

● (1510)

What constitutes a severe blow to the rights and freedoms in that regard—I was referring to the little dog biting a soldier's leg—is when someone gets thrown out by force without knowing he was inside a military zone. He will also be told "It is just too bad, sir, but

you cannot sue the Crown. You cannot sue the federal government if you were inside that zone, even unknowingly, for damage caused to you".

Of course, the bill provides that Treasury Board may compensate a citizen, but this is discretionary. If the Treasury Board says "No, I do not want to compensate you for the damage caused to you" and if you want to sue the government, you cannot because that is what is provided for in the bill.

We feel that the bill really goes too far. We are not alone in saying so. The privacy commissioner says the same thing. I think many opposition parties do too. I think some Liberal colleagues who take the charter of rights and freedoms seriously should oppose the bill. Unfortunately, we have not heard a lot from them so far.

I admire the courage of the government members when they are able to rise on a basic principle to say they disagree. Indeed, we were recently given the full violin treatment for the 20th anniversary of the charter of rights and freedoms. In this regard, it is quite simple. The bill is a direct attack on the charter of rights and freedoms.

In several of my speeches, I have already said that it will not be long before this bill, once passed, is challenged in court. Some people will challenge it on the grounds that it violates the charter of rights and freedoms. I think these people will be right to do so. As the bill stands, it is quite likely that the courts will agree with whoever challenges it.

Consequently, I believe that the government went too far. We remember the days following the terrible events and the awful disaster of September 11. Everyone here in the House was saying "The people must not be deprived of their freedom, because the terrorists will have succeeded".

In all my speeches, I said that the terrorists succeeded in convincing governments to restrict rights and freedoms. I believe this is unacceptable in our context.

It is not too late. The bill will certainly be referred to a committee. I was away from the House for a few days because I was travelling with NATO. I am anxious to see what type of committee will consider this bill. This is an omnibus bill. It deals with transportation. Indeed, it is the Minister of Transport who is sponsoring the bill. However, it also deals with national defence and the solicitor general. This bill affects several acts.

So it will not be too late to suggest some amendments. However, the way it is currently worded and drafted, it is impossible for us to agree with this bill. At this point, the best thing for the government would be to withdraw it and go back to the drawing board again to ensure that it does not allow terrorists to restrict the rights and freedoms of all of western society. This is very important, in my opinion.

If the government does not do so, it will have to be open to several amendments. The Bloc Québécois is definitely opposed to the bill as it stands. It will take several changes before the Bloc Québécois can say at third reading "We support this type of bill that restricts the rights and freedoms of the citizens of Canada and Quebec".

Government Orders

• (1515)

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I am pleased to rise today to speak to Bill C-55. I am eager to see the decision that you will hand down on the amendment brought forward by my colleague from the Conservative Party, since I totally support that amendment. It asks that this bill be scrapped, and I agree with the Conservative member on that.

This government never justified why we, in the House, should pass legislation that would restrict individual freedoms. It never justified why such harsh legislation was needed following the events of September 11. September 11 has become the perfect excuse for limiting the rights of citizens.

I want to congratulate my colleague from Terrebonne—Blainville, who this morning received telephone calls from two women's associations informing her of their objections to Bill C-55. It is nice to see that, again, it is the women of this country who are telling these men who are in the majority in the House that they must stop restricting the freedoms of Canadians and Quebecers.

I want to thank these women and tell them that I heard their message and that, as a woman myself, I know that they are right. Restricting rights and freedoms is useless. We already have, in the existing laws, all the means we need to counter terrorist acts.

If the government were willing to enforce these laws that we already have here, in Canada, we would not be talking about Bill C-55.

Before oral question period, the member for Chicoutimi—Le Fjord tried to fool everybody by saying that it is good legislation. Strangely enough, it seems that only this government is right. Many people, including editorial writers, Amnesty International and other organizations, said "This bill should suffer the same fate as Bill C-42. It should be withdrawn. And this government should do its homework properly".

When a member from a party on this side of the House wants to become a government member, we see a radical change in his or her position. In that regard, I would like to quote what the member for Chicoutimi—Le Fjord said in a statement that he made on February 22, 2000, when he was in opposition:

The Liberals absolutely do not want to consult the public to find out what it thinks of this measure... Arrogance, contempt and indifference toward the House of Commons and toward all Canadians are now part of a behaviour that is beginning to spread throughout this government.

Curiously, when someone is in the governing party, he is at a loss for ideas. I thought the hon. member was right about the government, when he was in the opposition.

If he really believes in Bill C-55, why does he not consult the public before it becomes law? This type of legislation will lead us up a dead-end alley of repression.

We, of the Bloc Québécois, have experienced the War Measures Act. I referred to that in my last speech. Some of my friends were arrested without explanation. They were held in very secret places and not told why they were being held.

The government will be empowered to designate controlled access military zones and a single minister, the Defence Minister, will determine the dimensions of these zones.

• (1520)

He will order defence staff to create military zones. He will be the one to decide. This is serious. A single person cannot be given the unlimited power to restrict civil liberties.

This government always says "Rights and liberties are important. We celebrated the anniversary of the charter of rights and freedoms. Canada is known throughout the world as a great democratic country". With this bill, however, it is following in the Americans' footsteps, who have lost control over what they are because of the events of September 11. They put everything in the same basket and say "From now on I can do anything, even violate the rights and freedoms of people."

Now, I do not belong to this country, namely because of the way this government considers the need to have restricting laws in Canada. This is why I want to get out of this country. If this is where this government is going, no way, I want no part of it. I say to this government "Go to the centre. Meanwhile, we will go our own way and respect the rights and freedoms of people".

On behalf of the people of Jonquière, I say that such a bill should not be passed. It is a repressive bill that will never give the people from Jonquière the opportunity to express themselves. If the defence minister decides to create a zone around the Bagotville military base, we will never know whether we are in or out of that zone. Moreover, the minister will not even have to consult the provincial government to decide what should be included in that zone. He will not even have the courtesy to do it. He will only say "I am the boss, I am going ahead and I am making the decisions". The people from Jonquière and from Quebec will never accept the government acting in such a way.

I ask this government to withdraw Bill C-55, to toss it out and to say "We will review all the legislation we have. We are convinced that we have everything we need to protect Canada from terrorist attacks like the ones carried out on September 11". It is never too late to step back and say "I am wrong". It is never too late to say "After some discussion, I admit that it is true".

Oddly enough, we hear nothing from across the way. They are so silent. What is happening with this bill is serious business. Why are they keeping quiet? Like me, they represent citizens, and are here to speak on their behalf and to protect their rights and freedoms. It is odd that they have nothing to say. Does this mean they are so out of touch with the needs of their fellow citizens and are so much on a different plane that the things that affect people's everyday lives are of no importance to them.

These are very important questions and need answers before there is any vote on Bill C-55. I am therefore most humbly requesting that this government withdraw Bill C-55 and redo its homework so that it can introduce another bill, consulting the provinces and the mayors of major Quebec centres as well.

Government Orders

In my region, the Saguenay, there is one mayor who represents close to 148,000 voters. Our new mayor, Jean Tremblay, will not even be consulted. He will not be very thrilled about that. He has been in the visitor's gallery here in the House of Commons and he was far from a silent presence. They will have a hard time with him. I told them "Before you have to deal with the mayor of Saguenay, you might be better off to sit down with the stakeholders, withdraw your bill and see that what gets passed reflects a concern for the wellbeing and the rights and freedoms of all those who are in Canada at this time".

• (1525)

Mr. Michel Guimond: Mr. Speaker, I rise on a point of order. You know the tremendous respect I have for the Chair and how much respect I have for you as a parliamentarian and an expert in parliamentary law. I think that it is widely known that you are one of the foremost Canadian experts on parliamentary law.

In this context, and in order to help us plan the rest of the day and speeches, we would like to know when you plan on ruling on the amendment introduced by our colleague, the member for Pictou—Antigonish—Guysborough.

The Speaker: I hope to rule shortly. I can assure the hon. member that I am studying the matter right now. I thank the hon. member for his interest in the matter.

[*English*]

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, I am rising to speak to the amendment that, as my hon. colleague from the Bloc indicated, has been put forward by the member of parliament for Pictou—Antigonish—Guysborough. The amendment states:

That all the words after "that" be deleted and the following be substituted,

"this House declines to give second reading to Bill C-55 because it constitutes an autocratic power grab by the Liberal government at the expense of parliamentary oversight and the civil liberties of Canadians."

A number of acts come into play in Bill C-55: the Aeronautics Act; the National Defence Act; the Canadian Air Transport Security Authority Act; the Marine Transportation Security Act; the Criminal Code of Canada; and interim order powers.

A lack of specifics with respect to the Aeronautics Act was one of our concerns about the original bill, Bill C-42, which was introduced last fall in the wake of the September 11 terrorist attacks. There have been modifications to the part of Bill C-55 dealing with the Aeronautics Act.

The part of the bill dealing with the National Defence Act has been somewhat changed. The proposed military security zones would now be called controlled access military zones. Canadians will find out all about this next month in Kananaskis. Bill C-55 stipulates that the zones could only be created to protect DND property or foreign military assets in the country. The changes are relatively insignificant.

With respect to interim order powers, the bill would now require orders to be approved by governor in council within 45 rather than 90 days. They would need to be tabled in parliament within 15 days. The changes are relatively insignificant and do not substantially address concerns about abuse of power and interim order making.

The Canadian Air Transport Security Authority Act received royal assent after Bill C-42 was tabled last fall. Bill C-55 has been updated to reflect that the act was passed. If Liberal members opposite had their act together this section of the bill would have initially appeared as a conditional amendment. The fact that it did not further underlines how the government has been making up its security policy on the fly for the past several months.

Unlike Bill C-42, Bill C-55 would add a new section to the Marine Transportation Security Act that would empower the government to contribute funds to port authorities to help pay for new security measures. Peter Mancini, our justice critic in the House from 1997 to 2000, said the Liberal government would rue the day it privatized port authorities. That day has arrived even more quickly than Mr. Mancini predicted.

Bill C-55 would broaden the scope of the criminal code with respect to hoaxes.

There have been a number of changes to Bill C-55 but as civil libertarians we still have concerns about it. In one sense it is an improved public safety package. However it needed improving. In the wake of September 11, Bill C-42 was rushed in. The government sat on it from November until April when it brought in the revised bill, Bill C-55. It should have made significant improvements at the time. It did not. It should therefore come as no surprise to people who follow politics and are aware of the New Democratic Party's strong support for civil liberties over the years that we will continue to oppose this piece of legislation.

• (1530)

The government wants to give itself powers to spy on passenger lists of people travelling on airplanes bound for domestic or foreign destinations. That is too much. It introduced anti-terrorism Bill C-42 which was widely criticized by civil libertarians as being draconian and dangerous to the freedom and liberty of Canadian citizens. That may have been why the government paused last fall and did not proceed with the bill.

As I have indicated, we in our party do not believe the new version has been substantially approved. It is overly heavy handed. Some people have indicated that it is draconian in its present form. As I said, it is understandable that mistakes are made when bills are formulated on the fly after a tragedy. However with the benefit of hindsight it is unfortunate that so many mistakes remain in the legislation.

The New Democrats are not the only ones opposed to Bill C-55 and speaking out against it. The privacy commissioner has deep concerns, so much so that he took the relatively extraordinary step of publicly releasing the letter he wrote to the transport minister on the topic. The letter related specifically to clause 4.82 of the bill. The privacy commissioner's concern was that the provisions of Bill C-55 could fundamentally and unnecessarily alter the balance between individuals and the state that exists and should exist in a free society such as our own.

Government Orders

The privacy commissioner Mr. Radwanski said he feared deeply for the privacy and civil rights of Canadians. So do we all. So should we all. The privacy commissioner is not alone. At least one backbench Liberal has publicly expressed concern that the bill in its present form would give undue powers to cabinet ministers over the civil liberties of Canadians.

We are making the same call in the House of Commons for caution, prudence and the protection of civil liberties as did our predecessor giants. Men like Tommy Douglas and David Lewis stood in the House in the fall of 1970 and spoke out against the War Measures Act. That was a time of emergency. On reflection, this is also a time of emergency. It is unworthy of the government to proceed in this way on this bill at this time.

As I have said, the government has waited four months to introduce the bill. All of a sudden it is in a rush to have it pass through the House before we rise in little more than three weeks time. Where has the government been since the bill was introduced in November? Why was it not brought back to the House until the spring? We have been dealing with a number of relatively miniscule items since then. We could have dealt with a more substantive bill like this but we did not.

It is our duty as parliamentarians to give the legislation the depth and scrutiny it deserves and requires. We are asking the questions Canadians want answered. In doing so we hope to give the government and the public time to hone in on exactly what is going on.

We in our party oppose the legislation and welcome the amendment produced by the hon. member for Pictou—Antigonish—Guysborough. We call on the government to reconsider the tight, unrealistic time frame it has indicated and give us the space necessary to consult all Canadians and parliamentarians on Bill C-55.

● (1535)

[Translation]

The Speaker: The Chair is prepared to make a ruling on the acceptability of the amendment introduced earlier today by the hon. member for Pictou—Antigonish—Guysborough.

I must begin by saying that the Chair has concerns regarding this amendment.

[English]

These concerns arose particularly out of the colourful language the hon. member for Pictou—Antigonish—Guysborough chose to incorporate into the amendment. To an independent Chair it is always a shock to see language like this in a motion before the House.

However I have survived the shock and I have decided to examine some of the precedents I know the hon. member will be interested in hearing about, some of which were found in Marleau and Montpetit in the section describing the acceptability of reasoned amendments.

[Translation]

I refer hon. members to a situation that occurred in 1971. The reference can be found on page 7764 of the *Hansard* for that date.

The hon. member for Edmonton West, Mr. Lambert, proposed an amendment to a bill on income tax.

[English]

The amendment he moved reads as follows:

That all the words after “That” be struck out and the following substituted:

“this House deeply concerned with unacceptable levels of inflation, persisting unemployment and stagnant industry and conscious of the necessity for meaningful tax reform declines to give second reading to a bill which does not provide sufficient stimulus to the economy of Canada with appropriate tax cuts and incentives, does not contain adequate tax exemptions and is not calculated to materially improve business and labour conditions in Canada now or in the foreseeable future.”

The amendment provoked a lengthy debate on its procedural acceptability following which Mr. Speaker Lamoureux indicated his concerns about the acceptability of the amendment but ultimately decided to admit it. He said among other things:

Hon. members have recognized that it is difficult for the Chair to rule on the procedural aspect of reasoned amendments. Hon. members who have participated in this very interesting procedural debate have suggested, or some of them have, that it is becoming increasingly difficult to propose acceptable reasoned amendments. I cannot entirely agree with this suggestion. If hon. members will look into the records of our House of Commons they will note that during most of our parliamentary history so-called reasoned amendments have been proposed on rare occasions only. It seems that only during the last few years have members started to use this device, that is, the device of reasoned amendment, on second or third reading of bills.

Obviously that was then and this is now. However the fact is that we do have these a little more often but normally the amendments are ones for the six month hoist or that the bill be sent to a committee or not be accepted for some specific reason.

The hon. member for Pictou—Antigonish—Guysborough moved:

That all the words after “that” be deleted and the following be substituted,

“this House declines to give second reading to Bill C-55 because it constitutes an autocratic power grab by the Liberal government at the expense of parliamentary oversight and the civil liberties of Canadians.”

● (1540)

[Translation]

As I indicated at the outset, I have concerns regarding the terms used by the hon. member for Pictou—Antigonish—Guysborough in the text of his amendment. Despite this, and with some reservation, I have decided that the amendment was in order and I am now putting it to the House.

[English]

Accordingly, the debate is on the amendment.

[Translation]

Mr. Michel Gauthier: Mr. Speaker, I rise on a point of order. I would like to obtain the unanimous consent of the House for the following motion:

That the House of Commons express its surprise at the decision of Her Majesty Queen Elizabeth II to invite the Hells Angels, a criminal bikers gang, to take part in the festivities of the 50th anniversary of her accession to the throne, and beg her to reconsider.

The Speaker: Does the hon. member for Roberval have unanimous consent to present his motion?

Some hon. members: Agreed.

Some hon. members: No.

Government Orders

Mr. Marcel Gagnon (Champlain, BQ): Mr. Speaker, now it is my turn to say that I am a little, more than a little, shocked by Bill C-55.

Almost everyone is opposed to Bill C-55, which followed on Bill C-42, which had to be withdrawn because it was unacceptable. Bill C-55 is not all that much better.

When advantage is taken of events like those of September 11 to violate people's privacy, the bills almost start to look worse than terrorism itself. It makes no sense to use an event like September 11 to take away people's freedom.

Journalist Michel C. Auger used the phrase "The right to terrorize" in the *Journal de Montréal*. It is quite unbelievable to see how far the government will go to take away people's rights. The privacy commissioner says the same thing. The government takes advantage of occasions such as September 11 to invade people's privacy.

Even in a country well known for its respect of privacy, a country where commitment to the charter of rights and freedoms was recently celebrated, a country which serves as a model for other countries which are not very good at respecting privacy, even in a country such as ours, the government has stooped to taking advantage of events such as those of September 11 to invade people's privacy. We cannot agree with a bill such as this, particularly when it talks about security zones and when we see how little credibility our ministers have.

When I hear that the minister would have powers like those provided for in this bill, it scares me. We see how, when things happen and questions are asked, the minister suddenly does not have enough authority.

It is the job of public servants. It is just about everybody's fault. The Minister of Justice even told us today that he did not have enough power. He would like to be able to have decision making authority on even more things. This bill definitely gives the minister too much power.

I had the opportunity to talk about it. When I talk about security zones, one thing comes to my mind. I think of Lake Saint-Pierre, in my region. Talk about a security zone. Since 1952, the lake has been used as a firing range. It is supposed to be a security zone. Because of these training activities, there are still 300,000 mortar shells at the bottom of Lake Saint-Pierre.

The minister has powers in this regard. How does he use these powers? Does he use them to clean up Lake Saint-Pierre? Does he use them to clean up the Jacques-Cartier River? Does he use them to clean up the locations where military personnel practice shooting, where there are weapons and where the so-called security zone is located? There is a security zone at Lake Saint-Pierre. There are places where we cannot even go fishing or hunting. So, there is a so-called security zone at Lake Saint-Pierre. What security? There are 300,000 shells at the bottom of Lake Saint-Pierre.

Of these, 10,000 could explode at any moment. In fact, some people have been killed by shells that had been pushed up by the ice on Lake Saint-Pierre.

• (1545)

During the eighties, a couple who was preparing for retirement built a beautiful boat to sail around the world. One evening, before leaving, they decided to make a bonfire along the security zone of Lake Saint-Pierre. Someone found a shell. Not knowing what it was because it had been damaged over time, the person threw the shell in the bonfire. The celebration turned into a nightmare when the shell exploded, killing one person.

To this day, every year, we must fly over the shores of the St. Lawrence River, all the way to Île d'Orléans, to try to recover shells that may have made their way out of Lake Saint-Pierre. We ask questions in the House on this issue. The minister has powers. We are told to trust the minister. He does have powers. But when will Lake Saint-Pierre be cleaned up?

I am told about security zones and not to worry. In my opinion, terrorism often lies in the government's behaviour. I am often more concerned about that. I have no problem with such powers being given to the minister, provided these powers are respected and the government first answers the questions asked by members of parliament.

We ask questions on almost every issue, but the answers we do get are very evasive. Some ministers have not said a word in the House in the last two or three days because they have been told not to answer, to avoid being caught red-handed. Is that the security of the future? Is that the way to make the public feel secure? Is that the way to ensure public confidence?

I can see a member opposite laughing. This is no laughing matter. It is sad, because the hon. member would have said the exact same thing I am saying in the last parliament. Unfortunately, he has now become mute and when he does talk, he has to say what the government tells him to say.

An hon. member: The member for Chicoutimi—Le Fjord.

Mr. Marcel Gagnon: That is right. The member for Chicoutimi—Le Fjord. Nobody can convince me that we should accept a medicine that is worse than the illness that we are trying to cure.

Let the government become a responsible one. Let us make a point of answering questions and providing public confidence. When the polls say that more than 70% of the Canadians do not trust their lawmakers, one can wonder. And now powers would be given to the very lawmakers whom the public do not trust. I think it is like playing with fire.

I am 66 years old and I witnessed the war measures in the 1970s. I have lived through those times. I was on the road. I know how dangerous the situation was, not because of terrorism, but because of those who were supposed to protect us against terrorism. At least 500 people were incarcerated without even knowing why.

And I should agree to give such powers to this government? Never. Let them correct their mistakes, clean Lake Saint-Pierre and take their responsibilities first, then we will talk.

Government Orders

• (1550)

Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ): Mr. Speaker, I am pleased to rise today to speak to the amendment to Bill C-55 put forward by my hon. colleague from the Conservative Party.

Bill C-55 has been discussed a lot over the last few weeks. The more we look at that bill, the more we get into debate and the more we realize that we, on this side of the House, were right to speak up and oppose the bill.

From day to day, reports from international organizations are showing that there are countries, that we will name later on, and Canada is among them, that have abused a number of powers to violate freedom of speech and individual freedom.

This debate on Bill C-55 today comes at the right time because, a few days ago, Amnesty International published a rather revealing report on the measures taken by some countries with regard to the situations since September 11. Some countries have made adjustments following that situation, but often at the expense of what is the most essential in a civilized society and a democratic society. I am referring here to human rights and freedom.

Amnesty International's report tells us that countries such as Great Britain, Canada and others have used special measures that show a total disregard for individual freedoms and human rights. Canada is on that list of countries. Some have said that Canada could even be regarded as a totalitarian country, if one looks at the essence of the bill before us. I am saying this without any fear of being judged since it is the privacy commissioner who said nearly a month ago, on May 2, with regard to Bill C-55, "Some measures are similar to those that exist in totalitarian states".

This opinion expressed by the commissioner regarding Bill C-55 is important. A country that claims to be a champion of rights and freedoms is using situations like the one we have been experienced since September 11 as an excuse to impose coercive measures. It is a sad thing. We know that this country wants the international community to believe that it has the utmost respect for human rights.

Tuesday, we will debate a motion that I have brought forward. It will be votable, as decided by the sub-committee on private members' business. This motion asks the Government of Canada to ratify the Inter-American Convention to Prevent and Punish Torture.

I am making a point of indicating that we will have this debate in the House of Commons on Tuesday. I remind members that, during the first hour of debate, the government rejected the arguments presented by the Bloc Québécois and Amnesty International, even though we had gathered 75,000 signatures of Canadians on a petition asking the government to ratify the convention.

Why I am saying that it is crucial that we ratify these conventions to protect human rights? It is so that the measures we take within our borders do not violate individual freedoms.

• (1555)

For many years now, Canada has behaved much too much like its neighbour to the south. For example, nine out of 34 countries—let us say 34 and not 35 because we will not include Cuba—have not

ratified the Inter-American Convention to Prevent and Punish Torture, and two of those nine are Canada and the United States.

There is a good reason why this morning, an editorial in *Le Devoir*, reminded us that Canada has been refusing for many years to sign these conventions. Let me quote the article by Serge Truffaut published in *Le Devoir* this morning. The title of his editorial was "Security vs. freedom".

At the end, he says:

For good measure, Canada has also developed a complete series of measures. The Canadian branch of Amnesty International said it was concerned about the policies on refugees and the cowardly concurrence of Ottawa with the judicial status given to prisoners of war by the United States. Most of all, Amnesty International stresses the fact that eleven years after becoming a member of the Organization of American States, Canada has still not signed one of the six regional treaties on human rights.

On the international stage, the Prime Minister boasts about being an advocate of human rights; Canada is about to become part of the free trade area of the Americas; therefore, I think that we should respect fundamental human rights.

Too many countries are still going this way, which is, to me, totally unacceptable. That is why this morning, as my hon. colleague from Champlain said, Michel C. Auger, among others, felt compelled to speak out about the deplorable current situation in Canada.

By the way, Canada is not the only country going this way. There are, naturally, our neighbours to the south and Great Britain, which are taking coercive measures that violate freedoms.

In his editorial this morning, Michel C. Auger says the following—and I will read only the introduction:

National security and the fight against terrorism are becoming, just about everywhere in the world, the best excuses to violate fundamental rights.

In his article, he alluded to Amnesty International's report, and he added:

This is a warped sort of logic, as if we were saying that the best way to guarantee freedoms was to restrict them.

Since I have only one minute left, I want to add that we must have a global vision of the situation relating to the events of September 11 and we must go beyond these events. We must establish a real balance in Canada between freedom and security, but Canada has yet to understand that.

There is still time, since we are still considering Bill C-55, to take measures to fully reach this fundamental objective which is, obviously, to guarantee the national security of Canada while respecting individual freedoms and fundamental rights.

• (1600)

[English]

Mr. Joe Comartin (Windsor—St. Clair, NDP): Mr. Speaker, it is important that we appreciate the motion that has been allowed to proceed to this point. I just want to quote from it. It will have the effect, if carried through by vote of the House, of not giving second reading to Bill C-55. The motion states:

...it constitutes an autocratic power grab by the Liberal government at the expense of parliamentary oversight and the civil liberties of Canadians.

Government Orders

Quite frankly, I could not have said it better myself. In effect that is what the bill is all about.

As I said in the House yesterday when I made some other comments about the bill, it is really an unnecessary bill. When I was reviewing it, I could not help but think of the implementation of the War Measures Act back in 1970. I was in the third year of law school. I recall the effect its imposition had on civil liberties in the country at that time, specifically on some of the groups I was involved with. I recall the chill that it cast over this entire country regarding free expression of speech and the exercising of other civil liberties and the fear that it created.

As we know historically as a result of the imposition of the War Measures Act and all we have learned from it, to a very significant degree the invocation of that act and its imposition on the province of Quebec and on the rest of the country more generally clearly came out of a sense of panic by the government in power at that time. When I look at Bill C-55, I have exactly the same sense of what the reality is. What I want to say to the government is that September 11 was nine months ago. The panic should be over by now. We should be able to stand back, take a look at the bill and realize that there are all sorts of provisions in here that are generated only by panic and not by any meaningful legislative purpose. We do not need a repeat of 1970 in this country.

I will quote from an article that appeared under the name of Ken Rubin in the *The Hill Times* this Monday past, May 27. This is his analysis. I think we should acknowledge the work that Mr. Rubin has done over the years in ferreting out government miscues, mistakes and, yes, abuses. We should recognize the work that he has done to better the debate in the country around a number of those issues.

Mr. Rubin stated:

Ottawa misses the boat by obsessively dealing only with potential security safety risks rather than tackling actual lethal health and environment problems including how to deal with dangerous drugs and toxic wastes. The bill strings together a host of peripheral and unrelated measures like tighter explosives regulations and prevention of unauthorized use of Defence Department computer systems, but it does not deliver the legal tools needed for building an effective public safety emergency prevention plan to deal with post-Sept. 11 threats. The bill's usefulness is questionable.

I think that it summarizes in a one paragraph statement both the dangers that are in the bill and the usefulness of the bill.

I will come back to the motion by the member for Pictou—Antigonish—Guysborough, which we are debating at this point. What he is saying to the government, and I would urge the House to support him in this regard, is this: pull the bill, do a review of it, and then bring back to the House those parts of it that do have a proper purpose, a proper function. He is telling the government to get off its panic seat and drop those parts that are clearly abusive of the civil rights and, potentially, the human rights in the country and of civil liberties in general.

• (1605)

This is an omnibus piece of legislation. It should not be. A number of these provisions in the bill should in fact be siphoned off into individual bills. If it were to be done that way, the provisions could be dealt with more appropriately by House committees. Some of the provisions that are required could in fact probably move through this House fairly quickly.

I will use as one example a portion of the bill that probably could be dealt with fairly quickly. That is the provision that deals with the port authorities in Canada. What it provides for is that the federal government, under the amendments it is proposing in that section, would be able to fund security measures for the port authorities. I know from my own experience with the authority in Windsor that in fact this is sorely needed. It does not have anywhere near the financial ability to provide the type of security that is warranted and needed in my area. That type of an amendment and provision, if siphoned off into a separate bill, should be able to move through the House very quickly. There are a number of other provisions like that.

Speaking from the position of an opposition party, there is absolutely no way that we can support the bill in its totality as it is. That is just not possible. That would be abrogating all the responsibility we have to Canadians because there are so many provisions in here where there is the potential for the bill to be used in an abusive fashion against Canadians. In its attempt to protect us, the bill in fact does just the opposite. It exposes us to potential gross abuses by government action, again, much as we saw in the province of Quebec in 1970 with the invocation of the War Measures Act and all those useless arrests and the denial of all the basic freedoms.

There is the old adage that if we do not learn from history we are going to repeat it. One would think that the government would have learned from that experience. One would think that out of respect for one of its former leaders who fought valiantly to get us a charter of rights the government would remember that. One would think that today, rather than dealing with a bill that takes away those rights in a variety of ways, we would be standing up in this House championing legislation that does not do that, that instead provides Canadians with security but does not take away their civil rights as this bill does.

• (1610)

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, on behalf of the Quebecers and Canadians who are listening to us, I am pleased to rise for the second time today in the House in the debate on Bill C-55 and on the amendment moved by our colleague from the Progressive Conservative Party.

A few Liberal members have spoken today. We have been dealing with Bill C-55 for about three days now and they have not really taken part in these discussions. The same goes for the Canadian Alliance members. It shows that human rights and freedoms are not of major interest to Liberal members from Quebec and Canada, as well as to Canadian Alliance members.

Why? Because the Liberal government is a centralizing one and the Canadian Alliance is no better. It would probably want to centralize powers much more in the hands of the central government. For those who are listening to us, I will try to drive home the importance of the statements that have been in the newspapers for over a month now.

I will mention only the titles. On Thursday, May 2, 2002, a *La Presse* headline read “The privacy commissioner condemns Bill C-55. Some measures are taken directly from some totalitarian states, he said”.

Government Orders

On May 19, a headline read “The fight against terrorism: half-truth and misleading statement. The privacy commissioner accuses the solicitor general of using the September 11 attacks to give police undue extra powers”. We must never forget that the solicitor general is responsible, among other things, for the RCMP and CSIS, the Canadian Security Intelligence Service. The privacy commissioner therefore made a serious accusation.

Even yesterday, another headline read “Amnesty International takes stock. September 11 has hurt human rights”.

This is what we are facing in Bill C-55. In the short time that I have, I will try to explain the elements that have been added, that is, that were not in Bill C-42 and that we find in Bill C-55, concerning the provision of personal information.

For example, clause 4.81(1) says:

4.81(1) 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—

This means that from now on airlines will be required to release this information to the Department of Transport for security reasons. I will explain later to whom the Minister of Transport or his officials are required to release this information.

First, I would like to refer to the information listed in the schedule which you will have to give to your airliner:

- 5. The number of the person's passport—
- 15. The city or country in which the travel included in the person's passenger name record—
- 16. The itinerary cities—
- 17. The name of the operator of the aircraft on which the person is on board or expected to be on board—
- 28. The phone numbers of the person—
- 29. The person's address—

that means your address and your phone number;

- 30. The manner in which the person's ticket was paid for

which means how you paid for the ticket

We are talking here about your credit card. They will have your credit card number.

- 32. If applicable, a notation that there are gaps in the itinerary included in the person's passenger name record that necessitate travel by an undetermined method—

Therefore you will have to say where you are going, to what city and how you will travel from one point to another in that city. Also:

- 33. Routing information in respect of the travel included in the person's passenger name record—

This means your whole itinerary.

The Department of Transport requires airlines to release this information. What will the Minister of Transport and his officials do with it? This is how they will be able to use it and, again, I quote from section 4.81 of the Bill:

- (3) 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:

- (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—

A new agency, which does not exist yet, will be responsible for security across Canada.

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

• (1615)

What is important in subsections (2) and (3) is very simple: the reference to the commissioner of the RCMP in (2) and to the director of CSIS in (3).

Now the Minister of Transport can require the air carrier to provide him with information when he deems there is a security problem, and can transfer them to the Minister of Citizenship and Immigration, the Minister of National Revenue, the Chief Executive Officer of the Canadian Air Transport Security Authority, the Commissioner of the RCMP and the Director of the Canadian Security Intelligence Service.

And what can these people do? We are told that, within citizenship and immigration, customs and excise and air transport security, this information cannot be disclosed except for security purposes.

But how long will they be kept? The three departments or agencies I have listed, citizenship and immigration, customs and revenue and transportation safety, can retain them for seven days. These individuals and organizations, as well as the Department of Transport, can therefore retain the information for seven days. You are off on a trip, on vacation, but your itinerary, your credit card number, your home phone number, your address, will be wandering about the various departments for seven days, in the name of security.

What is going to be done with this information you provide? They want to use it for security purposes and so they can carry out investigations. What if they turn up a security problem? They are going to transfer the information to the RCMP and CSIS, both of whom have no obligation to destroy them after seven days. The other organizations have that obligation, but they do not. The RCMP and CSIS can retain them as long as they please.

People who are listening have certainly understood that new powers are being granted to these organizations. That is why the privacy commissioner has protested that this is pure nonsense. On top of that, you would have to give this information before you leave and it can be kept for seven days. If you are unfortunate enough, you will board the same plane as one of those Hells Angels we were talking about this morning, who have been invited to the festivities in England for the Queen and will be allowed on their bikes in the Queen's parade. If that biker has a criminal record, he could be inspected, searched and investigated. Of course, all passengers aboard the same plane could undergo the same procedure.

Government Orders

That is the purpose of the bill. We are now in the same situation as in the US. They asked for this information a few months ago, so we passed Bill C-44. What are the Americans doing now? When the Americans see people, men or women, who are in the company of people who have been flagged, especially when they all want to go to international meetings, the investigation drags on so much that it so happened once that more than 40 passengers could not board their plane. The intelligence people came and decided to investigate and hold back all those who were going to campaign for an association. This procedure was used to restrict their freedom. They had to miss their flight. Why? Because there was an investigation on the information they had given. One of them had a criminal record, so they decided to investigate all the other people.

So if you are a man or a woman boarding a flight with a potential criminal, you might have the misfortune of being submitted to an investigation, something that I do not wish to you. In the country you are heading to, they might not have the same respect for human rights and you might get arrested by that country's military police, who will tell you that Canadian authorities called to know where you are now. That is where we are at now, and that is not funny. That is what the privacy commissioner was describing.

From the outset, the Bloc was opposed to Bill C-42, and we are opposed to Bill C-55. When we accept that our rights and freedoms will not be respected any more, we prove the terrorists right.

Mr. Speaker, allow me to move an amendment to the amendment under consideration. I move:

That the motion be amended by adding the following:

"and a denial of rights and freedoms that was denounced by Amnesty International in its most recent report."

●(1620)

The Deputy Speaker: As I did earlier, I will take the amendment to the amendment moved by the hon. member for Argenteuil—Papineau—Mirabel under advisement and I will come back shortly to the House with a ruling.

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, I would like to say a few words on the bill as well as on the amendment and the subamendment moved by the Bloc Quebecois. *[English]*

As I said earlier today, the bill is really a power grab by the federal Liberal government. It is an infringement upon the civil liberties of the Canadian people. We have to be very careful as to what powers we give ministers of the crown and what powers they can exercise without coming to parliament for a democratic vote of the Parliament of Canada.

The response to September 11 was an area where the government overreacted with Bill C-55. I have seen in the past how governments have overreacted in terms of using their power. The best example of that was the War Measures Act in 1970 which was brought in by Prime Minister Pierre Trudeau. That was certainly an overreaction. It was like using a sledgehammer to shell a peanut. It was a great overreaction by the prime minister of the day. We once again run the risk of a government overreacting because of a threat of terrorism.

I remind members that we have powers under the criminal code. We have a lot of police powers in the country. The government has

all kinds of powers it can exercise in terms of the military. I do not believe we should be giving it even more powers in terms of the bill before the House today.

I am very surprised that this comes from a Liberal government that historically prides itself on being a party of civil liberties, freedom of speech and democracy. I can remember all those great Liberal speeches over the years from Pierre Trudeau and many other great, small / liberals. Now they are introducing a very draconian piece of legislation that will cut off civil liberties and cut off a lot of the freedoms that we in this country have grown to accept over the years.

These powers can be abused. It could be said that it is pretty calm right now so why would the government use these powers. I remember very well that before 1970 and the attack of the FLQ, the murder of James Cross and kidnappings in the country by the FLQ, people were not talking about using extreme measures and all of a sudden the Prime Minister invoked the War Measures Act in the middle of the night. Hundreds of people were arrested during that period of time. I can remember the panic and the emotions that swept the country.

I was one of the 16 members of parliament who got up in the House of Commons and voted no to the invocation of the War Measures Act. I can remember the pressure. There were some 23 members of the NDP caucus. I am not going to name people but I recall two members of the caucus who changed their minds between the caucus room and standing here in the House of Commons. Instead of voting no to the invocation of the War Measures Act, they voted yes because of the tremendous pressure and the emotion of the moment.

The government has awesome powers under the present constitution. There is no need to give it even more powers. There is no need for a minister, the Minister of Transport in particular whoever the Minister of Transport shall be at a future time when we have a so-called terrorist threat to have these kinds of awesome powers and to exercise them without coming to parliament itself to get the permission from the democratically elected representatives of the people to exercise those powers.

I ask members across the way to think long and hard before they agree to pass the bill and make it law. I know that in the government itself a lot of people are concerned. The original bill has been withdrawn and a new bill is before the House of Commons. The new bill is not quite as draconian but it still goes too far. It is still not necessary in terms of protecting the Canadian people against any kind of a threat of terrorism.

I ask Liberals across the way to reflect upon their tradition and their history going back to the days of Pierre Trudeau and Lester Pearson and the great Liberals of years gone by. I ask them to reflect on all the speeches about civil liberties and rights and participatory democracy. They should ask themselves if they really need this kind of a bill, this kind of a project which is before the House of Commons today.

Government Orders

One of the members from Montreal is a great civil rights lawyer who was first elected in a byelection in the riding of Mount Royal, the former riding of Pierre Trudeau. The member has made speeches on this subject many times. He has expressed great concern about the power and the sweeping nature of the bill. We should look at his comments about why the bill is not necessary.

Those are the main reasons we are concerned about the bill. This is why I support the motion as proposed by the House leader of the Conservative Party, that this House declines to give second reading to Bill C-55 because it constitutes an autocratic power grab by the Liberal government at the expense of the parliamentary oversight and the civil liberties of Canadians, and also the subamendment of the Bloc Quebecois.

• (1625)

Let us pause and not give the bill second reading. At the very least, let us make sure we do not give the bill second reading before we adjourn for the summer on June 21. We will then have a chance to think about it over the summer and have some sober second thought on whether or not it is really necessary.

A real measure of a society is how much freedom parliaments will grant to their citizens. When we look around the world today, we are very lucky to live in a free and democratic society. Many people in many parts of the world do not have that. There are many emerging democracies where people are fighting for the enshrinement of a bill of rights or a charter of rights and for the freedom of speech and the freedom of mobility. Many countries in the world are fighting for that.

People in this country fought in two world wars. I had an uncle who was killed in the second world war during the invasion of Normandy. He fought for democratic rights and for a free, just and democratic society in this country. Let us not take a retrograde step. Let us not step backward and remove some of the rights we already have.

We have had great debates in the House over the years. I remember the patriation debate back in 1980, 1981, 1982 about whether or not we wanted to have a charter of rights enshrined in our constitution. We had a bill of rights for many years. The bill of rights was brought in by former Prime Minister John Diefenbaker of the Conservative Party, a great Saskatchewan parliamentarian. The bill of rights was modelled in part after this country's first bill of rights, which was brought in by Tommy Douglas, the premier of Saskatchewan back in the 1940s and 1950s. We have a long history of having a bill of rights.

For most of those years we saw the development of a bill of rights in every province, including the province of Quebec. For all those years, up until 1982, the bill of rights was not enshrined in the constitution. In 1982 we had a great debate in the House on whether to constitutionalize the bill of rights or leave it outside the constitution. The debate was to decide whether the final authority would ride with the Parliament of Canada or with the courts. That was a great debate but it really divided Canadians.

We came up with the classic Canadian compromise, section 33 of the constitution, the notwithstanding clause. Section 33 allows parliaments to override a decision of the court for a certain period of

time. After a certain period of time that override dies, unless the override is renewed. I think the override goes on for three years, if I remember correctly. It says to the courts that they do have the final authority to protect our rights in this country but that they had better be cautious because there is a parliamentary override. There is a balance between the parliamentarians in the legislatures, including the national assembly in Quebec, and the Parliament of Canada being able to override the courts, but on the other hand the reason for overriding the courts has to be pretty sound and just. It is a good compromise.

We developed this kind of unique Canadian system. I have spoken in different areas. I remember speaking in Russia when I was out of politics back in 1994. I spoke about how we developed our constitution and our charter of rights. I talked about the meaning of freedom of speech, freedom of religion and the enshrinement in our constitution of minority language rights. We went through long debates and we developed a pretty nice and sophisticated balance in a very unique federal state.

I know many of my friends across the way are very concerned about freedom of speech, civil liberties and civil rights of the Canadian people. I therefore appeal to them once again to not pass the bill before the summer to better reflect over the summer about whether we really need this. Do we want to entrust these awesome powers to some future minister of transport or even the existing Minister of Transport? We can probably think of some pretty interesting ministers of transport who might be there some time in the future with these kinds of powers.

I suggest that if we were to think about the bill very coolly and very soberly we would see that we do not want it. We have the powers today under our existing laws, both federal and provincial. We have the powers now under the Criminal Code of Canada.

I again appeal to the House to pass the amendment moved by the Conservative Party and make sure we take the summer to reflect on this very serious mistake and very serious road we are going down. I hope the Minister of Justice, who is now coming into the House, will share that point of view with me.

• (1630)

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, I again rise in the House to give my comments to Bill C-55. I would first like to congratulate the previous speaker from Regina—Qu'Appelle. He has been in the House much longer than I and probably the majority of people in the House. He can certainly speak from experience with respect to the protection of the civil liberties and civil rights of our constituents and all citizens of the country. I thank him for his historical comments which were as a result of his long tenure as a member of parliament.

I also want to congratulate my colleague from Pictou—Antigonish—Guysborough who has put forward what I believe is a very necessary amendment. I would ask all members, not only those in opposition but those thinking members of the government, to seriously consider the amendment which states:

this House declines to give second reading to Bill C-55...because it constitutes an autocratic power grab by the Liberal government at the expense of parliamentary oversight and the civil liberties of Canadians.

Government Orders

Some may think that is harsh language but when one looks at the actual wording, the actual nuances, the actual clauses and the actual power that the legislation would give to members of the government, particularly certain ministers of the government, that language is not strong enough. The bill would provide an opportunity for some minister to take this power way beyond what it is that Canadians wish to have implemented.

I would like to go back a stage to Bill C-42. This was legislation that was brought in by this same government and was a total knee-jerk reaction to a very serious situation, make no mistake about that. Our party has stood time and again in the House stating that we did not condone terrorism or any type of action taken against citizens. However we still do not condone the power grab the government is trying to put in place that would cut off all the civil liberties that we share as Canadians.

Bill C-42 was a knee-jerk reaction to September 11. People on that side of the House and officials in departments had lights burning late into the night trying to put together what they thought was a package that would quell the issues that came out of September 11, the terrorist attacks that we deplored.

People put clauses in pieces of legislation that when they rethink them are obviously very wrong. We recognized that in this particular bill. I have to admit that the government, and it was probably the first good logical thing it has ever done, listened not only to members of the opposition and members of committee but to hundreds of witnesses who came before committee. Those witnesses said that the bill was wrong for certain reasons. No one accepted what was written in Bill C-42. None of the people who came forward, who wrote to my office or who visited my constituency office or my office here in the House said that Bill C-42 had to be passed because it was good legislation.

On the contrary, everybody said that the bill should not be supported nor passed because it was terrible and draconian. The Liberal government of the day pulled the bill. It did not let it go through. It let it die. The government asked if we would mind having it removed from the order paper. That was probably the only good thing that has happened in the last nine years of this government but it was the right thing to do.

Unfortunately the government has massaged and manipulated the legislation. It has changed some words and put in other words. In effect, Bill C-55 reflects the mentality, the psychology and the ideology of the Liberal government, and that has been brought forward in the bill. It has not changed the concept of too much power which would go to the ministers.

•(1635)

Mr. Peter MacKay: Do you trust them?

Mr. Rick Borotsik: My colleague from Pictou—Antigonish—Guysborough, who put forward a wonderful amendment, asked whether we trusted the government. Do Canadians trust the government?

I think if we were to do a poll today on Sparks Street, on Main Street in Virden or in the Atlantic region we would get the same answer. Canadians have no trust in the government. There is no trust in its ability to manage its own portfolios. We have seen no trust in

the government's ability to manage taxpayer dollars. We do not believe there is trust in the government to manage this very serious piece of legislation.

What would the bill actually do? The bill would grant the cabinet a whole host of new powers, including the right to arbitrarily declare certain military zones off limits to Canadians. It would also violate the rights of Canadians by supplying passenger information to the RCMP without any cause. Can anyone believe that the legislation would give cabinet the ability to pass on information about all of us, our families and the people in our constituencies? It would arbitrarily allow them to pass on that information to the police.

We are a free country. We have the right to travel. We have the right to practice our religions. We have freedom of speech. We have the right to stand and say what we will about the government. What would happen if I were to make some comments that the government did not like? Would they pass on information about me to the police? The legislation that we have before us would allow the ministers to do that.

Other pieces of legislation that granted similar powers were all withdrawn, some over time, such as the War Measures Act and even Bill C-42, but they were withdrawn because we recognized the danger. However Bill C-55 came forward and it is still here. The bill would grant the government both the power to protect and the ability to abuse this power. Unfortunately it is most likely the latter that will prevail.

The existing law, the Emergencies Act, ensures this does not happen by protecting the principles of a free and democratic parliament. Something which Canadians may not even know or realize is that legislation already exists that allows the government to do what it has to do. The Emergencies Act, which is in effect now, allows the government to do what it wants to do but it does have checks and balances.

We have the checks and balances that parliament applies under the Emergencies Act but those checks and balances would be taken out by this act. Why do we need Bill C-55 when the checks and balances are already available under the Emergencies Act.

The Emergencies Act provides a system of checks and balances which not only ensure that emergency power is used appropriately but it gives Canadians a sense of comfort knowing that their government cannot overstep the boundaries of this free and democratic society.

Parliament would have no say under the bill. Bill C-55 would make parliament irrelevant during a time of emergency. It would leave the rights of Canadians unprotected and at the beck and call of cabinet and the ministers. They would have the right to imply and impact Canadians with whatever they felt was right and necessary, which would not necessarily be what is right and necessary for us as Canadians.

Government Orders

Bill C-55 would permit the government to enact a security measure without the consideration of the House of Commons, whereas the Emergencies Act, which is already in place, allows parliament to review any order issued under that act. As Bill C-55 is written right now, parliament would become totally irrelevant. It would be taken out of the picture and would have no opportunity to speak to whatever those ministers and the cabinet table felt was necessary to enact.

The most serious concerns lie with the provision that allows for interim orders, and it is where our most serious objection to Bill C-55 can be found. Ministers should not be granted new powers that will exist outside parliamentary scrutiny.

● (1640)

There are quite a number of ministers who are given this power. I believe the member for Regina—Qu'Appelle talked about the Minister of Transport.

I see I am running out of time so I will wrap up. I will have an opportunity to talk about the other ministers who may well go beyond their bounds of power. However I will do that when the subamendment of the Bloc is approved and then I will speak to it at that time.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, first I want to say that I did not expect to speak to such a bill. As you know, I have been a member of this place since 1993, which means that I have some experience as a parliamentarian. This is my third term, and I may even have a fourth one.

As you know, it is never easy in life to classify things. I want to say, however, that I never thought I would have to address such totalitarian and incredibly authoritarian legislation.

I cannot talk about this bill without congratulating my colleague, the hon. member for Argenteuil—Papineau—Mirabel, for the excellent work he did in committee on behalf of the Bloc Québécois.

Of course, the first thing that comes to mind is that everyone understands the magnitude of the events of September 11. No one in the Bloc Québécois will deny this, and I am convinced that all members in the House will agree that there are transnational and terrorist forces which threaten the integrity of various political systems and pose a threat to the economy and to civil society. This is a fact.

Having followed those issues for almost a decade, I know that within societies there are forces, like organized crime, which threaten the economy and which work very hard to create an informal, underworld economy.

I could talk for hours about the 36 criminal biker gangs operating within Canada, including the Hells Angels, the Rock Machines, the triads and so on. We are well aware of their area of operation and why there are so many of them in society.

However, we never gave into the temptation— even during the war between criminal biker gangs around 1995—to sideline parliament. What I find despicable in this bill and which should outrage all members of the governing party who have a bit of

backbone is the fact that the government wants to fight terrorism by sidelining parliament. That is incredible.

I asked the member for Argenteuil—Papineau—Mirabel if this kind of bill included a review provision. All bills of importance are reviewed after three or five years. In some cases, it can even be after ten years.

For example, this morning—and everyone knows how hectic it is in parliament; we never stop, not even for two minutes—I was attending the meeting of the Standing Committee on Health considering the whole issue of medical technologies and assisted human reproduction. That is no small issue. One couple out of eight has fertility problems. It was a pleasure to work with our colleague.

In this regard, there is a provision for review after three years. The Patent Act provides for review after five years. Same thing in the Bank Act. If this were a good government bill, it would include a five year review provision to assist in the work of committees and parliament in investigating, monitoring and analyzing.

If we pass this bill, we will be stuck with it. Can you understand that? There is no provision calling for a review every three, five or ten years.

It is worrisome, and I am somewhat surprised at the member for Chicoutimi—Le Fjord, who is generally so clever. He is usually very vigilant concerning such matters. With all his wisdom, he would normally have put a stop to such measures. But he did not.

When I was the critic for immigration—those were the days; it is a great issue and I was brilliantly replaced by our colleague from Laval, but I will always look back with nostalgia—I realized that one of the greatest challenges all nations are faced with today all around the world is the traffic in human beings. There is no downplaying this. We know that there is a very important black market for human beings.

● (1645)

We are not minimizing the fact that there are some transnational terrorist forces. Let me give an example. If this bill were to be passed, the minister of defence—I know this expression is taboo these days, but defence ministers are not all one and the same, or should I say they are one and the same—the minister of defence could establish unilaterally, without consulting cabinet for a period of 45 days, and without any consideration for the local communities, the cities, the municipalities or the governments concerned, a controlled access military zone with extremely wide, indefinite and vague geographical references.

It is easy to imagine emergency situations where decisions would have to be made. However, it is impossible to imagine emergency situations where one is not required to consult cabinet or to inform the people involved. Here is a very troubling example of what we find in this bill.

Government Orders

Normally, in society, there is a very good test for the pertinence of opposition comments. If the Bloc Québécois were the only one to put this argument forward, the following could be said “it is all part of the game when you are in the opposition, it is all about partisanship and that is part and parcel of parliamentary work”. But the list of people criticizing this bill is quite long.

The organization called Amnesty International, which is not suspected of any sovereignist inclination, has a lot of expertise in the area of human rights. It has published a 400 page report in which it wonders what this means for a country like Canada, which prides itself on being a liberal democracy. One had to hear the Prime Minister talk about Canada, with all the eloquence that he is known for, saying that it was “the best country in the world”. He was saying that—

Mrs. Jocelyne Girard-Bujold: The very best.

Mr. Real Ménard: The very best. That is it. With a blatant disregard for adjectives, adverbs or usage in French, the Prime Minister said in one single sentence, in one breath, that Canada was a country where fundamental freedoms are protected.

If it is true that fundamental freedoms are protected, I think that no government can be comfortable with Bill C-55. I wonder if there is unanimous consent to have this bill withdrawn immediately, to move on to something else and to have government go back to the drawing board.

I think that if you were to ask, Mr. Speaker, you would find unanimous consent.

Michel C. Auger, a very insightful political analyst, who sometimes criticizes sovereignists and sometimes criticizes federalists, also expressed concerns about bill C-55. He said:

The legislation still provides for the creation of security areas under military control by the Minister of National Defence. With his signature alone, the minister could wait 45 days before having his decision ratified by cabinet. This is just one example of how the government, using the fight against terrorism as an excuse, is now restricting the fundamental freedoms of Canadians.

He used the words “restricting the fundamental freedoms of Canadians”. Is it not our duty, as parliamentarians, and not only that of the opposition, to point out that even when we fought organized crime or when the biker war went on, we never reacted by excluding the parliament and its committees, and not respecting the great fundamental freedoms?

We are concerned. We still have time to convince the government, but I think this bill should be withdrawn so that government can limit its scope.

Mr. Speaker, could you check to see whether there is unanimous consent for this bill to be withdrawn so we can move on to something else. This way, we would uphold the fundamental freedoms of Quebecers and Canadians.

• (1650)

The Deputy Speaker: The member for Hochelaga—Maison-neuve asked for unanimous consent. Does the House agree?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: After due consideration, the Chair is ready to rule on this amendment to the amendment by the hon. member for Argenteuil—Papineau—Mirabel. This amendment to the amendment is in order and the debate is now on the amendment to the amendment.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, I am pleased to rise to speak to this amendment to the amendment. Before getting into my speech, I would like to congratulate my colleagues from the Bloc Québécois for their great effort in fighting the government on Bill C-55.

We understand very well why the Bloc Québécois and Quebecers in general do not trust this government since the events of 1970. They have good reason to be suspicious of this government because of past decisions that affected the province the Quebec.

The situation is similar in western Canada. Historically, a Liberal government appropriated natural resources in that region. We understand perfectly the issue of civil liberties and the reason why members of the Bloc Québécois are so intent on protecting these liberties from this government.

[*English*]

When the government decided to introduce Bill C-55 members from every party and every part of the country were hopeful that the lessons of the defeat of Bill C-42 that the government experienced had been learned.

The big problem with Bill C-55 is twofold. A number of the complaints raised by my colleagues from the Progressive Conservative Party and the Bloc Québécois are entirely in sync with those of the Canadian Alliance. We also find it frustrating that the government does not take seriously the idea of fighting the war on terrorism, getting involved and making a substantive contribution.

Let us look at the way the armed forces have been treated by the government during Canada's contribution to the war on terrorism in Afghanistan. The troops are now being withdrawn but, lo and behold, their desert environment camouflage uniforms will be ready in the second week of July. The government's timing is impeccable.

Bill C-42 had a number of problems that the government belatedly acknowledged. The unfortunate thing about politicians, and maybe this is the alpha male side of politics coming out, is that for some reason no matter how many times Canadians beat them over the head, they cannot admit when they have made a mistake. We consider the war on terrorism a serious crisis. When the attacks took place in New York city, Washington, D.C., and on the flight over Pennsylvania, the Americans said that anybody who participated in the war on terrorism should consider having a war declared upon them.

Canada had a war declared on it by terrorists, people who were willing to murder civilians to make some obtuse and nonsensical political point. However, the government acted about as quickly as molasses. It was embarrassing.

Government Orders

When the government introduced Bill C-42 it was full of holes. It knew it was full of holes. It was inadequate and did not fund our armed forces, did not secure the civil liberties of Canadians, and did not do many of the things that Canadians expected at a time of war. The government should have admitted it had made a mistake, pulled it back and moved forward to introduce a new piece of legislation.

Bill C-42 was pulled back just prior to Christmas. Bill C-55 was introduced and even the transport minister who was the minister responsible, which is a curious person to be responsible for the bill, said Bill C-55 was 90% the same as Bill C-42. Surely the government had received the message between September 11 and February or March when the bill was introduced that Canadians expected more from the government in terms of supporting the armed forces.

More was expected in terms of the Sea King helicopters, submarines and desert environment camouflage uniforms. However, the government put in place interim orders for cabinet ministers. What is interesting is that when the government introduced Bill C-42 the timeframe that a number of cabinet ministers were allowed to invoke interim order was 90 days. That was pulled back in Bill C-55. The government said it understood the concerns of Canadians about the idea of giving interim order powers to cabinet ministers so it reduced it from 90 days to 45 days.

That was an arbitrary, ad hoc cutting of 90 days in half to 45 days. When we had our briefing prior to the public announcement and tabling of Bill C-55 we asked department officials what new principle was being accomplished or achieved by cutting from 90 to 45 days. They shrugged and said they are were cutting it in half because it was more accountable. There was no new principle being put in place. Nothing has been learned. I find this a curious thing.

I want to discuss the idea of putting in an interim order measure for cabinet ministers, and believe me the Canadian Alliance takes seriously the idea of working on a non-partisan basis to advance the country's national interest particularly in time of war. However, the only reason we can see behind cutting the latitude for imposing interim orders without getting cabinet approval from 90 to 45 days is to isolate the decision of invoking an interim order around a particular cabinet minister. The political damage associated with putting in place a bad interim order would be isolated to that one cabinet minister and would not spread throughout the entire cabinet.

• (1655)

There is no reason whatsoever for that, even if we take the example of September 11, and the House leader for the government knows this very well. On September 11 there were 300 or 400 planes that were grounded and hundreds of those planes were grounded in Gander, Halifax, and Toronto because the United States did not want them flying into the northeast of the United States. Those planes were grounded on the order of the government, the Prime Minister and the transport minister. It happened within minutes of knowing that planes had flown into the World Trade Center towers.

The government did not need any interim order measures to do that. It just did it. Those powers were there. They were in existence and the government did not need Bill C-55 to ground those planes. The government does not need these powers.

I will now give a private sector example. If General Motors were to have a vehicle with faulty airbags it would decide to recall this particular vehicle. In order to make that decision all it has to do is get a quorum of the board of directors together and have a majority of the quorum decide to do that.

My guess is that a majority quorum of the board of directors of a large company like General Motors could probably get themselves organized together inside of about six hours if it is a serious emergency. We are a G-8 nation with unlimited technological capacities to get members of cabinet together. If we cannot get a majority quorum of cabinet together to decide to invoke an interim order then I question the capacity of the government's ability to tie its shoes and to remember to put on its underwear before it does that.

This is simple stuff. We have all the technological capacities to do this. We have telephones and video conferencing, all of which count in terms of getting people together for cabinet meetings. There is no reason why that standard could not be put together.

I would suggest, within the context of criticizing the government's interim order measures in Bill C-55, that given the recent scandals that we have seen in the House, and we have seen the minister of immigration who has the Speaker's ear which is always good, that Canadians are thinking about their leaders. We see scandals associated with the minister of immigration who does not like to answer those questions in the House. We see scandals associated with the former minister of public works and the former former minister of public works. We see scandals associated with now the former minister of defence. We see scandals associated with the current justice minister, and the current solicitor general.

The idea right now of giving individual cabinet ministers the ad hoc power to invoke interim orders without having to go to cabinet for full approval for 45 days is more than a little suspicious for every day Canadians. Canadians are thinking to themselves about this group of people in power. This is a group of people who are anxious to avoid accountability for their actions, who do not even stand up in question period and answer simple, obvious questions, such as those asked of the minister of immigration about why he changed his story about staying at the Boulay lodge. One day he said he was not there and the next day the minister said he was there.

The solicitor general is hiding behind the Deputy Prime Minister. For whatever reason he cannot seem to summon the will to stand up in the House and answer the most simple questions. With that reality, Canadians are suspicious of the capacity of the government to take responsibility for its actions, face the cameras and face the nation through this House. The government does not seem to be able to answer those simple questions.

Canadians are more than a little suspicious and would look rather jaundicely at giving cabinet ministers more power to invoke interim orders on an ad hoc basis without cabinet or parliamentary approval. Canadians have every reason to be suspicious of that. The government has not addressed the concerns of Bill C-42. Bill C-55 is a terrible piece of legislation. I congratulate all my colleagues for opposing it.

Government Orders

• (1700)

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I commend my colleague from British Columbia for his remarks. He has given a thoughtful and detailed analysis of the shortcomings and the dangers associated with this legislation. He has pointed out the lack of the government's ability to justify the need for the bill, to bring forward logic behind cutting off these interim orders, and to remove some of the safeguards that exist under existing legislation.

A number of members who have spoken have highlighted the fact that we already have in place an Emergencies Act. Let us look at the chronology and the history of how that particular legislation came about. The government House leader and other members present who have more history in this place will be quick to acknowledge that the Emergencies Act replaced the War Measures Act. The War Measures Act, under the Liberal administration of the time, was invoked and led to perhaps one of the most egregious assaults on civil liberties that this country has experienced.

There were numerous detentions and arrests that aggravated and inflamed the passions of Quebecers in particular, but Canadians generally. In invoking this type of Draconian approach and the denial of civil liberties, Canadians bore witness to a sad and dark chapter of Canadian history.

When one goes back further an example comes to mind and that is the Steven Truscott case. An individual was sentenced to hang in a judicial process where disclosure was not mandatory and where there were many shortcomings that led to egregious errors in law and almost cost young Steven Truscott his life.

I do not point out that type of example to torque up or engage in rhetoric, but to exemplify the fundamental breaches that could occur when there are parameters of the law that are stretched and ignored, which is what could happen in instances if the bill were to pass in its present form. There could be instances where basic rights could be denied such as the rights to enjoy privacy, freedom from arbitrary arrest and detention, and the free use of a person's property. That is how fundamental these infringements may become.

Many members who have spoken have pointed very quickly and earnestly to the declaration of controlled military zones and the ramifications that could flow from such declarations. What we are talking about here, because of the nebulous language contained in the bill, is that by simply moving a single piece of military equipment into any region, province or property within our nation's boundaries a declaration could be made deeming that area, in the immediate vicinity of this military vehicle, a controlled military zone. Being deemed a controlled military zone would create certain ramifications that would have grave implications for human rights and liberties. That is of concern when one examines the context of what happened in APEC, Quebec City, and what might happen in Kananaskis.

There is some question as to the timing, the need and the necessity for bringing this legislation forward now. In the aftermath of September 11, as all members rightly have been quick to point out, we are living in a brave new world. We are living in a new environment that recognizes the grave consequences and the real

tangible threat that is out there, yet we have seen legislation passed hastily through the House in Bill C-36.

There was great rush and trepidation on the part of the Liberal government to bring forward Bill C-42 which encompassed many of the same elements as the bill we see before us. One could say that to a large extent Bill C-55 is a stripped down version of Bill C-42. Bill C-42 was part of this crass rush to bring in legislation that was supposed to take advantage of the prevailing public attitude and fear that existed.

• (1705)

Thankfully calmer thoughts and introspection have prevailed. What we see with Bill C-55, though, is a very dangerous piece of legislation, particularly when we look at the new powers that would be placed in the hands of ministers. A single minister would have the ability to make these designations and judgments based on information that could be very nebulous, could in fact be secret and could be withheld from parliament or from an individual who might fall victim to the enactment of this type of arbitrary power.

What is perhaps most fundamentally offensive and disturbing about elements of this bill is that once again we see in this legislation a deliberate effort on the part of the drafters, and therefore on the part of the government, to circumvent the role of parliament for scrutiny and for responsible criticism and questioning of the government's actions in the state of an emergency. What this does is waters down what might be deemed an emergency.

Under the current legislation the government rightly has to justify itself. It has to come before parliament within a very short period of time and say that the existing circumstances are so grave that the legislation is necessary. In the aftermath of September 11 there was no such attempt by the government to bring forward a request to invoke the Emergencies Act.

Reflecting on the sentiment of this nation and our brothers and sisters in the United States, clearly there was panic afoot. Yet even in that atmosphere there was no attempt by the government to declare the Emergencies Act in effect in Canada.

What, pray tell, is behind the government's intent to bring in a piece of legislation that is a watered down, interim measure that falls somewhere between no emergency and no need to invoke that type of legislation and something where the government can make a decision to invoke very severe and arbitrary powers without coming before parliament and without bringing it to the House for a vote where the people's representatives are given an opportunity to ask relevant questions, to press the government to justify its actions, to do what parliament is supposed to do in its finest hour, which is to ensure that people's rights are protected, that we are invoking due process and that we are in fact following the democratic process?

Government Orders

There is much to be discussed. There is much answer that the government must provide to convince members present. The previous speaker referred to the fact that there is much opposition and not only in the ranks of assembled members of parliament. Clearly groups that we have heard from around the country share these concerns and are looking forward to the occasion in which they might come before a parliamentary committee to force the government to bring forward its justification for the bill in the very same manner which we are attempting to do through this debate.

By example, if we are not permitted to have a full and open debate and to press the government on this type of legislation, it demonstrates the dangers, should this bill pass, and the inability for members of parliament to invoke this process of questioning and criticism. That is the danger. This debate in and of itself demonstrates what is wrong with having the type of legislation that allows the government to hide, to cover up, to keep secret its justifications for making designations that are tantamount to an emergency or a military zone. People have to understand that this is what will take place, if the legislation were to pass.

Like previous speakers to the legislation, I am encouraged by the fact that members have brought forward thoughtful criticisms, pressed the government on issues that will be affected, issues that pertain to immigration, the Aeronautics Act, the criminal code and the effect that will have, the transportation and security bill and the passing of information between government agencies. All that has caused many, including independent parties who answer to parliament, to question the government's motive, intent and public trust, which is an important element in all of this.

● (1710)

I hope members will continue to question that not only in the House but before the committee, which is the true test as to whether this open, transparent and honourable legislation.

[*Translation*]

Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ): Mr. Speaker, I am thrilled to speak again to Bill C-55. The government revamped this bill in order to introduce, for all practical purposes, some rather special measures.

In doing so, it set the tone for what the government probably did not foresee in terms of an impact on the international stage. It triggered in the rest of the world a movement restricting fundamental human rights and freedoms.

I will come back to this in a moment, because the very essence of my whole argument lies in the amendment moved by my colleague, the hon. member for Argenteuil—Papineau—Mirabel. This amendment puts the emphasis on Amnesty International's recent report. According to this report, in the aftermath of September 11, measures were taken and legislation was passed in many countries, but these also resulted in a restriction of the most fundamental freedoms.

On the international stage, Canada has always boasted of being one of the greatest champions of fundamental human rights and of passing a charter of rights. Some countries—Zimbabwe or India, for example—were inspired to a certain degree by the measures taken by this government in Bill C-55.

As several editorial writers have indicated this morning, whether in the *Journal de Montréal* or in *Le Devoir*, Bill C-55 would clearly lead to abuse, which is totally unacceptable. Why? Because, where controlled access military zones are concerned, for example, it is still the minister alone who would have the power to designate such zones, the same minister who omitted to inform his government in the prisoners of war matter. It is not only the Bloc Québécois that said this several weeks and several months ago. Earlier this week, even Amnesty International indicated in its report, and I quote from the editorial in this morning edition of *Le Devoir*, “The Canadian section of Amnesty International said that it was concerned with policies that have been developed for refugees, with Ottawa's cowardly agreement with the legal status given by the Americans to prisoners of war”.

This was already part of our arguments on Bill C-55. My colleagues pointed that out several weeks ago. These are essentially the same findings that were made in an Amnesty International report that was made public yesterday or the day before.

The first argument of the Bloc then is to the effect that it is still the minister who would have the power to designate these controlled access military zones. The Amnesty International report said that this is totally unacceptable, given the way prisoners of war are being treated.

Another aspect is the fact that the consent of the Quebec government is still not required to establish a controlled access military zone on its territory. It seems essential that the federal government would inform the Quebec government of its intention to set up such controlled access military zones.

So, in light of all this, there is not much change between what was proposed in Bill C-42 and what we now find in Bill C-55.

This is cause for concern, because a number of countries refer to Canada as a protector of fundamental rights. This bill gives some legitimacy to and, unfortunately, justifies up to a point measures taken in Zimbabwe or in India, because Canada itself, which is seen as a protector of rights, adopts measures that violate freedoms. So, this is rather disturbing. The message sent by the federal government today is that it is now prepared to adopt measures that, until now, were associated with totalitarian countries and states.

● (1715)

One would never had thought that Canada would adopt such measures. No one would ever have believed that. I see that the member for Chicoutimi—Le Fjord is smiling. He does not agree with my comments. Yet, the Bloc Québécois is not the only saying it. The privacy commissioner condemned Bill C-55, as the Bloc Québécois did, when he said—and I would ask the member for Chicoutimi—Le Fjord to listen—“that some practices are similar to those that exist in totalitarian states”.

An hon. member: Quote him.

Mr. Bernard Bigras: The hon. member is asking me to quote the member for Chicoutimi—Le Fjord, when he was sitting on this side of the House, not too long ago. However, I know that he always smiles when I get out the three sheets that I have here—

Government Orders

• (1720)

Mr. André Harvey: Madam Speaker I rise on a point of order. I once again invite my colleague to publish all my speeches in their entirety, since they did it during the last electoral campaign, and it worked.

The Acting Speaker (Ms. Bakopanos): I believe this is a point of debate rather than a point of order.

Mr. Bernard Bigras: Madam Speaker, getting back to Bill C-55, the measures it contains are rather worrisome because, as I have said, they resemble measures and laws in totalitarian countries so much that you cannot tell them apart.

We are not the only ones saying so. The privacy commissioner said so. It is rather worrisome and it is even more disturbing that certain Liberal members opposite—whose names I will not mention because it is forbidden to do so—including one member in particular, have asked for a review of the national security bill, saying that “the new anti-terrorism bill is a serious threat to civil liberties”.

As I said, it is rather worrisome to see the government introduce such measures. We need to be vigilant and remember that, yes, September 11 profoundly changed the circumstances for the United States, the relationship that may exist in terms of service delivery in different areas—

An hon. member: The minister of immigration would not have found that funny.

Mr. Bernard Bigras: Madam Speaker, could you put an end to this, because I can hardly think.

The Acting Speaker (Ms. Bakopanos): Order, please. If members want to have conversations, would they please hold them outside the House.

Mr. Bernard Bigras: Madam Speaker, as I mentioned, not only has this bill been criticized on this side of the House, not only has it been criticized by the privacy commissioner, but it has also been criticized by the Liberal member for Mount Royal.

As I was saying earlier, as recently as May 3, the member for Mount Royal stated that the new terrorism bill constitutes a troubling threat to civil liberties. So, this is rather troubling for a bill, and there seems to be some consensus on this.

From this morning's editorials, it is clear that there is a trend, and that this government would like to give the impression that it is, in theory, the defender of fundamental rights, the rights of citizens around the world. Which begs us to ask a number of questions.

In its report, Amnesty International—a fairly well known organization—points out that there are no less than six regional human rights treaties that Canada has yet to ratify.

This is rather troublesome when one considers, for example, that next Tuesday, the House of Commons will be debating a motion that I moved and that calls on the government to ratify the Inter-American Convention to Prevent and Punish Torture, which comes under the Organization of American States, and that only nine countries, including Canada and the United States, have not ratified.

If we want to establish a free trade zone for the Americas, it seems to be fundamental to me—and I will end on this—to maintain this important balance between freedom and security, something towards which this government seems very insensitive, given Bill C-55.

Mr. Pierre Brien (Témiscamingue, BQ): Madam Speaker, I had the opportunity to speak earlier today when we were not discussing the amendment now before us, and I had a few more things to say. I am happy that our last amendment incorporates things said by Amnesty International. This is not without insignificance, in the current context. Perhaps it can enlighten us before we proceed any further with consideration of the bill before us.

Bill C-55 is a new version of a bill that was even worse initially, that is Bill C-42. Today, a certain amount of time has gone by since September 11, so that we can now better assess things. As more time goes by, we will be able to determine what we must do even better.

In my opinion, we must first ask this question: would we have thought of passing measures such as those in Bill C-55 this time last year? Certainly not. Have things changed since September 11? Yes, of course. But nothing justifies the current panic and psychosis. That is what Amnesty International is saying.

This is what we find in the newspapers. In the *Journal de Montréal*, Michel C. Auger writes:

Almost everywhere in the world, national security and the war against terrorism are becoming the best excuses to violate fundamental human rights.

It is disturbing to see such a tendency in many countries. It is not unique to this government. What is shameful is that we find the same tendency in our government in Ottawa, that is possibly to encourage abuse or create a climate that could lead to further measures. People wanted more security. After September 11, they felt very insecure, but not to the point of violating some fundamental rights as we are doing now.

We see it again today in *Le Devoir*. The editorial is entitled “Security versus freedom”. When we have to ask ourselves these types of questions, it means that there is a problem with what is being done here and we really have to think about it.

Few members on that side of the House addressed this issue today. The member from Mount Royal did it in the media but his colleagues remained silent throughout the day. Their silence disturbs me. We do not know their views, their positions in this important debate for our society. Our role is to step back as much as possible before passing these kinds of legislation, which will put so much power in the hands of a minister. It is all the more worrisome, members will agree, when this minister's competence is questionable. We have had these kinds of ministers throughout history and there will be more of them.

Private Members' Business

I do not have any problem with ministers having powers in a number of areas, but when these powers have an impact on fundamental freedoms, this is going too far. A minister is given the ability to act without following the usual procedure whereby a whole series of assessments is done before any legislation is passed. The problem with these powers is that they are often exercised in an atmosphere of sheer panic.

For example, one would never think of holding a debate here on something like the death penalty two days after some heinous crime. Often, government members are critical of the Canadian Alliance for using events in the news to make a dramatic plea for a tougher criminal code. They are doing exactly the same thing by giving themselves these powers in the wake of September 11. That is what we are seeing right now, and we must say "Enough is enough".

Another thing that worries me is the constant tendency of the government to almost blindly follow the lead of the Americans in everything. Canada never stands out from the Americans in any original way. It is all very fine and well for us to have common standards on a certain number of things, but we are always falling in with what they want.

If the last federal budgets had been prepared in Washington, they would not have been any different from what we saw here. We had the impression that the government just tabled a carbon copy here and read it out in parliament.

We wonder where bills are written. Earlier, the member for Rosemont—Petite-Patrie spoke about international treaties which were not signed by some countries. Oddly, when Canada was missing from the list, so was the United States. One might wonder just how real a voice Canada has internationally. Is it not increasingly seen as a mascot of the United States?

• (1725)

At some point, we must ask ourselves some questions. If I were in the shoes of the folks who are so full of advice about Canadian sovereignty and so on, I would be worried, because we are seeing less and less of it. On issues as important as this one, if there are differences—and I think there are in the public—we must ensure that they reflect our values and act responsibly when it comes to—

The Acting Speaker (Ms. Bakopanos): I am sorry to interrupt the hon. member, but he will have approximately four minutes remaining when debate resumes.

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

PRIVATE MEMBERS' BUSINESS

• (1730)

[English]

SEX OFFENDER REGISTRY ACT

Mr. Randy White (Langley—Abbotsford, Canadian Alliance) moved that Bill C-333, an act to establish and maintain a national registry of sex offenders to protect the children and communities of Canada, be read the second time and referred to a committee.

He said: Madam Speaker, it is with great regret that I am speaking to the bill today because this is a private member's bill, for those who do not quite understand the emphasis on private member's business, and the fact is that the bill was refused to be made votable by a committee of the House of Commons. That means that the bill will never be voted on and the only time I get as the initiator of the national sex offender registry is a 15 minute speech today. That will be the end of it.

Therefore I have some apologies to make to people around the country who so earnestly wanted a national sex offender registry. I have to apologize to them because it will not happen even though it was committed to be developed by the Liberal government, not once but twice.

The bill itself was modelled after a bill in Ontario known as Christopher's law. The biggest apology I can offer on behalf of the federal Liberal government is one to Jim and Anna Stephenson, whose child was abducted, raped repeatedly and murdered by a known pedophile. The model of Christopher's bill in Ontario came from a great deal of what they and others have done in Ontario. The Ontario legislation has actually been quite successful. I may try to get into that in a very few minutes.

The problem here is that the legislation I tabled in the House was virtually identical to the legislation that is so successful in Ontario. We have had two commitments from the government. First it said it would implement a national sex offender registry by January 30, 2001, and that did not happen. Then it later said that it would implement it somewhere around November 2002. That will not happen. Government members talked a lot about CPIC, an information system for police in Canada, but that is not a sex offender registry. Even if the government developed software to implement a registry, it still needs legislation to mandate that sex offenders report and so forth. Not only did it not attempt to draft legislation, it completely ignored it. Therefore, the commitment that the government made for a national sex offender registry, not once but twice, was never, ever intended to be fulfilled.

We are here today with legislation that will basically go into the garbage after today and many people will wonder why we will still have problems with sex offenders. They will wonder why these problems occur and cannot be curtailed. The reason is that the government is just not prepared to move on a national sex offender registry.

I want to apologize to the Hon. David Young of Ontario, who said that Ontario was pleased that we were developing this on a national level and very pleased, and rightfully so, that this very same legislation was implemented in Ontario and was so successful.

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I want to apologize, I suppose on behalf of the government, to the Alberta solicitor general, the Hon. Heather Forsyth, who was very supportive of this as well. Heather stated "I am, however, concerned that no timeframes were established to implement these changes. I can assure you that I will be monitoring the progress of the establishment of a national sex offender registry closely and intend to continue to urge the Solicitor General of Canada to move quickly to implement it".

The surprise should not be there. There were no timeframes because the government never intended to do it in the first place. On behalf of the government, I guess, through me to the Hon. Heather Forsyth of Alberta, let me say that it just will not happen and that is unfortunate.

• (1735)

I could go to all the other provinces, but in Saskatchewan Chris Axworthy said the same thing. He said that he was pleased the federal ministers had agreed to bring forward legislation to support a national registration process. They said they would do but they did not.

In Ontario the Canadian Police Association stated:

On behalf of the 30,000 front-line members of the Canadian Police Association, we are pleased to convey our support for the creation of a National Sex Offender Registry. The Canadian Police Association is firmly on record in seeking a registry to assist in the investigation and apprehension of repeat sexual offenders.

In all my time in the House of Commons, and in all the time I have left remaining here, I do not think there ever will be anything as disappointing as this. I fought for four years and received success on the national victim's bill of rights. I fought for about two or three years to get a special committee to look at the drug problems in Canada and managed to get that. We are working on that now.

However this legislation was important and it was not an onerous one. In fact, it was not legislation with which the government could have had a serious problem. It was just a plain sex offender registry.

What would this registry have done? It would have been used by police only. It would have recorded addresses, changes of addresses, changes of telephone numbers and the whereabouts of sex offenders. It would have kept an up to date registry. The legislation would have mandated that sex offenders report to the police if something changed. That was it. That was all it took in Ontario for it to be 95% successful. The number of sex offences in Ontario today are less of a problem.

All the federal government had to do was look beyond the fact that someone in the opposition brought this up in the House of Commons and listened to the common sense of the common people. It could have said "If this does a little to help prevent the serious sex offences, then maybe we should look at it and maybe we should undertake it".

This is a sad day for everyone. Since the government will not apologize, I must do it for the government.

We are likely to hear someone on the other side say that the government is working on a sex offender registry, that it is making changes to the national police information system and that it will be there to protect us. Yes, it is working on amendments to the software.

That is nice. However there is no guarantee that sex offenders or pedophiles who have been released from prison or who are presently out on the street will report further changes in their personal situations. In fact that will not happen and the information will remain unchanged for five, or ten, or twenty years or for life. All that had to be done was to mandate by law that any time these offenders changed their personal situation they had to report it or face penalties.

Having been involved with the prison system and the business of the solicitor general for 10 years now, I have seen the damage sex offenders can do. I have seen the frustration that has been experienced by the police because the information is archaic, or not available or cumbersome to retrieve. All it would have taken was a little of money, and not very much I can assure the House, to make some software changes. It would have taken no money to implement the legislation. For the life of me I wonder why we even deal with the frivolities that we seem to deal with these days in the House.

• (1740)

When it comes to looking at the rights of individuals maybe that was the government's problem. Maybe it thought it was about the rights and freedoms of sex offenders. That is the concern the government usually has. However the province of Ontario has implemented a registry and there has been no charter challenge. It has not been a problem.

Every solicitor general and police organization in the country has been in support of the project. I know of no organization in Canada that has opposed the national sex offender registry. There may be one or two but the vast majority of Canadians have agreed with the concept. The stumbling block has been the Government of Canada.

People like Jim and Anna Stephenson who have done so much to try to get such a small change should not give up. But for the ignorance in the House of Commons of what a sex offender registry is we would already have a national registry. But for the ignorance and resistance of politicians afraid to put a foot forward for fear of offending someone's rights we would not still have sex offenders on our streets without knowing their names or where they live.

I conducted a study of the number of people who change their names while in prison so that when they get out on parole they have new identities, new licences and new qualification certificates. My study found that of the many who changed their names in prison virtually every one was a sex offender. That is no coincidence. There is a reason for it. In many cases the reason is to prey on people again.

Private Members' Business

A national sex offender registry would ensure that the moment these people were out on the street they would immediately have to report to the police any changes in their vital information. If they moved anywhere in Canada they would be required to show where they lived. If they moved within a province they would be required to disclose changes in telephone numbers, where they lived and particular circumstances. If they had no changes to report they would still need to report every year. If they did not do so the police would have a valid reason to think there was a problem and could thus anticipate and avoid difficulties and problem situations that would otherwise arise.

I hope government members who speak to the bill do not stand and say I am full of rhetoric. I hope they do not say "Yes, we are putting a national sex offender registry in place. We have fixed it up and the hon. member for Langley—Abbotsford is wrong". A sex offender registry which requires software to drive it is nothing unless we have legislation to mandate the reporting. That is the gist of the whole thing.

I will not give the issue up. However times are running short in the House of Commons. Before I leave I hope to someday be able to stand here and say I finally convinced the government there was something to the issue. I hope someday someone on the other side will say I was right and that the government should do this. I hope it does not take another high profile situation or another child like Jim and Anna's to get the government in gear. That would be a shame and a travesty.

●(1745)

There were a lot of good people who worked on this project. I am very sad that it did not come about. I am equally sad that the government did not understand what was behind it.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Madam Speaker, I welcome the opportunity to speak to second reading of Bill C-333, an act to establish and maintain a national registry of sex offenders to protect our children, as proposed by the member for Langley—Abbotsford.

I am sure all of us in this place are unequivocal in expressing our support for any feasible measure that will effectively protect our children, indeed all our citizens from sexual predators. I would like to outline the efforts of the solicitor general to date on this matter.

The solicitor general has stated many times that he supports a registry of sex offenders. This nation already possesses one of the most technologically advanced criminal history registries in the world in the Canadian Police Information Centre, CPIC. The solicitor general told the House that his department would consider improvements to CPIC in the specific area of sex offences, citing concerns that CPIC was not address searchable by police officers.

In a very short period of time he met that commitment when he announced, on September 11, 2001, that a new database within the CPIC system would be created and known as the sex offender category. Further, he announced that this database would be both address and offence searchable, that it would be up and running within a year and that it would be funded completely by the federal government.

That is not all the government has done in recent years to combat the dangers of sexual predators.

In 1997 we proclaimed Bill C-55 which strengthened the dangerous offender rules in the criminal code and also created a new sentencing provision called long term offender.

As a result of these changes, prosecutors in almost every province are now aggressively pursuing dangerous offender and long term offender options. In fact, since 1997 the number of successful dangerous offender applications has doubled each year.

The 1997 legislative package also created a new category called long term offender, targeting individuals who were clearly a threat but would not meet the threshold of dangerous offender. This new designation recognized that released sex offenders who received supervision and treatment in the community experienced dramatically lower reoffending rates than an offender who entered the community at the end of his sentence without conditions for supervision or treatment.

In addition to the long term custodial term, long term offenders can be ordered to comply with a further 10 years of community supervision and conditions. This innovative measure has already resulted in over 100 long term offender orders.

In addition, another provision was created in section 810 of the criminal code called community protection orders. These are issued by a court and reviewed every 12 months to place conditions on a sex offender even when no sentence is being served.

As well, on November 17, 1994, the government introduced a national screening system to help organizations screen out child sex abusers applying for work with children by disclosing their criminal record.

None of these initiatives happened overnight. While I agree with my colleagues in the House that this is a pressing problem, cobbling together a mandatory sex offender registry without looking at all of the issues, all the details and all the facts will not result in effective legislation.

The solicitor general has taken a slightly different approach. He has asked his officials to work with all the provinces and territories to fully explore this issue, to determine what is and what is not feasible in a Canadian context and to find out where some jurisdictions have succeeded and where others have failed. I fully support this approach. It now appears that all of the provinces support this approach. Why else would they be participating fully in the federal-provincial-territorial working group on high risk offenders currently seized with this matter?

This approach makes sense. If we are going to have a registry, we want one that works, that is efficient and affordable and that is supported by all of the provinces. We want one that will recognize the impact of the charter of rights and freedoms. We want one that is not in breach of federal or provincial privacy laws. We want one that local agencies will have the ability and resources to administer and enforce. We want one for which all provinces from coast to coast can agree upon a consistent approach. Finally, we want one that will not drive convicted sex offenders underground with assumed identities and no assistance with their rehabilitation.

● (1750)

At the Moncton meeting last February federal ministers agreed to bring forward legislation to support a national registration process in the same time frame as the completion of enhancements to CPIC including mandatory registration of specified offenders as hon. the member for Langley—Abbotsford has referred to. They will again discuss the matter when they meet in early June a couple of weeks from now.

It is essential for senior officials to continue this important work and develop a common model before deciding how best to proceed. A detailed model would help us consider and, it is hoped, come to agreement on important matters such as cost, charter compliance, privacy issues and potential liability. We do not know how much the entire system would cost. We would prefer not to enter into a new system arbitrarily but to do so knowing what the real costs would be at all levels of government.

We must carefully address the issue in the context of a national system while recognizing that not all jurisdictions have the same

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needs. Without completing this work it will not be possible to decide with precision what the legislation should contain.

The bill put forward by the hon. member proposes policy and legislative options. It has support on both sides of the House although there are differences in terms of timing and detail. I congratulate the hon. member for his continuing work on the issue. Although his remarks were phrased somewhat in the negative he should not underestimate the importance of private members' business in fostering, promoting and exhorting government legislation in the House.

The work of the hon. member and other members in this place has fostered support for the type of sex offender registry now evolving within the CPIC registry system. With the co-operation of the provinces and territories we in the government hope to have in place a system of mandatory registration for certain offenders so we can make the system work as the hon. member stated earlier.

In closing, I note the importance of Bill C-333 and all private members' business in spurring the government and this place to enact better policy and legislation.

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

It being 5.54 p.m., the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 5.54 p.m.)

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