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OFFICIAL REPORT
(HANSARD)

Tuesday, June 11, 2002

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Tuesday, June 11, 2002

The House met at 10 a.m.

Prayers

● (1000)

[*Translation*]

POINTS OF ORDER

ORAL QUESTION PERIOD

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, yesterday afternoon during question period, in the heat generated by all the scandal prevailing at this time to the detriment of the government, I let myself get carried away and said that the Prime Minister had violated his oath of office.

If this can salve the consciences of the Prime Minister, the House leader of the ruling party and my friends across the way, I humbly and sincerely withdraw those words.

The Speaker: I thank the hon. member.

ROUTINE PROCEEDINGS

[*Translation*]

COMMITTEES OF THE HOUSE

CITIZENSHIP AND IMMIGRATION

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, pursuant to Standing Order 109, I have the honour to present today, in both official languages, the government's response to the third report of the Standing Committee on Citizenship and Immigration, a report entitled "Building a Nation: the Regulations under the Immigration and Refugee Protection Act".

As well, pursuant to subsection 5(2) of the Immigration and Refugee Protection Act, I am pleased to table draft immigration and refugee protection regulations.

* * *

● (1005)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mrs. Karen Redman (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to nine petitions.

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COMMITTEES OF THE HOUSE

AGRICULTURE AND AGRI-FOOD

Mr. Charles Hubbard (Miramichi, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Agriculture and Agri-Food entitled "The Future Role of the Government in Agriculture". Pursuant to Standing Order 109, your committee requests that the government provide a comprehensive response within 150 days of the tabling of this report in the House of Commons.

I would like to point out that this is a unanimous report except for one minor provision. It was worked on by all political parties in the House. The committee met in 15 places across Canada and produced a report some eight chapters in length with 33 recommendations.

I would like to thank the members of the committee, the clerk, Suzanne Verville and the researchers, Jean-Denis Fréchette and Frédéric Forge.

In the report we advocate a significant amount of money toward the agriculture community, some $1.3 billion. We worked closely with the other two committees that also studied the agricultural community. It is a matter of national security that we have a sufficient and successful food supply for people.

The agricultural community is in great stress across our country. The farmers are of great significance. They are well trained and have excellent programs but they need the support of our government. In working closely with nature of course, we have to recognize today that the rains we have in Canada will help our community.

We look forward to action in the agriculture area.

Mr. David Anderson: Mr. Speaker, I rise on a point of order. Following the excellent presentation by the chairman of the agricultural committee, I would like to seek unanimous consent that the fifth report of the Standing Committee on Agriculture and Agri-Food tabled earlier today be concurred in.

The Speaker: Does the hon. member for Cypress Hills—Grasslands have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed

Some hon. members: No

FISHERIES AND OCEANS

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 10th report of the Standing Committee on Fisheries and Oceans entitled "Foreign Overfishing: Its Impacts and Solutions, Conservation on the Nose and Tail of the Grand Banks and the Flemish Cap". I am most pleased to say that the report is supported by all parties and is therefore unanimous.

I would also like to thank the research staff and the staff of the committee for all their hard work in terms of the meetings we had across the country, for the hearings we had in Ottawa and in the writing of the report.

We recommend strong action on the part of the federal government, using various legislation available to it, to put an end to overfishing outside our 200 mile limit. We look forward to the government's positive response within 150 days.

CITIZENSHIP AND IMMIGRATION

Mr. Joe Fontana (London North Centre, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Citizenship and Immigration entitled "Competing for Immigrants". We have received virtual unanimity on all four of our reports. Therefore I want to thank the members of the standing committee, the minister and his staff, the Canadians who are working abroad and the locally engaged staff who serve our country well.

For over 134 years, Canada has been competing for immigrants and we have some of the best people in the world. We want to continue this tradition of inviting people from all over the world to come and help the greatest nation on earth.

Therefore, I table this report on behalf of our committee and hope that the House of Commons and the Canadian government move forward to ensure that we can process quickly the best, the brightest and the skilled workers that we need to help build our economy and our nation.

* * *

● (1010)

CANADA PENSION PLAN

Mr. Mac Harb (Ottawa Centre, Lib.) moved for leave to introduce Bill C-475, an act to amend the Canada Pension Plan.

He said: Mr. Speaker, the purpose of the bill is to amend the Canada pension plan to extend eligibility for survivor pensions to the dependant children and spouses or common law partners of deceased contributors. It deals with contributors who are disabled and would allow for those benefits, in the event the contributor is deceased, to go to the children.

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

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NATIONAL CIVIL DEFENCE FORCE ACT

Mr. Mac Harb (Ottawa Centre, Lib.) moved for leave to introduce Bill C-476, an act to establish a National Civil Defence Force.

He said: Mr. Speaker, the purpose of this enactment would be to create a national civil defence force to provide effective support to emergency services during civil defence emergencies such as earthquakes, terrorism or the like.

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

* * *

[*Translation*]

PETITIONS

GOVERNMENT CONTRACTS

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, I have the pleasure again today, one that has been repeated just about every day for the past week—what my colleague might qualify as akin to total delight—to officially table here in the House a petition calling upon parliament to call for a public inquiry into everything relating to the scandals assailing us since January. There seems to be no end in sight and no possible way out. This morning again, we have a petition signed by 90 people, which I table on their behalf.

[*English*]

FUEL PRICES

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have the honour of presenting a petition this morning on the subject of soaring oil and gas prices. The petition is signed by residents of British Columbia, including a number of residents of Burnaby—Douglas.

The petitioners point out that energy is a Canadian natural resource but that we have little effective control over this resource. They express concern about the big oil companies that dominate refining and gasoline sales, that are free to set whatever price they want at the wholesale level and at the pumps and that there is absolutely no effective oversight of oil and gas prices. They point out that Canadian households and businesses rely on energy and have no alternative but to pay the higher prices.

Therefore, the petitioners call upon parliament to urge the government to set up an energy price commission that would hold the big oil companies accountable for the energy prices they charge to Canadians.

MIDDLE EAST

Mr. Joe Fontana (London North Centre, Lib.): Mr. Speaker, I have the honour and privilege to present, with a heavy heart, a petition on behalf of thousands of Londoners who are petitioning the House of Commons and the government to bring peace, security and tranquility to the Middle East region for both the Palestinians and Israelis.

The petitioners request that the Parliament of Canada take full cognizance of the crisis in the Holy Land of Palestine and Israel. In acknowledging that the cause of peace and justice in the Middle East for Christians, Jews and Muslims is inseparable from the fundamental interest of Canada to secure peace and justice at home and abroad, that it resolve to remain fully apprised of the situation and assist in every way possible to bring peace, restore justice and establish security for all people in the land where Jesus, may peace be upon Him, was born, preached and risen to the heavenly kingdom above.

CHILD PORNOGRAPHY

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, it is my privilege to present two petitions to the House this morning. The first petition deals with the issue of child pornography.

The petitioners note that child pornography is condemned by a clear majority of Canadians. They are concerned about the recent court decisions that they believe do not properly uphold the laws of Canada and they are calling for a complete ban on all materials which promote or glorify pedophilia or sado-masochist activities involving children.

● (1015)

ADOPTIVE PARENTS

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, it is a pleasure to present a second petition this morning from Canadians in Atlantic Canada and in Saskatchewan wishing to draw the government's attention to the significant social contribution that adoptive parents make to Canadian society.

They are concerned about the huge cost that adoptive parents have to bear and are calling upon the government to enact legislation to bring about a substantial tax deduction to cover some of the costs involved in adopting children.

FISHERIES

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, it is a pleasure for me to present a petition this morning on behalf of constituents and other folks throughout the lower mainland of British Columbia, including people from the Quesnel area of British Columbia and even people from Ottawa.

The petition has to do with the constitutional obligation of the federal Minister of Fisheries and Oceans to protect wild fish and their habitat. The petitioners note that the auditor general and others have found that the minister is currently not fulfilling his obligation to protect wild fish and their habitat.

They call upon parliament to direct the minister to fulfill his obligation to protect wild fish and their habitat from the effects of fish farming.

ABORIGINAL AFFAIRS

Mr. Inky Mark (Dauphin—Swan River, Ind. Cons.): Mr. Speaker, it is an honour to present two petitions on behalf of the people of Dauphin—Swan River.

During this past winter the aboriginals have been netting the stocked lakes in the Lake of the Prairies in my riding without regard for the health of the fish stock in the lake for the purpose of selling the fish on the commercial market and not for sustenance.

Thousands of petitioners are calling upon parliament to enforce the laws of Canada so that those who take advantage of their status and who breach federal laws be held accountable for their actions. Canada needs a single justice system for all its citizens.

CHILD PORNOGRAPHY

Mr. Joe Peschisolido (Richmond, Lib.): Mr. Speaker, it is an honour for me to rise to present a petition similar to the petition put forth by my colleague from Prince George—Peace River.

The petition has been signed by hundreds of citizens in Richmond and in the greater Vancouver area dealing with the problem of child pornography.

The petitioners note that the creation and use of child pornography is condemned by a clear majority of Canadians and some clear steps should be taken, including the outlawing of sado-masochistic and pedophilia material, and that parliament act quickly to make clear that such exploitation of children will always be met with swift punishment.

[*Translation*]

PARTHENON MARBLES

Mr. Gérard Binet (Frontenac—Mégantic, Lib.): Mr. Speaker, on behalf of the member for Ahuntsic, I have the honour to present in the House a petition in both official languages, asking parliament to urge the Government of Canada to request that the United Kingdom return the parthenon marbles to Greece.

The petitioners ask that every effort be made to have the parthenon marbles, which were removed from Greece almost 200 years ago without the consent of the Greek people, returned to Greece, their country of origin, prior to the 2004 Olympic Games, when Greece will host the 28th Olympiad.

CANADA POST

Mr. Gérard Binet (Frontenac—Mégantic, Lib.): Mr. Speaker, I would also like to present, on behalf of my colleague, the member for Notre-Dame-de-Grâce—Lachine, a petition regarding the working conditions of rural route mail couriers.

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[*English*]

QUESTIONS ON THE ORDER PAPER

Mrs. Karen Redman (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, Question No. 160 will be answered today.

[*Text*]

Question No. 160—**Ms. Christiane Gagnon**:

> With respect to Radio-Canada's Centre de l'information in Montreal: (*a*) what was the estimated cost of the project when it was first announced; (*b*) what was the actual cost; (*c*) what is the cost breakdown; and (*d*) who were all the contractors and subcontractors who worked on the project?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): In accordance with CBC policy, CBC will not provide the information requested in order to protect its autonomy, maintain confidentiality and protect its competitive position. The Canadian Broadcasting Corporation is required to provide a significant level of detail on its finances and operations to the public through parliament. The corporation also maintains high standards in procurement policies and practices. Its books are audited by the Auditor General of Canada and the information requested would have formed part of the information examined by the auditor general in any given year.

[*English*]

Mrs. Karen Redman: I ask, Mr. Speaker, that the remaining questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

SPECIES AT RISK ACT

Hon. David Anderson (Minister of the Environment, Lib.) moved that Bill C-5, an act respecting the protection of wildlife species at risk in Canada, be read the third time and passed.

He said: Mr. Speaker, I rise in the House with great pleasure to talk I trust for the final time to Bill C-5.

The level of support for national legislation to protect endangered species is extensive. Canadians from coast to coast to coast believe that no species should become extinct simply because of human behaviour.

The proposed species at risk act, Bill C-5, is an effective and well informed response to their concerns. It is designed not only to ensure that species at risk and their habitat are protected but also to help in their recovery.

Passing the legislation to protect species at risk in Canada has been an important commitment of this government, and I am very proud to stand in the House today and reflect on that achievement.

We have worked for many years to achieve the broad support among Canadians that the legislation now enjoys. We consulted extensively. We listened. The nearly nine years that underlie the bill have been a cumulative process that has built a progressively informed piece of public policy.

We held more than 150 consultations with provincial and territorial governments, aboriginal people and stakeholders. We talked and learned from Canadians from all walks of life: fishermen, farmers, ranchers, resource industry owners and workers, and conservationists.

We have discussed, studied and refined, and we are now ready to move forward with policy solutions that will work for Canada.

Climate, nature and wildlife are integral to our Canadian identity but let us not underestimate the challenges inherent in protecting and fostering the recovery of species. We have in Canada some 70,000 known species and perhaps we have just as many which are not yet named. We are the world's second largest country with the world's longest coastline. We represent the northern most range for many species.

The challenge is complex and the responsibility under our constitution is shared.

[*Translation*]

The Government of Canada is working with all Canadians to ensure that this identity is preserved for future generations. Our strategy for the protection of species at risk is already a success. This strategy includes the legislation under consideration in addition to a national stewardship program and the accord for the protection of species at risk, an agreement between the federal government and all of the provinces and territories.

This legislative measure was designed to meet the federal responsibilities under the accord. The other jurisdictions have their role to play, and it is a very important role.

In fact, what we have here is an important extension to the work being done by other levels of government. This legislation is based on a partnership approach adopted by the provinces and territories. It strengthens an approach that originated in Canada.

The Species at Risk Act is an act that is balanced and appropriate for Canada. It is, above all, an act that will effectively protect species at risk and their habitat. It emphasizes an approach based on co-operation, which respects the constitutional spirit of our country.

● (1020)

[*English*]

The bill also reflects the geographic reality of our country. One of the key challenges that we have faced is that of ensuring that the legislation meets the needs of each of the 233 species that are currently included on the schedule of the bill and any other species which may be added under the act.

The needs of the whooping crane are different from the needs of the Atlantic whitefish, the wolverine or the eastern prickly pear cactus. Yet we have here one law that will protect each of these specie. We are passing a law that will be flexible enough to meet the needs of any endangered species, be it bird, fish, an animal or a plant. It is also flexible enough to enlist the participation of private landowners, aboriginal peoples, farmers, fishermen, trappers, industry, resource industry and all the provinces and territories.

Finally, the law must ensure that each species will receive the government's attention and that decisions will be made in a transparent, accountable and timely way.

Bill C-5 meets those criteria. It emphasizes the co-operative approach. It respects jurisdictions. It contains workable and effective solutions for the assessment and listing of species and for protection of critical habitat. It ensures that decisions will be based on the best knowledge available. It compels the government to be open, transparent and accountable for the decisions that are made and that those decisions will be based on science.

I want to address a few of the key issues raised during the debate. The first is that of assessment and listing. There are a number of precedents in the bill. One of the most compelling is the rigorous, independent process it will set in place for assessment. It will not be up to the minister of the day, myself or my successors, to determine whether he or she will allow COSEWIC to exist. Bill C-5 establishes COSEWIC, the committee on the status of endangered wildlife in Canada, as a separate legal entity.

The assessment of species at risk will be based on the best available knowledge, both scientific and, again a first, aboriginal traditional knowledge. It will be expert and it will be independent. Those assessments will be done at arm's length from government and they will not be subject to any economic or social pressures. I will come back to that point because it is an important one.

Finally, the COSEWIC decisions and findings will be published in a public registry for all to see.

Bill C-5 ensures that as soon as a species is added to the legal list a number of binding provisions kick in. The species at risk bill contains, for example, automatic prohibitions against the killing or harming of the listed species and against the destruction of their residences. It also stipulates that mandatory recovery plans be put in place within specific timeframes.

Finally, the species at risk bill provides authority to take emergency action to protect habitat if those recovery plans do not prove effective.

We all understand the implications of assessment and listing are serious. They involve potential economic and social consequences that are well outside the purview of the scientists involved. For that reason, the elected representatives of government must make the final decision on what constitutes the legal list.

Our government has been unequivocal on this and has been since the very beginning. That is because the work of the committee on endangered species in Canada will not just sit there. There are binding timelines for the development of ministerial responses to a COSEWIC assessment, and hat must happen within 90 days, three months.

As well, we have guaranteed with a successful government motion that the government of the day will make a decision to list a species or not within nine months of receiving the COSEWIC assessment. That ensures that each species will receive the attention of the government, be it the most charismatic of species or the least recognizable.

● (1025)

It will ensure timely consideration of each species based on the best available knowledge. In addition, every year the minister will report to parliament on each of the COSEWIC assessments and on the government's response to them. This is an independent science based framework. It is fair and is there for the listing of endangered species where there is transparency and accountability.

[*Translation*]

Under clause 80, Bill C-5 also provides that the minister must make the recommendation to make an emergency order to protect the species or habitat if he or she is of the opinion that the species faces imminent threats to its survival or recovery. This clause applies to all species, regardless of where they are. It clearly requires the federal government to take action to protect all species at risk in Canada.

These prohibitions may well have a social and economic impact on local communities. This is why, while scientists will continue to determine the scientific listings, final authority regarding the addition of these listings to the legal list requiring recovery measures must remain in the hands of elected officials.

Canadians expect that the decisions affecting their lives and their means of livelihood will be made by the people whom they elected as their representatives. We cannot put the responsibility of making difficult decisions on the shoulders of non-elected scientists. We must keep the scientific and political processes separate.

● (1030)

[*English*]

In case people doubt that we will not act on the COSEWIC recommendations may I suggest they look at schedule 1 of the bill. There they will find 233 species already listed, each and every one of the species that COSEWIC had assessed by the end of the year 2001 against its new updated criteria.

In making a listing recommendation the environment minister can only consider the species. In making the decision to bring in an emergency order the government would consider the welfare of the species as well as all other factors affecting the situation and that is a responsibility of government. Canadians who feel they would be unfairly impacted by an emergency order should have the right to have their voices heard by elected officials. By making those elected officials responsible for decisions that could have social and economic impacts Bill C-5 would continue to ensure public accountability.

Let me also put to rest the issue of compensation. I know there are concerns by landowners regarding compensation. People have asked how we will deal with the implications of recovery efforts for people whose lands might be affected by those efforts.

There would be two stages: first, we would work with landowners through an extensive set of stewardship programs that would bring together scientists, government officials and local individuals in willing partnerships for the protection of species at risk.

Second, we are working on general compensation regulations that would get us started on this track if needed. Those regulations would set out the procedures for compensation claims arising from the imposition of regulations to prevent the destruction of critical habitat. We would address claims on a case by case basis.

Some individuals want more than that. Fair enough. They want details, processes, mechanics and a fully developed system. I understand that desire, but this is one of those cases where we must move intelligently and practically. That means getting some real life experience with the working of the act.

Canada must build up that real time experience in implementing the stewardship and the recovery provisions of the species at risk act. We must work our way through the issues that will arise in addressing the issue of compensation.

That experience would help us develop precise and detailed regulations on questions including eligibility and amounts over time. It would also be complemented by thorough consultation with everyone who has a stake in building a system that works for species at risk, for the people and of course for the country.

There would be no gap for assistance and support to landowners while we gain this experience. Already the government's habitat stewardship program is contributing some $10 million annually to community stewardship projects. These projects include: assisting fishermen on the Atlantic in modifying their gill nets to prevent unintentional catch of loggerhead turtles, working with ranchers on the prairies to conserve burrowing owls, working with landowners and aboriginal people in British Columbia's south Okanagan to develop an ecosystem based approach to land stewardship, and working with the whale watching industry on all three of Canada's coasts to improve business practices to prevent harm to migrating whale species.

These government sponsored projects would encourage local action and would achieve on the ground and on the water results. We would build partnerships across the country that would lead the way for protecting Canada's wildlife and habitat.

● (1035)

[*Translation*]

The last issue that I want to discuss is the approach that is most likely to succeed, either co-operation or coercion. Do we want a bill based on enforcement or on trust?

We all agree that habitat is critical to the protection and recovery of species at risk. The question is: Will the federal government make, from the outset, an order to protect critical habitat, or will it work to support a voluntary measure based on co-operation to achieve this protection?

Let me explain why I believe that our approach should primarily be based on co-operation.

I mentioned from the outset that we heard a great diversity of views on the best way to protect species at risk.

We then made choices based on what we had heard and on the experience of other jurisdictions, particularly the United States.

The most important decision was probably to give priority to co-operation and stewardship. We want to protect species at risk by encouraging landowners to take voluntary conservation measures to protect habitat and support biodiversity. In so doing, we will get results through partnerships all across Canada.

Throughout this consultation and review process, we tried to reconcile the advice of scientists and the experience and concerns of landowners and users of the resources, so that the act will work in real life, and be effective in Canada.

[*English*]

The landowners and resource users of the country, the farmers, ranchers, fishermen, trappers, people who work in the woods and those I have referred to a number of times want to know where endangered species live and what activities can harm them. They want to be included in plans to protect and recover species.

These are the persons most capable of protecting endangered species that might be found on lands they work on or own. Private landowners do not want to be told by government what they can do without their consultation. They want to be part of the solution. I think we can all agree that their participation would make our solutions much more effective. That is why we have consistently put the co-operative approach first. It is why we reject the United States model that has been proposed so frequently by the Alliance.

Further, and this cannot be emphasized too strongly, the approach we have taken is entirely consistent with the Canadian constitution and the Canadian way. It would actively involve those who may be affected by recovery planning: landowners and resource users. It would build on the partnership approach agreed to by the provinces and territories under the federal-provincial Accord for the Protection of Species at Risk.

Let us remember that the vast majority of lands in Canada are under provincial and territorial management or private ownership. Provinces and territories are responsible for protecting species at risk and their habitats within their jurisdictions. Each province and territory recognized this responsibility and committed to fulfilling it when the Accord for the Protection of Species at Risk was signed in 1996.

Bill C-5 is consistent with the co-operative approach of the accord. Through the accord governments have committed to co-ordination, complementary action and inclusion so that wildlife in Canada will be protected regardless of where it exists.

In the hypothetical scenario where a provincial or territorial government is unable to protect or does not protect a listed species at risk or its critical habitat, Bill C-5 would give the federal government the authority to do so. This is the safety net approach of Bill C-5. It would ensure no species at risk in Canada would be allowed to fall through the cracks.

I will conclude by summarizing the ways in which Bill C-5, unlike so many laws elsewhere in the world, would be effective. First, the level of science advice built into the conservation framework would be unprecedented anywhere. The species at risk act would recognize the Committee on the Status of Endangered Wildlife in Canada as a legal entity. It would mandate action based on the best scientific advice available as well as traditional aboriginal knowledge.

Second, our approach would be based on co-operation, not coercion. It would build on existing partnerships with provinces, territories, landowners and land stewards. It would recognize in the law the important role played by aboriginal peoples.

Third, the bill would ensure transparency and public accountability. It would commit the government to openness. The online public registry would demonstrate that the Government of Canada had transparency built in. It would enable anyone to track government actions with respect to species found to be at risk following the scientific assessment of the COSEWIC committee. A similar tool in the recently approved Canadian Environmental Protection Act has been a great success.

Fourth, there would be authority to use prohibitions against destroying critical habitat if other approaches did not work.

Fifth, proclamation of the act would trigger immediate action. On the day the bill became law the statutory obligations would apply to all 233 species already on schedule 1. From day 1, 233 species at risk across Canada would have legal protection. Recovery strategies or management plans for all those species would proceed.

● (1040)

Mr. Speaker, in five years time when you and I are once more discussing the bill as it come up for its five year review, we will find it has made a real difference. We will find Canada's wildlife more abundant and better protected.

If we are serious about protection and recovery we need to make sure everyone in the country who wants to play a role is able to. If we are serious about protection and recovery we must act now.

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, I rise today to speak to third reading of Bill C-5, the government's endangered species legislation or, I should say, the latest version of it since we all know it has been underway since 1993.

This should be a positive day for people concerned with environmental issues because action to protect species at risk and their habitats is long overdue. However I cannot celebrate this bill. I would like to but I cannot. It contains so many glaring faults and fundamental mistakes that it would be unworkable. It would do precious little to help protect Canada's invaluable biological diversity.

Because the government did not give serious consideration to our amendments, I regret to say that we in the Canadian Alliance will be strongly opposing the bill. We tried to produce species at risk legislation that would work but the government has reversed the hard work of the committee. We must therefore oppose the bill. The Canadian Alliance wants species at risk legislation but it wants legislation that will work. The Alliance Party's 2002 policy declaration states:

> We are committed to protecting and preserving Canada's natural environment and endangered species, and to sustainable development of our abundant natural resources for the use of current and future generations.

The need is great. It is estimated that worldwide two to three species go extinct per hour almost entirely due to human causes. Some scientists believe we could lose 25% of the earth's species in the next 30 years at the present rate.

Canada has a serious endangered species problem. Some 27 species have gone extinct in Canada in the last 150 years and more than 300 are at risk. Some of our best known and loved neighbours who share the land such as the grizzly bear, beluga whale or woodland caribou could be lost to future generations unless we take action now.

Biological diversity is to be cherished. The wide range of species the world over provides a living laboratory for the development of new drugs and medicines. Endangered species are an important early warning system of ecological trouble. Protecting wild species protects billions of dollars in wildlife related activities across Canada and the livelihoods of countless Canadians. We know all this. The Canadian Alliance has done its part in trying to make strong, responsible endangered species legislation a reality.

I will take a moment to commend my hon. colleagues on the environment committee. Over the last year or so the committee has been a model of how the House works at its best. It has been a forum for reflection, discussion and an honest search for the best way forward. Some very constructive proposals have come out of it. There has been, in my experience at least, unprecedented co-operation at the committee between members of all parties. There has been a lot of negotiation and compromise. I have not seen such a level of co-operation since I was elected in 1993. Even the whips could not whip their members into changing their positions. However the government has reversed all that.

Bill C-5 has witnessed remarkable partnerships among groups outside parliament. People have managed to put aside their usual perspectives and work co-operatively in the cause of protecting endangered species. One of the best examples has been the Species at Risk Working Group or SARWG. How often have the Sierra Club, Canadian Wildlife Federation and Canadian Nature Federation had common cause with the pulp and paper industry, mining industry and so on? The fact that SARWG's members could agree on so much made their common position all the more compelling.

Had the government accepted more of SARWG's advice the bill would be far stronger today and might make a real difference. Instead the government has said "Trust us, we will fix it later". I am sad to say this is how the Liberal government deals with things.

Despite all the goodwill and the extraordinary degree of consensus among industry and environmental commentators, Bill C-5 as amended would not go far enough. It would not pass the test of workability. When I read the amendments at report stage I was sad to see the government had undone many of the constructive changes that had been made. That is sad because we all want a workable law that will make a difference.

● (1045)

What is the problem? I will quote some fine words from the minister's appearance before the committee on October 3 of last year. He stated:

> The front-line soldier of the campaign for endangered species will be the fisherman, the farmer, the person who works in the woods, or the trapper, to name only a few. These are the people who are out there where the habitat is and the endangered species are. If we want to succeed in the protection of habitat for species at risk, we need to maintain the support and cooperation of Canadians who work and live on the land and on our waters of Canada. And that is where the action is needed.

Truer words were never spoken, but perhaps the minister should introduce his speech writer to his legislative drafter. Bill C-5 would fail because it ignores the concerns, I would even say the fears, of those frontline soldiers. The minister is ignoring their concerns. He is refusing to commit that if and when they suffered economic losses because of the need to protect endangered species they would not have to carry the cross alone but would receive compensation. The minister is ignoring them by holding over their heads the threat of harsh criminal sanctions for unintentional or inadvertent actions.

As a strict matter of public policy the bill is wrong on these counts, but in terms of communications it could hardly be worse. It would send the signal that the real life concerns of these frontline soldiers were not significant. It would make them feel like targets of the government rather than partners in helping endangered species.

Finally, the bill would demean and insult 10 other frontline soldiers in the battle to save endangered species: the provinces of Canada. The minister can talk all he wants about co-operation, but at the end of the day he says he would decide whether the provinces were doing a good job of protecting endangered species and whether the federal law would apply in each province. There would be no negotiations or criteria, only uncertainty and resentment.

In the end Bill C-5 is a bad bill. It would not come to grips with the real lives of Canadians who want to do their part to protect wildlife and endangered species, Canadians who want to be responsible stewards of the natural environment but do not like being threatened or demeaned.

Sadly, in this respect Bill C-5 is part of a trend in the Liberal government's relationship with rural and northern Canada: the long gun registry which has ignored the realities of life outside our nation's cities; the cruelty to animals act which would criminalize run of the mill animal husbandry practices; and the Kyoto accord which threatens to impose significant costs on rural energy users. It is sad to say, but the message must get through to the Liberal government.

The minister's frontline soldiers throughout rural Canada too often feel their way of life is what is endangered. They care about wildlife. They are not selfish. They are responsible people who want to protect the environment and had been doing so for generations before the government decided to intervene. An approach based on partnership rather than confrontation would be met with a lot more success.

The biggest flaw in the species at risk act, the thing that guarantees it would never be effective, is its failure to provide compensation to landowners who would suffer economic losses as a result of measures to protect species and their habitats. The word compensation sounds so grasping, selfish and un-Canadian. Why would people expect to be paid for obeying the law? Why should property owners not be willing to absorb the costs in the service of a greater social good?

When people's livelihoods are at stake they have a different view of things. Farmers might have to leave certain sections of land untouched for a number of years or adopt different practices to accommodate nesting birds. Maybe areas of a forest would be off limits during migration. There are lots of ways property owners and resource users could be affected, some temporary and some permanent. However in many cases they would face costs either in the form of lost income from not being able to use their land or actual costs for protecting habitat or providing for endangered species.

It is completely incorrect to think farmers are sitting there waiting for the government to put compensation in the bill so they can sell their land to the government and make a big profit. Listening to the minister talk about how compensation would prevent voluntary programs, one would think this was what he believed.

● (1050)

For the farmers and ranchers I know their land is their life. Often it has been in their families for generations and they are not looking for an easy way out or to sell it to the government. They respect the wildlife on their property and would be happy to work co-operatively in voluntary stewardship programs, but when costs arise they do not want to be left holding the bag alone. Ten per cent could easily put them out of business.

No doubt the minister will say that the bill recognizes the principle of compensation. Let us look at the bill. Yes, it does say that the minister may, and I emphasize may, provide compensation. That is good. The government even seems willing to retain the words of the committee, “fair and reasonable” compensation, but that is not fair market value. However, in Bill C-5 any compensation would be left entirely to the minister's discretion. For the farmers in my riding, fine words are hollow promises. Until property owners and resource users know that when they suffer losses they will be guaranteed compensation, not by the minister's good grace but by right, they will look at the species at risk act with one hand guarding their wallets.

It would have been a token of good faith had the minister tabled draft regulations for us to look at prior to the bill being passed. He has promised to have a draft ready soon after royal assent, but again that does not do anything to convince people that the act will be fair to them.

What can they expect? What in practice does the bill mean when it says there will be compensation only in the case of the "extraordinary" impact of regulatory restrictions? Can they trust that the process would be fair? The minister owes Canadians answers to questions like this.

In fact, the only public picture of what regulations might look like is the Pearse report. Dr. Pearse may be a noted natural resources economist, but when he says that landowners should be happy to lose up to 10% of their annual income without compensation in order to protect endangered species, property owners get worried. When he says they should get a maximum of 50% compensation for losses over 10%, they stay worried.

It is not because the minister's "frontline soldiers" are selfish but because, like many Canadians, they work hard for a living and want to be treated fairly. Fairness demands that when they are injuriously affected by government they receive something to help them out. This is the very principle embodied in the UN convention on biological diversity, which Canada has signed.

The convention recognizes that because the objective of maintaining bio- and ecosystem diversity is so important, costs must be equitably borne by everyone, not just primarily by developing countries. Applied at home, this principle would mean that landowners should not bear all the costs of species protection, and that since they are helping to achieve a greater social good, compensation should be extended to offset any losses that they might incur.

The species at risk working group also recognized this in their brief to the standing committee. The group wrote:

> SARWG strongly urges Parliament to implement key amendments that firmly recognize that the protection of species at risk is a public value and that measures to protect species at risk should be equitably shared and not unfairly borne by any individual, group of landowners, workers, communities or organizations...Provision for compensation helps to balance the effect of efforts to protect species at risk and instills necessary trust among all stakeholders...The Act should specifically allow for compensation for unavoidable losses caused by the inability to carry on an activity that is authorized by a legal contract or licence.

If a committee of industry and environmental groups can recognize this, then why can the government not? The principle of compensation is recognized internationally too. Let me quote from threatened species legislation in Tasmania:

> A landholder...is entitled to compensation for financial loss suffered as a natural direct and reasonable consequence of the making of an interim conservation order.

That is, there is compensation for an interim protection order or a land management agreement.

The legislation also states: "A person who is required to comply with a notice under section 36 is entitled to compensation for financial loss" as a result of "being required to comply with that notice".

● (1055)

Within the European Community, landowners receive compensation if they agree via a management agreement to maintain features of the landscape. Switzerland runs the integrated production program, a voluntary scheme whereby farmers are given standard amounts based on profit forgone in return for agreeing to certain restrictions. The U.K.'s conservation program of 1994 states:

> Where a special nature conservation order is made, the appropriate nature conservation body shall pay compensation to any person having at the time of the making of the order an interest in land comprised in an agricultural unit comprising land to which the order relates who...shows that the value of his interest is less than it would have been if the order had not been made.

Not only is it fair, but the prospect of paying compensation introduces important fiscal discipline for the government. Instead, the government has taken the U.S. example of no compensation. I take the minister at his word and so I know that at the moment the government really has no idea of what the implications of the bill are or what it will cost Canadians to comply. Here is what he told the committee on October 3 when asked about compensation:

> I have to express my regret that I'm not able to give the precision you have asked for. I think, though, your request for precision is perfectly legitimate. I really would like to be able to give it. Unfortunately, it simply has proved to be one of those things that has escaped us.

In reality, there is a letter from a cabinet minister to another cabinet minister saying that there can be no compensation in the bill, and nothing has been allocated. A departmental information supplement distributed in October was not of much more help when it stated:

> Environment Canada is aware that compensation for restrictions on the use of land is a complex issue that requires careful consideration and innovative thinking. We will need several years of practical experience in implementing the stewardship and recovery provisions...before we can be precise in prescribing eligibility and thresholds for compensation.

In other words, it is "trust us". I guess it is easy to be this flippant when spending someone else's money. The government does not know what the economic implications will be of the legislation it is passing. The act would put a potential burden on countless property owners and users across the country. The minister is advised to have a better answer for them when they start asking why all the costs of this noble effort seem to be on their shoulders.

In the end, the best argument in favour of compensation is that it is best for endangered species themselves. Without some recognition of their costs and corporate willingness to assist, property owners and users end up in an adversarial relationship with endangered species when naturally they are their best defenders.

The wolves in Yellowstone National Park are a great example of how this works in practice. When ecologists reintroduced wolves in the park they naturally received a hostile reaction from local ranchers who rightly were afraid that wolves would prey upon their livestock. Why, they asked, should they have to pay the cost of wolf introduction? According to Hank Fischer, northern Rockies representative of the Defenders of Wildlife, the controversy was resolved by starting a non-governmental compensation fund for ranchers, which paid a flat fee for each head of livestock killed by wolves. Now, five years later, the wolf population is growing and farmers have for the most part learned to live with it since they know that their families' prosperity is not being sacrificed. As Mr. Fischer writes, "This program is about a lot more than money. It's about respecting what ranchers do".

Maybe that is the key point. Landowners are more than willing to do their part, but they need to know that the government understands their situation and cares about what happens to them. If the government cannot even provide some measure of compensation for their losses then they will be far less willing to co-operate on a voluntary basis. Coercion will be the government's only option, which will only increase resentment and suspicion. If property owners are upset about being asked to carry all the costs of protecting endangered species with no guarantee of assistance in doing so, they should be equally concerned about the harsh criminal sanctions that the government is using to make sure they co-operate.

Bill C-5 makes it a criminal act to kill, harm or harass any one of hundreds of endangered species or to interfere with their critical habitat. Fines are steep, up to $1 million for a corporation and $250,000 for an individual. The bill provides for imprisonment for up to five years for an indictable offence. As far as I am concerned that punishment is too good for people who wilfully threaten endangered species, people such as poachers, those who traffic in endangered animals or hunters looking for a thrill, but let us look at the bill.

● (1100)

The bill states:

> No person shall kill, harm, harass, capture or take an individual of a wildlife species that is listed as an extirpated species, an endangered species or a threatened species—

Similarly, it states:

> No person shall damage or destroy the residence—

of that species, or:

> No person shall destroy any part of the critical habitat of a listed endangered species—

Protecting species and their residences and habitat is what the bill is all about and we support that. My concern is that the act would have the great potential to catch honest people in its net, people who have no intention to harm endangered species, let alone commit a criminal offence. Under this act someone could commit a criminal offence, not a misdemeanor or administrative violation but a criminal offence, without knowing it. The bill does not require intent or even reckless behaviour. Rather, all offences under the act would be strict liability offences which means that the burden of proof rests on the individual to prove that he or she was exercising due diligence should harm come to an endangered species.

Is it fair to convict someone of a serious criminal offence when they might have had no idea that they were endangering a species or its habitat? In order to protect oneself from breaking the law, one would have to become an expert on recognizing the sage grouse, the barn owl, the Aurora trout, the Atlantic salmon, the prairie lupine and the American water willow, et cetera. One would have to be able to recognize not only them but their critical habitat in case one disturbs a place where some of these animals spend part of their life cycle, or even where they used to live or might be reintroduced, or some pollen or seeds blew in. I dare say the minister knows that this is a true problem.

In October he spoke to the committee about making people criminals even when they do not know they are breaking the law. He had a lot of concerns. He said:

> It's a legitimate matter for concern. The accident, the unwitting destruction—it is a concern, and we want to give the maximum protection we can to the legitimate and honest person who makes a mistake, who unwittingly does that.

That is a nice thought, but that is all it is.

What is this maximum protection that he talked about? There is no protection that I can see. Protecting endangered species is important and we take it seriously, but it cannot be done in a heavy-handed way. People want to co-operate, but this "gotcha" approach from the government is adversarial and does nothing to encourage co-operation. A person might not know he or she was harming an endangered species, but "gotcha". All they can hope is that the minister is reasonable in exercising his discretion. "Trust me" he says. That is not good enough.

How are companies, for example those involved with mineral, oil or forestry, supposed to demonstrate due diligence over operations covering hundreds of thousands or even millions of hectares when they do not even control all the external factors involved? There are 70 million hectares of agricultural land and 25 million hectares of privately owned forest land in Canada. How do these farmers and operators exercise due diligence over these areas, especially when many are small operators with very limited resources and no familiarity with endangered species?

What maximum protection would the minister provide to them? At the very least, the government must work with the provinces to provide training for landowners and users who will be required to meet the due diligence standards but do not have the knowledge or information to identify listed species or their critical habitat and residences.

As the species at risk working group said:

> Failure to make such programs readily available will deprive Canadians of the means to defend themselves against criminal charges.

The best solution would be for the government to amend the bill to require what Roman law used to refer to as the guilty mind, mens rea. This required that in order to commit a criminal act persons had to know that they were doing something wrong. It has been the standard division between criminal and civil offences in English common law since the late Middle Ages and is absolutely essential in this case. The bill should require that criminal sanctions apply only when someone knowingly, intentionally, wilfully or even recklessly harms an endangered species, its residence or its habitat.

● (1105)

Why make this change? Do the strong penalties not send a signal that endangered species are important and that no one should mess with them? Yes, it does that but that is the wrong signal for farmers, cattlemen, fishermen, forestry workers, property owners and users across the country.

The minister does not seem to understand the implication of his own words when he calls these people his frontline soldiers in the campaign for endangered species. Property owners are the good guys here yet the bill treats them as if they have to be beaten into submission and threatened to keep them from harming wildlife. Let me quote the minister once more:

> Now we have all seen, as politicians, what happens when people get fearful or angry with their government. We have all seen the damage that is done to public trust when perfectly reasonable people suddenly decide that the government has some hidden and nefarious agenda, and there is no reason to stir up those kinds of concerns with this legislation.

The minister's speech writer is absolutely correct. There is no reason for this to happen but it is because Bill C-5 treats property owners in a spirit of confrontation and antagonism. If the government is willing to brand people as criminals for an entirely inadvertent act, then people will question the government's commitment to its rhetoric about co-operation.

As I said earlier, the bill also insults and demeans another group of frontline soldiers in the battle to protect endangered species. Those soldiers are the provincial governments. I know it is not fashionable to defend the provinces in this place. The government obviously believes, and it may even be true, that Canadians generally do not care who delivers a service or takes responsibility for an issue, they just want it done. We want to see endangered species protected, but even if people do not widely care about constitutional niceties, it is vital that governments respect them. Perhaps the government can get away with encroaching on provincial jurisdiction in the court of public opinion. In the only survey I have seen, 94% of Canadians say that they want to protect endangered species. I cannot believe it is not 100%. However, if it tries to go it alone, the government will produce bad policy, bad legislation and will end up hurting rather than helping the cause of species protection, which it seeks to advance.

I do not want to pretend that the federal government has no jurisdiction at all in getting involved in environmental issues and protecting endangered species. Environment, after all, does not fall exclusively into either federal or provincial jurisdiction.

Fathers of Confederation thought far more about regulating trade, commerce, education and even how to divide up the colony's debts than they did about protecting endangered species, but the federal government clearly has a role to play.

Section 91 of the constitution gives the federal government power in the areas of international treaties, Indians and land reserved for Indians, sea coast and inland fisheries. One could even, I suppose, make a case that the power to guarantee peace, order and good governance allows the federal government an entry here, though that is sufficiently ill-defined as a justification. I am sure it will be fought out in the courts.

Perhaps the best justification for the federal role is responsibility for the criminal law. This power to prohibit and punish any conduct clearly would extend to protecting endangered species, though I cannot help but wonder whether the harsh criminal provisions in the bill and the refusal to require that someone have criminal intent exists more because they strengthen the federal government's self-jurisdiction for involvement than because of how effective they will be.

The provinces have a role to play because the constitution gives them power over: the management and sale of public lands belonging to the province; property and civil rights; and matters of merely local or private nature in the province. Together these amount to vast responsibilities. The provinces are the ones with the troops on the ground, with the power to really enforce the provisions of the act. They have a presence to enforce natural resources and wildlife rules that extend widely across the nation.

Apart from the jurisdictional question, without the provinces the bill simply cannot be enforced. It is essential for the minister to make sure he has the provinces on side or his best laid plans will not have their desired effect.

Does the bill reflect the co-operation and consensus building that one would expect, given that environmental questions are a shared responsibility? Sadly, the answer is a strong no. The bill talks about co-operation, voluntary programs and consultation but when it comes right down to it, Bill C-5 gives the federal government the power to impose its will on provincial lands with disregard for provincial rules or practices.

● (1110)

This is the concept of the safety net. Largely through use of federal criminal law power, Bill C-5 gives the minister, in his absolute discretion, the right to decide whether a province provides effective protection for endangered species. If not, then he must order that the federal law will apply in every province. In this way he is given the power to sit as lord and judge over the provinces.

The standing committee insisted that the minister be required to make his reasons public. Most important, the committee required that the minister consult with the provinces in order to develop criteria for determining what constitutes effective protection of species at risk throughout Canada. However the government introduced motions to reverse these provisions.

We are left with a situation where provinces, landowners and resource users will try to arrange their affairs to comply with the law in good faith but with utter uncertainty about what the law will be. That is where the money will be used, in litigation. How are companies expected to invest or individuals develop their land if they do not know what the rules will be? This uncertainty leads to confusion and distrust. This federal intrusion will almost certainly lead to legal challenges from the provinces instead of focus on protection of species at risk.

Undoubtedly, provinces will challenge these provisions in court. Not only will this take time and resources, it will undermine collective efforts to protect species and show the world that Canada is not serious in its commitment to co-operate in meeting this important goal.

Of course all this talk of the federal safety net assumes that there are big gaps in the provincial legislation. It implies that the provinces have done nothing about endangered species protection and cannot be trusted with the job.

As I have said, I believe there is a role for the federal government here but this white knight attitude, which puts down everyone else so it can pretend to be the champion, only creates bitterness and sets back the cause of species protection.

I have been told that there are 33 provincial statutes that cover endangered species, wildlife, special places protection, environmental management and so on. They exist in every province and territory. I do not claim to be an expert on all of these but a background presentation by the Sierra Legal Defence Fund on Bill C-5 included a report card comparing the provinces to Bill C-33, the endangered species bill that died in the last parliament and provided the framework for this bill.

Interestingly, five provinces were ranked higher than the proposed federal law and three more provinces were given the same mark. This is a subjective assessment but at least it establishes that the provinces are doing something to help endangered species.

Instead of the government's confrontational approach, would it not be much better to work co-operatively to pursue the goals that we all endorse? The foundation for this co-operation already exists in the 1996 national accord for the protection of species at risk. The federal and provincial ministers committed themselves to complementary legislation and programs to ensure that endangered species would be protected throughout Canada and established a council of ministers to provide direction, report on progress and resolve disputes. This is the way to proceed. Perhaps it was not perfect. Certainly more work was left to do and federal legislation has a role here. Goodness knows, the federal government has enough land and responsibilities in its jurisdiction with which to concern itself without deciding to take responsibility for provincial lands too.

Again we urge the government to adopt a more co-operative approach instead of one rooted in the minister's discretion to intervene whenever he wants with no criteria and no explanation. That is not the way to build teamwork with provincial enforcement agents on the ground. It is not the way to work with landowners and resource users who need certainty and predictability in the law and, in the long run, it is not the way to help protect endangered species.

In conclusion, we want species at risk legislation but we want legislation that will work on the ground. This bill will not work. Farmers, ranchers and people in industry say it will not work. It is just like the U.S. legislation. It will end up in the courts. It does not include compensation. It does not include mens rea. It does not provide clear federal—provincial co-operation. It does not provide adequate habitat protection.

● (1115)

Money, as I say, will not be used for the conservation or protection of species. Instead it will go into the courtroom.

Government has used deceit and deception to convince various groups that they will be taken care of. It has used an attitude of "Trust us, we will take care of you. We will give you compensation. We will make sure that we work with you".

I do not believe those bureaucrats who will be out there enforcing the legislation will do anything but follow the exact wording that is printed in Bill C-5. As a result, the legislation will in fact endanger endangered species.

[*Translation*]

Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ): Mr. Speaker, it is with great pleasure that I take part in today's debate on Bill C-5, the Species at Risk Act.

We are coming to the end of a long and difficult process during which, as the Canadian Alliance member pointed out, we reached a high level of consensus in committee. Unfortunately, the government across the way is acting in an arrogant and provocative manner and, in some ways, is not respecting the existing situation in Canada with respect to protection of species.

I am particularly pleased at the final remarks made by my Canadian Alliance colleague, because I am going to use them as the lead-in to my presentation. In my speech today opposing Bill C-5, I will be relying on two basic premises.

First, I will be basing my analysis on the 1996 accord on the protection of endangered species in Canada. This accord was based on co-operation and collaboration between governments in order to protect endangered species in Canada, as well as on complementarity.

I will cite two guiding principles for the protection of endangered species, by which the accord set out a new framework for co-operation—note that word co-operation—between the federal, provincial and territorial governments.

The first consists in creating a council of ministers, which will decide on the directions to follow, report on progress made and resolve disputes. The second principle—and this one is important—is part of the 1996 accord. Under this principle, governments agree to introduce regulations and complementary programs in order to guarantee that endangered species are protected throughout Canada.

I would emphasize the use of the word co-operation in the accord signed by the federal government, wherein it committed to introducing protective legislation in parliament. I would also emphasize the use of the word complementarity. Complementarity means that our governments will work together in their respective jurisdictions with respect for what others are doing.

However, this is not what we find in the bill, even as amended in committee, and even on the basis of the amendments we passed yesterday in the House of Commons.

The first thing I notice about this bill is that it ignores this accord and its provisions with respect to co-operation, collaboration and complementary policies.

The second is that we on this side of the House believe that habitat protection is a provincial responsibility. This has been the case throughout the study, both in committee and in the House, at all stages of the analysis of this bill, and this has guided us in our desire to improve the bill we are still dealing with here today. The reason we believe this is that it is part of the legitimate demands that have been made over the years by the various governments of Quebec.

I will remind hon. members that, on October 2, 1996, when the 1996 accord for the protection of species at risk was signed, the Quebec Minister of the Environment said the following:

> We cannot remain indifferent to the fact that this agreement opens the door to overlap between the future federal legislation—

At that time, he was not referring to Bill C-5, since the bill we are addressing now did not exist at that time. Continuing:

> —and the act that has been in force since 1989, an act that works well and has already proven useful.

● (1120)

In 1996, the Quebec environment minister said:

> We risk creating more red tape instead of dedicating ourselves to what really matters to us: the fate of endangered species.

This was his assessment of the 1996 accord. Judging by the debate we are now having in this House, his forecast was right. As my colleague from the Canadian Alliance has said, the federal government has not respected its intentions and commitments as set out in the 1996 accord, which emphasizes co-operation, collaboration and complementarity between federal, provincial and territorial legislation and regulations.

Here we are faced with a bill that does not foster co-operation, but will instead provide the tools to a heavy handed government that believes that coercion is more effective than co-operation to ensure protection. We reject this premise, this approach and the federal government's model.

In connection with my statement that the second principle for analysis of this bill ought to be based on our belief that habitat protection is a provincial responsibility, I will quote another Quebec environment minister. On February 23, 1997, when Bill C-65 was introduced, the bill that has now become C-5, he said:

> The new version of the bill ignores the situation in Quebec and the recommendations already made by other provinces to preserve species. This bill proposes nothing less than dual federal jurisdiction over the management of species found in Quebec and in the other provinces.

He added the following:

> The government would grab jurisdiction over the habitats of the species that are already under its jurisdiction, such as aquatic species and migratory birds, although responsibility for habitats is already under provincial jurisdiction.

Over the past three, four or five years, the Quebec government has been saying that habitat protection is under provincial jurisdiction. However, under Bill C-5, the government opposite is assuming the power to take action on Quebec's territory. The government opposite does have a jurisdiction. It has full power and authority over crown land. It has full legitimacy to act on these lands, under the migratory birds convention.

However, it refuses to act and, instead of taking measures on federal land, it prefers to be more proactive on provincial land than on its own land. For example, there are no conservation officers in some national wildlife reserves. This fact was condemned by the environmental commissioner. This a glaring example. Some national reserves are recognized as heritage areas under the Ramsar convention and are being left unprotected by the federal government, which, with this bill, will be able, through a double safety net, to interfere in provincial jurisdictions.

This is mind-boggling. The government wants to establish an arrogant, pretentious and enforcement-based system that goes against the principles to which the provinces made a commitment in 1996.

If Quebec had not been proactive regarding the protection of habitats and species at risk, I could understand why the federal government would want to pass such a bill.

● (1125)

However, when we look at the situation in Quebec, this is not the case. I remind the House that Quebec, at every opportunity it has been given to respect international commitments made by Canada, has said it would do so. Allow me to mention three of four of these conventions: the Convention on Wetlands of International Importance, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on the Conservation of Migratory Species of Wild Animals and last, but not least, the 1992 Convention on Biological Diversity. This convention required governments to develop and maintain the legislative and regulatory provisions required for the protection of threatened species and populations.

The Government of Quebec, a few months after June 1992, had an order passed in the national assembly establishing that it would comply with the Convention on Biological Diversity.

Quebec's desire to protect biodiversity is not only demonstrated by its compliance with conventions negotiated or ratified by the Government of Canada, but it is by the legislation it has passed. Not only is this desire demonstrated by its compliance with the Convention on Biological Diversity, but also by the fact that it took measures one year before the international consensus on this issue led to an international commitment.

Well before the Rio convention of 1992, Quebec passed its own legislation on endangered species. Back in 1989, the Government of Quebec had developed the tools and means to protect endangered species, with its act respecting threatened species, its act respecting the conservation of wildlife, and fishing regulations. Yet more than 12 years later, the federal government has still not even passed legislation to protect endangered species on crown lands under its jurisdiction, and just a few months remain before the earth summit in Johannesburg, ten years after Rio.

It is incomprehensible that a government, ten years after Rio, still has no federal convention and legislation to protect species at risk, and that a province like Quebec already had measures in place back in 1989. Today, the federal government would like to tell Quebec how to protect species at risk on Quebec's land. This bad faith runs counter to the principles of co-operation and collaboration. We are starting to think that the government would rather adopt a enforcement-based policy and model in Canada, which we do not need in Quebec.

Quebec has passed regulations and legislation to protect endangered species. This is the Quebec model for the protection of species, which is based on legislation passed 12 years ago. Of course, I would agree that the legislation is not perfect. But it existed 12 years before the legislation we are now considering. Legislation is made to be changed and improved. Regulatory changes can be made quickly. We know the process here in the House. The regulations are regularly amended in Quebec to improve the measures for the protection of species.

What does this legislation do in Quebec? It identifies species through an advisory committee composed of scientists. This committee has identified over 90 mammals, over 19 plants, over 330 birds, over 16 reptiles and over 198 fish in Quebec.

By means of this legislation passed 12 years ago, the Quebec model has made it possible to identify plants and animals. It also allows us to designate these species through legislation.

● (1130)

Twelve years ago, Quebec introduced a model for the introduction of recovery plans for endangered or threatened species.

Twelve years ago, Quebec was talking about recovery plans, which this House is just debating today. Why is that? How can a government tell a province what to do when we incorporated the principles of recovery plans in legislation passed 12 years ago. And yet the House of Commons is just now debating them? These are recovery plans provided for in the legislation.

There is also a system for enforcing the legislation. It is not enough just to pass laws. For years, Quebec has had within its jurisdiction wildlife protection officers, who are authorized to enforce its wildlife protection legislation.

Today the federal government wants to adopt a system involving enforcement by federal agents. We need to have this explained to us. What protocols for application and agreements are going to be adopted? There will be two police forces. If the federal government decides that, within Quebec, game reserves that fall under provincial jurisdiction, that is Quebec parks, species are not being properly protected, it can send its federal agents out on lands administered by the Government of Quebec.

This is an intrusion. This is not merely overlap, but direct intrusion into Quebec jurisdiction. There will be federal police with the ability to intervene on Quebec land, be it the Portneuf game sanctuary or a provincial park. I can assure hon. members that we will never accept this. Never. That is not what we committed to in 1996.

We committed to working in complementarity, in co-operation and in collaboration. There is no way an agent of the federal authority is coming onto our land. Coming onto private land is one thing, but when it comes to Quebec's game reserves under Quebec government administration, by SEPAC, the Société des établissements de plein air du Québec, there are limits.

As well, we equipped ourselves with a system of penalties for violators of Quebec's endangered species legislation. Not only do we have a statute and a regulatory process, we also have a strategy on biological diversity.

As far back as 1996, the Government of Quebec adopted a strategy on biological diversity. This strategy already set out the major objectives for the development of protected areas.

Its first objective was to increase the ecological knowledge necessary for the creation of a network to maintain quality and for the protection of vulnerable or threatened components of natural biodiversity.

Second, to establish and maintain a comprehensive and representative network of the protected areas necessary for the preservation of biological diversity.

Third, to strengthen the network of managed conservation areas so as to ensure the protection of biological diversity over a greater area.

So, we have not only laws and regulations, but also a strategy on biological diversity. We do not even stop there. We do not just have a strategy adopted in 1996. Just recently, Quebec has earmarked funds for its implementation.

I would simply like to remind members of the House that on January 24, 2002—only a few months ago—the Government of Quebec reached an agreement with a private organization in order to support a national network of protected areas on private lands. Conservation de la nature Québec and the Government of Quebec will spend $5 million over two years to acquire private lands with endangered species in the regions of the St. Lawrence River valley, the Outaouais, the Appalaches and the Gaspé Peninsula.

● (1135)

The agreement will provide for the acquisition of approximately 100 square kilometres, protecting some 150 different habitat.

So, Quebec is fulfilling its responsibilities when it comes to habitat protection. The investment made in January will allow for the protection of more than 150 different habitats, as I said. So we have legislation, we have regulations and we have a strategy. The Quebec model is very different.

Why are we opposed to today's bill? Are we opposed to federal legislation to protect endangered species? Absolutely not. Canada has no choice. Canada is even dragging its feet with respect to its international commitments. It is only because of its international commitments that it has no choice but to pass the Species at Risk Act.

But we think that it should be protecting species on crown lands and federal lands, in accordance with instruments such as the migratory birds convention. It should be protecting endangered species in Canada's national parks, and in national wildlife reserves. According to the recent report by the environmental commissioner, there is not enough funding to protect ecosystems in Canada's eight national wildlife reserves in Quebec and the ten in Ontario, and many habitats and species are threatened. One could even ask oneself just how proactive the federal government is when it comes to species on federal lands.

What we need is legislation that will apply to federal lands but respect Quebec's legislation to protect species on its own lands. That is why we are opposed to the double safety net in the bill. This is a ruse by the federal government to exceed its jurisdiction and to once again increase its presence in the provinces, but without sponsorships. Perhaps there will be sponsorships as well, but that is another debate.

In this debate, the government and the minister talk about co-operation, collaboration and complementarity, while we talk about duplication, overlap and interference.

The Bloc Quebecois' opposition is rooted in Quebec's traditional demands regarding the environment. We are defending the legislation passed by the National Assembly of Quebec. We are defending the Quebec model for the protection of endangered species and habitats. We are defending a law passed by the government of Robert Bourassa. We are defending a law passed by the members of a Liberal government in Quebec. It was not a separatist, sovereignist government but a nationalist government in Quebec City, whose members included the following members now sitting in this House: the member for Lac-Saint-Louis, the member for Westmount, who is the President of the Treasury Board, the member for Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, the member for Beauharnois—Salaberry, the member for Anjou—Rivière-des-Prairies, and the member for Verdun—Saint-Henri—Saint-Paul—Pointe Saint-Charles.

● (1140)

Today, we are defending Quebec's traditional demands. Our opposition to Bill C-5 is as strong as the one expressed by the then Quebec minister of the environment, Pierre Paradis, when the federal government wanted to force down Quebec's throat its Canadian model for environmental assessment.

I see the hon. member for Lac-Saint-Louis. He will remember that the then Quebec minister of the environment got really upset when the federal government wanted to pass the Canadian Environmental Assessment Act. Quebec dissociated itself from this process.

Today, the members of this House who supported the Quebec act would agree to adopt a bill that will set aside the Quebec legislation. I just do not understand.

In politics, consistency is one of the most fundamental criteria used by the public to judge politicians. Our opposition reflects the desire expressed in 1989 by the national assembly. Regardless of which the government passed the act at the time, we will defend our point of view, as did Pierre Paradis when he opposed the Canadian environmental assessment process. We will do so for species at risk and for Bill C-19, the Canadian Environmental Assessment Act, because we believe that we must protect species in Canada.

This is firm but considered support, based on the 1996 principles of co-operation, collaboration and complementarity.

● (1145)

[*English*]

Mr. Joe Comartin (Windsor—St. Clair, NDP): Mr. Speaker, when I was elected I had a vision that when I would be making this address to the House at third reading we would have, as a total government, approached the bill with an environmental prism. We would have looked at the bill through that prism and as a government we would have said this is what the environment requires. We have a responsibility to future generations to protect endangered species not only for ourselves as a sovereign state but for the rest of the world.

I envisioned that we would have taken into account the crisis that we are faced with in this country with regard to endangered species. We now have approximately 400 species on the list and we know that list is nowhere near complete. We have heard testimony that it is much larger than that. I thought we would have acted in good conscience with the best interests of Canada and of endangered species.

I would have envisioned that we would have recognized the work that we did with the international community dating back to 1992 when we were the first country to sign on to the protocol after the earth summit. It required us as a sovereign nation to protect the species and biodiversity of Canada for ourselves and the rest of the world; and to use that as a guiding principle. We would have taken into account the overwhelming support in this country for strong, effective legislation to protect endangered species.

I would have expected that I would be standing here saying, yes, we did all those things. We did take into account, would have been my thinking, the interests in the country including the provincial governments, the rights of the first nations, aboriginal communities and the Metis, to self-government and control of their land and their land claims as they exist now, as well as the interests of private owners of land and users of land. We would have taken them into account, but they would not have been the primary consideration. The overriding question being: How do we effectively protect our endangered species?

As I entered into the process as the environment critic for my party I believe the general community had a number of specific points that had to be considered and we had to get, at the end of the day, each one of these points to be part of the legislation.

● (1150)

There was the scientific listing of the species. There was the issue of the need for mandatory critical habitat. There was the question of jurisdiction; that is, how extensive would that mandatory critical habitat be. Would it be limited to certain areas of the country or would it have a broader range. Finally, there was the issue of compensation for those individuals, groups and communities negatively impacted in an economic sense by the legislation.

In my opinion the results in the legislation generally fail to meet effectively the requirements of each one of those issues. Before I go into that in more detail, it is important to address the issue of what happened with the bill. That of course raises the whole question of democracy in the House, specifically at the committee level. I suppose one should say the lack of democracy.

Even though I was only elected in November 2000, I am proud to say, and maybe a little arrogant to say it, I was really quite prepared for what would happen at the committee level. The government confirmed that I was quite prepared, because the democratic process at the committee level is generally a sham. However in the environment committee it was not and I was really surprised.

I saw members from all parties, members on the government side, from the Alliance, from the Bloc and from the Progressive Conservatives, come to the committee with a democratic framework in their minds. They came with fixed ideas and strongly held fixed opinions. However they came with open minds. In a number of cases, and I include myself in this, we were convinced either by other members on the committee, but most often by the testimony we heard, to change or at least moderate our opinions and those strong positions that we had brought to the bill and to the committee.

It sounds almost idealistic, but the environment committee is what parliamentary democracy and specifically the committee process within parliamentary democracy is all about. One has to credit not only the members, which I have already done, but specifically acknowledge the work of the chair and both vice chairs of the committee. They provided leadership and the framework by their rulings in the way they conducted the meetings and they allowed the democratic process to work.

The result was we received a bill from the environment department. These individuals collectively modified the bill significantly. We spent a lot of time on it, with well over 100 hours of hearings, a great number of witnesses and we changed the bill using the expertise of those witnesses and the expertise reflected in the individuals who sat around the table.

People ask if I am enjoying my work in the House. My answer universally is yes, I am very much. I would not give this up other than if I had to give up my wife and kids. They are the only ones that I would not sacrifice for this experience. Because of the people I have encountered and more specifically in the process on this bill is one reason I can say that.

● (1155)

We heard from concerned scientists. Their whole life has been dedicated to protecting endangered species and to researching and developing plans as to how we best protect them.

The other group that was most impressive were individuals from first nations and aboriginal communities. These people are on the frontlines. Yesterday and again this morning we heard the minister speak about the people who would carry this out. If anybody will save our endangered species, it probably will be first nations. It will not be this government. They are already doing good work.

What happened? We heard testimony at committee and the committee did its job. The bill was changed to reflect what was really needed.The bill came back to the House at report stage with 75 plus amendments, the majority of which came from the government. Those amendments were clearly designed to reverse almost all the work done by committee and not to strengthen the bill. The amendments would not make the bill more effective. In fact they would do just the opposite, in every case.

Let us look at the scientific listing of endangered species. We repeatedly heard the minister ask us to trust him, the government and the framework built into the bill. What has happened with that list? Initially the scientific group that prepared the list was shoved off to the side. The list compiled by it would not be incorporated into the bill. Only at one of the very last meetings we had with the minister before the committee did he finally concede the point that the list should be included. That is not from where he or his department started.

As recently as a week ago, another amendment came forward. Somehow the light shone on the government. The amendment strengthened a bit more the role of the scientific group. What is before the House today is not what the scientific community wanted and it is certainly not what the committee wanted.

What about critical habitat? This was an issue that we felt was of the utmost importance and it should be mandatory. The amendments put forward by the government a couple of months ago, which reduced the effectiveness of the bill, were slightly modified a week ago with a last minute amendment. However that is not enough. The mandatory nature of the bill is still extremely weak in many ways.

I want to use one example and that is extending the protection of the bill to migratory birds. In spite of some really strange legal opinions we received through the environment department, including one from a former supreme court justice who is an expert in this area plus other constitutional experts, we were told that the Government of Canada had the right to protect migratory birds. Is the government doing so? The answer is no. That is just one example of the lack of mandatory critical habitat protection.

● (1200)

What did we do about jurisdiction? Of course given the historical nature of Canada, we could not have gone through the bill without dealing with jurisdiction. There is constant friction between the provinces and the federal government over who does what.

I said in the House yesterday that if we looked at the role the provinces had played, because they clearly have some jurisdiction, it was not impressive. Not all the provinces have legislation. Those that have it do not have anywhere near the number of endangered species they should have on their list. Their enforcement mechanisms are wanting in almost every case.

It was very important, if one again applied that environmental prism, if one really believed that we would do something to protect endangered species, that the federal government extend its jurisdiction, which it clearly has the authority to do.

What have we ended up with? With this legislation in terms of federal lands, we cover approximately 5% of the country. We cover approximately one-third of all species. Therefore, two-thirds are left to the provinces and, in most cases, are left to nothing because they are not covered. We did not meet that standard with regard to jurisdiction or mandatory critical habitat.

The final issue we felt was very important was that of compensation. We heard a lot of evidence about this at the committee. The New Democratic Party of Canada was very clear from the beginning. If as a society we were going say that this was our social responsibility, then we could not dump that social responsibility on only certain individuals. Collectively we had to share that burden.

We heard again from the government mostly "trust us". We made one minor amendment as to how the compensation would work. The government told us that we would get regulations to cover the rest of it. We never saw those regulations. It said it would do that later but "trust us".

We should look very closely at how we handle the compensation. We should look very closely at who we compensate. We have nowhere near that in this legislation.

My time is running short and I want to go back to the issue of the "trust me" syndrome with which we are faced. We had the opportunity with the bill to move away from that and say that this would be the law. There is no question about co-operation, we will do that. There is no question about stewardship and the co-operative stewardship that already exists to some degree, which the bill enhances. That is recognized. It is the whole question of what do we do if we do not get that co-operation.

I already indicated why we cannot trust the government. I talked about the late amendments. We saw a late amendment, for instance, just to add to that list, covering aquatic species which we did not have earlier. The committee wanted it, put it into its report but it was taken out. It was put back in about a week ago.

We had a whole list of these things coming to plate late in the day. If that is an indication of how much we can trust the government, we have to say it is not good enough.

There was a whole history as well, before the bill came to the House, under other pieces of legislation where the government did not act when it could have.

In conclusion, the environmental prism with which I came to this House and wanted applied to the bill, and I believe Canadians wanted applied to the bill, was not used.

● (1205)

We have simply taken a look at this and the government has said "We promised this back in 1993 in our red book. We have to deliver. It does not matter what we deliver, let us just get a piece of legislation through. If it is a sham, if it does not do what it is supposed to do, we will still go out and spin it. We will convince Canadians that we have done something". That is not the reality. We have not done enough here. We have failed.

Mrs. Karen Redman (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, I listened with great interest to my colleague who, as he pointed out quite rightly, was a very hardworking member of our environment committee which dealt with this bill.

This is the third incarnation of the legislation. I had the privilege of working on Bill C-33 which predates my hon. colleague across the way.

It is interesting that the member would reference that some of the legal opinion was a bit curious, because I happen to know that he himself is a lawyer. It has been my experience both inside and outside government that when two lawyers are in a room there are often three or four opinions. He seems to be subscribing to some kind of lockstep assuredness in the species at risk legislation.

Clearly what the government has done and the stand we have taken is that co-operation should always be the first approach to protect species at risk. That is how the bill is structured. The government acknowledges that species at risk are protected on the land, not in the classrooms nor in the courtrooms of Canada.

The member made a couple of comments that I also found very curious. He seemed to infer that it does not include all of Canada. That is tacitly wrong. The bill certainly will work in partnership with aboriginal leaders as well as territorial and provincial governments but it will cover 100% of Canada.

It is interesting that while on the one hand he acknowledges the strength and the co-operative efforts that were made in the committee, on the other hand he criticizes the government when it reacts in a progressive way, in a manner that is attentive not only to the witnesses but to the committee work. Of the 125 amendments that came to the House, 70 were accepted because they clearly strengthened the bill with respect to transparency and accountability.

Would my hon. colleague like to comment on the stewardship program? This again goes back to the basis of co-operation, the basis of invitation to Canadians that they would continue to do the activities they are doing right now. I point out that the $45 million that was earmarked is indeed being spent. There are programs right across Canada and $10 million was spent this year on 160 local projects in partnership with local conservation associations which are protecting 208 species as we speak.

Mr. Joe Comartin: Mr. Speaker, let me respond to the stewardship issue first. The government keeps trying to beat up on the opposition parties, and I do not know of any other way to say it, by trotting out the work it already has done regarding stewardship and what the bill will allow for. It is not an issue. We are fully supportive of that. There is not one member of the committee who did not see the value of the stewardship programs that already exist and what has been established under the bill for the future. That is not an issue. We agree that is the best way to do it. That is not what the argument is about.

What it is really about is what if it does not work? What if we get recalcitrant people over there? What if we do not compensate them well enough and they just cannot do it? Those are the other issues. That is what the fight over the bill was about as far as stewardship is concerned. It was not that we not do it, it was just the opposite, that we already do some of it. I do not know what else I can say in response to that other than to press the government as much as possible to do it in the proper fashion for which the bill sets out a framework.

With regard to it covering Canada, it goes back to the whole issue of discretion. It does not cover migratory birds. The government had a shot at it with this last round of amendments. It included aquatic species but did not include migratory birds. The reality is that if the species is on provincial land, it is discretionary as to whether it will be invoked or not. On private land it is the same thing. The mandatory part of it is very limited. I am not backing off on that at all.

As far as legal opinions, of course we can always trot out the lawyer jokes but I am sorry, this issue is too serious for that. Mr. Justice La Forest, a retired supreme court justice and an acknowledged expert, is very clearly of the opinion that the legislation from a constitutional jurisdiction standpoint could go much further. That is the position which I took.

● (1210)

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, I appreciate the comments by the hon. member. He is a hardworking member on the committee, like my colleagues who have been working very hard.

There are many issues with this bill which are very important to all the stakeholders, such as listing of species, transparency, accountability, notification of landowners, species and critical habitat protection. The most important issues are compensation, criminal liability and socioeconomic considerations.

The minister has left everything in the minister's hands. The power is within the minister's jurisdiction that the minister will do something. It has not been put in black and white in the legislation. It has been left to the bureaucrats. Power has been left within the minister's hands.

This morning the minister asked us to trust him and to trust the government and that it will take care of compensation, socio-economic considerations and criminal liability. I do not think that is going anywhere. Is the member prepared to trust the minister and the bureaucrats to take care of the important issues like fair and reasonable compensation?

Mr. Joe Comartin: Mr. Speaker, in one word, no. I think I made it clear that I was not prepared to trust the minister or the department on a number of issues.

Specifically on the compensation, I have to take some issue with my friend from Surrey Central. I do not see that issue or the issues of criminal penalties and socioeconomic considerations as being the most important issues we dealt with. They were considerations, but they were secondary ones.

There is no question that we should have had a broader scope of how the compensation would work. The criminal penalties are fairly restrictive as well and we should have had a broader scope on those.

With regard to the socioeconomic considerations, I believe that the work the committee did in structuring the bill as to when socioeconomic considerations were to be taken into account was the appropriate way to do it. In that respect I had, and I believe the majority of the committee had, serious disagreements with the Alliance Party. It wanted to introduce socioeconomic considerations at times in the bill and at stages when species were being protected at various levels, which were much too early and I would say inappropriate.

● (1215)

Mr. John Herron (Fundy—Royal, PC): Mr. Speaker, I appreciate the opportunity to put on the record at third reading of Bill C-5 the Progressive Conservative position on the species at risk act.

There have been references in the Chamber throughout the day that this is the third attempt by the Government of Canada to deliver the species at risk act itself. There have been comments saying that the other bills had not worked and that this is a cumulative effort of past efforts in providing Canadians with better legislation.

There is an element of truth to that, but let us be very clear. We know as a point of fact that the reason Bill C-65 and Bill C-33 died on the order paper previously was that the Government of Canada chose for political reasons exclusively to call a national general election well within the traditional four year mandate, just over three and a half years. In the last case it was just under three and a half years. Those two bills were permitted to die on the order paper purely for political reasons.

I raise that issue because I believe it is even more salient given the perspective that Bill C-5 will likely pass third reading today. Once that is done it will be sent to the Senate. If it does not clear the Senate this summer, there is more than just the odd rumour that the Government of Canada may consider proroguing the House. That means all pieces of legislation on the order paper will die instantaneously.

The Government of Canada may choose once again to unilaterally let the species at risk legislation die or fail, not because the legislation necessarily was flawed, which it was in each one of those three cases, but purely for a politically driven rationale. I wanted to make that point very clear.

This legislation will be the first piece of environmental legislation by the Government of Canada in the nearly nine years since it formed the government after winning the election on October 25, 1993. In fact a number of individuals refer to the Liberal government's experience on environmental legislation to be “the lost decade”. In April the Sierra Legal Defence Fund issued its report “The Lost Decade” which criticized the Liberal government for failing to conserve biodiversity and protect its endangered species.

In contrast, the Progressive Conservative Party was in government between 1984 and 1993. We received numerous accolades with respect to how progressive our environmental laws were and how they enhanced our country.

We cite the Canadian Environmental Protection Act, which is our principal omnibus bill on the controlled use of toxins in our environment. We cite the fact that in 1987 Canada pulled the international world together on ozone depleting gases. We cite a $3 billion green plan on pollution prevention so that we can help move industry into a best practices regime.

We cite the fact that in 1992 at a biodiversity forum held in Rio de Janeiro it was Canada that led the international world to be one of the first signatories to commit to preserving our biodiversity. That was done in the summer of 1992 but unfortunately the following year there was a mild downsizing which prevented us from being able to follow through with legislation. The new Government of Canada had an opportunity to do that in 1993, 1994 and throughout the entire last decade to gain that what we have lost.

We knew that the government was at least challenged at providing the country with legislation which needed to be effective and could work on the ground.

● (1220)

We tabled a position paper that was drawn from the coalition experience that was formed by the species at risk working group which included the Canadian Pulp and Paper Association, the Mining Association of Canada, the Sierra Club of Canada, and the Canadian Nature federation. They built a broad based coalition. There were some elements that we enhanced in our position paper tabled in March 2000 called "Carrots before sticks".

We wanted to show stewardship and provide those incentives so that we could make it a common cause to protect our biodiversity. The first element of that document demonstrated that a species at risk should be determined by science and not political choice. The committee on the status of wildlife in Canada, known as COSEWIC, that entity of professional biologists are best to determine whether a species is endangered, extirpated, threatened, or whatever status it might have. That list should be the one that is considered.

The second element maintained that before we even consider having a law that could potentially engage on private landowners and on the provinces we should look after our own backyard. Otherwise we have no moral suasion to do so. We said there must be mandatory protection of critical habitat on federal lands including aquatic species.

The third point stated that we needed to protect transboundary species, particularly migratory birds. That is in an exclusive constitutional purview of the federal government.

The fourth point indicated the necessity to ensure that we had clarity with respect to the compensatory regime. All Canadians benefit from the preservation of biodiversity. The few should not have to pay the price. There must be clarity from the Government of Canada with respect to compensation.

Those are the four planks that we had fought for throughout the course of the deliberations on this act. The first initiative that took place in 1996 was when the national protocol and the preservation of biodiversity took place with the provinces and the federal government.. There is a commitment to have complementary legislation.

I want to make it clear that the approach the Government of Canada has taken with this law is better than the approach taken by the United States. Fostering stewardship, having a co-operative approach, working with our subnational governments whether they be territories or the provinces, is a more prudent approach. It fits with what we want to do as well. The problem with it is that the framework and the concept are fine but as always we can understand that the devil is sometimes often in the detail. There were some major gains in this legislation as a framework. It was enhanced at the committee level in each of those four planks that I touched upon.

I would like to go back to the minister's comments with respect to four points that he was most proud of. He used these four points in his conclusion. He mentioned there would be a scientific listing. Let us be clear. It was the committee that pulled the Minister of the Environment, dragging, kicking and screaming, to adopt the existing COSEWIC list. It was the committee on environment that ensured that once this law was enshrined that we would not have to have this lull of time before we even had a species on a list. We could use the existing COSEWIC list. The recommendation came from the committee, not from the Minister of the Environment, not from Privy Council, and not from the Prime Minister's Office. It was the learned members of the committee of all party stripes who did that.

I wish to applaud the member for York North who was steadfast in wanting to improve a lot of the environmental aspects of this legislation. She was critical of the Government of Canada for having a compromise amendment at the eleventh hour. One of the issues that the minister and the government are most proud of is something that they were not on board with in the first place.

● (1225)

The second thing they wanted was for aboriginal and traditional knowledge contributions to have a higher role in the act to determine whether a species was at risk or not. Just yesterday we had an amendment from the member for Churchill River in Saskatchewan that if the amendment had not passed that provision would have been gutted out.

The minister was proud that there would be a five year review. With all humility, it was again the committee that forced the Government of Canada to have a review aspect in the legislation in the first place. The committee put its shoulder to the wheel. We were pleased to do the homework for the Government of Canada.

Where is the bill still void? It is void on the scientific listing aspect and reverse onus concept that has been tabled before the House. It is an eleventh hour compromise. We would not have seen these eleventh hour amendments if it had not been for the fact that the government knew that it would lose the bill.

Moreover, the minister knew that if he lost the bill he would likely have lost his seat in cabinet. He would have been next Sunday's Shawinigan sacrifice. He would have been the individual who would have been next in line after the former defence minister and the former minister of public works. Although that political pressure spurred some positive reaction, let us give ourselves some credit that we can move the yardsticks if we apply the proper amount of pressure and have the courage or conviction to move in that direction.

Where the act is still void as well is that there was a compromise amendment made with respect to the mandatory protection of critical habitat on federal lands, including aquatic species. It is not what the Progressive Conservative Party of Canada had advocated. It is not what the committee had advocated for the most part as well. However, it is better than what we had. We reluctantly supported it yesterday. It is a mediocre initiative. It is a convoluted approach that is not as clear as it should have been in the first place.

On the issue of migratory birds, transboundary species are in the exclusive domain of the federal government. It has the constitutional jurisdiction and the purview to protect those particular species. I find it ironic that on the Canadian Wildlife Service website we see photos of sandpipers and the whooping crane is the icon species of species at risk. Yet, this act does not protect migratory birds as a transboundary species. I encourage those folks who are riveted to their televisions at this moment to run to the Internet to look up that particular section on that national website.

Whooping cranes for the most part do nest in national parks so there is a strong element of their habitat that is protected. The Canadian Wildlife Service has chosen the whooping crane as its icon yet this is where the act is most void. I made reference yesterday to the blue heron. It is not a matter of self-preservation that I made that particular remark. However, that is something that should not be lost on the committee itself.

Pertaining to ensuring co-operation with the provinces I cited letters from the provinces of Ontario, Alberta, Nova Scotia and Prince Edward Island on amendments the committee had made with respect to sections 32, 33 and 61 where we would establish criteria with the Government of Canada on the safety net provisions and would engage perhaps provincial jurisdiction if it were deemed appropriate in order to preserve a species. However it would not be done arbitrarily. Clear criteria would be set out to ensure that provincial legislation would be at least equivalent to federal legislation.

● (1230)

We received letters from the provinces of Ontario, Alberta, Nova Scotia and P.E.I. that the amendments that the committee made on those sections were acceptable to them. In some situations the provinces stated they did not even like the sections in the first place and that is why they did not support the legislation.

The Government of Canada did not do its homework and build a broad based coalition with its provincial cousins as it needed to do. When the committee tabled the amendments that enhanced a co-operative approach with provincial governments, the Government of Canada unilaterally gutted them out.

It is incumbent on the Government of Canada to share with us at some point whether it consulted the provinces prior to removing the provisions by the provinces. The provinces put in writing, in letters dated December 2001, that they supported these provisions. We had a chance to have a pioneering bill and we have lost that opportunity with Bill C-5.

I would like to state for the record that the approach that the Government of Canada has taken is far more progressive than the approach taken in the United States. The problem is that the accountability mechanisms in the bill are far too weak.

I have had some spirited debates with the Minister of the Environment on the fact that we wanted everything done on a mandatory basis, but we needed to have some timelines. The committee had some acceptable timelines. If an action was deemed appropriate to be taken then it should have been done by a certain period of time as opposed to being left to drift. Those timelines were established by the committee.

The Government of Canada has taken that accountability mechanism out. It could have even left it in place as a guideline. The minister could have applied to parliament or have established a permit where an extension could be requested. However the government was reticent about making provisions that would make the Government of Canada more accountable.

I am pleased with a particular Progressive Conservative amendment that was accepted by all parties of the House. Our national stewardship action plan would enshrine into law the intent of what the Government of Canada wanted to do. It is clearly there. It is a comprehensive list with respect to what the government should include as part of its stewardship menu of initiatives that it can take and execute.

There was a debate among members of the House about what the best approach would be in terms of empowering criminal law on landowners. I am not a strong advocate of having any approach where we would spend more money and time in the courts than on the ground protecting species. I believe the government's approach on due diligence is more appropriate than the mens rea perspective, only if it is complemented with landowner notification. There is one provision in the bill which was tabled by the Progressive Conservatives that was accepted on landowners notification. The other ones have been removed from the bill.

The rural caucus of the Liberal Party of Canada has categorically let down rural Canadians. They sold them out when this side of the House asked for clear provisions on compensation. The least the Liberal caucus should have been insisting on was to have draft regulations in place so that we could follow what the Government of Canada would have done on compensation.

● (1235)

Mrs. Karen Redman (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, I listened with great interest to my colleague across the way who was an active member on the committee. While I would acknowledge that there are times when he certainly does more than lift his weight, I would take exception to his characterization of the Minister of the Environment.

I would ask the member to react to a friend of ours who was well known to the committee, Stewart Elgie, who today in the paper said:

> —[the Minister of the Environment] who succeeded in doing something that his predecessors could not getting an endangered species law passed....
>
> [The Minister of the Environment] did it by emphasizing that protecting endangered wildlife requires not just the stick but also the carrot. His department worked tirelessly to ensure the Bill reflected this principle including securing over $50 million per year in funding to implement the bill....

The species at risk working group took out an ad this week in the *Hill Times* saying that "the Standing Committee on Environment and Sustainable Development and the Liberal Caucus," as well as the Minister of the Environment, are to be thanked "for making improvements to the proposed legislation. Let's get on with the business of protecting species at risk."

My hon. colleague pointed out that it is not a simple issue and it is not a simply structured bill. It is a bill that invites co-operation by landowners and provinces and territories.

When he talks about compensation, it undercuts, in my view, a lot of the excellent work done by the Liberal rural caucus. How would he propose to bring in a regime that we in committee talked about, where PFRA lands would be included and where we would look at farmers and fishers?

He seems to talk about the regulatory system as something that would be easy to come up with. I would challenge him to say what kind of system he could come up with that would be fair to everyone without excluding someone who should be compensated.

Mr. John Herron: Mr. Speaker, with respect to the first part of her commentary, the amendments that were brought in at the eleventh hour made the bill almost mediocre as opposed to totally unacceptable. Kudos to the Government of Canada for going in that direction.

The parliamentary secretary referenced the advertisement by the species at risk working group The top part of the commentary states that it did not reflect the consensus the group had. The perspective would be that they saw gains in the eleventh hour amendments.

From the get go we wanted it to be a co-operative entity. I understand the approach that the group has taken in that regard. Having a commentary from a very learned environmental lawyer of the nature of Stewart Elgie, it does not get any better than that.

However the point is that each one of the deficiencies that I flagged are still salient. I believe those individuals at SARWG, or even Stewart Elgie, would categorically concur with respect to where my remarks came from.

I made it clear that the eleventh hour amendments was a positive initiative, not a negative one.

Let us look at the issue of compensation in regulations. Because of the eleventh hour amendments, the committee chose not to gut out a Progressive Conservative amendment to Motion No. 109 which stated that the Government of Canada shall make regulations. If the government shall make regulations that means it is committed to doing it.

The point is that if the government is going to do it, it should do its homework in a significant way so it could simultaneously table at least draft legislation with the framework agreement itself so we would know what we would be getting as an end product. It is incumbent on the Government of Canada to do that.

I think we actually know why the Government of Canada really did not get its act together on compensation. I will paraphrase some of the minister's earlier remarks with respect to compensation.

The minister said that responsible behaviour was something that we expect, not something we should have to buy. He was a reluctant convert to compensation in the first place which was the reason, after the act was tabled, that the homework had not been done in advance, despite having nearly a decade to actually do it.

We cannot cobble together complex regulations in a matter of a few months and weeks. The Government of Canada recognized that which is why we do not have the regulations tabled now. I believe that addresses the parliamentary secretary's concerns on those two points.

● (1240)

Mrs. Karen Kraft Sloan (York North, Lib.): Mr. Speaker, I do not think I have ever worked with a finer blue heron in all my political career. It is important for the viewers who are watching to understand that we often do not get the opportunity to have a view of the committee work which, in many respects, is the real work that parliamentarians do, particularly backbenchers.

I had the opportunity to work in the committee with the member for Fundy—Royal, the NDP critic; the critic from the Bloc; and the critic and environmental members of the Canadian Alliance. It was a wonderful committee process. We made very good gains with very productive results.

Could the member tell us a bit more about his national action plan on stewardship? It would elucidate for members and for viewers watching the concern of the member for Fundy—Royal both on the biological needs of protecting species and on some of the economic interests of landowners, et cetera.

Mr. John Herron: Mr. Speaker, what we have advocated all along is that we need a graduated approach to protecting species at risk. Just because a species is found on a particular property, whether it is federal, provincial or even private land, it is not an automatic situation where that land becomes completely unusable. Sometimes the actions that need to be taken can be extremely benign. It may be just a matter of informing the landowner or the province that there is a species at risk located at a certain spot and to tell them what actions they can take to avoid further harming that particular species. Sometimes it is just a matter of sharing information among various levels of government.

We could even have a systematic approach to creating an awards or recognition program where all Canadians are committed to preserving our biodiversity. If that were a token gesture of the Government of Canada or a provincial regime to do that, it would make a lot of sense.

We could have provisions for information respecting methods to formalize commitments to land stewardship, including conservation easement to agreements and government programs, whether it be technical or scientific advice, to actually help out the landowners. We could even have a commitment to regularly examine the tax treatment and subsidies to eliminate disincentives for actions taken by persons to protect species at risk.

We saw that just recently when the Government of Canada went in a very good direction by removing one of the most draconian taxes when an individual inherits land that is a private woodlot. Sometimes it was cheaper to actually cut all the wood at once in order to pay the taxes to maintain that property. The Government of Canada changed the tax code in the last budget, which was a positive step in that direction.

There are things we can do and a stewardship approach is far better than a command and control aspect.

● (1245)

Mrs. Karen Kraft Sloan (York North, Lib.): Mr. Speaker, it gives me great pleasure to inform the House that I will be sharing my time with the hon. member for Davenport.

Today represents the end of a very long road for many of us. I have been working with some of my colleagues on the very incarnation of this legislation since 1996. I am sure they would agree with a now defunct musical group who once sang, "What a long, strange trip it's been". Ironically, the development of an endangered species law has almost made endangered species out of a number of us.

Until very recently I was convinced that I would have no choice but to vote against the bill. Voting against one's government is never an easy decision to make but at times it is necessary for a member to exercise this option.

The environment committee reported a much improved bill in early December 2001. On February 18, 2002, the government tabled its proposed amendments to the bill. I was heartbroken, as were many of my colleagues on the committee, to see so much of our hard and thoughtful work rejected by the government.

With the February report stage motions, Bill C-5 became, in my view, unworkable for the simple fact that it no longer made biological sense.

Afterward, certain newspaper editors took to criticizing those many of us who rose in this place to defend the committee's work and to express concerns about the proposed government amendments. The public was told that we were nitpickers. The public was told that if we really cared about preserving wildlife we would set aside our concerns. These were not just our concerns. All of us here attempt to reflect the views of Canadians.

Let me tell the House what Canadians were telling us through the tens of thousands of letters, postcards and e-mails they sent to Ottawa. Among other things, they asked that, in a bill full of discretion, cabinet control and escape hatches, the federal government at least guarantee that it will protect critical habitat protection in its own backyard. Indeed, a Pollara poll released last month indicated that 76% of Canadians believed that the law should require this. Canadians also wanted improvements made to the listing process.

To the government's credit, it listened. Individuals in the Prime Minister's Office worked hard to address some of the key concerns that Canadians and a number of Liberal caucus members had about the bill.

I would be lying if I said that the bill before us is without flaws. It is not. For example, it does not prohibit the killing of a listed species everywhere in Canada, which one would expect to be a basic tenet of an endangered species law. It backs away from the protection of migratory bird habitat. There are no timelines on the development of action plans, which concerns me a great deal. The bill is also profoundly discretionary. I have to say that this makes me very uncomfortable.

However, lest I be accused of being unreasonable or a perfectionist, and I have certainly been accused of much worse, I always felt that if the government were willing to move toward the committee language around listing and the protection of critical habitat protection in federal jurisdiction, then I would consider supporting the bill.

I am pleased to say that good changes were made in those areas in the past few weeks, and I commend the government for that. I believe that the shortcomings of the bill must be balanced with the positive changes brought about by last week's amendments and with the need to have a statute in place so that we may begin to protect species under this new framework. We are embarking on a new journey with this bill and it is time that journey begins.

I want to thank the thousands of Canadians in all walks of life who took the time to write, e-mail and fax their members of parliament and to appear at committee asking that the legislation be strengthened in key areas. For those who believe that such efforts are always futile, I point to the changes that have been made in the legislation, both at committee stage and last week, as proof that this is not always the case.

I would also like to thank my colleagues in the government caucus who saw opportunities for improving the bill and who worked together to ensure that these improvements happened.

● (1250)

I emphasize that members of the Standing Committee on Environment and Sustainable Development worked closely together on this bill through many hours of hearing witnesses and considering amendments with great camaraderie and co-operation. Good debate was had, compromises were struck and decisions were made about how to improve the bill. Our work resulted in common ground and was based on the testimony of scientists, aboriginal peoples, conservationists, academics, industry representatives and Canadians from all walks of life. As such, the results of our deliberations were sound and clearly struck a chord with the public. I thank my committee colleagues for their tireless efforts.

Government and opposition backbenchers alike often feel powerless and far removed from the true machinations of government. Our points of influence at times seem restricted to private members' business and to our work at committee. When those arenas appear fruitless, it is easy to sink into a state of despondency.

The late changes to Bill C-5 should encourage all members of the House. Reasonable informed arguments strongly supported by the public have clearly succeeded in improving the bill.

Finally, I want to talk about species at risk, not the bill, not the rhetoric, but the species themselves which sadly, were often lost in all of the debate. What we are talking about at the end of the day is life, the life of a species, a species whose very existence has come to such a perilous point that it must turn to humanity to save it. In many cases we are the very threat it faces. The irony of depending on the executioner for help is not lost on everyone I hope.

Yet we have often lost sight of species during the months of deliberation. Why? Because we allowed the voices of politics and economics to ring loudly in our heads to the point of distraction. In the clamour for money and assurances that players would not necessarily have to act, and in the posturing and the politics around jurisdictions, responsibility and flexibility, we often forgot what it is that we set out to do: to protect lives.

Perhaps this is to be expected. Parliament at times seems to bow to those who shout loudest or issue the gravest warnings. As we know, the species we are charged with protecting have no voice in this place. I have not been lobbied by a lichen, a turtle or a willow. I have received no threatening letters from a mole, a salamander or a piece of moss. No sunfish has approached me cap in hand asking for consideration of his troubles.

Tonight we will cast our final vote on Bill C-5. I remind my colleagues that it is the species that will ultimately vote for the bill. They will vote for the so-called approach of Bill C-5, its so-called philosophy, with their very lives. They will either survive or they will not. How is that for accountability? And that is what the bill is really about.

Mr. Charlie Penson (Peace River, Canadian Alliance): Mr. Speaker, because this is important to Canadians, does my colleague agree that all Canadians should share in the cost of protecting the endangered species that she and other members have spoken about?

The reason I ask that question is that a lot of landowners in my area will have to bear the cost themselves if the rest of society does not agree to share in paying for lost land that may be the habitat for an endangered species. Is it not important that all Canadians share in the responsibility of paying to protect the endangered species?

● (1255)

Mrs. Karen Kraft Sloan: Mr. Speaker, my riding of York North is a microcosm of Canada. There is a very strong urban component, but there is also a very strong and vital rural component, so I understand the concerns of landowners.

I would also suggest that we have to look at what is in the legislation. We have to look at what lands will be affected. We also have to look at the process that will be involved when the government undertakes the endeavour to protect endangered species.

There are many opportunities for consultation. There are many opportunities for voluntary initiatives. In fact the recent agreement that we reached around critical habitat protection allows for a variety of measures to come into play before a prohibition would actually affect a landowner. One would even have to ask how many landowners would really be affected because we are only talking about federal lands.

We have often been asked who pays the cost when we protect an endangered species. I would ask members and indeed I would ask all Canadians, who pays the cost when the species is gone forever? We are talking about species on the brink of extinction. We are talking about species that will be lost to our planet forever. What price do we put on the last eastern cougar? What price do we put on the last St. Lawrence beluga whale? These are questions we have to ask ourselves.

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, let me jump into the subject matter very quickly because of limited time and say that there are certain lessons we could learn from the study of Bill C-5. I will try to do that in the short time available, as well as comment on some of the interventions this afternoon.

The first lesson we learned was that as a general rule, listening to interested Canadians, to knowledgeable people, to witnesses, to people who care, definitely leads to better legislation when there is a will to modify any bill presented to parliament. There is nothing to be lost and everything to be gained by an all party committee of parliamentarians conducting a thorough review of any proposed legislation.

The department proposing the legislation is not infallible. The Department of Justice is not infallible. Neither is cabinet nor privy council. The input of citizens and the thus acquired knowledge is most valuable when examining indepth a proposed bill and how it would work in practice. Neither cabinet nor the minister proposing the legislation has the time to carry out such a task in detail. That is a fact of parliamentary life.

The next lesson we learned was that amendments made in committee have value, particularly when members of the government and opposition parties get together and agree on improvements. Take these two examples. The committee made a change regarding the representation of aboriginal peoples and made a change so that the writing of regulations on compensation would be mandatory. At report stage the government reversed these changes, only to discover that it made a serious political mistake.

We come now to recent changes made possible by the Prime Minister's support. The scientific listing is one of them and the mandatory protection of habitat on federal lands is the other.

On the first change, a provision was made whereby once the scientific community proposes future additions to the list of endangered species, cabinet has nine months to reject them and must give reasons. If no action is taken by cabinet during the nine months, the list automatically becomes official. Thus the accountability of elected representatives is retained but within a limited period of time and the independent role of scientists is thus given greater significance.

Regarding mandatory habitat protection, it must be said that when Bill C-5 was sent to committee for study, mandatory habitat protection was not in the bill. Some 1,300 scientists, including 113 fellows of the Royal Society of Canada, wrote to the Prime Minister urging the inclusion of mandatory habitat protection. The government listened and now the bill includes mandatory protection on federal lands.

Both amendments are vast improvements to the bill and the Prime Minister together with the member for York North deserve the credit. These improvements were made possible by the government's willingness to be flexible. Thus the integrity and the value of the committee process has been considerably restored.

Here are some more lessons. In hearing witnesses we also discovered that we actually were dealing more with human interests than with endangered species. Yes, the title of the bill addresses endangered species and their protection, but the content of the bill is a different story. We had to pay attention to economic interests, be they fisheries, farming, forestry or cattle, in other words, people. While representatives of certain economic sectors declared that they were in favour of protecting species at risk, they became defensive of their economic interests and asked for the removal of clauses of the bill which may interfere with their economic activities.

Socioeconomic considerations for instance emerged in discussions. Economic interests became the centre of discussions and in effect took precedence over the protection of endangered species, no matter how seriously in danger the species might be.

We also became aware of another factor. We had to take into account the absurdity, from the standpoint of endangered species of course, of political boundaries and federal-provincial relations. The logic that the survival of a bird could be jeopardized in a province with weak legislation but that the same bird could be safe if it landed in a tree located on federal land is simply bizarre.

● (1300)

The committee's awareness was sharpened by the knowledge of the very poor performance of provincial governments in protecting endangered species so far, with the exception of Nova Scotia. Giving priority to federal-provincial relations in the protection of endangered species would be acceptable if the federal legislation were at the same time mirrored by provincial legislation and if, until it were mirrored, federal legislation would apply on provincial land.

However, we had to settle for a different approach, under the leadership of the member for York North, and we pressed for the welcome amendments which ensure mandatory habitat protection on federal lands. Without mandatory protection on federal lands the federal government would have no moral authority in urging and expecting provincial and territorial governments to pass habitat protection legislation that would also be mandatory. It is our hope that this is the way it will work.

I listened to the debate this morning. I must say that the member for Windsor—St. Clair developed his analysis of the bill in the debate this morning and I listened very carefully, as I always do when he speaks. I would like to thank him for his contribution in committee and would like to give him, as well as the members of the House who have expressed their concerns, the assurance that the bill as amended last night does cover mandatory habitat protection of migratory birds on federal lands. It does not do that on provincial lands out of respect for provincial jurisdiction, but at least it does so on federal lands so as to set a good example for the provincial and territorial governments.

Turning now to the official opposition, I regret very much having to say that the member for Red Deer was wrong yesterday and was wrong again this morning. Yesterday he claimed there is no compensation. I will quote what he said on page 12385 of *Hansard*:

> Under the current bill there would not be compensation or fair market value. It does not even contain the term fair and reasonable—

I invite the member and his colleagues on the opposition side to read clause 64 of the bill in which the words "fair and reasonable" are to be read in the legislation. Therefore, the concept of compensation is there in its fullest legislative commitment. It is there to be read. It is there to be seen.

Today the member for Red Deer claimed that Bill C-5 is patterned on U.S. legislation. He was wrong again. If anything, the bill is not patterned on U.S. legislation and that was actually the clear intent when it was launched from the very beginning.

Again today we heard the member for Red Deer claim that Bill C-5 lacks flexibility. He is wrong again. There is a tremendous amount of flexibility built in. There is actually too much. The member for York North even made a reference to the fact. It is of some concern to us there is too much flexibility, but definitely that item has been taken into account.

The member for Red Deer also made the statement this morning that Bill C-5 intrudes on provincial jurisdiction. I must say that this is also wrong. If there is anything the bill achieves, it is the very clear concern and respect for provincial jurisdiction, except in one particular instance in a clause that has to be invoked in the case of a very serious emergency.

I would hope that future speakers for the Alliance will restore the credibility of the official opposition on Bill C-5 in light of the statement by the member for Red Deer. To that I should add, because compensation seems to be the centre of considerable attention, that a stewardship fund has been allocated. The concept of stewardship embraces compensation and $180 million has been allocated to stewardship. Some $45 million has already been included in the current fiscal budget and $10 million has been put into place to work toward stewardship, which includes compensation.

● (1305)

This morning the minister himself said in his intervention that we are working on general compensation regulations. He said that regulations will set out the procedures for compensation claims. I am asking the members of the opposition to listen carefully. Finally, he said that we will address claims on a case by case basis. Is that not sufficient evidence of the commitment of the government to compensation?

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, certainly I respect this member for his work for the environment and for many environmental issues. However, I do believe that he and I have a fundamental difference of opinion with respect to the issue of compensation. If I may restate my position, let me say I believe that in regard to Canadian law all Canadians want to have proper protection of and a proper protection regime for endangered species. That is my position and that is the position of my party.

Therefore, I ask the member why, in amendment number 109, I believe, although I may be incorrect, the government made the decision to change this word: that the government "shall" compensate to "may" compensate. It seems to me that this is contrary to what this member has just said when he says that the government has shown in its fullest legislative commitment. I believe those were his words. How is the government showing its fullest legislative commitment when it removes the word "shall" from the words shall compensate and replaces it with the word "may" ?

Hon. Charles Caccia: Mr. Speaker, I am very grateful to the member for Kootenay—Columbia for his question because it allows for elucidation. First, the clause he refers to is on the question of writing regulations, not making compensation. What happened in committee was this. The language was permissive and the committee majority, with the participation of Alliance members, changed the word "may" to "shall". We thought that was a tremendous improvement. It relates to the writing of regulations, so that the committee directed the minister to write regulations on compensation, so it was no longer permissive. It became mandatory.

When the bill was reported to the House there was Motion No. 109, I believe. That motion reversed the language as to how it was written when the bill was sent by the House to the committee after second reading. Then there was the very vigorous intervention, to which the parliamentary secretary alluded earlier, by the rural committee and I suppose by the members of the Liberal rural caucus, I should say. I am sure their representations were made. There were at least 40 Alliance speakers who at report stage talked about this topic as well. Having heard from virtually the entire House, the government wisely decided to revert to the change made in committee by making the writing of regulations mandatory, not permissive.

I hope that I have clarified this item for the member for Kootenay —Columbia, for whom I have the highest respect and whose speech yesterday certainly contributed to the evolution of thought in the House.

● (1310)

Mr. Jim Abbott: Mr. Speaker, that was a good clarification and I thank the member, though I would also ask him about what he has mentioned in regard to a figure of $180 million for stewardship. I wonder if he would not agree with me that, considering the size of Canada, the magnitude of the potential of this problem, and although $1 million is a whole lot more than I would understand and $180 million is 180 of them, in fact the budgeting by the government is exceptionally meagre against the challenges that will be faced. If we are looking at protecting species by protecting habitat, particularly if we are talking about either private property or tenured property, whether it be for mineral rights or tree cutting rights or whatever, we are talking about the loss of value. I wonder if the member would not agree me that in fact the $180 million, $45 million already in the present budget, is indeed a very tiny amount, a very meagre amount, in comparison to the challenge that is likely going to face this government.

Hon. Charles Caccia: Mr. Speaker, I agree with the member that this amount may well have to be revisited. Maybe the day will come when the official opposition will urge the government to increase its budget in certain sectors, including this one. We will certainly applaud that pressing on the part of the official opposition.

However, the main point is this. A farmer or a woodlot owner who would have to suspend certain farming or harvesting activities in order to protect a species at risk by not cutting a woodlot or by not cutting hay during certain seasons should be, and I hope will be, fully entitled to a compensation that is fair and reasonable in order to help.

As the member for Peace River indicated earlier, this is a burden that ought to be distributed evenly across the country amongst all Canadians.

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, I will be splitting my time with the member for Souris—Moose Mountain.

Before I get into the issue at hand, we have an environmental situation in my riding right now. We have been under a torrential downpour for two or three days. Pritchard Creek has received 280 millimetres of rain. Rivers and homes have been flooded. Cities have had problems maintaining their waste systems. I would like to let the people back home in southern Alberta and southern Saskatchewan to know that our thoughts are with them and that all members of the House of Commons certainly wish them well.

Getting to the species at risk act, Bill C-5, we have heard some debate today and certainly in the past about the different issues of the bill. The one thing that everybody maintains, and certainly we in the Canadian Alliance do, is that we need strong legislation to protect endangered species. We would support that if it was brought forward. We do not feel that what is being presented here will do the job.

We have to remember that the ultimate goal of the legislation is to protect species at risk. I think other members have alluded to that. Let us ensure that the end result of everything we do and everything we put into the legislation will be for the protection of species at risk and their habitat. Canadians want that. We have seen presentations. We have had people come forward from all aspects of Canadian society, whether it is in the resource sector, agriculture, the environment community or whoever, in urban centres and rural centres, and they want and have asked for species at risk legislation that works. I am afraid that we have not received that.

As I mentioned yesterday we had an opportunity a month or so ago to meet with some of our counterparts from the United States. The species at risk act was one of the items of debate. I feel that some of the things that were pointed out to us about the shortcomings of the legislation in the U.S. have been extended into this legislation. Some disagree with that, but we need to have full market value compensation in the legislation. In the legislation it states "that the minister shall make regulation". However if it is to be done, why is it not in the legislation so that we can all support it and move forward feeling that the bill will do what it is supposed to do.

We have been told that the endangered species legislation in the United States has been used not to protect endangered species, but as a zoning law. It has been used as a law to stop development. That has become the scope of the bill instead of the aspect of protecting endangered species. People who want to stop certain developments have used the endangered species legislation to do that. We certainly want to avoid that here. We want to ensure that what is put forward is what is needed. If it is not effective, then all the time and energy that has been spent over the last number of years will go for naught.

Will the legislation work to protect one endangered species? I feel that if it is not properly mapped out in the legislation and if we have put too much emphasis on what will be in the regulations to follow as far as compensation and habitat protection are concerned, then we have failed.

There are a number of unanswered questions. We tried to get the minister to answer some yesterday but we did not get those answers. The big question is the compensation issue. It is an essential part of the protection of endangered species. I think we all agree with that. The species at risk act will not work unless fair market value compensation is guaranteed for property owners and resource users who suffer losses. That guarantee is not in the legislation.

Where is the assurance that property owners and resource users will receive fair market compensation for any property that is rendered unusable by the bill? We do not see that. Can the minister guarantee that any individual losses garnered by the bill will be fully compensated so that individual Canadians will be encouraged to protect species at risk rather than covertly avoiding the act out of fear of unreasonable economic loss? That is a key aspect.

● (1315)

All Canadians want endangered species protection laws. However the majority of Canadians would not be affected by any of the mitigation programs or any of the habitat programs that would be put in place. It would be the stewards of the land who right now are protecting species at risk on a voluntary basis. We must commend those who have. I have seen programs that people have put in place because they appreciate the environment and want to help protect it completely on a voluntary basis, Those programs have to be recognized, supported and encouraged.

If ranchers or resource companies feel that they will somehow be put at risk through the bill, and I believe they will, then they will want to stop some of those practices which will be an absolute shame.

The other issue is with respect to socioeconomic concerns, which have not been taken into account in the bill. There has been no effort to determine what those socioeconomic impacts will be and what the bill will mean to all Canadians. I think everybody agrees that all Canadians have to be a part of this. All Canadians want to protect endangered species. Therefore all Canadians should help foot the bill for that.

We want to ensure that is done, but we have not seen any numbers on what that will be. We have seen some money put into the bill for stewardship programs. Our concern is most of that will be used up by legal wrangling once the bill is challenged. Once some of the issues in the bill are challenged in the courts, a lot of the money will be used up through that aspect and the bureaucratic structure.

Can the minister assure Canadians that no individuals or sectors will be unfairly burdened with the cost of implementing the bill? No, he cannot, not the way the bill is structured. No provisions have been provided by the minister for a full socioeconomic analysis.

What will the compensation plans be? Regulation, regulation, that is what we hear. We have seen nothing definitive in the bill that would clarify some of the questions that have come forward.

I will quote an article by Tracy Wates. The last paragraph pretty well sums up the situation. The article states:

> Many Canadians are very concerned about species at risk. However, if species are indeed at risk and need protecting, the solution is not federal legislation that employs command and control techniques while paying lip service to the concept of voluntary stewardship. Rather, a system of directed conservation that engages landowners and resource users while providing a complete system of compensation wold be much fairer and more effective.

It is unfortunate that this is the last chance we will have to speak to the bill before it leaves this place and goes to the Senate because we are working under closure today.

Before I conclude, I wish to move the following amendment. I move:

> That the motion be amended by deleting all the words after the word "Canada" and substituting the following therefor:
>
> "be not now read a third time but be referred back to the Standing Committee on Environment and Sustainable Development for the purpose of reconsidering all the clauses with a view to ensure that the legislation provides guaranteed compensation to land owners and provisions to protect farmers by ensuring that it would have to be proven that a person actually intended to destroy a protected species before there can be a conviction under the law.

● (1320)

The Acting Speaker (Mr. Bélair): The debate is on the amendment.

● (1325)

Mr. Rick Casson: Mr. Speaker, I think what we need to do here and why the amendment was brought forward was to send the bill back—

The Acting Speaker (Mr. Bélair): The hon. member for Lethbridge in moving the amendment is deemed to have spoken on the amendment. The hon. member for Souris—Moose Mountain.

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, my colleague from Lethbridge has identified the two main issues that are troubling the small percentage of people who will be directly affected by the bill. We think it would be good to go back and look at those two main areas in which we are more than likely to find contention.

When the bill came to us in the first place, it was not a perfect bill. It is a better bill now, there is no question about that. However, in doing this, we could take a look at those two areas of possible contention from coast to coast to coast. That is why I seconded the amendment of my colleague from Lethbridge. It is an amendment that is deserving of consideration.

Mrs. Karen Redman: Mr. Speaker, I rise on a point of order. Could you clarify for me if I am on questions and comments on the amendment or on the speech of the previous speaker?

The Acting Speaker (Mr. Bélair): We are now debating the amendment. Speeches are 20 minutes with 10 minutes of questions and comments. We are on questions or comments presently.

Mrs. Karen Redman (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, as we have heard repeatedly in the House, and certainly it has received wide media attention and has been the subject of many polls across Canada, species at risk legislation is something that around 98% of Canadians do support. I am looking across the floor at some colleagues who were members of the Standing Committee on Environment and Sustainable Development. I know the public message they have given, and the evidence of the people who participated as committee members, is that they support species at risk legislation.

The reason for compensation and the wording in the bill, namely the Minister of the Environment and the government "shall" make regulations, is that the government believes it is one of the necessary tools in its kit as it goes forward in implementing the legislation.

Members of the Alliance are often quick to point out the American experience. Its legislation is about 10 years ahead of ours. We have learned from that legislation. We have learned that if we make the legislation too commanding and controlling, we could end up spending all our resources and staff time in committee rooms or, in the American case, many courtrooms. Lawyers would make a lot of money but it would do very little to protect species at risk.

The Canadian approach, which the government has taken, in trying to protect species at risk is by enlisting co-operative participation and enlarging on the existing goodwill of farmers, ranchers and fishers.

We heard from mining industry and large forestry users—

Mr. Charlie Penson: Mr. Speaker, I rise on a point of order. I think we need some clarification from the Chair. I believe my colleague from Souris—Moose Mountain thought he was speaking on the amendment and has therefore missed his opportunity to give his speech on Bill C-5 at third reading. Could you clarify that?

● (1330)

The Acting Speaker (Mr. Bélair): First, the hon. member for Souris—Moose Mountain would have had 10 minutes for his speech. I do not know if he knew then that we were on debate and not on questions or comments.

Mr. Roy Bailey: No, I did not know.

The Acting Speaker (Mr. Bélair): To rectify the situation, the hon. member for Souris—Moose Mountain will have approximately nine minutes left in his speech. However, since I have just given the floor to the parliamentary secretary, if he wishes to answer her comments, with my indulgence, I will let him do so. Then we will go back to his speech. Is this fair?

Mr. Roy Bailey: Mr. Speaker, did you say that the hon. member opposite would be given her time and I would follow her in that order?

The Acting Speaker (Mr. Bélair): I have just said that the parliamentary secretary made a comment and asked a question of the hon. member. If he wishes to answer, I will let him do so and then we will go back to debate.

However, as the member does not wish to answer the question, we will resume debate. The hon. member for Souris—Moose Mountain has nine minutes.

Mr. Roy Bailey: Mr. Speaker, the bill before us which we voted on last night is a better bill than it was when it first came from the government. A lot of the credit must be given to all the members on the committee, including the members in the opposition in that committee. There was very little friction in the committee. No one in this House nor anyone in the committee can say that the party which I represent is against protection of endangered species. That would be a grossly false statement for anyone to make across Canada.

Make no mistake that the changes that did take place were necessary and were because of the co-operation in that committee. In particular I would pay tribute to the committee chairman who led us very carefully and intelligently through days of debate. I was a standing member on the committee. I would be very insulted on behalf of my party and myself to hear anyone say in the future that we were against the species at risk legislation.

There are concerns. Many of my constituents are concerned about the possibility of losing income and benefits that they now have. For example, last summer we were plagued with an infestation of Richardson's ground squirrels which destroyed millions of acres of crop worth millions of dollars. The government would not allow us to use the same type of pesticide that had been previously used. The question that comes to my mind is, was there compensation from the government because of that tremendous loss? The answer is, no. We have been criticized for trying to control that infestation but not one of the organizations has come up with a suggestion as to how it would contribute to the losses of the farmers and ranchers.

I want to make it very clear, as have many of the previous speakers, that this is not a rural-urban issue in itself. This legislation directly affects less than 10% of the people. The last census indicates that the number of people who are actually engaged in farming, in the timber industry and so on is now in the single digits. They are the stewards of the land. In Canada, the people are mainly concentrated in the large urban centres. As a result, they do not understand the concept of compensating people when they lose part of the control of provincial land or how that affects their operation in the industry.

This bill has to be handled very carefully by the government. It has had the same effect as the gun registry legislation, Bill C-68 which divided the country between rural and urban centres. The majority of people are concentrated in large urban centres. They could not possibly see why rural Canada objected to the bill.

Recently there was Bill C-15B, the cruelty to animals bill. I talked with people in the large urban centres, some of whom are relatives. They asked what was wrong with the bill. They have never seen the practices on the farms regarding calves and therefore they supported the bill.

● (1335)

Now there is Bill C-5. One question that has not been answered is if 10 sections of land are lost under this plan to protect the species at risk, there is nothing in the bill that says the government would provide not only compensation to the person losing control of that land but also to the local government body that loses the land as a tax base. The issue is much bigger than what we think it is. The governments that will be affected are mainly the local and perhaps provincial governments.

All Canadians must understand that compensation must be there. We would not ask someone to give up 10% of his or her salary. The bill is designed to benefit all Canadians. Therefore, it does not bother me in the least when I hear the figure of $180 million being in the bill for compensation for those who would lose their income because of preserving habitat or anything else. The government must tell people that the money is there to protect those few Canadians who are the tenants and protectors of the species and who must be paid for their loss of income.

I also want to deal with something that I feel is terribly important. The bill says there must be a review in five years. I see nothing wrong with that. However, what if in the process of what this bill is designed to do there are real flaws regarding identifying species or regarding the provincial governments or tenants which cause all sorts of disagreements? Of course we cannot wait five years because if the problems are severe, five years will kill the whole bill and its effectiveness. We have to give serious thought to a procedure by which the committee or the government can come back and say that this part of the bill will be reconsidered before it self-destructs.

There is one province which brags, and rightfully so, that it is the only province in Canada that is rat free. That is Alberta. It is true that it is rat free. There are no rats, except the few that are not the four-legged ones.

The reason is that the province took a concentrated look at the damage the ordinary Norwegian rat causes which was in the millions of dollars. The provincial government embarked on a program to stop the loss of this agricultural waste and the province is now rat free. Some people would immediately say that Alberta has upset the ecosystem for years. That is ridiculous.

If and when the bill runs into that type of difficulty the flexibility has to be there because we will need to make some changes. I am sure of that.

The endangered species bill is all inclusive. It includes the federal, provincial and local governments as well as everyone else. Speaking for myself, I hope it is successful and that people understand that we are all for endangered species.

● (1340)

I hope the government realizes that the bill is not some kind of holy writ. If there is something wrong with it, it is hoped the government will move very quickly to remedy it through amendments in the House and in committee.

Mr. Andy Savoy (Tobique—Mactaquac, Lib.): Mr. Speaker, I will be splitting my time with the member for Lac-Saint-Louis.

The species at risk legislation has been a very long process dating back to 1996 with Bill C-33, and then Bill C-65 and now Bill C-5. Since 1996, 93 days and 246 hours of parliamentary time have been put into the legislation. Committee members have put thousands of hours into the legislation since 1996.

I want to congratulate all members of the committee. They did a wonderful job in working together to bring the legislation forward. Canadians have been calling for this legislation for nine years and finally it is coming to fruition. I am very proud to have played a part in the making of it. I commend specifically the committee chairman on the job he did. He has been an advocate for this legislation.

I had many concerns on the environment committee in dealing with species at risk when I was elected on November 27, 2000. I grew up in a farming community in a very rural area. I worked on farms when I was growing up. After receiving an engineering degree I began my professional life and went into the environmental business for 10 years. As such, I felt I could see both sides of the equation with regard to this issue.

First and foremost, I have always viewed farmers as the ultimate environmentalists. They are the people who live off the land. They show us how to use the land. They provide nourishment from the land.

One major concern which resonated when I started to discuss species at risk with my colleagues had to do with command and control. I heard testimony from various individuals and witnesses but one really resonated and stuck with me.

Someone presented me with a copy of a magazine for ranchers from the southern U.S. In it was a for sale ad for a cattle ranch with some 300 or 400 hectares of land. There was a wonderful picture of it. At the bottom of the ad it said that the land was guaranteed not to contain species at risk. It was guaranteed not to contain species at risk because of command and control legislation in place in the U.S. That caused me great concern.

We have done a lot of work on Bill C-5 and it is time to move the legislation forward.

The proposed species at risk act before us today is one component of the Government of Canada's overall strategy to protect species at risk. During the nine long years that this legislation has been in the making, we have not been sitting still and it is a good thing too, because this long process could have brought us to a standstill in our efforts to protect species and habitat and in taking action.

Through stewardship, recovery planning and partnerships with provinces and territories, there has been an overall strategy at work for some time now for the protection of species at risk. For instance, we have worked for years with the provinces and territories under the accord for the protection of species at risk. A number of provinces have brought in new or amended legislation to protect species at risk as a result of this accord. Ministers meet regularly and have directed numerous actions.

A third pillar of the strategy is stewardship. Through stewardship and recovery efforts we are taking action on species at risk where it matters most, on the land, in our streams, oceans and forests. Stewardship is the first line of defence to protect critical habitat. It is through these actions that we are protecting habitat by encouraging landowners in voluntary conservation measures. They are both formal and informal. They often involve governments, but just as often volunteer organizations, businesses and industry.

There are incentives for stewardship. We know this approach works on the ground to effectively protect species' critical habitat. Stewardship is nest boxes for birds. Stewardship is setting aside a spot where the Vancouver Island marmot has its den. Stewardship is patrolling the beaches of Lake Diefenbaker to protect the eggs of the piping plover. Stewardship is a farmer who does not plant right up to the edge of the stream, but protects the riparian zone between the field and the water.

● (1345)

Stewardship is informal activity. It is also part of a formal approach added to over two years ago by the Government of Canada. The habitat stewardship program was established to help start partnership projects with local and regional organizations and communities.

Funding was announced in budget 2000. Much has already been done. Projects are underway all over the Missouri Coteau landscape in southern Saskatchewan. This is the prairie pothole region of the province. It is some 23,000 square kilometres and is home to species at risk such as the piping plover, the burrowing owl, the loggerhead shrike, the ferruginous hawk, the northern leopard frog and the monarch butterfly.

Stewardship is a key element of the entire species at risk strategy which includes the bill before us today. It also includes the accord for the protection of species at risk, an agreement between the federal government, provinces and territories. The agreement has produced a number of results while we have worked on the bill. Stewardship and the accord have a fundamental premise that co-operation produces the best results. That is why we have worked so hard and why we have insisted that the proposed species at risk act contain that same approach.

Canada's approach to stewardship and conservation is the envy of our neighbours to the south. Some critics have suggested that we need legislation like the endangered species law in the United States. Let me tell members the real facts. The Americans wish they had our co-operative approach. They wish they had stewardship and co-operation because what they know now, after 25 years, is a backlog of court cases and a lot of ill will.

I would like to tell members a few things about the habitat stewardship program which has been moving forward while we have worked on the species at risk act. There are already over 70 partnerships with aboriginals, landowners, resource users, nature trusts, provinces, the natural resources sector, community based wildlife societies, educational institutions and conservation organizations. So far more than 200 species identified at risk in Canada, as well as over 80 provincially listed species at risk, are benefiting from the projects under this program. Many species and habitats that are not yet at risk will benefit at the same time but others have joined in the effort.

In its first year, the habitat stewardship program attracted non-federal funding of over $8 million, compared to the $5 million contributed to habitat stewardship program funds. For every one dollar spent by the federal government under the habitat stewardship project, $1.70 of non-federal resources were contributed by project partners. The second year saw more than $10 million for more than 150 projects. We are monitoring the population of the right whale. We are assessing the leatherback turtle and the rare ginseng plant.

The habitat stewardship program is not all, however. We have also made it easier for Canadians to donate ecologically sensitive lands and easements by reducing the capital gains from donations through an eco-gifts program. Over 20,000 hectares have been donated already as ecological gifts. There is authority in Bill C-5 to establish stewardship action plans.

We all share responsibility for protecting wildlife. If the bill is passed, the federal government, in active partnerships with provinces, territories, landowners, farmers, fishermen, aboriginal peoples, conservation groups, the resource sector and others, will be a leader in protecting species at risk and their critical habitats in Canada. We are using what works and providing more tools to make it work better.

Individual Canadians, conservation organizations, industries and governments are working together every day to conserve and protect species at risk. These are the actions that make a difference.

Our preferred approach to protecting species' critical habitats is through voluntary activities by Canadians. We respect the authority of other governments but we also expect them to bring in critical habitat protection measures if needed. If they do not we will be ready to provide the needed protection.

The bill will compliment existing or improved provincial and territorial legislation, not compete with it. We have all acknowledged that protecting species at risk is a shared responsibility. It is time for us to ensure that the federal responsibility is met completely, and that includes legislation. We have designed an approach that works.

Through nine years of consultation, examination, writing and rewriting, we have come to the time when we must act. The time has arrived for the species at risk act to take its official place alongside the accord, and stewardship is one of the three pillars of the strategy for the protection of species at risk.

● (1350)

[*Translation*]

Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.): Mr. Speaker, the bill we are debating today stems from the 1992 UN Convention on Biological Diversity.

In 1994, I was parliamentary secretary, when the minister at that time presented framework legislation to protect endangered species and respect our commitments under the convention on biodiversity.

This eventually led, under subsequent ministers, to Bills C-65 and C-33 to protect endangered species. Unfortunately, both bills died on the order paper when elections were called. This is what led to Bill C-5 today.

Bill C-5, like its predecessors, has had its ups and downs. I would like to take this opportunity to offer my sincere congratulations to all of the members of the Standing Committee on the Environment and Sustainable Development, particularly the members for Davenport and York North, who did remarkable work in order to build consensus among all members of the committee.

At the outset, the legislation was far too discretionary. However, thanks to the enormous efforts made by the committee, many improvements were made and the results of the committee's work were contained in the report tabled in the House in December 2001.

Unfortunately, most of these recommendations and amendments were overturned by the government as a result of amendments made in the House during consideration at report stage.

However difficult it was at the time, following the rejection of the committee's work, a number of us decided to vote against some key provisions of the legislation proposed by the government.

I want to take this opportunity to pay tribute to the hon. member for York North, who managed to achieve a consensus on many elements within the Liberal caucus. My colleague felt that the act had to be improved, in light of the amendments presented by the government at report stage.

Negotiations with some government people took place and I congratulate them. I also congratulate the Prime Minister for getting involved in these negotiations, which proved successful.

[*English*]

By removing the discretionary provisions regarding listing, the listing provisions have been much improved. We now have a mandatory habitat provision on federal lands, including aquatic species and migratory birds. This is a huge improvement to what there was at report stage.

As some members know, I was born on the very small island of Mauritius in the Indian Ocean. At one time Mauritius was a habitat for 29 unique species of wildlife never known anywhere else in the world. Most of them have disappeared. Of course everyone knows about the dodo which was peculiar to Mauritius. However, other species, such as the Mauritius kestrel, the Mauritius parakeet and the pink pigeon, had almost disappeared in the wild. I believe there are nine pairs of kestrel, four pairs of parakeets and a few pink pigeons left.

Thanks to the Durrell Institute in the Jersey Islands, these were recaptured from the wild and bred in captivity. Now they have been reintroduced into the wild in Mauritius, the only place they can live. I was really moved a few years ago when I went there and saw a pair of kestrels nesting in a tree high in the mountains. It was something I had never been able to see as a child.

Many of the species that were taken for granted a few years ago have now disappeared. I remember visiting India and talking to the minister of the environment. He was telling me how they were trying to save the Indian tiger. Who would have known that the Indian tiger today would be almost a relic of the wilds?

I am glad this law has improved consultations with aboriginal people because they understand the juxtaposition between the ecosystem, habitat and living species. They know there is no difference. They know there is an interdependence, an integration between ecosystems, habitats and living species.

A recent study by professor Margaret Palmer of the University of Maryland established that when ecosystems go down or are affected, so are living species. When living species are affected, so are ecosystems because they are totally interdependent. Ecosystems and living species need each other to survive and be enhanced.

● (1355)

[*Translation*]

A few years ago, I had the honour of presenting the bill on endangered species in the Quebec national assembly. Earlier, I heard the hon. member for Rosemont—Petite-Patrie, for whom I have a great deal of respect, refer to the whole constitutional issue, overlap, duplication and so on. This saddened me, because it seems to me that, whether we are on the federal or provincial side, we should find a way to work together, so that the objective of these acts, which is the protection of endangered species, can be achieved on both federal and provincial lands, through legislative measures that complement each other. In this regard, I think we share the same view and we should remember—

The Acting Speaker (Mr. Bélair): I am sorry to interrupt the hon. member for Lac-Saint-Louis, but he will have three minutes left to complete his speech and he will also have five minutes for questions and comments after oral question period.

STATEMENTS BY MEMBERS

[*English*]

SASKATCHEWAN SPORTS HALL OF FAME

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, I rise to pay tribute to a great Canadian, a towering figure in Canadian sports and a true humanitarian: W.D. "Bill" Hunter.

Tomorrow Mr. Hunter will be inducted into the Saskatchewan Sports Hall of Fame, recognizing his tremendous lifetime contribution to both professional and amateur sports, particularly the great Canadian game of hockey.

A "Hound" of Pere Murray's Notre Dame college, Bill Hunter was a key founder of the Saskatchewan Junior Hockey League, the Western Hockey League and the World Hockey Association which led to the hugely successful expansion of the NHL. He has owned, managed and coached numerous successful sports franchises including the Edmonton Oilers which he prepared for its glory years.

Bill is also a passionate Canadian patriot, having fought during World War II as a fighter pilot in the RCAF and contributed to Canadian society through his leadership in business and charitable endeavours. In recent years Bill has continued to show his greatness of character and largeness of life in a tenacious battle against cancer.

On behalf of the whole House I wish Bill and his wife Vi hearty congratulations on yet another recognition of his lifelong contribution to the country that he loves.

* * *

[*Translation*]

JEAN CLOUTIER

Mr. Gérard Binet (Frontenac—Mégantic, Lib.): Mr. Speaker, on behalf of the entire population of Frontenac—Mégantic, I would like to pay tribute to a great volunteer and a great Canadian.

Jean Cloutier, who is from the Lac Mégantic region, has recently been named "volunteer par excellence" by the annual general assembly of the Quebec figure skating federation.

He has earned the respect of Canadian figure skaters through his remarkable involvement and contribution to the sport.

He was with our olympic athletes at Nagano and at Salt Lake City, where his commitment to figure skating had a positive impact on the sport.

Without Jean Cloutier's determination, the Salé-Pelletier affair would most certainly not have ended with the final impartial decision we were so anxious to see.

The contribution of a volunteer of this calibre merits recognition and I wish to thank him publicly here in the House today.

Frontenac-Mégantic is proud of you, Jean Cloutier.

• (1400)

[*English*]

GOVERNMENT OF CANADA

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, we parliamentarians are faced with a choice as the spring session winds down: stay in the House of Commons each day debating the important issues facing the nation, or return to our ridings to deal with pressing local matters and reconnect with our constituents and our families.

If I were a Liberal I know what choice I would make: "Get me out of here, Mr. Speaker." Each day there is another punishing question period. Each day there is another damaging headline. The stories and the questions expose the government and its web of connections, collusion, cover-up and corruption.

Not being a Liberal and being a very proud member of the Canadian Alliance, I and my colleagues are here to both serve the taxpayer and show Canadians the many failures of the government and the Prime Minister. We will do so until our scheduled recess day, June 21.

When the government begs for an early recess to escape the scrutiny, the probing and the questions, I will vote no.

* * *

FOREST INDUSTRY

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, according to *National Geographic* magazine Alberta's forest management is a prime example of the deleterious effects of oil, gas and forestry activities.

A University of Alberta study demonstrates the negative impact on forests and wildlife of some half a million miles of roads, pipelines and 15-foot corridors for testing for oil and gas deposits. Yet in a publication entitled "Are Canada's Forest Shrinking?" the Forest Products Association of Canada claims that Canada's forests are increasing and on a sustainable path. However forest inventories are compiled by the provinces and industry, with inconsistent definitions and unverified data possibly leading to overestimates and incorrect forecasts.

If we are to ensure the sustainability of our forests, rather than catchy slogans and empty declarations by industry we need a national forest strategy with reliable inventories, reliable annual growth estimates and verifiable annual cut data.

* * *

NORTHERN CANADA

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, Russia and the U.S. have agreed to further reduce their arsenals of intercontinental nuclear weapons. This should have received more attention in Canada as we lie on the track of such weapons.

Only a few years ago we were very aware that we are the buffer between the U.S. and Russia. In those days we were very conscious of the strategic significance of the Canadian north.

That north is just as important today. Those who live there are proud and important Canadians. Their roles as custodians of the human, biological and physical resources of the north are even more important today. As global warming proceeds and arctic sea routes open up, their role for us with respect to the Arctic Ocean becomes increasingly important.

Fewer nuclear weapons is good news for Canada but it should stimulate us to take a greater, not lesser, interest in northern and circumpolar affairs.

* * *

[*Translation*]

CANADIAN LABOUR CONGRESS

Ms. Monique Guay (Laurentides, BQ): Mr. Speaker, the triennial convention of the Canadian Labour Congress is being held in Vancouver. This powerful labour organization has 2.5 million members, including the FTQ. We pay tribute to the members and executive of the CLC, including president Ken Georgetti, and his FTQ counterpart, Henri Massé.

The CLC has always demonstrated the greatest of respect for Quebec and has an open mind toward the aspirations of the people of Quebec.

The Bloc Quebecois and the CLC have fought together on a number of occasions, and there is no doubt that our joint efforts have provided millions of workers with a brighter future.

One of our battles is not yet won: employment insurance. This must be continued and the Bloc Quebecois will fight alongside the workers for as long as it takes.

We also wish to pay tribute to a great union man, who worked for the postal workers for 15 years, and has spent another 10 on the executive of the CLC working to improve the working and living conditions of workers, Jean-Claude Parrot.

Congratulations to the CLC and thank you, Mr. Parrot, for the quarter century you have devoted to the workers.

* * *

GROUPE SAVOIE

Mr. Jeannot Castonguay (Madawaska—Restigouche, Lib.): Mr. Speaker, I want to take this opportunity to tell you how proud I am to be a representative of Atlantic Canada, and of the Madawaska —Restigouche area in particular.

Entrepreneurs in our area are among the most dynamic and resourceful in New Brunswick. The Government of Canada has played a major role in helping stimulate the province's economy. In fact, the Atlantic Canada Opportunities Agency has helped create opportunities and employment. The agency has long been an important element in the success of small businesses in New Brunswick. Groupe Savoie is a good example.

In 1978, when Hector and Jean-Claude Savoie purchased two mills in St. Quentin, they employed approximately 25 workers. Today, they employ 400 and use start of the art equipment.

Groupe Savoie has also been successful internationally. Some 20% of its product is shipped overseas to Europe and another 30% to the U.S. market.

Groupe Savoie is just one example of the New Brunswick companies that are creating employment and making Atlantic Canada an ideal place to live and invest.

This should make all Canadians proud.

* * *

● (1405)

YVON SABOURIN

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, the Desjardins movement recently highlighted the contribution made to its organization by Yvon Sabourin.

This great and active man has had an impressive career. Born in Hull, Yvon Sabourin is a leader and organizer who has devoted himself to building the Desjardins movement in the Outaouais and throughout Quebec for more than 40 years.

He helped found the Caisse populaire Saint-Rédempteur de Hull. He was the director of the Fédération des caisses populaires Desjardins de Montréal et de l'ouest du Québec. He received the volunteer of the year award during Desjardins week, in 1997.

He has also been involved in amateur sport for quite some time. He was the honorary president of the Quebec games in 1971. For seven years, he was the general manager of the Olympiques de Hull hockey club.

Yvon Sabourin has served as president of the Regroupement des bingos de Hull, president of the Hull sports hall of fame, president of Saint-Raymond parish in Hull and treasurer of the Hull Kiwanis Club.

As you can see, this is a man who is fully deserving of this tribute. Bravo, Yvon.

* * *

[*English*]

GOVERNMENT OF CANADA

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker,

In a far away land known as Ottawa
An old party ruled over all that they saw
They had friends in high places
Who received many perks
Like cash for ad contracts and shows that don't work.

The leader grew bold and wanted to know
"I want more power, how far can I go?
Raise me up higher
I really must see
My empire that extends from sea to sea".

His followers piled up, one on top of another
To establish a throne, higher than any other
From this vantage he saw
Much to his great dismay
The auditor general, with reviews underway.

"I've been caught!" he cried loudly to his followers there
"Let's put on brave faces and pretend we don't care
It's only tax dollars
Who's going to complain?
They'll keep sending me cash—I need a new plane!"

But his opponents saw through his bluster
And gathering all the strength they could muster
They stood and shouted
"Enough is enough! the truth has been outed"

"The empire is wise to all of your tricks
Get down from your throne, there are problems to fix.

Canadians deserve much better than this!"

* * *

NEW DENMARK

Mr. Andy Savoy (Tobique—Mactaquac, Lib.): Mr. Speaker, the world's oldest Danish settlement outside of Denmark is the agricultural community of New Denmark within my riding, Tobique—Mactaquac.

On June 19 the people of New Denmark will celebrate Founders Day to commemorate the founding of their community in 1872. This year's Founders Day will mark the 130th anniversary of the arrival of New Denmark's first settlers.

I congratulate the people of New Denmark on preserving their proud heritage. Where else in Canada can one hear religious hymns sung in Danish on Sundays, sample typical Danish dishes at local restaurants, and see Canadian and Danish flags flying side by side at farms and homes throughout the community? New Denmark is a perfect example of the spirit of tradition tempered by a dedicated patriotism that has made our great country the rich cultural mosaic it is today.

I wish the people of New Denmark every success this June 19, and I hope the community will hold many more Founders Day celebrations for years to come.

* * *

[*Translation*]

CORPORATION DE DÉVELOPPEMENT COMMUNAUTAIRE DRUMMOND

Ms. Diane St-Jacques (Shefford, Lib.): Mr. Speaker, last week, as part of the Canada-Quebec infrastructure program, Senator Michel Biron announced that the Corporation de développement communautaire Drummond will get some $489,000 in financial assistance.

The Corporation de développement communautaire Drummond, which includes 47 community organizations, manages buildings that house 12 organizations, while supporting new community businesses. Through their activities, member organizations reach some 8,500 people on the territory of the regional county municipality of Drummond, and they rely on over 2,500 volunteers.

This project will create one job and will protect over 50 permanent jobs, including 45 in the various organizations and five within the corporation.

Through this financial assistance, the Government of Canada is helping community organizations in Drummond, much to their delight.

* * *

● (1410)

[*English*]

WORLD DAY AGAINST CHILD LABOUR

Mr. Joe Comartin (Windsor—St. Clair, NDP): Mr. Speaker, I rise today to bring to the attention of the House and all Canadians that tomorrow, Wednesday, June 12 is World Day Against Child Labour.

There are almost 250 million children, or one in six worldwide, in the workforce today. The majority work in unsafe conditions without any health or safety standards or protection of their rights.

In solidarity with children from around the world, the students of Malden Central Public School in Essex County will be placing flowers on their front lawns symbolizing the member states of the International Labour Organization and as a way of encouraging the 53 states who have yet to ratify the Worst Forms of Child Labour Convention to do so.

I congratulate and commend the students and staff of Malden Public School with the support of local labour groups and the community for drawing attention to this worthy initiative.

* * *

[*Translation*]

GOVERNMENT CONTRACTS

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, almost two years ago, the Prime Minister's closest advisers were aware of the problems surrounding the sponsorship program. Therefore, the Prime Minister knew.

Their solution was to prepare a communication plan that is now being used, two years later. The Prime Minister tried to prevent the controversy by hiding his government's misuse of funds.

The abuses did not stop, far from it; things continued for two years. The Prime Minister approved the system and gave it his blessing.

Instead of punishing the guilty parties, he reappointed Alfonso Gagliano as minister of public works. The Prime Minister rewarded his henchmen. He pointed the finger at public servants, when it was people from his office who were calling the shots. The Prime Minister is now evading his responsibilities.

In short, the Prime Minister is guilty on all counts: he knew, he covered up and he let things go on. The only way to really clean things up is to launch an independent public inquiry.

* * *

[*English*]

HATE CRIMES

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, today clerics of the Muslim, Christian and Jewish faiths gave a press conference here in Ottawa to testify to the mutual respect among the various cultural groups and faith communities.

[*Translation*]

Here is part of their statement, and I quote:

[*English*]

> We deplore any act of vandalism or desecration of any religious site, ethnic community centre, school or cemetery of any faith.
>
> We view with horror and sorrow attacks upon religious institutions in our City and throughout Canada in the recent past and we consider any such act to be an assault upon all of us.
>
> We urge that all people manifest a tangible and meaningful respect for each other, and to eject and repel any attempts to vilification of other individuals or groups.

[*Translation*]

Recently, Canadians of Muslim and Jewish faiths were the target of racist acts and events. This is an important initiative by the religious leaders of three communities as a show of trust and solidarity toward their fellow citizens.

* * *

[*English*]

RESOURCE ROYALTIES

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, today the government of Newfoundland and Labrador and Inco signed a statement of principles to develop the Voisey's Bay site. Whether it is a good deal or not is yet to be determined.

What is clear is that the government of Newfoundland and Labrador had to squeeze out of the project every maximum benefit possible, especially in relation to the jobs to be created. It had to do this because the royalties that will flow to the province will be almost entirely clawed back by the federal government.

A province can only better its lot by developing and benefiting from its resources. What incentive is there to develop if Ottawa claws back the royalties, leaving the provinces no better off?

Until the government changes its clawback arrangements on resource royalties, our have not provinces will always be so. We must be able to retain, reinvest and eventually become contributing partners in Confederation.

ARTS AND CULTURE

Ms. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, this past Sunday saw the conclusion of the Winnipeg International Children's Festival and its 20th anniversary celebration. Once again it was a world class event. The festival has continuously grown over its 20 year history. It now has 30 acts that combine for 120 performances over the 4 days of the festival.

These acts, some from Manitoba and many from around the world, come together to delight children with music, comedy, art, stories, dance and magic, to both educate and entertain. The children's festival continues to be the premier summer family event in Manitoba and a leader in the Canadian children's festival community.

I wish to extend congratulations to everyone who was involved: the organizers, the performers and the more than 700 volunteers needed to make the festival a success.

Manitoba families look forward to next year's event to once again be treated to a delightful, imaginative and entertaining festival experience.

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● (1415)

ETHICS

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, ethics are so simple when one knows the difference between right and wrong.

No matter how many volumes of rules the Prime Minister writes, they will not make the Liberal government more ethical, honest or transparent.

Only the Prime Minister needs ethical guidelines to remind him not to call the heads of crown corporations about loans to companies in which he may still have a financial interest.

Only his previous public works ministers need ethical guidelines to remind them that it was wrong to provide millions of dollars in contracts to friends of the Liberal Party or that it was wrong to stay in the president's chalet.

Only the solicitor general needs ethical guidelines to remind him that he should not tell the commissioner of the RCMP to revisit a decision he had made months previous about funding for a college headed by his brother.

Canadians do not need new ethical guidelines for their government in Ottawa. We just need a government that knows the difference between right and wrong.

ORAL QUESTION PERIOD

[*English*]

GOVERNMENT CONTRACTS

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, just before the Prime Minister called the 2000 election he received a damning internal audit at public works.

What did he do? He had his most senior officials huddle for a communications session on damage control. A secret meeting was held with the bosses of the advertising firms to tip them off on the audit's contents.

Now, two years later, scams in lucrative advertising and sponsorship deals continue to come to light and millions of dollars have kept flowing to these Liberal firms.

My question: Does the Prime Minister now admit that his priority should have been protecting Canadian taxpayers instead of protecting himself, his party and his Liberal business connections?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, there was a meeting at which two members of my personnel were there for five minutes. One stayed for the whole meeting.

As for the result of that meeting, less than two weeks after that everything was on the website. The day after, there was an article by a journalist, Mr. Leblanc, in the *Globe and Mail.* So much for secrecy. Right after that the minister introduced some reforms to make sure that the mistakes would be corrected in the future.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, some correction. Two years later the scams are there and the money keeps flowing.

The Prime Minister knew about this mess. He did everything to cover it up and nothing to clean it up.

He set the low standard himself with his own BDC dealings in Shawinigate, and in a speech in Winnipeg a couple of weeks ago he said it did not matter if millions of dollars were stolen as long as it somehow served national unity.

My question is this: Will the Prime Minister take responsibility for this? Will he admit that through his own lax ethical standards he signalled that it is okay to rip off the taxpayers of Canada?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when he talks about ethics he should report what I have said. I have always said that the program of sponsorship has been very, very important in Quebec to make sure that the people of Quebec know that the federal government is doing a lot of good things for the people of Quebec.

The minister acted immediately on the report. The report was made public on the website less than two weeks after it was received and there was an article in the *Globe and Mail.*

He should have been awake that day.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, this is the problem. There is so much fraud and abuse in the sponsorship program that it has to be frozen and the Prime Minister then gets up and defends the program. That says all we need to know.

We have had damning internal audits, a scathing auditor general's report, three ministers of public works and seven police investigations. That is about as high as the minister of public works can count because he refuses to reveal the rest.

Will the Prime Minister today put an end to two years of stonewalling, damage control and half measures and instead order a full public inquiry?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we are receiving letters, from members of different parties, to make sure that the sponsorship program comes back right away because there are hundreds and hundreds of organizations in the land that are waiting to have these programs this summer so there will be economic activities in all the ridings, especially in the rural ridings across the land.

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the minister of public works pledged that under his tenure his department would be open, transparent and accountable.

Those are lofty ideals. It did not happen. It was just the same old talk.

We have not been able to count on the minister to answer even the simplest question, like how many files has he referred to the RCMP? He is scared to do that.

In light of that, could the minister assure the House that the companies implicated in the files that he referred to the RCMP have been frozen out of any more government money?

● (1420)

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, my predecessor established the precedent with respect to Groupaction in making sure that sponsorship activity was terminated with those firms and I have done the same.

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, those companies handle a lot more than sponsorship money. We see $250,000 more going to a company that photocopies improperly. What the minister is trying to sell here just does not hold up.

We know that even the auditor general raised serious concerns about one firm's work and referred it to the RCMP herself, saying she had to go there. The minister continued that $250,000 shovelled into that company.

Until the minister comes clean and tells Canadians how many files he has referred to the RCMP, how can we be sure that tax dollars are not still flowing to those disgraced firms?

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, the issue here is one of making certain that the RCMP has the full scope to do its work without interference.

If we in the House engage in a running commentary about what has been referred to the RCMP and what has not, sooner or later one member of the House, either on this side or that side, is going to end up fouling up an RCMP investigation. The police must not be interfered with.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister will announce new ethics rules in the hope of making the past go away.

One month before the last election, the Prime Minister knew that the sponsorship program was synonymous with inflated invoices, unjustified commissions, and mismanaged public money. He knew, and he did nothing to go after the friends of the party who were benefiting hugely from the system introduced by his government.

Will the Prime Minister admit that the most elementary rule of ethics is to denounce the worst abuses and shed light on the irregularities, not condone them?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, at the request of the opposition, we asked the auditor general to look into all these cases. A certain number of them were referred to the police by the auditor general and a few others by the department.

That was what the opposition requested and it is what we are now doing. When the then minister received the report in 2000, he immediately imposed new rules to ensure that what he had observed would not recur.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, he referred them to the RCMP after the election. During the election, everything was fine.

Once the election campaign was over, the Prime Minister still did not want to see that it was in the public interest to clean up the past.

Since he is now singing the virtues of ethics, could the Prime Minister explain to us why, after the election, he decided to appoint the same minister, rather than clean house, why he kept the same sponsorship program, and the same flawed system at public works, when he knew exactly what was going on? He covered it up.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, in October 2000, the minister changed the administrative practices in order to ensure that the abuses which had taken place in previous years did not recur.

He acted immediately. All this was made public within two weeks of our being informed. Journalists were already writing about it in October 2000, following the release of the report.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Prime Minister's defence certainly does not hold up to scrutiny, because most of the scandals we have revealed took place after he was aware of the facts.

If the minister has changed the rules, it made no difference. Things continued along their same merry way. That is the reality.

Can the Prime Minister deny that his government's reflex has been not to put an end to the abuse, but rather to call his little buddies together and tell them "Let's take it easy here. There is a problem. It must not get out into the open. We will get a communication strategy and then everything will be fine"? That is the reality.

[*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, what the internal audit suggested was that changes needed to be made to comply with treasury board procedures, that there needed to be processes and controls over granting and management of sponsorships to ensure due diligence, and that there needed to be the implementation of management controls to ensure sponsorship amounts are consistently determined.

Those were the findings of the internal audit. It is upon that internal audit that the department began to act in the year 2000, through 2001. We did further investigation in the spring of this year to confirm that the action had been taken.

● (1425)

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, will the Prime Minister admit that far more than a lack of ethics is revealed by his behaviour in this affair, and that of his government?

Sweeping the scandal under the rug before the general election, so that the public would not know about it, is not a matter of ethics, but a matter of political morality.

[*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, again I would note that the matter appeared on the Internet on October 11, 2000, and details were published in the *Globe and Mail*, on page A3 to be exact, on October 12, 2000.

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URBAN AFFAIRS

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, at the recent convention of the Federation of Canadian Municipalities, the former finance minister promised Canadian cities a new deal. He said "I recognize that it is a plain fact that municipalities have inadequate revenue sources as things stand".

The current Minister of Finance said forget it to cities. Just a few days ago he said he is not prepared to share any federal tax revenues whatsoever with cities.

I want to ask the Prime Minister, who is it who speaks for the Government of Canada on this important issue of Canadian cities, the former finance minister or the current finance minister?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Minister of Finance.

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, we know that the federal government collects over $4 billion in gas taxes alone, $700 million in British Columbia alone, and not a penny goes back to the respective city jurisdictions.

I want to ask the Prime Minister once again. The big city mayors have just requested that they be permitted to participate at the upcoming first ministers meeting of the Prime Minister and provincial and territorial first ministers. Is the Prime Minister prepared to support this request? Will he allow the cities to be represented, to hear their important concerns about transit, homelessness and infrastructure and a share of tax revenues?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the municipalities have occasion to deal directly with some of the ministers on infrastructure, housing, homelessness and so on, but it is a fact of life that the Constitution of Canada dictates very clearly that the municipalities are under the responsibility of the provincial governments. I think that it is for the federal government to respect the Constitution of Canada in that matter, as we have done in the past and as we intend to do in the future.

* * *

ETHICS

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, the Prime Minister promises new ethical standards today but that did not stop him yesterday. On the very eve of unveiling his ethics package, the Prime Minister hosted a garden party for wealthy Liberal Party donors at 24 Sussex Drive.

Article 10 of the Official Residences Act states:

> Moneys appropriated by Parliament for the operation of the Prime Minister's residence may be used...for defraying...costs of official hospitality provided by the Prime Minister.

24 Sussex Drive belongs to the Canadian people, not to the Liberal Party. How can the Prime Minister defend using 24 Sussex Drive as a prop and a lure for a Liberal fundraising event?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, yesterday's expenditures were paid by the Liberal Party of Canada.

I want to say that for years and years it was common for Prime Minister Mulroney to have dozens and dozens of people visiting every week. It was very well-known.

One of the complaints I have received is that I do not receive people from the business community at 24 Sussex often enough.

[*Translation*]

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, things like the Coffin or Polygone affair are no surprise when the Prime Minister is regularly breaking the rules.

Yesterday we learned that the Prime Minister put a government Challenger airplane at the disposal of Mr. Desmarais for a trip to Florida on Christmas Day 2001. Mr. Desmarais was the only passenger on the Challenger for the last part of the flight. The Challenger is not a taxi for the friends and family of the Prime Minister.

Did Mr. Desmarais repay the cost of this trip? If so, will the Prime Minister—

● (1430)

The Speaker: The right hon. Prime Minister.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the leader of the party way off in the corner has his facts completely wrong.

My grandson travelled with me, and paid for his ticket, as he always does. The plane arrived at one airport and he and I got off.

It is about the same as the plane going from Toronto to Buttonville and then staying there for a few days. My grandson was not in it. It was a matter of security, because keeping the PM's plane at Vero Beach was not recommended.

Why keep trying to sully people's reputations? A—

The Speaker: The hon. member for Medicine Hat.

* * *

[*English*]

HUMAN RESOURCES DEVELOPMENT

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, remember the Shawinigan shakedown? Well, after two years of stonewalling, human resources has finally coughed up an audit of shady job grants given to cronies of the Prime Minister. The audit claims:

> There may be a web of interacting individuals and companies...created largely to fraudulently benefit from HRDC job creation grants.

How could these shady grants end up in the pockets of the Prime Minister's cronies in the Prime Minister's riding without the Prime Minister knowing all about them?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, let us be clear here. The hon. member is quoting from a forensic audit that was commissioned by my department. As a result of that forensic audit, the files to which he refers were sent to the RCMP for its review.

I can tell the hon. member that two of the files have been completely reviewed by the RCMP and no charges have been laid. There is a third file that is still there and, as such, I am unable to comment on it.

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, the problem is that the Prime Minister did know all about this.

On the one hand, we have the auditors saying that some companies were set up largely to defraud the government and, on the other hand, we have the Prime Minister going to bat for those same companies, companies with which he is associated, which are in his campaign literature and which were supporters of his campaign.

Why does the Prime Minister not just admit that the problem is not a misguided government program or even sloppy public servants, the problem is the ethics of the Prime Minister?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, why can the hon. member not accept and congratulate the government for taking appropriate action?

We commissioned the forensic audit. We sent the files to the RCMP. The RCMP has done its job and in two files have reported there was nothing untoward. It is still reviewing a third file. That is the way we act. That is the way we always presume to provide good government to the Canadian people.

[*Translation*]

GOVERNMENT CONTRACTS

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, in the matter of the sponsorship scandal, a number of government ministers have stood in the House to assure us that all of the treasury board rules were followed.

Will the Prime Minister admit that when his ministers solemnly stated that all of the rules had been followed—despite the fact that for two years they all knew, including the Prime Minister himself, that this was not the case—they were showing their disdain for the House and for Canadians, and that this makes them guilty of much more than a lack of ethics?

[*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, it was the Department of Public Works and Government Services itself that launched the internal audit in the year 2000. That audit determined that there were certain treasury board procedures that had not been complied with. Immediately upon conclusion of the audit the department put together the implementation plan to make sure that in future treasury board procedures would be complied with completely.

[*Translation*]

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, all of the government spokespersons tried to keep the sponsorship affair from becoming public knowledge by claiming that everything was done in accordance with the rules, and the Prime Minister justified it by saying that it was good for Canada.

My question for the Prime Minister is the following: Is the first rule of ethics for a government member or for the Prime Minister not to set the record straight to the House, instead of trying to hide the facts?

● (1435)

[*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, transparency is important and that is why the internal audit was posted on the Internet in October 2000. Further transparency occurred with the detailed publication the day after in the *Globe and Mail*, followed by the implementation plan to act on the auditor's recommendations. This was followed by verification in the spring of this year to make sure that the work had in fact been done.

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HUMAN RESOURCES DEVELOPMENT

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, I want to go back to this latest Shawinigan shakedown for which the RCMP was called in.

The Prime Minister's Office intervened three times to pressure bureaucrats to grant $223,000 to Les Confections St-Élie in the Prime Minister's riding. It promised to create jobs but it actually lost 20 jobs.

Why did the Prime Minister intervene and break the rules?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, let me be clear. These are very old files upon which I answered questions numerous times in the House. In the case that has been brought forward, we did a forensic audit. The forensic audit suggested that we should send the files to the RCMP. The RCMP has reviewed the files and I have indicated the results today.

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, it is interesting that the files are still active.

Les Confections St-Élie supported the Prime Minister's election campaign. This company was on his 1997 election brochure. Was his intervention because his pride was at stake for a company that had supported his election campaign? Is that not why he intervened on its behalf?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, absolutely not. I would ask the hon. member to look at the process here. These questions have been asked on a number of occasions and fully explained.

The department itself requested a forensic audit to get into all the details associated with these files. The RCMP were called in and has done its job and continues to do its job. Surely this is the approach the hon. member would expect from the government.

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[*Translation*]

GOVERNMENT CONTRACTS

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, the Prime Minister can try as he will to distract us from the sponsorship issue by introducing a new code of ethics, but he cannot do anything about the many scandals plaguing his government, which even the Deputy Prime Minister refuses to defend.

Will the Prime Minister admit that ethics rules are irrelevant if people spend most of their time trying to circumvent them, as is the case with the Prime Minister and his ministers in the sponsorship affair?

[*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, in response to difficulties in the sponsorship program, the department of public works took the initiative itself to launch an internal audit. I would remind the hon. member that the auditor general, in commenting upon the internal audit section of Public Works and Government Services Canada, called that internal audit section excellent, courageous and having done a critical piece of work to get to the bottom of what was wrong.

[*Translation*]

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, ethics rules existed, and despite this, millions of dollars were shamelessly misappropriated in the sponsorship affair.

The Prime Minister can try as he will to divert our attention with new ethics rules to clean up his act and that of his ministers, but he cannot erase the past.

Does he not understand that a true public inquiry is needed, and that this is the only acceptable way for him to respond to the scandals that are plaguing his government?

[*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, in responding properly to the situation, beyond the internal audit work that was done, I would remind the House that a departmental review is underway. The auditor general will be commencing a government wide examination of sponsorships and advertising. The police are notified whenever suspicious circumstances occur. The treasury board is examining the governance and management frameworks for sponsorship, advertising and polling, and of course the public accounts committee is holding hearings.

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HUMAN RESOURCES DEVELOPMENT

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, it appears that Les Confections St-Élie inc., a business in the Prime Minister's riding of course, received a lot of help from the Prime Minister. It received a $900,000 BDC loan, $285,000 in job creation grants and $165,000 from another company's grant all the while owing over $330,000 in back taxes. The company went bankrupt 18 months later.

How can the Prime Minister defend throwing all this corporate welfare at a failed company, which he knew would fail, just because it was in his own riding? How can the Prime Minister be so irresponsible with taxpayers' dollars?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I want to again point out to the hon. gentleman that the government undertook to review these files completely. We commissioned a forensic audit and the results of that audit suggested that the files should be referred to the RCMP. That referral was done.

The RCMP are continuing their investigations on one of the files so it is inappropriate to talk about those further. I also want to remind the hon. member that those transitional job funds required the support of many partners to be funded in the longer term.

● (1440)

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, here is a review of the facts. The Prime Minister intervened three times to help a Liberal supporter in his riding get a grant against the rules. Over $1 million was lost. A detailed audit of the company brought on an RCMP investigation. Although the auditors said that a web of companies was created to defraud Canadians of their money, no charges were ever laid.

Why did the government fail to protect taxpayers by not finding the criminals? Was it simply trying to protect the Prime Minister at the expense of Canadian taxpayers?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the best I can do is try to go through this yet again.

There were questions on these files. We requested a forensic audit on these files. We referred the files to the RCMP. The RCMP came back in two cases and said that no charges would be laid.

The third file, the one to which the hon. member made reference, is still open with the RCMP. It is there with the organization that should be looking at these questions.

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HEALTH CARE

Ms. Liza Frulla (Verdun—Saint-Henri—Saint-Paul—Pointe Saint-Charles, Lib.): Mr. Speaker, let us talk about the number one priority of all Canadians, the health care system.

[*Translation*]

We know how the shortage of doctors is affecting the health system all across Canada, particularly in remote areas.

[*English*]

Obviously members opposite do not care.

[*Translation*]

Could the Minister of Citizenship and Immigration tell us what new measures were taken by the government to speed up the immigration process of new doctors who want to practice in Canada?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, first I want to congratulate the hon. member on her first question, a very eloquent one, in the House.

Just this morning, with the support of the Standing Committee on Citizenship and Immigration, we tabled the new rules that will pave the way for a new immigration system that will work flawlessly.

That being said, there is still a lot of work to do. This is why I am pleased to announce to the hon. members of this House that the first federal-provincial-territorial conference on immigration will be held on October 15 and 16, in Winnipeg. We will then deal with the issue of equivalency, so as to solve this problem.

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[*English*]

THE ENVIRONMENT

Mr. Joe Comartin (Windsor—St. Clair, NDP): Mr. Speaker, when the G-8 foreign ministers meet in Whistler tomorrow they will discuss a U.S. proposal to fund a plutonium disposition program. The proposal to pursue the so-called MOX option is unsafe for the environment, extremely costly and could increase the potential of plutonium falling into the hands of terrorists.

In light of the real threat of nuclear terrorist attacks, as demonstrated by recent events in the U.S., will the Prime Minister assure all Canadians that he will oppose the MOX option and ensure that any option that is adopted is subjected to a full environmental review and brought before the appropriate parliamentary committees?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, this is an extremely important problem. We have to ensure that nuclear waste is not circulated across the world. Any positive contribution Canada could make would be very good for the security of the Canadian people and very good for the protection of the environment.

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STEEL INDUSTRY

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, the government's inability to negotiate fair trade deals and respond to American tariffs continues to punish Canadian industry. Last March the U.S. president slapped tariffs of up to 30% on steel imports to protect its industry.

My question is for the Minister for International Trade. Why does the government not listen to our steelworkers, take safeguard actions against dumping, including retroactive penalties,and support Canadian industry and jobs for a change?

● (1445)

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, this government, after consultation with the industry, has done exactly what it has asked us to do. We are going to the Canadian International Trade Tribunal. The CITT that will determine whether there is dumping in Canada at this moment.

We have been working with the unions. We have been working with industry. We are working to ensure that Canada does not become a dumping ground in light of the American action.

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GOVERNMENT CONTRACTS

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, their faces should be as red as this folder. For two days now the public works minister has vowed to try to get back the $333,000 of taxpayer money to the treasury. This is money that was sent to sponsor a Quebec City hunting and fishing show that never occurred.

How is he going to do it? How is he going to get that money back; the courts, a collection agency or a collect phone call? Has the minister's department even contacted Groupe Polygone, the firm that received the money? Could he now assure Canadians that their hard earned tax dollars will be reimbursed with interest?

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 given instructions to my department to pursue the repayment of these funds by all means possible. It will do that. If it can be recovered through a simple request, fine. If not, we will consider all our options to ensure that the money is repaid.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, this should not be a difficult exercise. It is very simple. He should pick up the phone and call the person who received the money. He should call his friends and ask for the money back.

Will the minister of public works do that immediately? Could he tell the House if his department has found any other contracts in which government cheques were written for nothing in return? Money for nothing; money for nothing.

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 given the instructions to my officials to pursue this matter. I expect them to do that. If they need my intervention personally, I would be happy to assist them to ensure that the taxpayers are made whole.

With respect to the question of other issues related to value for money, as the hon. gentleman knows, that will be exactly the topic that will be inquired into by the auditor general. To the best of my knowledge at this moment, there are no other instances. However the auditor general herself has said she wishes to do a government-wide audit and she will.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, the minister of public works needs to come clean with Canadians. Yesterday he stonewalled in the House, then paraded outside giving a completely different answer than what he did in the House.

Would he clearly, and without his rehearsed lawyerly responses, tell the House how many matters he has referred to the RCMP?

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, references to the police are not the same as police investigations. The police themselves determine what they will investigate and no government should tell them where to go in their investigations. I do not want to interfere with the police in that process.

When I am asked a specific question about a specific file, in the interests of transparency, I give a very direct answer. I am aware of no other police references other than those that have been mentioned publicly.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, the public works minister is doing more damage control and not giving Canadians the transparency that he promised he would.

Could the minister explain why telling us the number of referrals that he has made to the RCMP could possibly compromise or jeopardize any ongoing or potential investigation?

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, for the simple reason that when I comment on a particular reference, obviously the matter is put in the public domain and may in fact tip off those who the police wish to investigate.

[*Translation*]

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, in June 1994, the Prime Minister said:

> The trust in institutions is as vital to a democracy as the air we breathe, a trust that once shattered, is difficult, almost impossible to rebuild.

By not allowing a public debate on the whole issue of sponsorship just before the election campaign, is the Prime Minister not the one who will have done the most to undermine public trust in our political institutions?

[*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, quite to the contrary. The matter was not removed from the public arena. The fact that there was an internal audit was disclosed. It was put on the Internet and was published in the *Globe and Mail*. That is hardly removing something from the public arena. It is putting something into the public arena.

● (1450)

[*Translation*]

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, if the Prime Minister is doing everything he can to avoid a public inquiry, is it not because he knows that he is the one who would be at the centre of this inquiry, since he has known for two years and he tried to cover up the whole thing?

[*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, at this stage all the appropriate inquiries are in fact being made. My department is reviewing all those files between 1997 and the year 2000. The auditor general will be conducting a value for money audit which will carry her through all the advertising and sponsorship issues in the government.

Where there are concerns that raise legal issues, they are referred to the police. The treasury board is examining the management framework and governance structures and the public accounts committee is conducting a public hearing.

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Mr. Speaker, VIA Rail's sponsorship of a hockey documentary and $100,000 in commissions will be referred to the RCMP. Last week in the House we asked about the government spending more than $4 million for ads on CBC's Nagano Olympics broadcast. It paid two of these infamous ad companies more than $600,000 to deliver that cheque.

Will the minister add the $600,000 gift to his list of sponsorships greatest scams and refer that to the police as well.

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 on the file with respect to the CBC and the Nagano games that would reveal at this stage any form of wrongdoing. The issue may be value for money and that will be the subject of the audit to be conducted by the auditor general.

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Mr. Speaker, it really is unfortunate we have to be bring these issues of self-indulgence, corruption and integrity into the House.

The minister has mused about eliminating the use of agencies or government ad placements from time to time. If that happens, will he try to convince us that idea is cheaper and more efficient or will he simply admit that it is only because he got caught in the House with severe problems with the government's integrity and inability to handle money?

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 believe it was on the first or second day that I was in this portfolio when I said that it would be my expectation and ambition to deliver a program like sponsorships without the intervention of external agencies.

* * *

TRANSPORTATION

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, my question is for the Minister of Transport. I understand that under the Canada port state control inspection program, Transport Canada is responsible for the inspectors that board and check ships in Canadian ports. The program was implemented to ensure that standards of operation were met by commercial vessels and, where necessary, take action against operators who fell short of these requirements. Is the program meeting its mandate and, if so, how?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, this is a very important question and I am glad the hon. member asked it. It is very important for the citizens of Atlantic, especially British Columbia.

Transport Canada has been extremely diligent with enforcing the port state control program to eradicate substandard shipping. In fact last year we detained 92 vessels where we had enough evidence to warrant detention.

This substandard shipping is a threat not only to the marine environment but to the economy as well and to crew members. That is why we are committed to working with other nations to improve port state control. We are the only member of the Tokyo and Paris MOUs on port state control. Canada gives leadership in this field.

Oral Questions

CANADIAN WHEAT BOARD

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, this morning the all party House of Commons agriculture committee, including its Liberal members, made a recommendation to allow a free market for wheat and barley producers. This would give all Canadian farmers the same opportunities.

Will the minister responsible stand in his place today and commit to implementing this recommendation immediately?

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, obviously I will be very anxious to read the record from today's discussion and take into account the very valuable recommendations that are made by parliamentarians. I will also want to know what the duly elected farmers on the Canadian Wheat Board think about the matter.

● (1455)

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, that is another way to get around it. Recommendation 14 in this report says that farmers need this for additional on farm activities and for local value added processing.

In not accepting this recommendation, does the minister realize he is responsible for exporting jobs and development from rural western Canada? He is responsible for stifling farm innovation and depressing farm incomes.

Will the minister agree with his own colleagues in the Liberal Party and give wheat and barley farmers the freedom to market and process their own grains?

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 not rejected the recommendation because I have not received it yet. I said in my earlier answer that I will very carefully consider what members of the House of Commons had to say.

According to legislation passed by the House, I am also obliged by law to consult with farmers. I think the opinions of farmers are just as important as the opinions of politicians.

* * *

[*Translation*]

IMMIGRATION

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, today the Minister of Citizenship and Immigration tabled the regulations to the Immigration and Refugee Protection Act, but by not setting up a refugee appeal section, he is still refusing to implement the act in its entirety. The minister is obviously alone on this one.

Does the fact that there are only three industrialized nations, including Canada, with no refugee appeal section not show the minister that tabling his regulations is not nearly enough and that, until an appeal section is created, refugees will be deprived of their rights?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, on the contrary, I never said that I rejected the idea of an appeal. It is a matter of implementation and effectiveness. The primary goal of this system is that it work.

I think that refugees have rights. Not only do they now have recourse to appeal mechanisms but, according to the United Nations, Canada's refugee protection system is even one of the best in the world. So let us be careful about the wording of questions.

* * *

PUBLIC SERVICE EMPLOYEES

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, my question is for the President of the Treasury Board.

During this tenth National Public Service Week, Canadians are proudly celebrating the excellent work being done by federal public servants.

What is the government doing to recognize the important contribution made by federal public servants to Canadian society?

Hon. Lucienne Robillard (President of the Treasury Board, Lib.): Mr. Speaker, in 1992, parliament passed a bill on National Public Service Week sponsored by our colleague, the member for Ottawa West—Nepean.

Every year since, Canadians have celebrated National Public Service Week. This is an opportunity to thank our employees and pay tribute to their professionalism, their dedication and their sense of duty.

[*English*]

We have one of the best public services in the world and I encourage members of parliament to celebrate this week.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, Michel Béliveau is a vice president of the Liberal Party of Canada and quite adept at getting tax dollars for companies in the Prime Minister's riding. He netted $1.2 million for Placeteco from the transitional jobs fund and big bucks from CIDA for Transelec, all in the Prime Minister's riding. He somehow pried the jobs fund money out of the government after his application was rejected.

Is this not more proof that the government is only interested in rewarding its friends than serving the public interest?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, with regard to Placeteco, the hon. member should know that the RCMP investigation was completed and I underline that no charges were laid.

When it comes to the transitional jobs fund, I also remind the hon. member that a number of community interests supported the investment because it was the right thing to do in an area of high unemployment.

The hon. member might also be interested to know that 47 people are still working at this company and that is good news for the region.

* * *

[*Translation*]

WHARF MAINTENANCE

Mr. Gérard Asselin (Charlevoix, BQ): Mr. Speaker, citizens from Trois-Pistoles recently asked the Minister of Transport to put an end to the situation that resulted in the 2002 ferry season of the Compagnie de navigation des Basques being suspended because of the irresponsibility of the federal government, which let the wharfs deteriorate over the past five years.

Will the Minister of Transport announce today that the 2002 season will be saved and that the wharfs at Trois-Pistoles and Les Escoumins will be repaired?

● (1500)

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, safety is the priority for Transport Canada. I regret to inform the hon. member that the facility he referred to is not safe.

It is my duty and that of my officials to ensure the safety of all ferry passengers. We realize this is a very difficult situation for the local people, particularly the workers.

* * *

[*English*]

IMMIGRATION

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, the government claims to be interested in competing for immigrants and making Canada an attractive destination of choice yet it sends the opposite message by making new immigration rules retroactive.

Why did the minister ignore the voices of Canadians, including members of his own backbench, and keep a policy which is inherently unfair? How can the minister justify telling immigrants who applied in good faith that the rules have suddenly changed in midstream and they are no longer welcome?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the member of parliament is wrong. Not only did I agree with the recommendation of the committee by postponing it an extra three months, but we showed clearly not only that the new system is flexible but it is also based on fairness. I reject that question.

POINTS OF ORDER

[*English*]

TABLING OF DOCUMENTS

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I rise on a point of order. I have the honour to table in both official languages, three documents entitled "A Guide for Ministers and Secretaries of State"; "The Ministry and Activities for Personal Political Purposes—Guidelines"; and "The Ministry and Crown Corporations—Guidelines".

ORAL QUESTION PERIOD

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, with respect to truth and ethics, the Prime Minister, in response to a question from the right hon. member for Calgary Centre, referred to the fact that former prime minister Brian Mulroney had many, many fundraisers at 24 Sussex. This obviously is blatantly untrue and misleading. I would invite the Prime Minister to withdraw the remarks or to offer some proof in the House. There were two: one for AIDS and one for CF.

The Speaker: This sounds a lot like a point of debate rather than a point of order. I am sure the hon. member for Pictou—Antigonish—Guysborough will look forward to a debate on the subject at some point but it does not strike me that he has raised a point of order at this time. Accordingly, I think we will let the matter go at this point.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, are we to interpret from your ruling that the Prime Minister of Canada is then free to state untruths on the floor of the House without being held to account?

The Speaker: The right hon. member for Calgary Centre is an experienced parliamentarian and knows that opinions on facts differ. What may be true to one side may seem less than true to another and vice versa because different people look at facts with a different point of view. Oodles of parties to one person might be fewer to someone else.

It is hard for the Chair to adjudicate on this kind of matter. Accordingly while I have no doubt that the hon. member for Pictou—Antigonish—Guysborough in raising the issue has a disagreement with the Prime Minister, that was my point: there is a disagreement. How many parties there were was not stated so I cannot make a decision that the statement is accurate or inaccurate. While the hon. member for Pictou—Antigonish—Guysborough might be perfectly correct in stating that there were two, how can the Chair possibly adjudicate in this kind of dispute when there was no statement as to how many there were from the other side?

The Chair is left in a position that is incapable of resolution and that is why I said this was a point of debate and not a point of order. It is not a matter of interpretation of a rule. It is a matter of interpretation of a set of facts which is in dispute. The Chair is stuck and I think the hon. member for Pictou—Antigonish—Guysborough and the right hon. member for Calgary Centre who have a lot of experience in these matters would appreciate, understand and assist the Chair fully.

* * *

● (1505)

PRIVILEGE

PUBLIC WORKS AND GOVERNMENT SERVICES

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, I rise under Standing Order 48 to bring to the attention of the House a situation that is impeding my work as a member of parliament and the work of other members of parliament as well.

Privilege

On the evening of June 4, as you will recall, Mr. Speaker, we were convened as a committee of the whole to examine the estimates and priorities and planning for the Department of Public Works and Government Services.

With all due respect to the minister who never hesitated that evening to remind us that he was only nine days into his new portfolio, he nevertheless made a number of promises to provide members with information relating to questions on the estimates that had been raised that evening and that have been raised in question period since. I would like to reiterate the questions which have gone unanswered over the past week.

The Communications Canada organization states that it is headed by an executive director reporting to a cabinet committee. On June 4 I asked who chairs the committee, is the minister on the committee and who else in cabinet sits on that particular committee. In response the minister admitted that he chaired the cabinet communications committee but he also said he could provide to the committee of the whole later on that same evening the membership of the committee.

After a week we have received nothing. I do not think the minister made those promises lightly. After all, he is open and accountable.

In order for us to understand the process that was involved in signing and tendering contracts, we have to know all the players who oversaw the process. Therefore we need to know who are the members of that committee.

We assume that Mr. Gagliano chaired the cabinet committee in 2002 and prior when many suspect contracts were approved, but is he exclusively to blame or were there other cabinet ministers on that committee as well and who are they?

Again on the evening of June 4 I asked the minister to break down the dollar value of contracts that had passed through the process before he arrived to conduct the review. Two hundred of them had snuck through. They are in the pipeline and are supposedly beyond the reach of further scrutiny.

I asked him of the $18 million value he said those 200 contracts were worth that had gone through, how much had gone to Groupaction, Groupe Everest, Lafleur and other companies that were on their preferential list. The minister said:

> Perhaps it would be acceptable to the hon. member if I filed it with the committee in writing rather than taking the time to read through all the statistics.

He later added:

> Later on this evening, I will advise exactly when, Mr. Chairman, in just a few moments.

Those are his words. We have not seen this to this day. We have yet to receive that information.

The member for St. Albert asked if we could get a regional breakdown on a province by province basis of the $200 million spent on government advertising on those contracts. The minister told us that he would "provide the best breakdown I can as soon as possible".

That evening the minister said he was interested in creating a more equitable distribution of this questionable program across the country but apparently he does not know what the distribution is now. He has had a week to look into it. He knows these questions were on the list that night.

The member for Edmonton Centre-East asked for details concerning the acquisition of Challenger aircraft. He asked when did the preliminary project review go to cabinet to be reviewed before it was taken out to industry for quotations let alone before it was being ordered. The minister said "I will see if I can find him further information". Another week has gone by, the order is in process, but we have heard nothing.

Many other questions remain from all opposition parties. I would be glad to provide the minister with a list but I am sure his own minions are capable of going through the manuscript.

In Erskine May, 22nd edition, at page 63, under "Ministerial Accountability to Parliament", the reference includes the following:

> —ministers have a duty to Parliament to account, and be held to account, for the policies, decisions and actions of their departments...; ministers should be as open as possible with Parliament—

Under committee of the whole, Mr. Speaker, that is parliament:

> —refusing to provide information only when disclosure would not be in the public interest,—

None of those issues would be outside of that public interest.

Accounting for the expenditure of taxpayers' money is of course the public interest. That is what we are trying to do here and what we were trying to do in committee of the whole for five hours.

Preventing embarrassment to the governing party as many recent disclosures are doing by withholding information—that is not being transparent— or delaying disclosure—that is not being accountable—or hoping the opposition will go away does not serve the public interest.

Mr. Speaker, if you find this to be a prima facie question of privilege, I am prepared to move the appropriate motion.

● (1510)

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 commend the member for his enthusiasm. He is obviously trying to apply the rules with respect to privilege to an issue that he calls a point of order. The matter is rather all fouled up procedurally.

I would like to respond to the substance of his point. Earlier today he asked a question having to do with references to police authorities. It was followed up by a question from the member for Crowfoot. For the information of the House and to ensure that the hon. member heard the subsequent answer let me repeat for the record that I am aware of no other police references other than those that have already been commented on in the public domain. I want to be clear about that matter and to contribute to this discussion in the interests of transparency.

With respect to the questions that were asked a week ago tonight in committee of the whole on the estimates of the Department of Public Works and Government Services, my officials with me that evening were taking careful note of the various questions that were asked. Some of them, like the membership of the communications committee, are relatively straightforward matters. Others require a fair bit of research in order to provide the kind of accuracy and precision that the hon. member has requested. I can assure him that I have asked my officials to proceed through the full list of questions as rapidly as possible to provide the information to the hon. member and to all members of the House at the earliest possible date.

I am committed to transparency in this matter, as in all of my responsibilities in the House of Commons, and will try to provide complete answers to all of the questions that were asked a week ago tonight just as rapidly as I possibly can.

The Speaker: In the circumstances the Chair will take the matter under advisement and get back to the House if and when it is necessary to do so.

The minister has given certain undertakings and I am sure if they are not fulfilled in a timely way we will hear about it more. We will make a decision if necessary, but I am sure the diligence of the hon. members for Battlefords—Lloydminster and Crowfoot will ensure the Chair hears everything necessary on the subject and so will the Minister of Public Works and Government Services. His diligence of course is well known so I expect we will have a flurry of paper and perhaps argument. Who knows? Time will tell. The Chair will review the matter with care.

GOVERNMENT ORDERS

[*Translation*]

SPECIES AT RISK ACT

The House resumed consideration of the motion that Bill C-5, An Act respecting the protection of wildlife species at risk in Canada, be read the third time and passed, and of the amendment.

The Speaker: Before question period, the hon. member for Lac-Saint-Louis had four minutes left to conclude his remarks.

Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.): Mr. Speaker, when I was interrupted for question period, I had a few minutes left to conclude my presentation. I would like to discuss the current situation of our planet.

[*English*]

Indeed our planet today is shrinking. The forests of the Amazon are disappearing daily while fires are raging. There are clear-cuts with the encroachment of farms and human activity. The jungles of Asia, once the habitat of wildlife of immense diversity, are also shrinking and disappearing. I mentioned earlier in my speech how the Indian tiger is almost a relic of history due to encroachment of human activity.

Our forests worldwide are disappearing to the tune of 25 million acres a year. Desertification is occurring at a pace of 15 million acres a year. The deserts in Africa, Asia and South America are gaining ground. Even on our own North American continent in the United States southwest lands are drying up. Recently in Saskatchewan and Alberta we have had droughts and land that is becoming more and more attacked by global warming. In Canada alone 10 million hectares of forests have been clear-cut over the last decade.

All this means that the more we encroach on nature, the more wildlife disappears. This is the object of the bill, to decide choices. Do we want nature to be obliterated so that eventually human habitat, tar and gravel, roads and transportation, and more pollution takes place or do we want to preserve habitats, ecosystems that sustain living species and wildlife which are part of what we mean by quality of life?

The question we should conclude this debate with about endangered species is: What would be our planet without the wildlife species and the habitats and ecosystems that sustain their living? I believe it would be a poorer Earth. I believe that the human beings who inhabit this Earth would be the poorer for their absence.

I know that the endangered species bill is not the acme of all legislation. It has its faults. It is not as strong as many of us would wish. At the same time I suggest that it is a definite step forward. That is why yesterday I was pleased to vote for it and I will do so again today at third reading.

● (1515)

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, I felt I had to jump to my feet to make some comment and ask the member a question.

The member knows that I have a high regard for him personally, but I must say that on the basis of what he just said, I have less of a regard for his understanding of what is going on in Canada. I will not comment on what may or may not be happening outside of the Canadian jurisdiction but I will comment on what is happening in Canada.

Canada's forests are growing annually. In British Columbia, for every tree that is harvested two are planted. In my constituency, which is in the Canadian Rockies where there is the finest big game hunting in North America, the people who are most concerned about the entire issue of species, the maintenance of species and enhancement are the people, my constituents, who are members of rod and gun clubs and other organizations like that, who go out and create a better habitat.

With the greatest respect for the member I suggest that it is the kind of misinformation that he has given to the House that drives people in urban areas to not understand what is going on in my constituency and in other rural constituencies.

We have a growing population of grizzly in my constituency. Yet I dare say that the member or other people like him would say that it is an endangered species so therefore we are not managing it right. In fact, it is a direct result of sound forest practices, which include clear-cut logging, that has opened up the forage for large mammals like the grizzly, elk, caribou and moose. That is why they are thriving.

On what basis is the member coming forward with the information he is giving to the House, which I know incontrovertibly as a member of the community of Kootenay—Columbia is factually inaccurate? It cannot be shown to be true on the ground.

● (1520)

Mr. Clifford Lincoln: Mr. Speaker, I never spoke about Kootenay—Columbia as such. I spoke about Canada and the clear-cutting of 10 million hectares that has been going on for over 10 years.

The member might think that because I live in an urban area I do not know what goes on in the country. I have seen clear-cuts for myself. I worked for several years with the Algonquins of Barriere Lake. I will take the member to Laverendrye Park in Quebec and show him the huge clear-cuts that have happened there. Aboriginal people have had to block roads to stop the tremendous devastation of their land and over-cutting of their forestry. Perhaps the member has also forgotten how many people lay on the ground before fallow bunches and so forth to preserve the old growth forests in Clayoquot Sound and other places in British Columbia.

I used to live in British Columbia and I have seen hills being clear-cut. I know there are some areas where old trees have been cut by forestry companies.

There are many examples of huge clear-cuts of our land. If the member is interested I can show him an aerial photograph of Vancouver Island that my colleague from Davenport has which shows a tremendous change in the landscape as a result of the disappearing forests. I know that forestry companies say more trees are planted than are cut. I hope so but I have seen many clear-cuts as well. I have read what is going on. Yes, perhaps there are areas where moose and grizzly bears are thriving.

When I was parliamentary secretary for the minister of the environment one of the studies we did was on the disappearance of grizzly bears in Banff national park. We wanted to open up corridors so grizzlies would be preserved there. We wanted to preserve their habitat because of the encroachment of ski hills and human habitation.

To say that everything is wonderful in Canada is just closing our eyes to reality. If it is so wonderful and all our habitats are preserved, why then do we need endangered species legislation at the federal and provincial levels? Some 1,000 scientists, including 113 members of the royal society are asking us to preserve the habitats because there are too many endangered species, something like over 300 of them. If it were such a paradise, this would not happen. We should open our eyes to reality and do better. This is why I am pleased that this law is happening.

[*Translation*]

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, I am happy to rise today to speak to Bill C-5, the Species at Risk Act.

I also spoke at first reading stage. Let me begin by saying that this legislation is but a drop of water in the ocean. And I am not playing on words, because I am a member of the Standing Committee on Fisheries and Oceans.

Bill C-5 involves more specifically three departments: Heritage Canada, Fisheries and Oceans Canada and Environment Canada.

That bill is only a drop in the ocean because we must realize what the situation is right now. For example, we must recognize that greenhouse gas could bring about some serious disasters in various regions of our planet. Even if we want to create areas where we could protect species at risk, a much wider and serious problem will remain.

We should consider, among other things, the adoption of the Kyoto protocol, which the Department of the Environment and the Canadian government are still reluctant to ratify. We could also consider acid rain, which have a very major impact on our environment and could, in several areas, put our wildlife and some wildlife species at risk.

At present, with Bill C-5, the government is acting much like someone who, because his roof is leaking, is running around trying to find pots and pans to catch the leaks. The first thing we have to do is to ratify the Kyoto protocol and reduce greenhouse gases. An increase of only one or two degrees in the global temperature is enough to put thousands of species at risk and ultimately thousands of animal and plant species at risk. Whole habitats could be destroyed by a global warming of only one or two degrees. This is a very important aspect.

This is why it is vital to ratify the Kyoto protocol and even to improve it. At present, we face a very serious situation. We know that global warming produces disturbances and can cause major disasters.

Besides, the Canadian government seems really weak when it comes to negotiating with our neighbours to the south, who are the main source of greenhouse gases. These airborne gases cause acid rain. As we know, all regions in our country, especially the east, are in the path of the winds blowing from the United States. The Americans are sending us their pollution. Recently, the U.S. government announced that it intended to continue to use fossil fuels, including coal, which is one of the main sources of pollution and the biggest cause of acid rain.

Acid rain has a major impact on the environment, on trees, plants and endangered species. Ultimately, acid rain gets into the rivers and the oceans and destroys the environment. Greenhouse gases may even cause some species to disappear and threaten ecosystems on a global scale.

As my colleague from Lac-Saint-Louis said earlier, we must have a look at what is going on on a global scale to realize that very little has been done to protect the environment. The Department of the Environment has a major responsibility to help find a way to deal with endangered species.

Being a member of the Standing Committee on Fisheries and Oceans and knowing that the Department of Fisheries and Oceans has and will have a huge responsibility with regard to species at risk under the bill before us, I must say that I am quite concerned about the possible results when we are talking about the protection of species at risk by that department.

This morning, the Department of Fisheries and Oceans tabled in the House a unanimous report about protecting the resource so that future generations can benefit from that particular resource.

● (1525)

Managing the fish resource in Quebec has been the responsibility of the Department of Fisheries and Oceans since 1982. This has led to a major ecological disaster. In fact, the Department of Fisheries and Oceans has not done its job.

The same goes for Newfoundland, as we discussed at length this morning at the news conference regarding the tabling of that report.

For centuries, Newfoundlanders and people from member countries of the European Economic Community enjoyed the resource that was found off our shores. For the past 10 years, that resource has been diminishing to the point where certain species could go extinct. It became necessary to impose moratoria to allow the resource to recover.

Despite these moratoria, the resource continues to dwindle, and there is reason to fear the worse for certain species. They are important species not only because they are indigenous species, but because communities that used to depend on them for their livelihood can no longer depend on them today.

That is a good example of an ecological disaster and the mismanagement by the entire federal government since it has taken over the management of that resource. That is why I am extremely concerned when the federal government brings us a bill like Bill C-5.

It is often said that the past is an indication of what the future holds in store. If I look to the past performance of the Department of Fisheries and Oceans, I am in no way reassured as to the future. I cannot trust the Department of Fisheries and Oceans to protect the resource. On the contrary, I think that it has mismanaged the resource so that it has been destroyed and is no longer available.

Entire communities, whether in Newfoundland, the Gaspé, the Magdalen Islands, the North Shore or the maritimes, who lived off an important resource are now the victims of a real catastrophe from a human and ecological point of view because, in all these regions, the moratoria imposed on groundfish, for example, means that thousands of people were left without jobs and hundreds of plants shut down.

We were speaking about the Department of Fisheries and Oceans, the Department of the Environment, and the Department of Canadian Heritage, which would be responsible for protecting species at risk.

Let us suppose that what the Canadian government and the department try to do is create small areas where so-called species at risk could be protected.

We cannot oppose the desire to protect such species, to help them survive.

I was the mayor of a municipality and, with the help of Canadian heritage, Environment Canada and Ducks Unlimited Canada, we created a park in order to protect certain species and help them survive and thrive. I repeat, however, that these were extremely limited areas.

When I look at the past performance of the Canadian government, I cannot trust it when it comes to protecting our environment and species at risk, and when it comes to protecting human health itself. There is no way that we can trust this government.

For the past 100 or so years, there has been a constant increase in the number of species disappearing from the face of the planet. For the past 100 or so years, this process has speeded up for a very simple reason. Since the industrial revolution, since the appearance of the new technologies, including cars, trains, planes and so on, the environment has taken a back seat. People went for the easy solution first: technology.

● (1530)

Some countries had to react quickly. I am thinking of England, for one, which has succeeded in cleaning up the pollution in the Thames. As a result, it has been able to regain some of the life it lost during the industrial revolution.

This was a major ecological catastrophe, and some species disappeared. Today efforts are being made to reintroduce them to the Thames, but this is not necessarily a possibility.

The industrial revolution left us with the heritage of science based solely on technology, with its objective of facilitating human existence, while partially destroying the environment at the same time.

Only recently have people begun to be aware of the great importance of the environment, and only recently has heavy pressure been brought to bear on governments to make them realize that, if we destroy the environment in which we live, there will be a price to pay. This is very important.

This week, we debated the pesticide legislation. I am thinking of what happened during the 1950s, with DDT in particular. This was a major problem, because we could have harmed our environment to a very considerable extent.

I remember how forests were sprayed with DDT and we were told there was no danger whatsoever to human beings. Afterward, we found out that this was totally wrong and that there was considerable danger, not just for humans, but also for our environment. I am sure there was a very serious impact on certain species.

Among the examples one might think of is the beluga in the St. Lawrence. This is a species we are trying to protect today, and would like to see multiply, but it has nearly disappeared.

Unfortunately, we have come to realize that pesticides have affected the Far North as well, although we used to think it was a very limited phenomenon. Scientists have discovered that northern species were affected by DDT although it had been spread in the south.

These products are the results of what I would call modern technology, because I make a distinction between technology and science. Modern technology has led us to commit some very significant abuses, and they continue to this day.

Concerning greenhouse gas, it is critical—and I go back to this once again—that the Canadian government ratify Kyoto and even improve on it in the near future. As I was saying earlier, global warming has already caused major changes and will cause more in the future.

Of course, we could consider, as we heard earlier, that the environment is not a priority in certain circles. Priority is given to the industry and to production, as opposed to our environment. In the short term, this is possible. However, in the long term, we will all pay the price.

There is another reason why we cannot agree with the bill before us. Like other bills put forward by the Canadian government, this bill does not in any way take jurisdictions into consideration.

The government essentially tells people "What you have done in the past—I am talking about three provinces and Quebec—we do not care about. We will not take it into account. We will have a blanket policy because only four of your governments have done work in this area. So we must extend this work to the entire country".

Once again, it is the government's approach that seems totally wrong and unwarranted to me. It should take into consideration what has already been done; it should work with its partners; it should work not only with provincial partners, but also with local partners, because when it comes to the environment, public awareness is very important.

It is crucial to involve the public when it comes to the issue of the environment. If citizens are not involved, there cannot be real changes in the environment and the protection of species at risk, especially when areas that are created must be respected and considered in a particular way.

● (1535)

Again, the government is forgetting its partners. It is ignoring them and the good work they did on Bill C-5.

The minister will say that he consulted and heard various groups. It is not enough to consult them. The government must follow up on these consultations with agreements, it must take into consideration what was said. Unfortunately, there are very few things in Bill C-5 to show that the government took into account the representations that were made. It only took into consideration the suggestions that suited it, particularly as regards the supposedly Canada-wide organizations on the protection of species at risk and of the environment.

For these reasons, it will of course be difficult to support this bill.

Another thing that is difficult to accept is the limitation put by Bill C-5 on the true protection of species. As I said earlier, it is one thing to create restricted areas, but it takes major investments to ensure that an ecosystem can survive and thrive. Right now, the government's investments to protect our environment seem minor, in my opinion.

In conclusion, unfortunately, we cannot support this legislation for all these reasons.

● (1540)

[*English*]

Mrs. Karen Redman (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, I note with a great deal of sadness that despite the fact that the party opposite talks about wanting to respect Canadians, 98% of whom say they want species at risk protected, it found it could not support the bill last night at report stage and is saying it will not support it tonight.

The hon. member opposite makes a very astute observation that greenhouse gas emissions and acid rain are indeed things that the federal government, in its role, needs to participate on, on behalf of all Canadians, including the people of Quebec, because pollution does not ask for a visa, whether or not it comes across our border.

The very issue that other colleagues in the Alliance Party take umbrage at is the fact that the legislation actually builds on the good laws and the great action not only of Canadians but of provinces and territories.

My challenge for my hon. colleague opposite would be to somehow reconcile these facts that the government agrees that the people of Quebec and the province of Quebec have done some very forward thinking things and that rather than usurp them we are looking to add on to it and bolster them, so that if there is a province, a territory or a people where that is not happening we would be there to backfill.

I am having a hard time reconciling what the member opposite says he desires and yet his inability to support, in this very good piece of legislation, exactly what he has asked for.

[*Translation*]

Mr. Jean-Yves Roy: Mr. Speaker, let me answer to my colleague that it would be difficult for me to support this bill for two reasons, as I indicated in my remarks.

First and foremost, I think the Canadian government should not wait until a species is at risk before affording some protection. Essentially, there is nothing in this bill on what I would call the prevention principe. It is nowhere to be found in the bill.

Speaking about prevention, I could talk about our fish resources. There has been no prevention for 30 years, and our fisheries have been decimated. This is another case of species at risk. Not only did the government not take its responsibilities, but it also made the problem worse with the action it has taken in the last five years.

Take the Northwest Atlantic Fisheries Organization, for example. The government did not take its responsibilities. It did not demand that its partners stop overfishing in the Grand Banks area. This is but one example.

The hon. member is asking me how I could support the government. Why am I not prepared to support it? Because there is no point. It is that simple. There is no point, because it will not take its responsibilities anyway.

Another case in point is the Kyoto protocol on greenhouse gases. Will the government give a clear signal and ratify the protocol? We do not know. Why is it reluctant to ratify a protocol that is a strict minimum to reduce greenhouse gas emissions? I say it is a minimum because pollution will keep increasing and could endanger human life on this planet.

[*English*]

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, I would like to split my time allocation with another member from the government side.

I am speaking today in support of the species at risk legislation, a piece of legislation that has been, believe it or not, nine years in the making. Throughout that nine years much has happened. The provinces and territories have joined the federal government in making a strong commitment under the accord for the protection of species at risk.

We have moved forward on the habitat stewardship program to assist with co-operative and partnership efforts on the ground in species recovery and habitat protection. We have also established the ecogifts program, which encourages land donations. We also have recovery programs underway. The Committee on the Status of Endangered Wildlife in Canada, COSEWIC, has assessed more than 233 species against new criteria, a daunting task that was attacked with vigour and with good results. We have not stood by waiting for this piece of legislation.

However, now the time has come to put in place the law that will reinforce these many different actions of the past nine years. There are a number of precedents in the proposed species at risk act, but in my mind the most compelling is the rigorous and independent scientific process to assess species, operating at arm's length from the federal government.

The proposed species at risk act provides for a listing system based on sound science. It is the job of scientists to provide the determination of what species are at risk. Governments, though, must decide what actions to take on the scientific list because there could be major social and economic impacts. That is why the Government of Canada will make the decisions regarding the application of the prohibitions proposed under the bill. Let me explain how this will work.

By asking specific questions COSEWIC determines if a species should be assessed. These include determining if the species is native to Canada. Then a subcommittee of specialists develops a list of species to be considered for the assessment. When a decision has been made to assess a species, a status report is commissioned. These are very detailed reports that can take up to two years to prepare. COSEWIC then uses the status report to assign the species to one of seven categories: extinct; extirpated, which means the species is no longer present in the wild in Canada; endangered; threatened; of special concern; and species that are not at risk because there are data deficiencies.

The COSEWIC assessments are at the very core of Bill C-5. The completed assessments are presented to the Minister of the Environment and the Canadian Endangered Species Conservation Council. The COSEWIC list is also placed in the public registry established under the legislation.

Let us look at this process. Clearly scientists and scientists alone will make decisions about the assessments of species and where they should be placed on the list of those at risk.

The weight of the COSEWIC assessments is further enhanced by the fact that the organization is recognized legally in the legislation as part of the assessment and listing process. This is a huge step forward. Clearly the assessment will be done at arm's length from the government. It will not be subjected to any economic or social pressures. The COSEWIC decisions and findings will be published in a public registry for everyone to see at any time. This will be totally transparent.

When the government decides to add species to the legal list, then a number of provisions in the proposed species at risk legislation kick in. For instance, the bill contains automatic prohibitions against the killing or harming of individual species and the harming of their residences. It also stipulates that there would be mandatory recovery strategies put together, within specific timeframes, on recovery of the species from its dangerously low numbers.

● (1545)

Finally, and just as important, the process under the proposed law allows for authority to take emergency action to protect habitat.

We can see that the decisions involved are extremely serious. They involve both the economy and some of our social structures in a carefully balanced manner. For that reason the elected representatives of the government will make the decision on what constitutes the legal list. We have been unequivocal on this for some time and we know this is the prudent approach. Many scientists know this is the right approach and, having understood this process, agree with the government.

However, the work of COSEWIC will not end there. There are timelines for the development of the ministerial response to a COSEWIC assessment. That will happen within 90 days and the minister is fully accountable to respond. Every single year the minister will report to parliament on each COSEWIC assessment and the response the minister has made. This will happen one by one on every species put forward for protection. If this is not transparency, if this is not accountability and if this is not a fair, science based system, then I really do not know what is.

The public registry is but another example. Anyone will be able to track government action on species that have been found to be at risk following COSEWIC's scientific assessment.

The protection of endangered or threatened species is a responsibility that the government takes very seriously. We agree that COSEWIC species assessments must be addressed in a timely manner and the government is taking steps to do just that. There are 233 species in schedule 1 of the bill. This means that statutory obligations apply on proclamation of the act to 233 species that have been assessed by COSEWIC using the new and updated criteria. Each and every one of them, without exception, will be reported on. This is a very significant indication of the federal commitment on species at risk.

The assessment and listing of species is a perfect partnership: the scientists with the expertise to determine the threats and status and the elected members of parliament who will move forward on actions that address those threats and their status. It is a partnership that will work well, but it is not the only partnership.

Throughout the entire strategy for the protection of species at risk, which includes the bill, the accord and the habitat stewardship program, there are other partnerships that can be found. For example, they can be found in the work between a farmer and a conservation group on the loggerhead shrike. They are found between fishers and sightseers with respect to the protection of whales. They are found between scientists and government in listing and assessment. They are found between mining companies and forestry companies and municipal governments with provinces and territories. Partnerships are important to this strategy because they are what will work.

The proposed legislation backs up this process with strong prohibitions, but it depends first and foremost on co-operation. As I have said before, this is the approach that is required and that will work. We know that because we have seen what happens when the heavy hand of the law comes down first. From the beginning over nine years ago, this fundamentally Canadian approach has finally achieved a consensus for action. This is the strategy we have formed.

The missing piece is the species at risk act. It is time now to fill in the final building block and get on with the job of creating a sustainable and natural legacy for future generations.

● (1550)

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I listened with great interest to what my colleague had to say. He mentioned the nine years. One of my first duties in the House was to serve on the Standing Committee on Environment and Sustainable Development. One of the pieces of legislation we were considering, which was not called Bill C-5 in those days, was the first round in the attempts to get an endangered species act passed. I remember well that in those two years we were particularly interested in the role of aboriginal local knowledge as well as the role of science. I am very pleased to see that incorporated in the bill.

Now, as the member said, nine years later, four ministers later, four parliamentary secretaries later and innumerable MPs like me later, we are close to a result here. I would like the member to address the point that there were at least two contentious issues, it seemed to me. One was this question of science and scientists. My understanding is that the scientists' role is now written into the legislation, with the political control the member described. At the other end, there was the question of compensation, particularly for farmers. There is great concern about that. My understanding now, as he was explaining to us, is that there is an element of compensation that can give some security to our farmers. Compensation might take various forms.

I would be grateful if the member could explain to us those two things and tell us something more about the role of the scientists and something more about the compensation component, which we are glad to see now built into the legislation.

● (1555)

Mr. Alan Tonks: Mr. Speaker, the bill to which my hon. colleague referred was introduced as Bill C-65 several years ago. I was not here then but I have heard members debating the issues referred to by my hon. colleague.

First, with respect to scientific knowledge, there is absolutely no question that under the bill the entrenchment of COSEWIC, which consists of scientists who would gain their legitimacy not only through the legislation but through the council they sit on, would add a balanced, even-handed, measured, prudent and arm's length role to provide balance and accountability within government.

As I have made clear, the balancing act would be important. The concept of delegation which has been used on occasion could not be exercised in an ad hoc manner. The House could not delegate away its responsibility under the act. Nor should it. It would be accountable for checks and balances in the system and for doing what is right for the sustainability of our natural environment.

Second, the input of first nations has been built into the act. Bill C-5 would establish a legitimate advisory board to take into consideration aboriginal people's historic knowledge and understanding of the environment.

Third, compensation is probably the most difficult issue the committee grappled with. I congratulate its members for doing so. It was my first experience of seeing the cut and thrust of genuine debate in an attempt to find consensus on issues.

The compensation regime would be experience based. In this sense it would break new ground. It would attempt to emphasize the concept of stewardship in a manner that did not require the expropriation of lands or rights. It would develop partnerships with those who would be affected because they too have a natural legacy we all wish to preserve.

We will go through the bill carefully rather than in an arbitrary manner. We will learn from our experience and build a regime that is fair, balanced, measured and guarantees a sustainable future for our natural environment.

Hon. Ethel Blondin-Andrew (Secretary of State (Children and Youth), Lib.): Mr. Speaker, I will focus my remarks on the opportunities of the proposed species at risk act, Bill C-5.

As members probably know, Bill C-5 is effective legislation that would help prevent wildlife in Canada from becoming extinct. It would also provide for the recovery of species at risk. The proposed legislation reflects more than eight years of consultation with provinces, territories, aboriginal peoples, industry, non-governmental organizations and other interested Canadians.

It is balance that provides effective legislation. It is stated within the bill that science would be the first consideration in the listing and recovery of species. The Committee on the Status of Endangered Wildlife in Canada, COSEWIC, would list species at risk independently of government.

However the role of traditional knowledge is no less important than that of natural science. It has guided the aboriginal people for decades and indeed centuries in their conservation and stewardship of the land and their relationship with the species that exist on it.

As members may know, in many of the territories where aboriginal people are the main inhabitants there has been a natural balance. There has never been a pillage or complete obliteration and extinction of a species because the existence of the people depends on them.

I will focus my remarks on the opportunities in the bill. The way opportunities have been seized in developing the legislation is quite a story. It is a story we have ignored in a long debate that seems to have only two sides and no middle. I will therefore highlight some of the opportunities the bill presents and some of the roads that have been taken. An important opportunity has been seized and new ground has been broken in the involvement of aboriginal peoples and the treatment of aboriginal traditional knowledge. So it should be.

My hon. colleague from Churchill River in Saskatchewan, a member of parliament who is a Cree from that area, brought forward amendments that speak to two issues. First, he proposed to amend the motion dealing with the proposed national aboriginal council on species at risk. His amendment proposed that the minister:

> "shall establish a Council, to be known as the National Aboriginal Council on Species at Risk, consisting of six representatives of the aboriginal peoples of Canada selected by the Minister based upon recommendations from aboriginal organizations that the Minister considers appropriate. The role of the Council is to
>
> (1) advise the Minister on the administration of this Act;
>
> (2) provide advice and recommendations to the Canadian Endangered Species Conservation Council."

The second amendment the hon. member put forward was important because it emphasized the need to incorporate science and traditional knowledge. The amendment focused on:

> "(*c*) methods for sharing information about species at risk, including community and aboriginal traditional knowledge, that respect, preserve and maintain knowledge and promote their wider application with the approval of the holders of such knowledge, with other governments and persons;"

All that is to say we need to balance the information. It should be incorporated and integrated to reflect the relationship aboriginal peoples have had with the species that would be listed and the lands on which they live. The lands and waters on which a large of number of species at risk depend are inhabited and managed by aboriginal peoples. Many species at risk such as wood bison are valued by Canada's first peoples for their ecological role. They are of importance both culturally and for their use as a traditional food source.

It may come as a surprise to many people that migratory birds and large mammals such as moose, caribou, bison, muskox and deer are still harvested and used by aboriginal people as a regular part of their diet. When aboriginal people met with diabetes and many of the illnesses that befall them these days it was because of a change in diet. They had moved from rural regions where they used these animal species as their main diet to areas where people uses other foods that had different supplements and preservatives. This has been evident in the health of aboriginal people.

● (1600)

There was an opportunity and we all took it. We took it in partnership with Canada's aboriginal peoples to ensure their participation in the development of this law was unprecedented.

I will explain. In the four years prior to the tabling of the proposed species at risk act discussions were held with all the national aboriginal organizations and most of the regional aboriginal organizations and first nations across the country. Emerging from the discussions was the Aboriginal Working Group on Species at Risk. The group, representing aboriginal organizations, was established in 1998 and continues to meet on a regular basis.

Once again it was a matter of opportunity. The aboriginal working group has provided advice on the development and implementation of the proposed species at risk act. It has provided a significant advisory capacity by helping us fully understand the issues, needs and capacities of aboriginal peoples to help in the protection of species at risk. One result of this hard work is that the proposed act would explicitly recognize the role of aboriginal peoples in the conservation of wildlife. This was more than a matter of opportunity. We came to understand that it was a matter of necessity.

I will further explain how the work of the aboriginal working group has helped the government understand the opportunities of the proposed legislation. Under the bill before us aboriginal traditional knowledge would have to be considered in decision making. There would be strong requirements to co-operate with aboriginal people in recovery efforts. The government is supporting the establishment of a national aboriginal council on species at risk. I will discuss each of these accomplishments and seized opportunities in turn.

The fundamental basis on which decisions are made would be altered by the inclusion of traditional and community knowledge as decision making criteria. In the past assessing the status of wildlife species and making wildlife management decisions such as setting quotas and determining access to wildlife was often based solely on scientific information. Aboriginal traditional knowledge is the knowledge base of the indigenous peoples of Canada who depend on the land for their long term survival. Through observation and experimentation, holders of this knowledge continue to develop a dynamic and innovative knowledge base of the land, the environment and the species within.

Like aboriginal peoples, we derive results through observation and experimentation. What is different is way the interpretation and recording is done. Scientists are trained to interpret results according to set standards in a written form, which facilitates communication and understanding in the academic community. Aboriginal traditional knowledge holders use different methods to interpret results for presentation to their communities in an oral form. We would be losing the chance to paint the fullest picture possible if we did not do it both ways. This is why the proposal includes this kind of knowledge.

I spoke about the amendments my hon. colleague from Churchill River in northern Saskatchewan put to the bill. The proposed species at risk act would explicitly require COSEWIC to consider aboriginal traditional knowledge in its deliberations. It would be foolhardy not to. These people have survived thousands of years on the land without any formal education in most parts. The Crees of James Bay, the Dene and Inuit in the Northwest Territories, Yukon, Nunavut and over into Alaska, and the Inuvialuit in my area have lived with the muskox, seal, walrus and beluga, species which are all still in abundance, for thousands of years. They have created that balance. They did not use university educations, degrees or pure science to determine how to conserve and provide proper stewardship. It was their lifestyle. The way they interpreted traditional knowledge guided their activities.

The proposed species at risk act would explicitly require COSEWIC to consider this traditional knowledge. It would provide for the establishment of a subcommittee on aboriginal traditional knowledge to facilitate the consideration of such knowledge in decision making.

● (1605)

Efforts to set up this committee are already under way led by the aboriginal working group and supported by COSEWIC. These are opportunities that we cannot turn away. We cannot lose these important additions to the body of work already under way on species at risk.

There is another opportunity in the stronger requirements for aboriginal involvement in recovery efforts. The bill contains a requirement for co-operation with aboriginal organizations in the preparation of all the key recovery documents, strategies, action plans and management plans.

When I think about wood bison I think of Frank Laviolette, an elder from Fort Smith, Northwest Territories who does not have university training, but has pre-eminent knowledge on wood bison and can tell us everything about that species and how for over 50 years he has lived with the species and worked with it. We have said for nearly nine years that we share in the responsibility for protecting wildlife. Perhaps no one demonstrates or represents a commitment to that responsibility more than Canada's aboriginal people.

The establishment of a national aboriginal council on species at risk under the legislation would set into law a partnership which has already produced many positive results.

● (1610)

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, the discussions on the involvement of aboriginal knowledge in the legislation go back to the very beginning of the consideration of the legislation. I recall particularly the member for what was then Nunatsiaq, Jack Anawak, who was a member of the committee, introducing some of the things that the secretary of state has just been talking about.

She mentioned particularly the wood bison. Her own riding, the Northwest Territories, Nunavut and the Yukon between them represent over 40% of this country. In terms of the federal legislation a group of the species involved include migratory species. These are species which overwinter somewhere in the south, sometimes in South America, but which survive by nesting in the territories, in 40% of the country which is the north.

The people she is talking about and their knowledge is particularly important for federal legislation because it deals with migratory species and they depend on the territories for their nesting grounds. Would the member comment and elaborate a little bit on that?

Hon. Ethel Blondin-Andrew: Mr. Speaker, I appreciate the remarks of my hon. colleague and his inquiry about the whole issue of how the legislation would impact on areas that cover 40% of the geography of Canada and the role that different individuals have played.

Over nine years there have been many people involved. I think of the late Mr. Jim Bourque, one of the best wildlife officers we had in the Northwest Territories who later sat on some of the free trade and export boards because of his expertise. Mr. Bourque was a reflection of many individuals, including my former colleague, Mr. Anawak, and Willie Littlechild, who was a Conservative member from the other side, and others as well.

Many leaders who were not members of parliament had some influence on the process that contributed to it. Two points were always raised: first, there had to be some kind of instrument for representation of aboriginal people, the working group is a reflection of that; and second, the traditional knowledge had to be incorporated. Even if we talked to people on the round table on the environment and the economy, the sustainable development committees, they always referred to traditional knowledge and the importance of place.

This would be vacuous legislation if it did not include a provision for those two things, so there is a lot of gratitude for many of the individuals who have their expertise on polar bear. Canada along with the Northwest Territories has many conventions, including one on polar bears and one on migratory birds. Canada is not new at this. We are good at this. We have a track record to show we are proven conservationists. We are natural at that. We live with habitat that is plentiful, unlike other countries in the world that do not have many of the species we do.

I thank my colleague for his comments. I also thank those individuals out there who will not get the kind of accolades they deserve. I think these are two important elements. I think all those individuals should be thanked. I also want to thank the member for Kitchener Centre for her work. She has done an outstanding job. It has been a perilous road on this bill.

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, on behalf of the constituents of Surrey Central I am pleased to rise in the House to participate in the debate regarding Bill C-5, an act respecting the protection of wildlife species at risk in Canada. I would also like to mention I will be sharing my time with the hon. member for Cypress Hills—Grasslands. I am sure in hills and grasslands there will be lots of wildlife.

I would like to compliment my colleagues, the hon. members for Red Deer and Skeena, and staff members Julie-Anne Miller and Paul Wilson for their hard work. They have a done a great deal of work and research on this bill and the members have done a lot of work along with other members in the House and in committee.

The Canadian Alliance supports the endangered species legislation based on co-operation, science, respect for private property, transparency and accountability. The government invoked closure on this legislation. This is serious legislation that does not have to be rushed. It will impact many people and species in Canada.

The legislation fails to create a balance of the interests of all stakeholders. The act would not work without guaranteeing fair market value compensation for property owners, farmers, ranchers and resource users who suffer losses. The act would make criminals out of law-abiding people who may unknowingly and inadvertently harm endangered species or their habitat. Criminal liability must require intent.

The government did not consult the provinces. We need co-operation, not confrontation with the provinces. Bill C-5 would give the federal government power to impose its law on provincial lands. The government ignored the environment committee's recommendations. This is another example of top down control from the Prime Minister.

Currently the government may provide compensation on a discretionary basis, case by case. We believe compensation must be mandatory. This would ensure that landowners and resource users are friends rather than foes of species.

Adequate compensation is the incentive to co-operate otherwise landowners would have no reason to co-operate because they are being asked to bear a disproportionate share of the cost of protecting endangered species. This is critical for saving the species.

The bill says the compensation should be only for losses suffered as a result of any extraordinary impact arising from the application of the act. What does extraordinary impact mean? The minister should have the courage to clarify this. Instead of coming clean the minister pleads that compensation is a complex issue and more time is needed to study it properly. No cost estimates are worked out for different compensation scenarios. This contributes to great uncertainty and reinforces the perception that the government environmental programs are brought forward with no planning or preparation.

A due process and a clear commitment for fair and reasonable compensation must be developed and debated before the bill is passed. This has not been done yet. The government is infamous for its big ideas and bad planning, for big talk and no action. This legislation has been in the government's red book since 1993 and every red book afterwards. This is another broken promise.

The Liberals have a poor track record in protecting endangered species over which they have direct control, such as Atlantic cod, Pacific salmon and many others. Approximately 100 species have been added to the endangered species list since the Liberals first introduced endangered species legislation in the 35th parliament. I was hoping that the government would address a good portion of the 87 amendments proposed by the Canadian Alliance to improve the bill.

● (1615)

The Canadian Alliance succeeded in moving the government on a great number of issues, such as listing, transparency, accountability, notification of landowners, species and critical habit protection. We were entirely ignored on major issues, such as compensation, criminal liability and socioeconomic considerations. Pressure from the Canadian Alliance succeeded in getting a reverse onus system set in place.

Another victory won by the Canadian Alliance in committee dealt with improvements to the transparency and accountability measures in the bill. We succeeded in putting measures and timelines in place requiring the government to give its reasons for listing decisions and to put these in the public registry. Another small victory won by the Canadian Alliance in committee dealt with provisions that would require the government to notify landowners and lessees about the presence of species at risk on their property. In this way farmers and ranchers would know they had to be careful.

We are asking that the costs of protecting our species at risk be spread out over the entire population of Canada. We make this point because we feel it is unfair to ask farmers and landowners to pay the costs of conservation. Their livelihood depends on the conservation of Canada's natural resources, including our species at risk.

After all, if it is socially desirable, then let society pay for it rather than the farmers alone. As it stands now, society would not pay for it, only the farmers and ranchers. This is just not fair.

We fought hard for full or fair and reasonable compensation but narrowly lost the vote 8 to 6 in committee. The amendment that passed made reference to fair and reasonable, but compensation still remained discretionary. Though we had a small win, the development of regulations for compensation has been changed from discretionary to mandatory. Clear provisions for fair market value compensation must be in the bill, not simply in the regulations. We can debate bills in the House but we cannot debate regulations.

The minister told the standing committee last year that he was proposing to develop general compensation regulations to be ready soon after the legislation was proclaimed. In other words, the minister probably had the regulations drafted and sitting on his desk. Why would he not table them now so that we can all judge whether his idea of compensation will be fair and reasonable to all Canadians? It is a simple, common sense question.

The United Nations convention, which Canada is a signatory to, recognizes that costs must be equitably borne by everyone. We expect the same principle to apply in Bill C-5 and that protection of endangered species be recognized as a common good.

There are a lot of examples of compensation working in other jurisdictions. For example, Tasmania, the European Community, the United Kingdom, Scotland, Switzerland and many other nations are working on the very principle that we are asking the government to invoke in the legislation.

The Canadian Alliance is committed to protecting and preserving Canada's natural environment and endangered species. Farmers, ranchers and other property owners want to protect endangered species too but should not be forced to do so at the expense of their livelihood. We must create a balance.

Criminal liability must require intent. Bill C-5 would make endangered species a threat to property owners. In 1996 the national accord for the protection of species at risk was a step in the right direction. Instead, Bill C-5 would give the federal government power to impose its laws on provincial lands. Instead of working together with the provinces and property owners the federal government is introducing uncertainty, resentment and distrust.

● (1620)

The government has amended Bill C-5 to reverse many of the positions taken by its own Liberal MPs on the environment committee. This is another example of top down control from the Prime Minister's Office and again shows contempt for members of parliament.

Finally, unless the bill provides for mandatory compensation and stops criminalizing unintentional behaviour, it will not provide protection for endangered species. We will not support the bill until these amendments are made to it.

* * *

● (1625)

BUSINESS OF THE HOUSE

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, discussions have taken place between all parties with respect to the take note debate on Government Business No. 28 scheduled for later this day in committee of the whole. I believe you would find consent for the following motion:

> That during the take note debate in committee of the whole on Government Business No. 28 later this day, no dilatory motions, no quorum calls or requests for unanimous consent shall be received by the Chair.

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

Some hon. members: Agreed.

(Motion agreed to)

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SPECIES AT RISK ACT

The House resumed consideration of the motion that Bill C-5, an act respecting the protection of wildlife species at risk in Canada, be read the third time and passed, and of the amendment.

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, the member for Surrey Central is setting a bad example of fearmongering that must be dealt with.

First of all, he was not a member of the committee and he has not participated in the work of the committee, but he comes to third reading and makes assertions about the effect of the bill which are not substantiated, I would submit, by reality. The member concluded his remarks by saying that the bill will create uncertainty, resentment and distrust. What the bill is attempting to achieve is if anything exactly the opposite.

If the member were to take the trouble to read the legislation that is coming through, he would see how much attention this legislation actually pays to the concept of co-operation with the sectors involved and co-operation with the provincial and territorial governments. The bill is peppered with recommendations and sections that take into account the jurisdiction of provincial and territorial governments.

The bill sets out a number of steps that are required in order to rebuild the species that are in danger to the point of being extirpated.

The bill establishes mandatory habitat only on federal land.

On compensation, I am glad that the member for Surrey Central has taken into account the fact that the words fair and reasonable compensation are in the bill. I would like him to take into account the fact, as corroborated this morning by the Minister of the Environment, that the compensation process is one that will take into account individuals affected, case by case. These are his own words.

Therefore, it seems to me that if the official opposition wants to play a responsible role in the House it should do so by criticizing the bill on substance where it sees fit to do so, but it should also recognize the positive features of the bill. Does the hon. member for Surrey Central not agree that this is actually the role of the opposition?

Mr. Gurmant Grewal: Mr. Speaker, I highly respect the hon. member who just spoke. He has been a member of this House for a very long time and is the chair of the Standing Committee on Environment and Sustainable Development.

I had an opportunity to work with this member on the committee when we were studying the regulations on pest control. When this committee studied the endangered species legislation my responsibilities were changed. I never claimed that I was a member of that committee when it studied the endangered species act, but I had an opportunity to work with the member and many other members on the committee when they studied the pest control regulations and prepared their report. I appreciate the hard work that was done by members of the committee.

The member asserted that the official opposition is fearmongering. I have to tell the member that the truth always hurts. Our senior critic for the official opposition and various other members have spoken up, and members of the House will note that reasonable and fair compensation is the key issue in this bill. The government never had the guts to say "Here is fair compensation and we will follow the same compensation principles that are followed in other jurisdictions". Canada is a signatory to the United Nations convention and we are not incorporating the principles in Bill C-5. Also there is a lot of uncertainty left because reasonably fair compensation is not included in the bill at all.

There are other things that are going to create resentment and distrust. We are saying this because it is true. Resentment and distrust will be created because law-abiding people, those who do not have any criminal intent and who unknowingly, inadvertently, or innocently destroy the habitat of any species, will be criminally charged. What about mens rea? Why is the government ignoring the mens rea principle and not incorporating it in the bill? I would say that resentment is natural when there is no compensation and when the government is turning ordinary, law-abiding citizens into criminals. Finally, on distrust, the government did not negotiate with the provinces.

Also, my last point, very quickly—

The Deputy Speaker: I regret that I have to interrupt the hon. member, but I have already allowed for more time because the questioner took a bit more time. I responded by giving additional time to the hon. member. I must now resume debate with the amount of time left on this important matter.

● (1630)

Mr. David Anderson (Cypress Hills—Grasslands, Canadian Alliance): Mr. Speaker, as the hardworking member for Red Deer said earlier today, we wish that we were here celebrating the success of the bill and celebrating the passage of a good bill. Unfortunately we are not able to do that today.

I would just like to take a minute to respond to the comments of the member for Davenport. I was very concerned because I think it shows a lack of being in touch with Canadians to come in here and suggest that the bill does not create uncertainty, resentment and distrust among Canadian people, because it most certainly does among the people in my riding. They do not know what to expect from the bill. It concerns them and it causes uncertainty, resentment and distrust. It did not have to be that way, but unfortunately it has turned out that way.

I would like to take a little time to talk about the main issues we have with the bill. First I would like to say that the Canadian Alliance has consistently supported good species at risk legislation. We would like to see a bill that is effective, we would like to see a bill that is useful and we would like to see a bill that is realistic, that Canadians can deal with knowing they will be dealt with fairly in the legislation.

As I said, the main problem, which we have heard about all day today, continues to be the issue of compensation. The main objection to the bill is the government's refusal to protect its citizens by providing full market value compensation. I will spend some time talking about it, but the amount of discussion this has generated is interesting. I would suggest that it has been generated because the Canadian Alliance, and the Reform Party before it, has been very firm on this issue and has insisted that we need to have fair market value compensation for people affected by species at risk legislation.

The lack of compensation is the main problem with the bill. The bill does not provide for it. We can talk about it all day here, but there is an absolute refusal on the part of the government to put fair market value compensation into the bill. It continues to talk about regulations. I would suggest that it is talking about regulation and regulating things at the same time as it is taking away Canadians' rights. I will also assert that I think this is tied to a consistent position the Liberal Party has taken over the years, that being that it does not want to recognize personal property rights. This bill is in line with that position.

I am sick and tired of hearing government members justify the lack of compensation in the bill. It would be very simple to fix. If the government really thought it was an issue it could have been fixed very easily. It has chosen not to do that and I wish it would have.

The minister's speech here this morning sent up a lot of warning flags. I heard him say a number of things I would like to touch on. One of the things he said is that the government will work with landowners in willing partnerships. Without that fair market value compensation, though, it made me think of the movie *The Godfather*, when they made people an offer they could not refuse. I know that none of us want to wake up with a burrowing owl in our bed.

The government says it "shall" provide regulations. That does not guarantee anything other than more regulations. It does not guarantee producers a thing. Again the issue is that compensation must be at fair market value. It needs to be written into the legislation. There is now no mention of it in the legislation.

The minister also made a couple of other comments that really concern me. He said they would get started on general compensation regulations, and then there was a funny phrase in there: if needed. It may not show up in *Hansard* later on, but I found it interesting. It was almost a side comment that he made, that they would start on them if needed. If the government is not going to put them into the legislation then we certainly need them, immediately if not sooner.

He also made the suggestion that the government would be dealing with the claims on a case by case basis. I do not know of anyone other than other Liberals who would think that this is a good idea. I have an example from the past, which is the expropriation of land for the Suffield military base near Medicine Hat. The family of a friend of mine grew up in that area. The time came when the government wanted that land for a military base. The government talked to the ranchers and invited them to come to Medicine Hat individually to discuss with the government the deal that they could make on their ranches and their land.

The ranchers went in and made their deals, but the one thing the government had not counted on was that on the way home the ranchers all stopped at one place to have coffee. At that house they of course talked about the agreements and deals they had made. They started to realize that they were being treated quite a bit differently one from the other. They got together and went back to Medicine Hat together. I was told that they went in the front door of the building and the bureaucrats went out the back door and after that they ended up negotiating long distance. They all got the same deal in the end, but the danger was that they were being divided and conquered individually. When they finally got together and stood up for themselves, they were able to make a deal they could live with.

● (1635)

I get very concerned when I hear the minister say that regulations will be put in place over the next few years but until then the government will deal with things on a case by case basis. Given the government's record and recent history, I do not think Canadians should be at all comfortable with the fact that the Liberals want to deal with them on a one to one basis. There may be some good things in that for a small group of people but the majority of Canadians will not be treated properly.

I want to come back again to the fact that the minister and the members are still implying that compensation is included in the bill. I know we are running short on time and not many more members will be speaking on the bill. However, I would ask the government members to show some integrity in this.

Yesterday one member on the opposition side said that corrupt attitudes spread like scum on a pond. I understand how that happens but a little courage and clarity would go a long way. If government members would get up and say that the bill does not have compensation written into it but that they are supporting it anyway, the Canadian people could understand this and may even show them respect for having the courage to take a position.

Here is the reality. There is no compensation and I encourage the government members to admit it, stand up and take that position. Otherwise we will find a situation like we had last week when Bill C-15B passed without providing legal protection to farmers and ranchers. Afterward we saw government backbenchers are trying to justify it in their ridings. When they are called to account, they have no explanation for the position they have taken. The idea that we can pass it on to the other place and it will fix up legislation that we have the responsibility to fix here will not work.

Rural members of all parties could have worked really well on this legislation. The committee did that but the minister chose not to accept it.

Rural members need to work together. The opposition members have done their job on the bill. They have forced the discussion. They have brought in a large number of amendments, not frivolous ones, but ones where that dealt seriously with changing the bill. The Liberal backbenchers need to show some support and backbone in supporting these initiatives. It is not good enough for the rural backbenchers to come out of the woodwork, which happened with this bill to a great extent, only because they support one of the Prime Minister's challengers. We need to see rural backbenchers coming out of the woodwork because they are representing their constituents, not because they are trying to cause damage to someone else and gain political advantage.

The Liberal rural backbenchers have an obligation to their constituents and Canadians deserve better than what they are getting right now from the backbench on the other side of the House.

The second major issue is the legal rights of producers and farmers. Again, we saw the sad situation last week when Bill C-15B was passed without providing legal protection to farmers and ranchers. It was then justified later. Again, in Bill C-5 we see a situation where farmers and ranchers will not have the proper legal protection.

I have a huge concern about the attitudes behind the bill. There were two ways that it could have been put together. One was through a coercive way and the government chose that way. We saw it before with Bill C-68. Now there is massive non-compliance with the act. We will see ourselves in the same situation as the U.S. with the triple S. The government will come in and tell people what to do. The producers will react with a shoot, shovel and shut up policy which definitely does not preserve species at risk.

I also object to the fact that the government brought in closure to cut off debate on an important issue. This action does not give people the opportunity to finish the debate.

In conclusion, it may be too late to ask the government this, but it needs to take another look at the bill and include amendments that provide protection for landowners, both for full market value compensation and for legal protection. It should use the suggestions that we have made about providing compensation and set up the bill so that it uses positive incentives to encourage people to be conservation minded, that is tax incentives to provide technical assistance to stakeholders, farmers and producers. The government needs to eliminate some of the disincentives and provide payment programs if necessary to encourage people to co-operate.

The government needs to understand that farmers are the best environmentalists we have. We need to give them the tools to protect their environment.

We have heard about aboriginal working groups. It surprises me that there is no local working group and that is something the government should look at.

If the government is not going to make these changes, the government will pay the consequences both in terms of the loss of endangered species and at the polls.

● (1640)

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, we have more fearmongering from the member for Cypress Hills—Grasslands who prefers to make speeches in place of reading the bill. If he has read the rather lengthy section on compensation, I invite him in his reply to indicate to the House the number of that lengthy section, unless he wants to get some help from his colleagues. However I have the profound impression from his intervention that he has not read the section in question and therefore he again has repeated the mistake of other interveners in this debate, namely, saying outright that there is no compensation in the bill. That is wrong and incorrect.

I would like to indicate to the hon. member that he is a little late when he makes suggestions at third reading. His speech could have been quite helpful at second reading when the bill was sent to committee. However at third reading suggestions are too late. The procedure is completed. I do not think that it is helpful to have interventions that are creating this kind of unwarranted fear by members who do not read the bill before making their speeches.

I would very much welcome the comments of the hon. member.

Mr. David Anderson: Mr. Speaker, I have read the bill at least twice so I understand the provisions in it. I am a little annoyed because I made many of these suggestions earlier. Now the chairman of the committee tells me that the members would have been glad to have had them earlier. We did make those suggestions. They are not new.

I resent the implication that we are fearmongering. We are dealing with the truth. We are talking about this bill. It does not have fair market value compensation in it no matter how much he wants to pretend or talk around it. That is the situation.

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I am a rural member. I am on the government side. As I mentioned earlier, I have been involved in this process for a long time ago.

The government is able to move legislation through if it wishes. One of the reasons it took a long time for this legislation is it wanted to consult widely and deal with contentious matters, including compensation, as the chair of the committee indicated.

I represent a riding where there are perhaps 2,000 farms and large areas of forest land which are being used. Of those farms, there are 125 dairy farms, a buffalo farm which has been there for 50 years, beef farms and sheep farms. It is a very diverse riding.

In agriculture, the province of Ontario is even more diverse. In many ways it is the leading agricultural province in the country. It stretches from the vineyards of the south, where I understand we grow kiwi fruit, to the polar bears of the north around James Bay. We have an incredibly diverse and successful rural agricultural economy.

Does the member realize, in his fearmongering, that for many years now people in the province of Ontario have been living with endangered species legislation? Has he heard of any serious problems with respect to compensation under Ontario's internal endangered species legislation?

● (1645)

Mr. David Anderson: Mr. Speaker, it is obvious they are sharing talking points as well as some of their speeches.

I would like to raise an interesting issue of my own. If I have a piece of land and I find a rare mineral on it, the value of my land goes up. After this legislation is passed, if I find a species at risk on my land, the value of that land will go down. The government has not put fair market value compensation in the bill. What is the incentive to participate and co-operate with the government on this one?

The minister this morning condemned the experience of the United States. Then he brought in similar legislation. Producers in Canada have no incentive to co-operate with this legislation. It could have been so simple if this government would have said "We will compensate you a fair market value when we come in and take your land. We would be glad to work with you. We would be glad to support this legislation". The government chose not to do that for its own reasons, but it should not pretend that this is in this bill.

Ms. Sarmite Bulte (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.): Mr. Speaker, I too am very pleased to rise today to speak on Bill C-5 because it is a testament to perseverance and commitment to endangered species legislation.

I did not sit on the committee, but I was made aware of this issue back in the summer of 1999. A number of environmentalists live in my constituency and are very concerned about the environment. In fact in 1997, when I was campaigning in my first election, I went door to door and people asked me what happened to the species at risk legislation. They said they were very concerned about it and felt that the Liberal government was not concerned enough about the environment. They then asked me what I would do about it. We made our commitment to pass endangered species legislation quite clear in the 1997 red book.

I would like to recount how I became involved in this issue. In 1999 a constituent of mine, Professor Stewart Elgie, who has become a good friend and who also happens to be an environmental lawyer, came to talk to me about the importance of the endangered species legislation. He also wanted to talk about it from a trade perspective, particularly with respect to what had been happening in the United States. At that time I was chair of the Subcommittee on International Trade, Trade Disputes and Investment.

In 1992, when we signed the biodiversity convention, we undertook to implement species at risk legislation. In fact between 1980 and 1999 American lobbyists were already proposing the Pelly amendment to what I believe was the fishers act to again petition congress about the fact that Canada had not passed species at risk legislation. In fact the Americans, as they are known to do in their tactics, threatened trade retaliation if we did not do this.

It did not actually get to that point but it was written up in the *New York Times*. There was motion afoot to make congress move on the Pelly amendment. I remember raising this issue at our caucus meeting in the summer of 1999 when the Minister of the Environment had just taken over that portfolio. I spoke to him about how important it was that we continued to proceed with and pass legislation not because we were forced to do it but because it was the right thing to do.

I remember learning more and more about the legislation and just how important it was not only to strike a balance but at the same time how important it was to show that the Liberals had an environmental agenda and that we meant to follow up on it.

I also remember when the legislation was first tabled. The minister came to Toronto at that time to consult with GTA members on the first reading. I also remember that there were a number of concerns raised even by members of the GTA caucus. We realized how important it was to pass this legislation but we did not want legislation for the sake of legislation. We wanted it to be good legislation.

As I said at the outset, to me this is a testament that we have persevered. It is a testament of the caucus working together. It is a testament of the standing committee working together. It is a testament to listening to stakeholders. It is a testament that finally, after all these years, we have brought species at risk legislation into being which addresses the most important issues.

In the time that I have, I would like to look at the foundation pieces that make up this legislation. They tell the story and show that the proposed species at risk act will do exactly what it is intended to do: protect wildlife in Canada while taking the needs of Canadians into consideration. It is not an anti-rural issue at all. Our own rural caucus worked very hard to ensure that compensation was present and that it was not just discretionary with respect to legislation. The words were not just preparatory, they were mandatory.

● (1650)

First and perhaps foremost in my mind is the important role science is to play in the proposed act. Science is at the very heart of the bill, science that is the best we can get, science that is independent, science that informs decision making.

Wildlife species will be assessed by the Committee on the Status of Endangered Wildlife in Canada, also known as COSEWIC. This arm's length independent body has 25 years of respected, verified and hugely important work already behind it.

Remember that in this proposed law there will be no secrecy whatsoever about the result of COSEWIC's deliberations. Following these come the recommendation to add species to schedules attached to the law. That leads us to another key foundation of the proposed act, the issue of accountability.

Once the scientists have done their work independently, the governor in council will establish the legal list. This is an area where there has been no small amount of controversy. It has been way too easy to say that scientists are not making the decision on the list and leave it at that. It reads well, but it is not entirely true and leaves out the important part of the story.

When the legal list is established, there is a lot more to it than publishing a list. Processes begin. Plans get made. Habitats are designated and prohibitions come into play. There are serious implications with each one. Decisions made here affect the use of land. Decisions here affect the future of some landowners, resource companies, fishers and recreation operators.

It is the job of the government to decide what actions to take. It is not a power grab from the scientists. It is an accountability framework and we have to answer to the people because they elected us.

Further basic tenets of the act are found in the protection of all species in their critical habitat wherever they may exist in Canada. The proposed species at risk act would provide this protection in a manner that is consistent with our international obligations, including those under the convention on biological diversity. Also at its very foundation is the first response of stewardship and co-operation.

In talking about stewardship and co-operation, I would like to quote what my constituent, Professor Stewart Elgie, stated today in response to the legislation that we hopefully will pass today:

> [The environment minister] did it by emphasizing that protecting endangered wildlife requires not just the stick but also the carrot. His department worked tirelessly to ensure the bill reflected this principle including securing over $50 million per year in funding to implement the bill and support on the ground conservation work.

In addition, I do not know if other members have seen this, but in the *Hill Times* there is a thank you to the minister, the standing committee and the Liberal caucus for making improvements to the legislation. An ad has been put in the paper by the Species at Risk Working Group, which includes the Canadian Nature Federation, the Canadian Wildlife Federation, the Forest Products Association of Canada, the Mining Association of Canada and the Sierra Club of Canada.

It is possible that environmentalists and industrialists can work together because we know how important it is to preserve our environment. We do so by slowly beginning to ensure that our endangered species are protected. If we do not protect our endangered species, we will also be destroying ourselves.

It is also important for everyone to know that the legislation is reviewable in five years. It is an opportunity to test the legislation and to fine-tune it. It is not unusual. We have the same thing in the Department of Canadian Heritage with respect to the Copyright Act where there is a five year review.

● (1655)

I look forward to watching these foundation pieces in action as a single entity that will be the species at risk act. I look forward to learning new lessons while ensuring solid actions are taken on the ground. Most of all, I look forward to moving on with the legislation to protect our species because now is the time.

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BUSINESS OF THE HOUSE

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, discussions have taken place among the parties with respect to the take note debate on government business No. 28 scheduled for later this day in committee of the whole. I believe you would find unanimous consent for the following motion. I move:

> That during the take note debate in committee of the whole on government business No. 28 later this day, members may be permitted to split their time by so indicating to the Chair.

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

Some hon. members: Agreed.

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SPECIES AT RISK ACT

The House resumed consideration of the motion that Bill C-5, an act respecting the protection of wildlife species at risk in Canada, be read the third time and passed; and of the amendment.

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, it is unfortunate there is closure on the amount of time because there is a great deal more that I would like to say.

I want to make one observation right off the bat. The member for Davenport chastised us for not speaking up on the committee or doing this through the committee but he did not say anything when a Liberal member did it.

I would like to pose a question for the member and then make some comments.

One thing that needs to be put in legislation which is very questionable when it goes through the House is a clause that mandates a review of the legislation after a certain period of time, such as five years. It is known as a sunset clause or a clause that would create an automatic review by an unbiased agency or committee of the House to check to see whether the legislation is actually working. Why did the Liberal government not put one in? Would the member support that kind of thing?

We have to realize that once we pass legislation in the House, it is there forever. We have made many suggestions which have fallen on deaf ears.

The member for Peterborough wanted an example of where proper compensation was not made. I am completely familiar with the Firearms Act and it was not provided for in a proper way in that act.

Today many people are being deprived of their property. Because we do not have property rights in this country, we must have compensation mandated in the bill. Because it is not in there and it is left to the regulations, anything could happen. We need to have some kind of a revision after five years.

Many people in Canada do not realize that another problem with leaving it to the regulations is that we do not have an effective scrutiny of regulations system in the House of Commons. It flies in the face of democracy that the committee that reviews these and says they are not appropriate has no power to enforce the fact that regulations are not effective. That is the reason we have to get the bill right before it goes through the House. We do not have an effective scrutiny of the regulations in the House. I only became aware of that after a few years of experience in this place.

Compensation is not ensured. That is a serious problem which has been raised in western Canada. It may not be raised in Ontario but it is raised in western Canada all the time.

The other issue which the member for Davenport talks about is the creation of mistrust. What creates mistrust is the fact that in the bill there is what is called mens rea. People may be violating the law or have an endangered species on the land and are not aware of it and there is no obligation to make them aware of it. That is totally unacceptable but the government is letting that go through. That creates mistrust and it is a huge problem.

Bill C-15B passed and now that the bill has passed, we realize we did not get it right. The medical community is already concerned with what we have done in the House.

Is there a mandatory review mechanism in the bill? No. Why not? That should be mandated in every bill.

Would the member opposite support that kind of amendment being made before we go any further? It is critical that we get it right in the House before we let this legislation go. If we do not, we ought to stop it right here. That is what I am suggesting.

We are all in favour of protecting species but the way the bill sits, it is going to have the opposite effect.

● (1700)

Ms. Sarmite Bulte: Mr. Speaker, I tried to take as many notes as I could. I trust that if I am not able to answer all the issues the member opposite has raised, I can possibly do it at another time.

With respect to mens rea, going back to my legal training, this is not a criminal offence. Environmental legislation is not criminal legislation. Mens rea is a key element of criminal legislation. Environmental legislation is strict liability. We have to make the distinction between criminal code amendments and strict liability.

With respect to the concern that there is not an opportunity to review or vet regulations, let me make it absolutely clear that most recently with the new immigration and refugee protection act, draft regulations were tabled, reviewed by the committee and amendments were made. To say that members have no input to regulations is absolutely incorrect.

It was the same thing when we were discussing section 31 of the Copyright Act where we had to deal with the compulsory retransmission licence. Both the Minister of Industry and the Minister of Canadian Heritage have committed to allow legislation to be passed but not to make it effective until draft regulations are before the committee which we will in turn look at.

It is quite misleading to say that once legislation is passed, that this framework enabling legislation has to work and it all goes to the bureaucrats and members of parliament do not have any input. That is absolute nonsense.

With respect to the review, there is a five year review in the bill. I think the hon. member opposite is trying to draw a distinction between a sunset clause and the fact that this would expire at the end of five years as opposed to looking at the legislation itself to see how it will best work and when we will be in the process of negotiating stewardship agreements.

I remind members opposite that the bill provides for round table consultations after two years in order to look at the act. It is not devoid of consultation. It is wrong to say that we have not consulted. I believe that in the last three stages of the bill, 246 hours have been dedicated to discussing the species at risk legislation.

● (1705)

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I am pleased to join in the debate today on Bill C-5, the endangered species legislation, which I support.

I will begin by clarifying something said in previous discussions with members opposite. The point I was trying to make was that in the province of Ontario probably millions of farmers in very diverse farming situations have lived for 10 years with provincial endangered species legislation. None of the extreme problems the members opposite described have occurred.

Members opposite speak as though people in rural areas have no interest in maintaining the number of species that already exist, or that they do not suffer as the rest of us do when the number of species decreases.

The fact is that every time one species is lost almost inevitably other species are gone. This goes right down to bacteria which are critical parts of the web of life upon which we all depend.

A very good current example of this in rural areas is the problem we are having with bees. This does not come under the legislation, although in some ways I wish it did.

Being a rural member yourself, Mr. Speaker, I think you know that the predatory bee species that have been introduced are destroying our native bees. That is a simple example of a species being taken out in various regions. The ramifications of this for all of us, but for farmers in particular, are quite extraordinary. Let us think of this simply in terms of crops. If there are no bees many of our crops will not be pollinated and we will not be able to farm as we do at present. If there are no bees it will have other natural implications in the web of life because, as I have said before, other species are interrelated to bees as well as ourselves.

The loss of bees is critical for farmers and, I would argue, so is the loss of other species, in particular the general fact of the reduction in the number of species, which is going on because of the enormous number of human beings on the planet and the way we live on the planet. We should all be very conscious of that.

It has been demonstrated many times that one of the key reasons, if not the key reason, for the reduction in species is habitat. It often has nothing to do with species themselves but rather with where they live. Habitat is where species live, where they find food and where they raise their young. If there is no habitat there is no wildlife.

The main reason for habitat destruction is human behaviour. The place the species call home is either changed or lost in such a way that the species can no longer live there. This includes wetlands, forests, waters, open fields and agricultural terrain.

However at the same time we cannot always stop what we are doing. We human beings live on the planet as well. Will we tell a farmer not to plough or plant? Will we tell a resort or recreation operator to sit by during a nesting season? Will we tell mining companies that they cannot explore or forest companies that they must close down? That does not make sense either because that is a part of the way we live in the environment.

We need a balance, a balance between this natural environment upon which we depend and our way of life upon which we also depend.

After many years of study that balance is found in the proposed species at risk act and even further in the entire strategy for the protection of species at risk. The balance is found in the co-operative approach.

● (1710)

Stewardship and voluntary action are the first and best steps in protecting species' critical habitat. It is the partnerships we have formed and are continuing with large forestry and mining companies, with fishers, farmers and others, partnerships that are building conservation and stewardships in the way we all do business.

As we know from firsthand experience, most people want to do the right thing, and they do. Whether they live in rural or urban Canada, they want to do the right thing. We all want to do the right thing because we know that when a species is at risk or is lost, there are consequences to the whole ecosystem and we are part of that ecosystem. When a species is lost there can be further effects that are sometimes unpredictable and incalculable.

The loss of bees in the environment was an example of that. We know the immediate effects of the loss of bees on pollination and on crops but we do not know the full ramification of the loss of bees in a particular chain.

The biological diversity of the environment forms the support network for all human existence. The tiny organisms that contribute to clean water, the water that supports plant life and the plants that feed wildlife all form part of a system that supports us, our children and our families.

As members can see, we have no choice. We must act. We must ensure that no species becomes extinct because of human behaviour.

We also recognize and the proposed legislation is designed to ensure that there must be strong prohibitions in case the co-operative approach does not work. We recognized some time ago that this could in some cases involve a significant loss of income earned from the land.

That brings us to the issue of compensation. As we heard this afternoon, compensation is a very complex matter that requires careful consideration and creative thinking.

When it is necessary under the proposed law to prohibit the destruction of critical habitat or to make an emergency order to protect habitat, then the proposed legislation would allow for compensation to be paid for losses suffered as a result of any extraordinary impact. The proposed act is clear that any compensation provided to anyone who suffers loss from such prohibitions will be fair and reasonable.

There has been much concern about compensation and much debate on it for eight or nine years. The intensity of the policy work around this matter has been great. As members can imagine, views, as we heard this afternoon, vary widely on this issue. In particular, rural Canadians have taken great interest in how the government will manage the issue of compensation under the proposed species at risk act. How much is enough? Who should get it? When? How would we decide how much to give and to whom?

Those are just a few of the many questions that have been asked and are still being asked. They have been researched over nine years. We have debated them over nine years. We have sought expert advice over nine years. We have read cases and we have consulted, some of which have been mentioned again here this afternoon, and we have reached several conclusions. The most important of these is that several years of practical experience is needed to implement the stewardship and recovery provisions of the proposed species at risk act and to deal with questions of compensation. Establishing a prescriptive approach to the legislation without the needed experience may well have the unintentional effect of excluding some very legitimate claims.

Concepts, such as fair market value, which have been shouted from the other side, are relevant considerations in quantifying the impact on a case by case basis, but determination of the level of compensation should not be limited to this concept.

As appropriate, the expertise of qualified valuation experts would be used to determine the adverse impact to the interest in property or in the quantification of loss of benefits that may result from not being able to carry out certain activities.

There will be general compensation regulations ready soon after the proposed act is proclaimed that specify the procedures to be followed for claiming compensation. These regulations will enable the use of the compensation provisions should an extraordinary situation arise. I mentioned the case in Ontario where we have had endangered species legislation for many years and such cases have not arisen.

● (1715)

Work on developing these regulations has begun. We must do it the right way. We want to get it right. We are working with the territories and provinces to do it. We are doing all of this in ways—

The Acting Speaker (Ms. Bakopanos): It being 5.15 p.m., pursuant to order made on Monday, June 10, 2002, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the third reading stage of the bill now before the House.

[*Translation*]

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.

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

And more than five members having risen:

The Acting Speaker (Ms. Bakopanos): Call in the members.

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

(Division No. 370)

YEAS

Members

Abbott
Anders
Asselin
Bailey
Bigras
Breitkreuz
Burton
Cardin
Cummins
Dubé
Elley
Fitzpatrick
Gauthier
Grewal
Guay
Hill (Macleod)
Hinton
Johnston
Laframboise
Lanctôt
Lunn (Saanich—Gulf Islands)
Marceau
Mayfield
Meredith
Mills (Red Deer)
Obhrai
Paquette
Perron
Rajotte
Ritz
Sauvageau
Skelton
Sorenson
St-Hilaire
Thompson (Wild Rose)
Vellacott
Yelich– — 73

Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Benoit
Bourgeois
Brien
Cadman
Casson
Day
Duncan
Epp
Gagnon (Québec)
Gouk
Grey
Hanger
Hill (Prince George—Peace River)
Jaffer
Kenney (Calgary Southeast)
Lalonde
Lebel
Lunney (Nanaimo—Alberni)
Martin (Esquimalt—Juan de Fuca)
Ménard
Merrifield
Moore
Pallister
Penson
Plamondon
Reid (Lanark—Carleton)
Roy
Schmidt
Solberg
Spencer
Strahl
Toews
White (Langley—Abbotsford)

NAYS

Members

Adams
Anderson (Victoria)
Assadourian
Bagnell
Barnes (London West)
Bélanger
Bennett
Bevilacqua
Blondin-Andrew
Boudria
Brison
Bryden

Alcock
Assad
Augustine
Barnes (Gander—Grand Falls)
Beaumier
Bellemare
Bertrand
Binet
Bonin
Bradshaw
Brown
Bulte

Caccia
Cannis
Castonguay
Cauchon
Chrétien
Coderre
Comartin
Copps
Cullen
DeVillers
Dion
Drouin
Easter
Eggleton
Finlay
Fontana
Fry
Godfrey
Harb
Harvey
Herron
Ianno
Jennings
Karetak-Lindell
Keyes
Kraft Sloan
Lastewka
Lee
Lill
Longfield
MacKay (Pictou—Antigonish—Guysborough)
Mahoney
Manley
Mark
Matthews
McGuire
McLellan
Mills (Toronto—Danforth)
Mitchell
Myers
Neville
O'Reilly
Pacetti
Paradis
Patry
Peschisolido
Pettigrew
Pillitteri
Price
Provenzano
Reed (Halton)
Richardson
Rock
Savoy
Scott
Shepherd
Speller
St. Denis
Stewart
Telegdi
Thibeault (Saint-Lambert)
Tirabassi
Torsney
Valeri
Wappel
Wayne
Wilfert
Calder
Carroll
Catterall
Chamberlain
Clark
Collenette
Comuzzi
Cotler
Cuzner
Dhaliwal
Discepola
Duplain
Efford
Eyking
Folco
Frulla
Gallaway
Goodale
Harvard
Hearn
Hubbard
Jackson
Jordan
Keddy (South Shore)
Kilgour (Edmonton Southeast)
Laliberte
LeBlanc
Leung
Lincoln
MacAulay
Macklin
Malhi
Marcil
Marleau
McCallum
McKay (Scarborough East)
McTeague
Minna
Murphy
Nault
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Parrish
Peric
Peterson
Phinney
Pratt
Proulx
Redman
Regan
Robillard
Saada
Scherrer
Sgro
Simard
St-Jacques
Steckle
Szabo
Thibault (West Nova)
Thompson (New Brunswick Southwest)
Tonks
Ur
Volpe
Wasylycia-Leis
Whelan
Wood– — 158

PAIRED

Members

Allard
Bonwick
Charbonneau
Dalphond-Guiral
Dromisky
Fournier
Graham
O'Brien (Labrador)
Rocheleau
Vanclief
Bergeron
Caplan
Crête
Desrochers
Farrah
Girard-Bujold
McCormick
Picard (Drummond)
Tremblay
Venne– — 20

● (1745)

[*English*]

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

[*Translation*]

The next question is on the main motion. All those in favour of the motion will please say yea.

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And more than five members having risen:

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

(Division No. 371)

YEAS

Members

Adams
Anderson (Victoria)
Assadourian
Bagnell
Beaumier
Bellemare
Bertrand
Binet
Bonin
Bradshaw
Bryden
Caccia
Cannis
Castonguay
Cauchon
Chrétien
Collenette
Copps
Cullen
DeVillers
Dion
Drouin
Easter
Eggleton
Finlay
Fontana
Fry
Godfrey
Harb
Harvey
Ianno
Jennings
Karetak-Lindell
Kilger (Stormont—Dundas—Charlottenburgh)
Kraft Sloan
Lastewka
Lee
Lincoln
MacAulay
Mahoney
Manley
Marleau
McCallum
McKay (Scarborough East)
McTeague
Minna
Murphy
Nault
O'Brien (London—Fanshawe)
Alcock
Assad
Augustine
Barnes (London West)
Bélanger
Bennett
Bevilacqua
Blondin-Andrew
Boudria
Brown
Bulte
Calder
Carroll
Catterall
Chamberlain
Coderre
Comuzzi
Cotler
Cuzner
Dhaliwal
Discepola
Duplain
Efford
Eyking
Folco
Frulla
Gallaway
Goodale
Harvard
Hubbard
Jackson
Jordan
Keyes
Kilgour (Edmonton Southeast)
Laliberte
LeBlanc
Leung
Longfield
Macklin
Malhi
Marcil
Matthews
McGuire
McLellan
Mills (Toronto—Danforth)
Mitchell
Myers
Neville
O'Reilly

Owen
Pagtakhan
Parrish
Peric
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Reid (Lanark—Carleton)
Robillard
Saada
Scherrer
Sgro
Simard
St-Jacques
Steckle
Szabo
Thibault (West Nova)
Tirabassi
Torsney
Valeri
Wappel
Wilfert
Pacetti
Paradis
Patry
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Regan
Richardson
Rock
Savoy
Scott
Shepherd
Speller
St. Denis
Stewart
Telegdi
Thibeault (Saint-Lambert)
Tonks
Ur
Volpe
Whelan
Wood– — 148

NAYS

Members

Abbott
Anders
Asselin
Bailey
Benoit
Bourgeois
Brien
Burton
Cardin
Clark
Cummins
Dubé
Elley
Fitzpatrick
Gauthier
Grewal
Guay
Hearn
Hill (Macleod)
Hinton
Johnston
Kenney (Calgary Southeast)
Lalonde
Lebel
Lunn (Saanich—Gulf Islands)
MacKay (Pictou—Antigonish—Guysborough)
Mark
Mayfield
Meredith
Mills (Red Deer)
Obhrai
Paquette
Perron
Rajotte
Roy
Schmidt
Solberg
Spencer
Strahl
Thompson (Wild Rose)
Vellacott
Wayne
Yelich– — 85
Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Barnes (Gander—Grand Falls)
Bigras
Breitkreuz
Brison
Cadman
Casson
Comartin
Day
Duncan
Epp
Gagnon (Québec)
Gouk
Grey
Hanger
Herron
Hill (Prince George—Peace River)
Jaffer
Keddy (South Shore)
Laframboise
Lanctôt
Lill
Lunney (Nanaimo—Alberni)
Marceau
Martin (Esquimalt—Juan de Fuca)
Ménard
Merrifield
Moore
Pallister
Penson
Plamondon
Ritz
Sauvageau
Skelton
Sorenson
St-Hilaire
Thompson (New Brunswick Southwest)
Toews
Wasylycia-Leis
White (Langley—Abbotsford)

PAIRED

Members

Allard
Bonwick
Charbonneau
Dalphond-Guiral
Dromisky
Fournier
Bergeron
Caplan
Crête
Desrochers
Farrah
Girard-Bujold
Graham
O'Brien (Labrador)
Rocheleau
Vanclief
McCormick
Picard (Drummond)
Tremblay
Venne– — 20

● (1755)

[*English*]

The Acting Speaker (Ms. Bakopanos): I declare the motion carried.

(Bill read the third time and passed)

* * *

[*Translation*]

MESSAGE FROM THE SENATE

The Acting Speaker (Ms. Bakopanos): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed certain bills, to which the concurrence of this House is desired.

* * *

PRESIDENTIAL ELECTION IN COLUMBIA

Ms. Caroline St-Hilaire (Longueuil, BQ): Madam Speaker, I believe that you will find unanimous consent of the House for the following:

That the House of Commons demand the immediate and unconditional release of Ingrid Betancourt, Senator and candidate in the presidential election held in Colombia on May 26, 2002, who was kidnapped on February 23, 2002, as well as the release of other civilians detained by FARC (the Revolutionary Armed Forces of Colombia), and that, to this end, the House support the Ingrid Betancourt Canadian Support Committee.

The Acting Speaker (Ms. Bakopanos): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

The Acting Speaker (Ms. Bakopanos): It being 5.58 p.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

STATUTORY INSTRUMENTS ACT

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance) moved, seconded by the member for Scarborough Southwest, that Bill C-202, an act to amend the Statutory Instruments Act (disallowance procedure for statutory instruments), be read the second time and referred to a committee.

He said: Madam Speaker,I am very pleased to rise on behalf of the constituents of Surrey Central and in fact all Canadians to debate my private member's bill, Bill C-202, an act to amend the Statutory Instruments Act, disallowance procedure for statutory instruments, also called negative resolution procedure.

I would like to thank the hon. member for Scarborough Southwest, a veteran Liberal member and vice-chair of the Standing Joint Committee on Scrutiny of Regulations, for seconding the bill.

As members will recall, a similar bill was tabled by the hon. member for Vancouver Island North in 1996 but it died on the order paper. The proposed amendments to the Statutory Instruments Act largely mirror the current disallowance procedure which is set out in the standing orders of the House of Commons.

For the information of the folks who are listening and watching the debate on the TV, statutory instruments or regulations, also called delegated legislation, give form and substance to legislation. As the saying goes, the devil is in the details or sometimes in the fine print. Let me say that here in this business the devil is in the regulations.

Twenty per cent of the law in the country is made up of legislation. The remaining 80% of the law is made up of delegated legislation, commonly called regulations and frequently called red tape. Legislation or bills are passionately debated in the House and voted in parliament, whereas there is virtually no debate, public input or even media scrutiny on regulations. This is an affront to democracy.

The only and limited scrutiny of delegated legislation or regulations in parliament is done by the Standing Joint Committee on Scrutiny of Regulations, a joint committee of the House and the Senate. The members of the committee, legal counsels and staff, work very hard scouring through thousands of papers on dry, technical and legal subjects doing a painstaking, fastidious and thankless job. This is a committee that is generally misunderstood and ignored but it is an essential watchdog in protecting democracy, controlling bureaucracy and holding the government accountable. There is room for more public input and interest by the media.

The joint committee is non-partisan or less partisan and more objective than other committees of parliament. Its scrutiny of the regulations is limited to the validity and legality on the basis of a set of uniform and defined criteria and not on the basis of policy matters, general merits or necessity of a statutory instrument.

The committee works meticulously but due to many elements involved it works at a slow pace. That is the nature of the committee. It has a huge backlog of work in progress. Staff and resources allotted to the joint committee for the important work it does are nowhere near adequate.

I happen to be a three term co-chair of the joint committee representing all members in the House. Members across all party lines and legal counsels of the committee support Bill C-20 and it is on similar lines written earlier by the standing joint committee to the justice minister for appropriate action.

The joint committee works to improve and correct defects in regulations but its ultimate weapon is to disallow defective regulations, only used when strictly necessary. The status quo disallowance procedure is seriously defective.

Bill C-202 would establish a statutory disallowance procedure that would be applicable to all statutory instruments subject to review and scrutiny by the Standing Joint Committee on Scrutiny of Regulations. This enactment would ensure that parliament will have the opportunity and the ability to disallow any statutory instruments made pursuant to authority delegated by parliament or made by or under the authority of the cabinet.

● (1800)

Through the bill, the Statutory Instruments Act is amended by adding a new section comprising the 10 subsections after section 19, which is the procedure for the disallowance of subordinate and delegated legislation.

Disallowance is a means at the disposal of parliament to control the making of delegated legislation. Parliamentarians are given an opportunity to reject a subordinate law made by a delegate of parliament.

Any general disallowance procedure ought to have a statutory basis. The lack of a general disallowance procedure as a means of asserting parliamentary control of delegated legislation prompted a great many recommendations that such a procedure be put in place.

Following the recommendation of the McGrath committee and as part of its overall regulatory reform strategy, the placement of the current disallowance procedure in the standing orders in 1986 was intended to be on an experimental and temporary basis.

The time has now come to give a more permanent status to that procedure, which was temporary and on an experimental basis, through its inclusion in a statute, preferably the Statutory Instruments Act.

In its 1992 report, the subcommittee on regulations and competitiveness of the finance committee recommended that the defect in the current procedure be addressed by proceeding with the adoption of a statutory procedure covering all statutory instruments. A mere resolution of the House of Commons is all that is required to amend the standing orders of the House.

Disallowance would be most appropriately dealt with in the Statutory Instruments Act but it can also be dealt with in a number of other statutes, such as the Parliament of Canada Act, the Interpretation Act or even in distinct statutes. Various disallowance procedures have been in existence in other Commonwealth jurisdictions for many years.

I would mention two glaring defects of the current procedure. First, that the procedure only applies in the House of Commons and not in the Senate.

Second, the disallowance is limited to those statutory instruments that are made by the governor in council or ministers of the crown. A fairly large body of subordinate law is not subject to disallowance, thus to parliamentary scrutiny. A large number of delegated laws escape parliament's scrutiny and there is no good reason, either in theory or practice, why a regulation or statutory instrument made by the governor in council or a minister can be disallowed by parliament while a regulation made by an agency or board cannot.

Under parliamentary orders the governor in council also delegates authority to make regulations to a number of quasi-government agencies or boards, such as the National Transportation Agency, CRTC, CIHR, Canadian Nuclear Safety Commission and the National Energy Board, but parliament, through its standing joint committee, lacks the authority to propose the disallowance of any of those regulations of the excluded class. As a result, parliament is deprived of the opportunity to disallow important regulations made by these agencies or bodies.

It is clearly both logical and desirable that all statutory instruments subject to review by parliament under the Statutory Instruments Act be subject to disallowance. The current procedure simply cannot be invoked in relation to a large class of statutory instruments reviewed by the joint committee.

These two bodies of subordinate law are entirely a consequence of the choice made in 1986 by means of amending the standing orders of the House. This reform was meant to be temporary and if it had been successful it would have been extended to all statutory instruments reviewed by the committee.

After more than 15 years the time has come, although it has been long overdue, to place this procedure on a statutory footing with a view to increasing the effectiveness of parliamentary control of delegated legislation.

● (1805)

Another weakness of the existing procedure is that a House of Commons order asking the department to revoke a statutory instrument contains no form of sanction that would compel compliance, except in the case of contempt for the House of Commons.

Where the joint committee considers that a regulation should be annulled it can make a report to the House of Commons containing a resolution to the effect that regulation *x* should be revoked. Once that report is tabled in the House the applicable procedure would depend on a decision by the responsible minister. Should the appropriate authority neglect or refuse to comply with the disallowance order it would be open to the House to treat the failure to comply with the order as involving a contempt of the House.

While the House could deal with the matter as one of contempt there are no other legal sanctions, or even consequences, that arise from a failure to comply with a disallowance order. As a matter of law an order of the House of Commons that a particular regulation be revoked is not binding on the author of the regulation and cannot be enforced by a court of justice.

The standing orders also provide that where the committee recommends to revoke an instrument, and the report being tabled, no request is made by a minister for a debate. The resolution contained in the report is deemed to be concurred in by the House at the expiration of 15 sitting days. In this case as well the resolution is then treated as an order of the House that the regulation be revoked.

Under the status quo procedure, the revocation of an instrument disallowed by the House of Commons would ultimately depend on a decision of the governor in council or the appropriate minister to obey the order of the House of Commons or not.

Placing the disallowance procedure on a statutory footing, as this bill recommends, would remove the need for a regulation making authority to take subsequent action to give effect to an order of the House, thus eliminating the potential for conflict between the legislature and the executive.

Proposed subsection 19.1(9) is a new provision. By putting the disallowance procedure on a statutory footing, the procedure is also made more efficient as there is no longer a need for the House of Commons to address an order of the cabinet ordering the revocation of a statutory instrument. The legislation itself would now deem a disallowed instrument to be revoked. By eliminating the need for further action by the governor in council or the minister who adopted the disallowed instrument compliance with a disallowance decision would be improved by eliminating any possibility of a regulation making authority not complying with a disallowance order of the House.

It seems a little complicated and technical but those veteran members of the standing joint committee should understand. I am sure that other members have a fairly good idea. I tried to make it simple for them.

By providing that the revocation of an instrument does not take effect before the expiration of a 30 day deadline, the bill would ensure that the regulation making authority that made the disallowed regulation has an opportunity to take measures to mitigate any negative impact that the revocation might have, including the enactment of alternative regulations.

Proposed subsection 19.1(10) is also new. It would provide for the situation in which a minister has filed a motion to reject a proposed disallowance and the motion is not adopted. In that case, the proposed subsection 19.1(9) would deem the regulation or other instruments to be revoked at the expiration of 30 days from the day on which the motion to reject the disallowance was considered but failed to obtain the approval of the House.

Putting the present procedure on a statutory footing would not only ensure that parliament has effective control of the delegated legislation it authorizes, it would also allow for a simplification of the current procedure. Some 80% of the laws that Canadians face are through regulations and statutory instruments and most of them fall within the federal jurisdiction and affect every Canadian in many ways.

● (1810)

Bill C-202 is of very significant public concern. There is significant support from small, medium and large businesses, various organizations and stakeholders, the Canadian Federation of Independent Business, the Canadian Manufacturers and Exporters and chambers of commerce throughout the country.

As members of the House representing Canadians our most important responsibility is to protect democracy. It is incumbent upon all of us in the House irrespective of political parties to make the disallowance procedure more transparent and effective. This is a non-partisan issue. All of us must ensure than an appropriate and effective procedure is in place that has a statutory footing and that is enforceable.

The current practice of disallowance is not statutory, rather it is a halfway house. Because it is embodied in the standing orders it is limited to instruments the governor in council or a minister has the authority to revoke. It does not apply to all statutory instruments and most notably, does not apply to regulations made by agencies and bodies I mentioned. Nor does the disallowance take effect automatically after the reporting in the House. The governor in council or a minister must act in a sense ordered by the House.

By providing a clear legislative basis for the current disallowance procedure Bill C-202 would: first, allow parliament's authority to extend to all instruments subject to review under the Statutory Instruments Act instead of only those made by the governor in council or a minister.

Second, it would remove the necessity for additional action on the part of the regulation making authority in order to give effect to an order of the House that a regulation be revoked. Bill C-202 not only gives the act two recommendations made by numerous parliamentary committees who have studied the matter, but would both strengthen the current disallowance procedure and make that procedure more effective. Providing a statutory basis for disallowance would allow this defect to be corrected and would ensure parliament's full control of delegated legislation.

This regulatory reform is the beginning. I am certainly aware that further regulatory reforms are needed and there is room for improvements and amendments and strengthening of the bill can take place when it goes to committee.

I want to thank all the members from all parties who will be speaking to the bill, particularly the hon. members for Scarborough Southwest, Scarborough—Rouge River, Témiscamingue; Regina—Qu'Appelle; Pictou—Antigonish—Guysborough and Dauphin—Swan River, as well as many Senators who are supporting the bill, my co-chair Senator Hervieux-Payette and many other Senators who have been working hard on this committee. They understand what this disallowance procedure means and why it is important to restore transparency and protect democracy in the House of Commons.

I am optimistic that all members of the House will support this important, long overdue initiative by looking through the non-partisan lens. As the bill is votable I trust members will vote in favour of Bill C-202. All of us in the House, as one body, as Canadians with one voice, can reassure and strengthen democracy in parliament.

● (1815)

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Madam Speaker, I am pleased to speak to Bill C-202, an act to amend the Statutory Instruments Act (disallowance procedure for statutory instruments), introduced by the hon. member for Surrey Central.

The bill relates to the critical role that parliamentarians have to oversee the exercise of delegated legislative powers. For the past 30 years the Standing Joint Committee for the Scrutiny of Regulations has performed an invaluable service to the House and the Senate, as well as to the Canadian public generally in its review of statutory instruments made under acts of parliament.

In 1986 the role of the standing joint committee was augmented by the addition of chapter 14 to the Standing Orders of the House of Commons. This chapter provides what are often called disallowance procedures for the revocation of statutory instruments. These procedures involve the tabling of a report by the standing joint committee containing a resolution that a statutory instrument be revoked. If the resolution is adopted it becomes an order of the House to the government to revoke the statutory instrument in question.

To date, these disallowance procedures have been used to adopt a total of eight resolutions. The disallowance procedures of the standing orders process have worked well. The government has complied or is preparing to comply with all of the resolutions that have been adopted by the House.

Today we are being asked to consider a bill that would significantly extend the existing provisions for the parliamentary oversight of delegated legislation. It would amend the Statutory Instruments Act to include disallowance procedures similar to those that already exist in the Standing Orders of the House Commons.

However, there are some important differences between the current disallowance procedures and those proposed in the bill. The first is that the bill proposes to move beyond the traditional role of holding the government accountable to the House. It proposes that the House revoke statutory instruments itself. Another difference is that the proposed procedures would extend to all statutory instruments and not just to those made by the government, as is the case with the procedures in the standing orders.

Although I firmly support the procedures in the standing orders I have serious concerns about the bill. I would like to highlight these concerns by discussing the differences I have noted between the bill and the disallowance procedures in the standing orders. As I mentioned, the procedures in the bill provide that a resolution of the House would be effective to revoke a statutory instrument.

Under the existing procedures in the standing orders it is up to the government to decide whether and when to revoke a statutory instrument in response to a resolution. This might be described as a fail safe mechanism, which would be lost under the proposed provisions of Bill C-202. The fail safe mechanism allows the government to safeguard against gaps in the law that might result from the revocation of a statutory instrument and that might have unforeseen consequences.

This safeguard is particularly valuable when flexibility is necessary to give the government time to consider the implications of a disallowance report. A fail safe mechanism also helps to avoid gaps in the law.

Often there is a need for some regulatory measures and if the disallowed measures are not appropriate then alternative provisions are needed to replace them. The development of alternative provisions usually requires significant capacity to develop regulatory policy as well as familiarity with the regulated community.

This requires technical expertise and a consultative process that the government is generally in the best position to provide. This is recognized by the fact that parliament has delegated to the government the regulatory powers in question.

● (1820)

Another concern is that the bill would extend existing disallowance procedures to non-ministerial regulations. The bill provides that disallowance procedures would apply to any statutory instrument. This includes a vast number of documents, many of which are made by bodies that operate independently of government. Examples include administrative agencies such as the CRTC and the Canadian Transport Commission; the courts that make rules of procedure; aboriginal law-making bodies such as Indian bands; agricultural marketing boards; and local port authorities.

Although current disallowance procedures are appropriate for regulations made by ministers of the crown, it is not at all clear that they would be appropriate for the wide variety of other law-making bodies that make statutory instruments. The extension of disallowance procedures to instruments made by these bodies could raise the prospect of inappropriate parliamentary involvement in the affairs of bodies recognized as requiring a degree of autonomy in conducting their affairs.

The bill raises other concerns in addition to the two I have discussed. First, it would enshrine a parliamentary process in legislation. This would be a significant precedent which could invite court challenges to the business of the House.

Second, statutory disallowance powers that apply generally to all forms of delegated legislation are exceptional in Canada and parliamentary democracies such as the United Kingdom. Although statutory procedures are sometimes enacted for particular regulations, such general powers are not usual in these jurisdictions.

Third, the proposed procedure would not include a role for the Senate in the disallowance resolution. Although the Senate is represented on the standing joint committee it would have no role in approving disallowance resolutions. Some may argue that this presents no difficulties since the procedures operate through the political accountability of the government to the House. However under Bill C-202 the procedures would operate directly and automatically by force of statute. This could raise objections from senators about being excluded from decisions made under a statute the Senate helped enact.

The government is committed to ensuring parliamentarians have an effective role in overseeing the exercise of delegated legislative powers. In addition to implementing resolutions under the existing disallowance procedures in the standing orders the Minister of Justice, like his cabinet colleagues, is committed to addressing concerns raised by the Standing Joint Committee on the Scrutiny of Regulations and making sure officials of their departments take the concerns every bit as seriously as they do.

I remind all members that the government always welcomes suggestions on how the working relationship between parliamentarians and the government can be improved.

● (1825)

[*Translation*]

Mr. Pierre Brien (Témiscamingue, BQ): Madam Speaker, tonight we are debating Bill C-202, a private members' bill from the member for Surrey Central, one of the co-chairs of the Standing Joint Committee for the Scrutiny of Regulations.

This bill may appear highly technical for those following the debate, but it is very important for parliamentarians, particularly given that many governmental decisions are made in the regulations rather than in the acts per se.

The purpose of this bill is to improve procedure so that members of the House can disallow a statutory instrument. People should know that there is a parliamentary committee that reviews regulations. It assesses the regulations and their consistency with the statute. In other words, it ensures that the regulations are legally justified, that they are well drafted and that they are within a justified context, with a solid legal foundation.

Occasionally, it is surprising to observe that by a simple error, and not because of bad intentions, statutory instruments are not consistent with the statute, which can lead to significant problems.

In other cases, it is clearly the lack of good faith in certain departments that leads them to draft statutory instruments where they have a tendency to expand powers more than they could otherwise.

As such, when members identify such a situation, they report it to the House. The bill at hand would improve the procedure available to members to disallow these regulations, but also to pressure the government to let the House debate these issues.

I am lucky—or unlucky, depending on your perspective—to sit on the Standing Joint Committee for the Scrutiny of Regulations, where the work is very technical, but nonetheless very interesting. We study cases where, after having identified a problem, we advise the department concerned, which then tells us "Your regulations are not consistent. You must redraft them. You are overstepping your powers". Then an exchange of correspondence and discussions take place for years between the Standing Committee for the Scrutiny of Regulations and the departments involved. In cases such as these, the process is ineffective and meaningless.

Obviously, there are a great many statutory instruments, and I have a great deal of respect for those involved in drafting them. They are very competent people who are required to process an inordinate amount of information in a short time. However, the significant workload leads to problems. Furthermore, we must at least feel as though parliament has the will to correct things when problems are identified.

The remarks of the Liberal member who said "The government is always prepared to listen to new ideas to help elected members be more effective, but we will not support this bill" concern me.

For those who know how statutory instruments are dealt with, the process lacks any teeth. Ministers and departments do not take us seriously.

There has been talk since December about disallowing regulations based on exchanges or a disagreement between the committee and the Department of Fisheries and Oceans, in this case, but nothing ever comes of it. We never manage to do as much as we want. It is even complex getting the committee report on disallowance concurred in, but as soon as it is, the House will have to at least look into the matter in a more efficient fashion.

I will not dwell on the technicalities of the legislation, but there is pressure to respond within the short timeframe within the bill, which I find very interesting. The member in question knows a great deal about the subject, which is based on a recommendation that goes back some 15 years, to move in that direction. So, this is an idea that is again being raised here to say "This is something we should have done a long time ago".

I feel compelled to warn members that they should be concerned about the fact so much goes through regulations instead of the legislative process.

● (1830)

If we members of parliament want to retain some control over the decisions taken, the legislation has to be as explicit as possible. When regulations are made to complement the act, as is the case for immigration here, mechanisms have to be enshrined in the act to ensure that the political base for the legislation is reviewed.

Today for example, in connection with the Immigration Act, the Standing Committee on Citizenship and Immigration has the power to review the regulations. The minister had to table them in the House. It is therefore not something that we see regularly, but it is at least going in the right direction.

However, many departments and ministers do not place such constraints on themselves. The governor in council is adopting many regulations that are not submitted to us.

One of the objectives of the member's bill is to ensure that when there are problems with the on the legal foundation or basis for the regulations, we can at least take this power back or give ourselves tools to make ministers and departments more accountable to this House.

I can therefore only applaud this initiative. I will support it and urge my colleagues to do the same. I hope that a majority of members will support it, so that we can finally have greater influence on decisions made in this House, perform to the maximum our role as members and balance a little better the powers between ministers and departments, and the members of parliament.

I support the member's initiative because it gives us a little more teeth to do our job. When time comes, I will support it.

[*English*]

Mr. Inky Mark (Dauphin—Swan River, Ind. Cons.): Madam Speaker, I am pleased to take part in this debate on behalf of the P.C. Party of Canada. Let me first congratulate the member for Surrey Central on his Bill C-202, an act to amend the Statutory Instruments Act, disallowance procedure for statutory instruments.

For our viewers, let me repeat the intent of the bill. This enactment would establish the statutory disallowance procedure that would be applicable to all statutory instruments, subject to review and scrutiny by the Standing Joint Committee on the Scrutiny of Regulations. In so doing, this enactment would ensure that parliament would have the opportunity to disallow any statutory instrument made pursuant to authority delegated by parliament or made by or under the authority of the cabinet. In other words, the committee would have the right to really have some teeth and scrutinize the regulations that come before the committee.

This disallowance procedure is very necessary to hold the government accountable. Currently there is no provision to disallow badly flawed regulations.

We heard the member from the government side state that the committee could send to the government by resolution the suggestion or list of regulations that should be disallowed. Through the years I have been here, I have not experienced that.

I have had real experience and I have sat on the Standing Joint Committee on the Scrutiny of Regulations. Back in 1997, when I first came to this House, I really found out how difficult it was to get rid of poorly crafted regulations, thousands of regulations, that came before the committee. One thing I realized was we were looking at regulations not one or two years old, but three, four, five and six years old.

My own opinion is that the joint committee really has no teeth. In other words, because it takes so much time to scrutinize the regulations that come before committee, it takes years and years of work before anything can possibly happen.

If the House is to have some control over the thousands of regulations that are written, then a disallowance procedure is a must. Surely there must be some regulations that are unnecessary. At this time there is no method to disallow other than reporting back to the House. A case in point are the regulations pertaining to Bill C-68. Many of the regulations under that piece of legislation are unnecessary and need to be rejected.

Over the last 30 years we have seen government abuse the use of orders in council to approve all kinds of regulations with no formal scrutiny. In my opinion this is a pure abuse of power.

The government members say that authority is delegated to the government. Yes, I believe they do have lots of delegated power and authority, but all authority needs to be scrutinized at all times.

Today in a world of framework and enabling legislation, which seems to be the kind of legislation we experience daily in this House, legislators have very little control over legislation. As the House knows, it is still the norm that ministers rarely table any regulations with the standing committees. The exception to that is the immigration committee which I sit on. In the last month we literally scrutinized Bill C-11 regulations, which was rather unusual to say the least.

Let me talk a little about regulations per se. As members know, regulations cover all areas of our life and they impact all of us daily. On the fiscal side certainly, regulations are a form of hidden taxation. As they raise the cost of doing business, Canadians end up paying relatively higher prices for goods and services.

● (1835)

They also kill jobs by making Canada less competitive. In fact on the agricultural side, farmers are always complaining, rightly so, about the new taxes they have to pay. Again a lot of it is assessment by regulations.

The government does not always consider whether a new regulation will meet its goal, whether it is the most cost effective method of protecting the public or whether it will have unintended side effects. I guess that is why we have a joint committee to scrutinize regulations, but again if that joint committee does not have real teeth to deal with bad regulations then it really is just exercise in futility.

In some cases less costly alternatives such as negotiated compliance are not considered. A regulatory environment that subjects the economy to regulations only where and when needed is critical to the creation of a vital and vibrant economy. However the regulatory burden imposed on Canadian business acts as a costly impediment on the productivity growth that is essential to an improved standard of living. We hear very little about regulations that impact the economy on the economic side.

The view of the PC Party is that governments should work toward the co-operative elimination of excessive regulations, overlap, duplication and waste in the allocation of responsibilities between the federal, provincial and territorial governments. We are probably the most over-governed and over-legislated country in the world. We love to create legislation without reviewing old legislation. A member from the opposition side asked why a lot of our bills did not have sunset clauses. That is an excellent idea.

Governments should implement an annual red tape budget which would detail the estimated total cost of each individual regulation, including the enforcement cost to the government and the compliance cost to individual citizens and businesses.

Governments should also establish regulatory service standards and devote the resources needed to meet those standards, thus ensuring they do not result in undue pressure being placed upon regulators to improve questionable products.

Governments should also work toward ensuring that user fees which are tied to regulatory approval are limited to no more than the cost of actually providing that approval. Further, those fees should be used to improve services allowing for greater regulatory approval.

In light of the effect it has on the economy of the country and on the lives of people, does it not make sense that all new regulations be scrutinized by the standing committees of the House? That at least should be a minimum requirement. We would require new regulations to be written in a way that is simple and easy to understand. All new regulations should be scrutinized by the standing committees, as I have just indicated.

A Progressive Conservative government would ensure that all proposed regulations are put on the departmental website for 30 days to allow for greater public awareness before they are published in the *Canada Gazette*.

In closing, regulations impact us daily but the problem is we really do not have an effective vehicle to scrutinize regulations and get rid of the ones that should not be there and that in effect do nothing for the country or for us as people of the country. The PC Party of Canada supports Bill C-202.

● (1840)

Mr. Tom Wappel (Scarborough Southwest, Lib.): Madam Speaker, I am very pleased not only to speak to the bill this evening, but to second it and to indicate my support for it.

I will just give a brief bit of history. I was asked to sit on the scrutiny of regulations committee first in April 1989. I have been on that committee in an uninterrupted capacity, except for elections of course, since 1989. I have served as the co-chair of that committee and I am currently the vice chair of that committee. Considering 13 years of experience on the committee, I think I have something to offer in terms of the debate on this bill.

I would like to begin by quoting at length from a letter dated December 20, 1999 which was sent from the then co-chairs of the committee and the vice chair of the committee to the then minister of justice, who is now the Minister of Health. The co-chairs at that time were Senator Céline Hervieux-Payette and the member for Surrey Central. They still are the co-chairs. The vice chair was myself and I am still the vice chair. However, if I quote significant portions of the letter, it will become clear what the problem is and why the suggested solution in C-202 is a good one. I begin on page one. It says:

> For the last quarter of this century, the Standing Joint Committee for the Scrutiny of Regulations has reviewed instruments of delegated legislation pursuant to its statutory mandate and in accordance with the rules of both Houses. Thoughtful participants in and observers of the federal regulation making process acknowledge that parliamentary scrutiny of delegated legislation has played a useful role in maintaining and improving the quality of federal regulations. The Standing Orders of the House of Commons also provide for a disallowance procedure that applies to a category of statutory instruments, to wit those made by the Governor in Council or a Minister. These provisions of the Standing Orders were adopted in 1986 following a recommendation of the McGrath committee and earlier recommendations of the Joint Committee itself. As you probably know, the placement of the current disallowance procedure in the Standing Orders was intended to be temporary and we feel time has come to give a more permanent status to that procedure through its inclusion in a statute, preferably the Statutory Instruments Act.

I continue at the top of page 2, which says:

> The most glaring problem with the current disallowance procedure is that it only applies to statutory instruments made by the Governor in Council or by a Minister. The result is that a fairly large body of subordinate law is not subject to disallowance. In our view, there is no good reason, in either theory or practice, why a regulation made by the Governor in Council can be disallowed by Parliament while the regulation made by the National Transportation Agency or the National Energy Board cannot. That a distinction was made between these two bodies of subordinate law is entirely a consequence of the choice made in 1986 to implement the new disallowance procedure by means of amendments to the Standing Orders of the House of Commons.

I turn to page 3 and quote again:

> Putting the current procedure on a statutory footing would not only ensure that Parliament's control of the delegated legislation is more effectively exercised, it would also allow for a simplification of the present procedure. At the moment, the revocation of an instrument disallowed by the House of Commons ultimately depends on a decision of the Governor in Council or the appropriate Minister to obey the order of the House of Commons. While constitutionally persuasive, as a matter of law an order of the House of Commons is not binding on the author of a disallowed instrument and cannot be enforced by the courts.

Finally, also on page 3, it says:

> It has always been the view of this Committee that any general disallowance procedure ought to have a statutory basis. That view was endorsed by the McGrath committee [in 1986] and later, by the Sub-committee on Regulations and Competitiveness. Indeed, as we noted above, when the current procedure was put in place, it was stated to be an experiment whose success would lead to the implementation of a statutory procedure.

● (1845)

I wholeheartedly agreed with those comments when I signed the letter. I still agree with them today, even more so.

We heard today from the parliamentary secretary that the current procedure is working and it is, as far as it goes. I remind everyone that it was an experiment. If it was working, it was to be turned into a statutory disallowance procedure. The McGrath committee said that and the Subcommittee on Regulations and Competitiveness said that. We have heard from the parliamentary secretary that the government does not want to do that. That is unfortunate.

The parliamentary secretary laid out a few criticisms of the bill. Some of them are warranted, but they can easily be remedied at committee stage with amendments. It is not necessary to defeat the bill now in order to deal with some of the comments the parliamentary secretary made.

For example, that there is no role for the Senate in the current legislation is clearly something the mover of the bill could deal with at his appearance before the committee. It is something the committee could deal with by way of appropriate amendments. That is certainly not fatal to defeat the bill at second reading.

I want to make a couple of comments on some of the alleged problems with the bill. We already have a disallowance procedure. It is in the rules. It has been around. It is successful by admission. The only problem is it does not deal with all regulations.

It does not make sense for the Parliament of Canada to be able to disallow a regulation proposed by the governor in council or a minister, but not disallow a regulation proposed by some subdelegate. It just does not make any logical sense. Indeed in many cases the ordinary Canadian is impacted far more by the regulatory agency than by perhaps a regulation made by a minister.

Who oversees the regulations of those regulatory agencies? Not parliament. How does that make parliament supreme? We often hear wonderful speeches in the House about how parliament is supreme. How is parliament supreme if parliament cannot review the regulations proposed by subdelegates of a minister but can review the regulations proposed by a minister? It does not make sense logically or legally.

Comments were made that the bill is substantially the same as the current standing orders. I would argue that is not true. The simple reason is that the standing orders, as I just said, do not deal with many regulations brought forward by agencies and that is a huge hole as far as I can see. On the fail-safe mechanism, perhaps this is the result of some misunderstanding by the justice department, but it is fairly clear there is already a fail-safe mechanism in the rules. If the minister does not want the regulation defeated, the minister can bring a motion which would then be debated and voted upon. If the House of Commons decided that the resolution to disallow was to be defeated, that would be the fail-safe mechanism.

The bill has exactly the same fail-safe mechanism. If a resolution were brought under the statutory footing asking that the regulation be disallowed, the minister could say "No, I am going to bring a motion that the resolution be defeated". If the minister can convince the House of Commons that the resolution to disallow should be defeated, it will be defeated. The House of Commons remains supreme. The minister is in control if his or her arguments are sound. Where is the problem? To say that somehow parliament should not have the authority to examine the regulations of agencies which are creatures of the House of Commons, which are created by the House of Commons, is with all due respect such a huge gap in logic as to be virtually laughable.

● (1850)

I have examined the bill carefully. I see no reason that the House should not support it at second reading, send it to committee, examine some of the considerations that the parliamentary secretary and the Department of Justice have put forward, and then propose amendments which can be dealt with by the House of Commons.

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Madam Speaker, I thank the member for Surrey Central for the opportunity to speak today in support of his private member's bill, Bill C-202.

Before getting into my remarks, I thank the hon. member for all the diligent work on the Standing Joint Committee on Scrutiny of Regulations that he has done. Much of that work is not visible to the public. While it is a committee that works in relative obscurity, it is important work indeed. It takes a dedicated parliamentarian to do this important work without the publicity or recognition that it deserves. For his dedication to democracy, I wish to compliment him. The constituents in Surrey Central should be proud of the work that their member of parliament is doing in the House of Commons for their benefit and the benefit of all Canadians.

I have been in the House for almost nine years. The experience has caused me to question the effectiveness of democracy and how it operates in Canada. I will speak a lot from my experience in the House.

For those Canadians watching on television, I want to outline what we are doing here and simplify the debate. Day by day we debate all the laws in Canada by which Canadians need to live. We continually try to fine-tune through our debate and analysis of bills the laws that are passed here and to which all Canadians must adhere in their day to day lives.

Legislation passed by the Liberal government is mostly enabling legislation. By that I mean the laws enable the government through regulation to determine the details of the legislation by which we all have to live.

The key point to be made, and that is what we are discussing, is that much less scrutiny is given to the regulations in the House. That is an extremely serious flaw in the legislative process. However we do have a committee that deals with that.

It is often said when we are talking about a contract or agreement that the devil is in the details. The regulations are the nuts and bolts and determine how the legislation will affect the daily lives of Canadians. We need to strengthen that part of the process. Bill C-202 is an important step in that direction. Canadians are greatly affected by regulations. We can liken it to the fine print in a contract.

To give Canadians an idea of how much work the standing joint committee is required to do, I dug out some statistics that were prepared for me last year by the research branch of the Library of Parliament. In just seven years, between 1994 and 2000, the Liberal government introduced 4,931 individual statutory instruments and statutory order regulations. That is 23,566 pages of federal regulations. The sheer volume of the work before the standing joint committee is overwhelming. We should not make its job more difficult when it identifies a regulation that does not comply with the laws passed by parliament. That is important.

It might be embarrassing for the minister and the government when the standing joint committee discovers that they did not follow the government's own laws but we should not tie the committee's hands when it wants to correct these regulatory errors.

It is clear to almost everyone that the disallowance procedure for statutory instruments should be part of the legislation. That is the oversight Bill C-202 attempts to correct.

As it stands now, if the standing joint committee identifies a regulation that does not comply with the laws passed by parliament, it issues a report to both the House of Commons and the Senate to disallow the specific regulations that were made in error. However under the disallowance procedure followed now, it is left completely to the discretion of the minister of the crown or the governor in council, which is really just a council of ministers, to revoke, amend or ignore the regulations identified in the report of the standing joint committee. Even the courts are unable to do anything about a regulation that is subject to a disallowance report.

Bill C-202 will fix those obvious defects. The purpose of the bill is to bring the Statutory Instruments Act into the 21st century.

● (1855)

This bill will give the disallowance procedure a firm legal footing. In the process it will strengthen our democratic processes and thereby be of great service to all Canadians. Once a law is passed by parliament giving the government the power to make regulations, it is vital to our democracy that these regulations be in full compliance with the law.

I will not have the opportunity to finish my remarks but I will conclude by saying that I have had a lot of personal experience and I feel that we do not realize how important this change is to the parliamentary process. We really cannot fix the flaws that thwart the democratic process. This is private members' business and I appeal to all people to pay close attention to it. All backbench MPs should carefully look at this bill because it will improve the legislation in the House. I hope I can conclude my remarks at some other time.

[*Translation*]

The Acting Speaker (Ms. Bakopanos): The time provided for the consideration of private members' business has now expired. Consequently, the order is dropped to the bottom of the order of precedence on the order paper.

[*English*]

Pursuant to Standing Order 53(1), the House shall now resolve itself into committee of the whole for a take note debate on the Canadian health care system. I do now leave the chair for the House to go into committee of the whole.

GOVERNMENT ORDERS

● (1900)

[*Translation*]

HEALTH CARE SYSTEM

(House in committee on Government Business No. 28, Mr. Kilger in the chair.)

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.) moved:

That this House take note of the review of the Canadian health care system by the Romanow Commission.

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Chairman, it is a pleasure to participate in this take note debate in the House tonight. It is an important opportunity for all members to discuss the review of the Canadian health care system by the Romanow Commission.

[*English*]

I rise this evening to participate in this special take note debate on the future of health care in Canada. As all members are aware, on April 4, 2001, the Prime Minister announced the creation of the commission on the future of health care in Canada, to be chaired by former Saskatchewan premier Mr. Roy Romanow. Commissioner Romanow's mandate is to "recommend policies and measure to ensure over the long term the sustainability of our universally accessible, publicly funded health system that offers quality services to Canadians".

His mandate could not be more important. This is clear from the overwhelming public involvement in the commissioner's activities over the past few months as he has undertaken the second and final phase of his work, a dialogue with the Canadian public and interested stakeholders. The commissioner has heard thoughtful and carefully considered submissions from citizens about their experiences within the health care system, including members of aboriginal communities, and from health care providers about the challenges they face in providing care to the best of their abilities.

This take note debate and the commissioner's recent public meetings with members of parliament, unprecedented, by the way, in the history of royal commissions in this country, are equally a reflection of the importance of this work.

Allow me, Mr. Chairman, to recognize and thank my colleagues in the House for the time and effort they have taken to consult with their constituents about the renewal of our health care system and to communicate their views to the commissioner and to me. I invite them to continue this very important work.

I also want to acknowledge the important contributions to this national debate made by recent provincial and territorial commissions and public consultations, by the National Health Forum in 1997 and by the Senate Standing Committee on Social Affairs, Science and Technology, led by Senator Michael Kirby.

The challenge we all face, citizens, Commissioner Romanow, members of parliament, our provincial and territorial colleagues and others, is to renew and reinvigorate our cherished health care system so that we can all have confidence that it will be there for us when we need it, providing timely access to high quality care.

Members will understand that I am not in a position this evening to talk about the specific steps we should take to improve our health care system. For that, we must await the delivery of Commissioner Romanow's final report in November and the careful deliberations that will follow. What I can and do want to talk about right now, though, is values.

I agree with Commissioner Romanow, as he has stated many times through the course of his public hearings, that the health care renewal debate is first and foremost a debate about values. As a nation we face three very tough questions. What should our health care system include? How should our health care services be delivered? How should we pay for our health care system?

As members of parliament charged with the responsibility of giving voice to the concerns and opinions of our constituents, our starting point in answering these questions has to be this fundamental question: What values do Canadians want to see reflected in their health care system?

What I hear Canadians saying loud and clear is that their core values are shared risk and equality of access. Taken together, these values may be equated to a strong sense of solidarity. It is through our health care system, better than anything else in the minds of most Canadians, that we reflect our solidarity with each other, with our family members, within our communities, as between our provinces and territories, and within our country. We also know that Canadians want a health care system that is publicly administered. The government must and will keep these core values foremost in its mind as we move forward.

Canadians also put a very high premium on the need for the federal government to demonstrate leadership in creating and maintaining national standards that give shape to the bedrock values of shared risk and equality of access. The government of Prime Minister Pearson played an historic role in this regard, introducing the Hospital Insurance and Diagnostic Services Act, which received unanimous support as it passed into law on April 10, 1957, and provided the foundation of our national public and universal health care system.

● (1905)

The government takes very seriously its responsibilities as guardian of the governing principles of our health care system as set out in the Canada Health Act: universality, accessibility, comprehensiveness, public administration and portability. This is a challenge within our federation, in which the provinces and territories are primarily responsible for the delivery of health care on a day to day basis. It is, however, a challenge that can and will be met with good faith and respect on all sides.

Canadians are fed up with governments arguing with one another over blame, money and jurisdiction, worrying that the object of this bickering, their most cherished social program, is sliding away from them for lack of concerted action on the part of those entrusted to govern. The federal government will not let Canadians down.

Canadians are pragmatic in the very best sense of that word. They understand that our health care system is not functioning as well as it can or should and they are realistic about the need for change. They are prepared to make the changes necessary to ensure that our health care system is sustainable for the future, as long as those changes are consistent with their values.

On these very important questions, I look forward to the advice I will receive from Commissioner Romanow when he delivers his final report in November of this year. I obviously also look forward to the views of members of the House on all sides this evening. For all of us, citizens, health care providers, members of parliament and our provincial and territorial colleagues, the process of health care renewal that lies ahead will put a premium on our intelligence, our goodwill and our spirit of partnership. I am confident that we will once more rise to the challenge.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Chairman, I want to thank the minister for her speech and for her participation in this debate.

I know that this debate cannot be reduced to mere fiscal considerations. However, I wonder if the minister agrees with me that, since 1997—and I am ready to table a document if the House so wishes—eight out of ten provinces have set up working groups to study the transformations that will occur in the various health care systems.

There is no longer one single health care system. There are ten of them. The various working groups that submitted their reports to their respective governments all pointed out that health care spending would increase by 5% over the next few years.

I was looking at the rate of increase of federal government revenues, which is 6.4% a year.

Therefore, I would like to ask the minister—and I will have the opportunity to elaborate on that when I make my speech later on—if she can tell us tonight whether she intends to be the ally of all premiers, from Bernard Lord to Mr. Landry to Mr. Campbell in British Columbia, to use her voice in cabinet to argue in favour of increasing transfers to the provinces so they can respond to this pressure on their respective systems to the tune of 5% a year.

Can she tell us tonight whether she is going to use her voice in cabinet to support the provinces' demands for more funding?

● (1910)

[*English*]

Hon. Anne McLellan: Obviously, Mr. Chairman, the funding of our health care system is an important issue, but I am one of those who believes that simply putting more money into the system is not going to lead to the renewal of the system that will make it sustainable well into the future.

However, let me say that no one should forget that we put $21.1 billion, which were new dollars, into health care in the accord entered into by our Prime Minister and the premiers in September 2000. As well, we have put in additional dollars, not insignificant dollars, for example, $1 billion for the medical equipment fund, close to $800 million in terms of a primary health care transition fund, and half a billion dollars for work with the provinces toward the creation of an electronic health record. All of these are important financial contributions.

That is not even to include the funds we provide through many sources for the basic research in the country that will ensure we have the knowledge to provide the basis for a sustainable health care system in the future.

I understand the hon. member's point. Obviously the financing of the system is something that we will continue to discuss in good faith with the provinces.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Chairman, I listened with great interest to the minister's remarks. In particular, I was struck with the word renewal in regard to our health care system. I understand that Mr. Romanow is going across this country and I think many people have great hopes of what he will come out with in his report next November. We certainly appreciated the opportunity to dialogue with him last week when we discussed health care with him.

What he is doing is very important and I am not trying to diminish it, but when we start talking about renewal it sort of scares me because I do not believe our health care needs renewal. I believe our health care needs support, it needs foresight and it needs leadership, all of which we have seen such a tremendous lack of over the last year.

It really disturbs me when I see what has happened to the number one priority of this country, which is health care. I agree with the minister when she at least acknowledges that. That is the way the electorate sees health care. This is very important and it is very important that we look at some of the challenges coming down the road in health care. I will mention that a little bit later in my remarks, but my question for the minister comes to the issue of the billion dollars and what happened in the accord of 2000.

In the accord of 2000, there was $1 billion for medical equipment. We just have had reports about it. I have been following this all spring, actually, and have been waiting for the minister to come forward or for the figures to come forward at the end of the fiscal year so that we would know how the money was actually being spent. Now we see that almost half that money, $486 million, is unaccounted for.

Some of the money was spent inappropriately. Some of it was put into what not many people would see as high tech equipment, such as lawn mowers, sewing machines, icemakers and so on. I am wondering if the minister would like to comment on the lack of accountability in giving that money to the provinces and not watching where it went.

Hon. Anne McLellan: In fact, Mr. Chairman, the accord of 2000 entered into between the Prime Minister and the premiers of the provinces and the territories included the commitment of the $1 billion to the medical equipment fund. The agreement is quite clear that provinces in receipt of that money must account to their citizens, their residents. They are not accountable directly, and the agreement states this, to us, the federal government, but to the people of the country and particularly to the people who live in their provinces. They all undertook to account. In fact they have all communicated with my predecessor, who wrote to them twice. I am in possession of letters from all provincial and territorial health ministers.

Are they in different stages in terms of using the funds? Yes, they are. For example, from the province of Quebec we heard an announcement yesterday, I believe, that their remaining $100 million of federal dollars, along with additional funds from the province, will be dispensed. They made announcements yesterday about the funding of high tech equipment in various regional health facilities across the province of Quebec. This is happening across the country.

I want to reassure the hon. member that to the best of our knowledge at this point, the money in fact has not been spent. Please do not say that the money is not accounted for. The provinces and the territories have drawn down all their money from the fund that was established by the Department of Finance. Have they all spent it at this point? No. Have they all written the cheques for the equipment they have ordered at this point? No. Certainly we will be watching very carefully to ensure that the money is spent as was originally intended. I am aware of some of the concerns around what some of the money may have been spent for. This is something that I have asked my deputy minister to pursue with the respective provincial deputy ministers.

● (1915)

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Chairman, let me take a slightly different tack than the critic for the Alliance Party and suggest that our system needs both renewal and cash.

I think it would be helpful for us to hear from the minister if she fully understands that in fact the cash is the glue that holds our system together and is vital in terms of the future of medicare and our ability to have a national system.

My question, though, really relates to the process, because this is a wonderful opportunity for parliament finally to debate the future of health care and to have input into the Romanow commission. It is long overdue. It is something the health committee has not been able to do. We have desperately needed this debate. It is good that finally we are having it tonight.

My concern, though, is about the process, because Canadians are very worried that we will put all this effort into the Roy Romanow commission, he will come up with a report and it will get buried or be allowed to gather dust on some shelf because of all the machinations around the leadership of the Liberal Party, all the debacle going on and all the questions about what will happen.

Some hon. members: Oh, oh.

Ms. Judy Wasylycia-Leis: Mr. Chairman, this is a serious question. Canadians want to know what commitments the minister can give to ensure that this report, when it is tabled in November, will be dealt with by the minister as soon as she receives it, that it will be tabled for all the public to see and that she will develop a plan of action as expeditiously as possible.

Hon. Anne McLellan: Mr. Chairman, I can reassure the hon. member that I am the Minister of Health and I have one task and one task only, and that is to discharge my obligations as the Minister of Health. One of the most important obligations I have right now is to work with provinces, territories, members of the House, health care professionals and those who use the system to renew the health care system.

I would hope that the hon. member, with her sophisticated knowledge, and I mean this quite sincerely, of the health care system would not suggest that the renewal of this system is only about cash, because it is not. There is no one that I have talked to who has suggested that renewal is only about cash.

I will certainly make a commitment to the people of Canada and to the members of the House that the Romanow commission's report will be made public by Mr. Romanow. We will take up that report and we, as a government, will begin the development of our plan of action with the provinces, territories, and with those who choose to respond to that report, including I am sure the Standing Committee on Health.

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Chairman, renewal costs perhaps but also surely transparency. The minister will know that the health care providers in this country, the hospitals that are consuming billions of dollars, do not come under any kind of freedom of information legislation. They do not come under mandatory standards of corporate governance and transparency that are required of for profit corporations by the Canada Business Corporations Act. Is the minister, as part of her review, undertaking to study making the system of health care more transparent and accountable through proper legislative means?

Hon. Anne McLellan: Mr. Chairman, accountability is an absolutely key issue here. When we talk to Canadians about health care, they want to see greater efficiency among other things. The other thing they talk about a lot is accountability. They want to know who they can hold accountable for the expenditure of their tax dollars. Is it the provincial minister of health, the federal Minister of Health, or the regional health authority? Is it the doctor from whom they have received a service? Who in fact is accountable in this system?

The hon. member raises an important point, which is that we need to do more together. That is why the provinces are moving in this area and certainly we will work with them to the greatest extent possible to ensure greater accountability and transparency in our health care system.

● (1920)

[*Translation*]

Mr. Réal Ménard: Mr. Chairman, I rise on a point of order. Could you ask for unanimous consent to allow a further 10 minutes for discussion and questions?

The Chairman: Following the question asked by the hon. member for Hochelaga—Maisonneuve, I must inform the House that, earlier today, the House unanimously passed a motion to allow only one type of requests for consent, that is to share time.

I am sorry, but the rules have been unanimously established earlier today in the House.

[*English*]

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Chairman, I agree with the minister and with most of the polls across this country that say that health care is the number one issue across this land.

It is also the number one concern of the electorate for sure who are responding to polls or talking in the coffee shops regarding the issues of the country. They value their health care system very much. It is important that they have at least the sense that their concerns are being dealt with as they wrestle with the problems as they see them because they are troubled. They are disheartened about some of the problems they are experiencing.

We can argue all evening about whether health care is in crisis or not. That is a fruitless argument. Some people say that just throwing more money at it will solve the problem. I disagree with that. Other people say that we should go for a complete overhaul of the system in some way. Then there are others who say that it is not in crisis at all and is just fine the way it is. The truth of the matter is that if we are one of those people on a waiting list or laying in a gurney in a hospital or laying in bed at home with our muscles atrophying because we cannot get into the system, it is in crisis today. We must recognize that.

It is important to Canadians and to the Canadian Alliance. We went on an extensive look at health care in this last year trying to discern exactly where Canadians were. We looked at our policy to see what Canadians were thinking and feeling about health care. We launched that last spring, revised our policy and it was accepted at the national assembly in April. We based our policy on four principles.

First, people want to get into a system in a timely way. They do not want to have their muscles atrophying while they are on a waiting list. That is unacceptable.

Second, when they get into the system they want it to be a quality system, one that they know can deal with the concerns that they have and is not second rate.

Third, they want it there not only for themselves but for their families, their grandchildren and for generations to come. They want it to be sustainable.

Finally, they want every Canadian to be able to access it regardless of the financial means.

That is how we must look at our system. That is what Canadians want. However, they want to change the focus from an institutional system to a patient driven system, one that they are paying for. They are the ones that the system should be concerned with. It should be focused around them rather than around the system.

Let us look at the legacy of the government over the last 10 years when it comes to health care. There has been a lack of importance put on the system. The government leads by polls and by spin. When it comes to health care that just does not work. We actually have to lead to drive health care and to sustain it into the future.

In the 1990s we saw the government pull $25 billion out of health care. The former finance minister is one individual who takes his share of the blame on this. What exactly happened to health care once that money was pulled out of it? This is a government that uses health care as a weapon going into an election, as a lever we might say.

This is not the first time we have seen a royal commission or an extensive commission on health care. The national forum on health in 1997, prior to an election, sits on a shelf collecting dust. There is absolutely very little, if anything, coming out of that forum that was implemented.

There are some things that the government does well, that is, study health care. It has put $242 million into studying health care in the last 10 years. That figure comes from a question we sent to the parliamentary library. It was not us who tallied the dollars. It was the Library of Parliament.

I would like to make mention of the September 2000 accord because it was a golden opportunity for renewing health care, if we want to use that word. It was a missed opportunity, just prior to the election I might add. There is $21 billion that does not go in right away. In fact, not a cent of that went in until April 1 of the following spring, except for the billion dollars that was mishandled and the other half a billion dollars that was for information technology.

If members want to look under a stone, just take a look at where that money went. It was probably treated very similarly to the billion dollars in technology that went toward floor scrubbers, steam cookers and lawn mowers. There was $486 million that was unaccounted for. This is almost two and a half years from the time that money was allocated.

● (1925)

There are major problems. What kind of a system do we have right now? We have waiting lists that are growing longer all the time. We have obsolete medical equipment. We have a critical shortage of medical professionals: 2,500 doctors are needed to stay in the system per year, and 110,000 new nurses are needed within the next eight to ten years just to keep up. Because of such a lack of health care professionals the system and the morale within our facilities are unbelievably disturbing.

The federal-provincial acrimony over health care and the Canada Health Act is something that should have been fixed many years ago. There was a promise in 1999 for a dispute settlement mechanism. We got that, but only after a gun was held to the head of the minister. Sadly there are too many other personal horror stories in health care.

What has happened? Canadians have lost their confidence when it comes to what is happening in health care. A Statistics Canada opinion poll released in January reported that the number of Canadians who felt the health care system was not meeting their needs rose 50% in the last four years. More than half of the respondents reported that health care problems led them not to pursue treatment in our health care system. That gives us an idea of how people are thinking.

Let us look ahead and take a look at what is coming if we are considering saving health care. The Canadian population is aging. The percentage of those who were over 65 in 1981 was 9.7% and 12.5% in 2000. It will be 14.6% by 2010 and by 2031, 23.6% of the population will be over the age of 65.

Why are we so concerned about that? It is because from age 45 to 65 we spend an average of $1,800 per patient. From 65 to 75 it is $4,000. That is over double within a 10 year span. From 75 to 85 it goes to $7,500. At 85 and over it is $14,000 a year. That is why we are concerned.

If we look ahead with the same system we have a problem coming. Coupled on top of that the kind of problems we have with obese children or unfit children, as I like to say, in our student population who will have heart and stroke problems at age 30 instead of 60 and 70, it will multiply that problem. Clearly we have a problem in health care.

What are some of the solutions? We should allow the federal government do what it can do and allow the provinces to do what they can do. The federal government can deal with the Canada Health Act. Canadians have bought into the Canada Health Act, although it has been compromised in all five principles in every one of the provinces. We really must do something with the Canada Health Act to make it a quality system. We must rejuvenate it and look at how we can deal with a health system that is going into the 21st century. It has not been looked at since 1984. It has to consider such things as quality, timeliness, sustainability and accountability. These new principles must be considered as we look into that.

The other thing is the dollars and cents. How will we pay for the system? The Canadian Alliance strongly believes that never again should a government be able to pull those moneys out of the health care system and balance the books of the nation on the back of health care. Therefore we added a sixth principle. We say that we should have stable five year funding at a minimum for health care to be able to sustain it into the future.

However more money is not the only solution. Every one of the reports from the provinces, whether it is Fyke, Mazankowski, Kirby and even the Romanow commission, will all say that more money is not the only solution. We must do more than that.

When we look at some of the serious considerations of our health care system and the number one driver of costs we understand that it is drugs. We must do something about that. Not only must we do something about the cost of drugs and the availability of them, we must do more than that. We must look at the safety of drugs. We have problems in drugs that are unbelievable. Approximately $15.5 billion was spent on drugs in 2001, up 8.6%. That is a serious problem.

We must also umbrella everything that we talk about under health care promotion and look at more than crisis management. We have crisis managed health care for the last three or four decades. We must look beyond that. We must look at it as health promotion and wellness. We must look upstream much further than that if we are going to sustain the system into the future.

● (1930)

We have great challenges in health care. We have great opportunities as well. We need greater accountability and transparency, more stability of funding, more flexibility and innovation, more co-operation with the provinces and more honest and open debate.

Mrs. Judi Longfield (Whitby—Ajax, Lib.): Mr. Chairman, I listened with great interest to the hon. member opposite. One thing struck me. He talked about a report he asked the Library of Parliament to produce for him that claimed we were spending an enormous amount of money to study health.

First, did the Library of Parliament provide you with the details of where we were spending the money? If we spent as much as you say perhaps you could tell us how it was spent.

Second, you talked about the rising—

The Chairman: I know committee of the whole is slightly different but I strongly encourage all members to make their interventions through the Chair and not directly to one another across the floor. It might be helpful if I need to come in at some time.

Let us start from the beginning. The hon. member for Whitby—Ajax.

Mrs. Judi Longfield: Mr. Chairman, could the hon. member opposite comment on the notion that while drug costs are rising it may be a more cost efficient way of treating the illnesses facing Canadians?

Mr. Rob Merrifield: Thank you very much for the question. I can certainly give you the report from the library. I do not have it with me but it is in my office and I would be more than pleased to give it to you.

The Chairman: Again, we are at the beginning. Do not forget us up here. You might want us someday, so please make sure you go through the Chair. Right now it is nice and cool but that could change.

Mr. Rob Merrifield: Mr. Chairman, I am sorry but it was a very cordial dialogue. We will do our best to make sure it stays that way.

I would be more than happy to table the report either to the Chair or to the hon. member tomorrow. It is certainly not anything I keep secret. Nor is it something I developed. It is there and the figures are real.

The real issue the hon. member wanted to talk about was drug safety and the reason drug costs are going up. Not only is the cost of drugs going up. We are using more drugs. That is fine. Canadians are big users of drugs and will continue to be.

However we must look in perspective at the downfalls of this. As we use more drugs we are also misusing many drugs. This is causing tremendous concern. Statistics coming into my office suggest 30% of seniors are addicted to benzodiazepines, a very addictive line of drugs. That is 20% of the general population. The addiction is often worse than the illness the drugs were prescribed for. They are not being used as intended by Health Canada. The rules say they should be taken for 7 to 10 days at a time. Some people have been on them for 7 to 10 years.

We have a major problem that needs to be addressed. Before we open the avenue for more drugs let us deal with the safety of the drugs we have.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, my question is for my colleague who sits on the same committee as I.

In 1984, when the then Minister of Health, Monique Bégin, tabled the Canada health legislation in this parliament, she did so in a rather unconstitutional way.

We know that, regarding the division of powers, the federal government has power over drug certification, quarantine, Indians and national defence. The Minister of Health used the federal spending power to impose standards that would normally never have seen the light of day under a strict division of powers.

Does the Canadian Alliance member not think that the principles put forward in the Canada Health Act infringe somewhat upon provincial prerogatives and go against his constitutional agenda?

● (1935)

[*English*]

Mr. Rob Merrifield: Mr. Chairman, I thank the hon. member for his question. It is a good point. As I said in my dialogue earlier, the five principles of the Canada Health Act are compromised in every province. It depends on where and how we want to draw the line. Are they compromised because we have misused or abused them? Perhaps they are.

Let us look at the pattern of the government over the last decade. Every time the provinces have been innovative in trying to deal with the deficits inflicted on them by the federal government's withdrawal of money, in came the health minister of the day with a big sword saying “Do not touch that. Do not do that.” It was a double sin. Not only were the provinces asked to deal with an untenable position in terms of lack of funding. They had to do it with their hands tied behind their backs.

I was in the system at the time. I worked on the floor in policy development. I wrestled with the issue of how to make health care sustainable. It is something that absolutely cannot happen again. I hope the new minister takes a more collaborative approach than ever before to the respective roles of the federal and provincial governments. If we are to save health care we need to do that.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Chairman, I have often been critical of the federal government when it comes to health policy. However when it comes to the Alliance policy I find some of its proposals outright frightening.

During the last election the Alliance was on record as supporting two-tier health care. It has come out as being opposed to strict enforcement of the Canada Health Act. It has given credence to shifting more costs onto individuals through medical savings accounts or user fees. It voted down a bill in the House that would have banned private hospitals. Last week an Alliance member told the Romanow commission the Alliance would favour private, for profit health service delivery and private pay options to offer more choices to Canadians.

Members can see our concern and the concern of Canadians. It is incumbent on the Alliance health critic to clarify his party's position and indicate whether he is prepared to join Canadians in the fight for non-profit public health care.

Mr. Rob Merrifield: Mr. Chairman, I thank the hon. member for her questions. They are misleading at least, and a blatant lie or misinformation if not—

Some hon. members: Oh, oh.

The Chairman: Order, please. I would ask the hon. member to withdraw the word lie.

Mr. Rob Merrifield: I withdraw.

The Chairman: Is there still a point of order from the hon. member for Peterborough?

Mr. Peter Adams: Mr. Chairman, I withdraw my point of order.

Mr. Rob Merrifield: Mr. Chairman, I will inform the hon. member and Canadians of our policy and what we did. First, it is not the case that we support two-tier health care. In the last election we ran on absolutely the opposite. We said no to two-tier health care.

The hon. member quoted a newspaper article from last week in which one of my colleagues who is a doctor expressed his own personal view. I clarified in the same article that this was not our party policy. I said we believed in a federally run system based on the Canada Health Act, not the parallel system she so blatantly says we believe in.

I do not know what it would take to clarify the misconceptions of my hon. colleague. That is not where we are at. If she has read the rest of the article she knows it full well. If she has not read it I encourage her to go back and do so.

● (1940)

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Chairman, they could not have chosen a better moment to discuss those issues. The Bloc Quebecois received with great skepticism the interim report of the Commission on the Future of Health Carein Canada.

Why were we so skeptic? Try to imagine the situation we are in. I hope the minister will make the effort and try to understand our situation.

Since coming to power in 1993-94, the Liberals have reduced transfer payments to the provinces by nearly $30 billion. They have literally, deliberately weakened the provincial health care systems.

The federal government has never been in a better position financially, its revenue increasing by more than 6.5% a year.

The federal government has some gall to come to us now and say "We want to think about the future of health care".

Between 1947 and 1972, each province created its own hospital insurance plan. It is impossible for the federal government not to know that the provinces developed their own plan with their own public funds during those years.

At the time, the Liberal governments were committed to 50-50 funding. This was a cost-shared program in which half of the money was to come from the federal government and half from the provinces.

Today—and this must be a source of embarrassment to the minister—fourteen cents of every health dollar spent in Quebec comes from the federal government. I think there is no possibility of dialogue with the provinces. I see the minister is getting all agitated, and I would challenge him to stand up and tell us that is wrong. There is no possibility of dialogue with the provinces if we do not put the federal share back where it was supposed to be, at 50 cents of each dollar spent.

Does this mean that no thought must be given to how services are going to be organized? It must, and this is so much the case that thought must also be given to the fact that the very good government of Quebec, led by Bernard Landry, he who provides very good government to the people of Quebec, has set up the Clair commission.

Seven other provinces have followed Quebec's lead, and now there are eight task forces that have made recommendations on the future of health care.

What has changed in health care? Today, the issue is no longer senior citizens. For example, if she does not smoke too much, goes to the gym regularly and has good determinants of health, the minister should live to be 86 years old. Incidentally, we wish her a long life, not in politics, but in real life.

This is why we are no longer talking about the old, but the very old. This means that governments must plan health care in co-operation with the communities. People no longer want to be kept in the health care system. They no longer want to stay in hospital for too long. This is why we must rethink the whole issue. The two spectra of life are forcing us to rethink our health care approach. People live longer and they live longer in their communities. We must rethink palliative care and home care.

If we do not want people to go to hospital, it means that frontline services must be available. In Quebec, which is a model for Canada and several other countries, we have local community service centres, better known as CLSCs. The challenge for lawmakers is to find ways to provide proximity services in people's natural environment. We looked at the changes.

● (1945)

I would be curious to know. I asked the Library of Parliament—I am an intellectual, I read all the time—to see what had become of the various measures announced in the National Forum on Health.

First, is there anyone in the House who thinks that the Romanow commission is going to tell us anything other than what we learned from the National Forum on Health?

From 1995 to 1997, the Prime Minister, the member for Saint-Maurice, chaired the National Forum on Health. We saw the forum's report. The government invested $300 million in the Health Transition Fund. We now know what the major changes in the health care system will be. We are no longer listing the changes and receiving information about them. The provinces have completed this exercise, as did the federal government with the National Forum on Health.

Now, we must make sure that our budgets will be up to the challenge. Whatever our political stripe—to the left of the New Democratic Party or to the right of the Canadian Alliance—one fact is inevitable. Whoever the federal Minister of Health is, one fact is inevitable. For example, if Quebec wants to provide exactly the same health care and services, and no more, it is going to have to increase its funding by 5%. This will be true up until 2010.

I could add that at the first ministers' conference, they looked at possible resources. It is not possible that the Minister of Health does not know this. In 1994-95, when the Liberals were in power, the provinces invested $48 billion in the health care system. In 2002, they invested $67 billion. In 2010, they will be investing $88 billion.

Considering the present fiscal situation, provinces are unable to meet the demand. This is why, regardless of their political stripes, Premier Bernard Lord, Premier Campbell in British Columbia, New Democrats in Saskatchewan and Conservatives in Ontario have unanimously asked the federal government not to reflect, not to tell provinces what to do or use an authoritarian approach to reorganize what is a provincial jurisdiction, but to loosen its purse strings.

This will be the challenge for the federal government in the years to come: assume historical responsibilities. I would be very disappointed if the minister, who no doubt has very finequalities, was not very vocal about this issue in cabinet and did not show herself to be a staunch ally.

We cannot count on the Prime Minister to be an ally of the provinces. As we know, he is a stubborn and insensitive person and we cannot count on him to become an ally of the provinces. We can, however, rely on the minister, who has a sweeter disposition and a more conciliatory attitude, to recognize that without a substantial increase in resources, provinces will never be able to meet the demands of the various health systems.

I will conclude by mentioning that in September I will move a motion in the standing committee on health, for which I hope to gain the support of all my colleagues. There is one thing the federal government could do, and it is to ensure that when new drugs are registered, they have new therapeutic value.

The Patented Medicine Price Review Board has noticed that 80% of new drugs on the market are actually not new. The Senate of Canada has estimated that when a new drug comes on the market, pressure for its use occur during the first 12 months.

The standing committee on health and the federal government could review the whole question of the introduction of new drugs on the market and ensure that they have new therapeutic value.

Mr. Speaker, I see that my time is up. Even if the minister is asking me to go on, I will yield to your authority and answer questions.

● (1950)

The Chairman: As usual, the hon. member for Hochélaga—Maisonneuve is a very wise man.

[*English*]

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Chairman, I keep hearing from the hon. member that there was a promise to do everything on a 50:50 basis. In 1970, when medicare began, the promise was only for hospital and physician services.

Following 1970, provinces began to add on a basket of services outside of the hospital, such as home care, long term care, palliative care and community care. They have added on a whole other basket of services outside of physician services.

This is what we are talking about when we say that it is like comparing apples and oranges. If we divide the amount of money the federal government is funding into that whole new large basket, which is not part of the Canada Health Act and not part of the agreement, then obviously we would come up with the kind of skewed numbers that the member has talked about.

The member should consider that if the provinces want the federal government to fund some of the services that it is not required to fund, such as hospital and physician services, then negotiations may have to be opened up. The federal government will not just drop money into an open hole in the ground. It will have to decide how it can form a partnership with the provinces in order to fund some of the new and many ancillary services that have been added on since 1970.

[*Translation*]

Mr. Réal Ménard: Mr. Chairman, I know we cannot use documents, but I would like to quote, if I may, from the Romanow commission's interim report, in connection with the 50-50. Commissioner Romanow is not a man who could be suspected of sovereignist tendencies, but he says the following:

> The first step toward universal public coverage began with the introduction of hospitalization insurance in Saskatchewan in 1947. In 1957, the federal government committed to sharing the costs of hospitalization insurance with the provinces.

This is the historical review given by the Romanow commission, and that is what we were talking about. It has always been a question of 50-50 responsibility for the federal government.

[*English*]

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Chairman, if we look back to what actually happened in 1997, after an exhaustive two year study by the National Forum on Health which cost $12 million, we see that the study was used as a lever going into an election to give the impression and allow the electorate to hope, after the money was pulled out of health care, that the government was actually doing something for health care.

Why would we expect the Romanow commission to be treated any differently than the other study which sat on a shelf collecting dust. The Romanow commission will be treated exactly the same.

Human nature is funny. When I go stream fishing and I catch some fish in a certain pool, when I go back I am often drawn to the same pool where I had good luck fishing. I think the government has the same human nature trait when it comes to health care. It had success in one election going with the National Forum on Health. It had success in another election by throwing this supposedly big pool of money at it. I believe it will use the same kind of political trick with the Romanow commission.

I would like my hon. colleague's comment on that. Does he see the same pattern coming forward again as the government plays politics with the most important issue to the Canadian electorate, health care?

[*Translation*]

Mr. Réal Ménard: Mr. Chairman, a few months ago I asked the Library to prepare a chart of what had been accomplished: the National Forum on Health recommendations, and then what action had been taken.

I would not be honest if I said no action was taken. Out of the 12 recommendations, 8 have been followed up in the budget, not always to the extent the forum wanted to see, but it would not be honest if I said that nothing had been done.

I do, however, think that two key recommendations need to be looked at.

First, the recommendation for Canada-wide pharmacare. As hon. members may know, Quebec has set an example in this ever since Pauline Marois set up its prescription drug insurance plan.

Second, what is interesting about the National Forum on Health, is that it made the following recommendation, which I shall read, knowing your thirst for knowledge:

> —explicit acknowledgment of the health and social impacts of economic policies, and action to help individuals who are trying to enter the workforce.

In conclusion, a federal government that does the harm that it has with EI reform cannot expect people to be in good health.

Real health requires social policies that respect people's dignity, and the federal government has a woeful record in that respect.

● (1955)

Mr. Jeannot Castonguay (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chairman, I listened with great interest to my learned colleague opposite, whom I appreciate very much since I work with him on the Standing Committee on Health.

He mentioned, among other things, that health care needs to be rethought. Having practised medicine for a number of years, I absolutely agree with that. Indeed we have seen a significant increase in the demand for home care, palliative care, and so on.

In light of this need and in light of the importance of this commission, does the member think that this debate on the future of health care is futile? Does he think that we should not be doing this? I would like him to comment on this.

Mr. Réal Ménard: Mr. Chairman, what I am saying is simple. Yes, health care needs to be rethought for all the reasons that were mentioned and that I will not repeat.

However, who delivers health care? It is definitely not the federal government. The federal government is responsible for health services to aboriginal people and veterans, for drug licensing and for issues related to epidemics and quarantines.

In Canada, epidemics and quarantines are rare. The federal government has no other constitutional responsibility. I think that the provinces are the ones that should reflect on this, and they have done what they had to do.

What is expected of the federal government is that it honour its past commitments and restore the 50-50 funding formula for hospital insurance, which, unfortunately, it has not done since 1993.

Mr. Jeannot Castonguay: Mr. Chairman, I want to deal with the issue of the 50-50 cost sharing we have been hearing about ad nauseam over the last few weeks.

We must recognize that when you were talking about the 1947 agreement providing for the 50-50 sharing, we were talking about hospitalization insurance. If we add all health care and other programs, will my colleague agree that, in the end, it was not at all a 50-50 cost sharing that had been agreed upon, at the beginning, in terms of hospitalization insurance? It was a totally different formula.

It is clear that if we add all the other components, the cost sharing is no longer on a 50-50 basis. I would like to hear my colleague's comments on this point.

Mr. Réal Ménard: Mr. Chairman, John Diefenbaker mandated a judge to review the hospital insurance issue and, between 1947 and 1972, all the provinces, from Newfoundland to British Columbia, set up a hospital insurance program.

In Quebec, this was done under Mr. Bourassa and Mr. Castonguay. Who knows, perhaps the latter is related to the hon. parliamentary secretary?

We are asking, as regards everything relating to hospital insurance, including all upstream and downstream services, that the federal government fulfill past commitments and that federal funding be provided.

At the last first ministers conference, the federal contribution was evaluated at 14 cents per dollar spent. That is not in line with past commitments. I say to my colleagues opposite that their government did not fulfill its historical responsibilities and that they must make good on the commitments they made to their province.

This is what the debate is all about.

[*English*]

Mr. Rob Merrifield: Mr. Chairman, we can talk about the past but the past is the past and there is not much we can do about that. I am more concerned about how we are going to sustain health care into the future.

What proposals would my hon. colleague's party put forward that would solve the crisis that is looming, if it is not already here, in health care? What solutions would he put forward?

[*Translation*]

Mr. Réal Ménard: Mr. Chairman, I will get straight to the point. There is the establishment of transfer payments, the review of the whole drug certification process, and respect of the provinces' autonomy. These are our proposals and we believe that they are all very constructive.

● (2000)

[*English*]

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Chairman, we are here today to focus on the work of the commission on the future of health care in Canada, arguably the most important national discussion about the character of our nation since the last constitutional debate. No issue is more universal than life and death. The work of the commission will impact on the life of every Canadian. It is very appropriate, therefore, that we address the commission's work in this place.

When the commission was announced a little more than a year ago, the reaction of many Canadians was why. Why just four years after spending $10 million on the National Forum on Health would the government embark on yet another study? Why would it not act on what it already knew?

Some speculated that the government did not get the pro-corporate answers it wanted from the national forum and would keep spawning studies until it did. Others pegged it as the all too typical Liberal misuse of a royal commission to take the heat off a government on a controversial issue: its appalling record on health care.

Most Canadians, desperate for some action to save their health care system, quickly set aside their cynicism and embraced the Romanow commission with their hopes for getting medicare back on track. The degree to which Canadians are pinning their hopes on the commission has become apparent as the work has progressed. Commissioner Romanow has even expressed concern at being able to live up to the high expectations being placed on him to solve our current problems.

The intense pressure is not just on Mr. Romanow and the commission. It is shared by all of us as members of parliament. Canadians are watching closely to see what measures will be taken by the government to act on the commission's recommendations once the final report has been tabled.

This is a test not only of Commissioner Romanow but of our entire parliamentary system as the vehicle to respond to the vital needs and concerns of Canadians. The debate around the future of health care has become a microcosm for the debate over the relevance and capacity of our parliamentary institutions.

Why is this commission so important to so many Canadians? Why have thousands of people invested the time and effort to respond to the commission's questionnaire, to write or call the commission with comments, to submit briefs, to come out to public hearings and follow the issue debates in the media? We know that Canadians value their public health care system. That is not even disputed by those who would like to drastically change it.

We know that some people have been affected more than others by successes and shortcomings of the system and want to advocate for improvements in specific areas but it is more than that. Canadians understand that what is taking place around the Romanow commission is an epic struggle for power, for control.

At play are two distinct views on the nature of health care and the nature of government. One side sees health care as so fundamental to our well-being that it deserves unique status outside the play of market forces where decisions are health based alone. The other side views health care as a commodity similar to other service industries.

It is a struggle as well between two opposing views on the role of government in health care. One sees government as an accountable active agent for the public interest. The other sees government as a facilitator and partner in the development of private corporate interests.

The position of the New Democratic Party in this titanic struggle is clear. Our vision is grounded in an approach based on need not on ability to pay. It is reflected in the five principles of the Canada Health Act. It involves the collaboration of all levels of government anchored on stable and adequate funding. It looks beyond treatment to the economic and social conditions that contribute to ill health. It demands government independence in assessing health protection needs. It is a vision unequivocal in its support for a public non-profit health system.

New Democrats see a positive future for public health care. We believe it can be realized through increased public funding, yes, but also more efficient, co-ordinated and comprehensive approaches that include drug costs and home care, a more appropriate use of health professionals, greater public access to the benefits of research and health information and a proactive approach to preventing illness by investing in the social determinates of health.

This requires a strong leadership role for the federal government in rallying the collaboration of all levels of government. This is a vision that my colleagues in the NDP have fought so long and hard for in the past. It is a very different vision from positions held by other political parties. We have had some of that debate already tonight

● (2005)

I am sure the Minister of Health is paying attention. The Liberal Party vision is in our view a hologram of health. It depends how or when it is looked at. Election campaigns produce promises of home care programs, national pharmacare programs, drug patent reform and going to the barricades in the defence of public health care. However when it forms the government, that vision is replaced by a starkly different reality of underfunding and inaction.

I have already touched on the confusion and concerns we have with respect to the Alliance position. I do not need to elaborate any more. I am sure the member will have questions for me at the end of my speech.

As Commissioner Romanow has said, this is a time for choices about competing values. Thankfully Mr. Romanow, unlike his corporate shadow from that other place, Senator Kirby, has adopted an evidence based approach to his work. That is good news for Canadians.

For example, let us look at the claim that the health care system is in crisis. New Democrats, along with many Canadians, challenge this cornerstone of the case for more for profit care repeated by corporate promoters. When we look at the evidence, the so-called crisis vanishes like a mirage. The Romanow commission heard from Dr. Wally Temple of the University of Calgary who has said that although the Alberta government has been shouting crisis, total per person health costs in Alberta over the past 20 years have barely kept pace with inflation. Public health spending actually dropped by 33%.

The Parkland Institute told Romanow that the crisis claim, repeated in the Mazankowski report, was "based upon some of the shoddiest use of statistics and some of the most flagrant misrepresentation of data ever foisted upon a commission". Public health spending as a percentage of gross domestic product was virtually the same in 2000 as it was in 1989.

The claims that for profit care is cheaper and better than public care do not fare any better under public scrutiny. Evidence brought before the commission overwhelmingly concluded that the claim that for profit care was a way of saving health dollars was bogus.

Looking to the American system for evidence, the prestigious *New England Journal of Medicine* concluded that "No peer-review study has found that for profit hospitals are less expensive. For profit hospitals cost more to operate, charge higher prices, spend far more in administration and often provide poorer services than non-profit and public hospitals". No sound evidence has been presented to prove that for profit care, whether in hospitals or other areas of health care, can deliver care cheaper than non-profit.

Neither is there evidence to back up the myth that private care is better care. It is just the opposite. A major study out of McMaster University last month showed that patients were more likely to die in U.S. private for profit hospitals than in not for profit hospitals. Similarly, studies of U.S. for profit nursing homes and kidney dialysis facilities show a poorer quality of care in relation to comparable non-profit facilities.

Those are my comments on some of the bogus arguments that are presented to the public and have to be dealt with by Romanow.

What the commission has received at the hearings has been the heartfelt testimony of hundreds of Canadians about their experience and the values they want to see reflected in its recommendations. Whether young people like grade eight students, Kyla Weinman and Laura Wilson, or the several seniors and pensioners associations, Canadians of all ages continue to present the commission with an extraordinary wealth of experience and expertise to consider.

Many innovative suggestions have been made for improving the public health system, ideas like a national health council to improve accountability as suggested by the Canadian Labour Congress and others. The Canadian Medical Association has suggested a health charter and a health care covenant has been suggested by the Canadian Council of Churches.

As well as innovation, there has been widespread agreement in traditional areas of concern to New Democrats: a national drug program, a national home care program, a national health human resources strategy, multi-professional teams and a concerted effort to address the economic and social conditions that undermine health.

New Democrats have also continued to call for a priority attention to first nations health, an area of exclusive federal jurisdiction.

Let me conclude by saying in the days ahead we urge that those who have not yet taken advantage of this unique opportunity to contact the commission to express their views. We know that they and the countless others who have been following the commission's work will be anxiously awaiting the final report in November and the government strategy to act on its recommendations. It will be an unfortunate day for public health care and for Canadian politics if this tremendous project of hope and commitment has been for naught.

● (2010)

Mrs. Elsie Wayne (Saint John, PC): Mr. Chairman, I want to thank my hon. colleague for her presentation. I had the distinct honour of making a presentation to the Romanow commission just a week ago. Something I have noticed, and I have noticed it in the House as well, is when we discuss health care no one brings up the subject of veterans hospitals and the need for that to be addressed like never before.

We have been travelling across the country to look at our veterans hospitals. The Ste. Anne's Hospital in Montreal, which is still under the jurisdiction of the federal government, is in excellent condition. The treatment our veterans receive there is wonderful, and rightfully so. However all our veterans hospitals should be at the same standard. Instead of that, unbeknown I am sure to the majority of members sitting in the House of Commons, many of them have been closed or knocked down.

In my riding, the most beautiful DVA hospital was closed and a tiny hospital was opened to replaced it. Hundreds of veterans were in need of beds and help. The hospital was expanded by 48 beds but every one of those beds were for people with Alzheimer's.

Why does no one address that issue anymore except for us? I raised it before the Romanow commission and I noticed that the chairman started to take a lot of notes, which told me that no one had raised that before with him and his committee. What does my colleague think? Does she honestly feel as strongly as I do that money needs to be put into the health care system for veterans and for all walks of life?

Ms. Judy Wasylycia-Leis: Mr. Chairman, I appreciate the question from the member for Saint John. She raises a very important issue for this health care debate. It is a concern that I share and one that I have raised as well with the Minister of Veterans Affairs. That is the question of national standards when it comes to hospitals for veterans and continuing care generally for those who fought so long and hard in wars and sacrificed so much.

The issue here is one of support for our veterans. It is also one about an appropriate role for the federal government. The question of national standards is surely an area which begs for action. Whether we are talking about veterans hospitals and care for our elderly or whether we are talking about approval of drug therapies or a human resource strategy, there is a desperate need for the federal government to present national standards in collaboration and co-operation with the provinces. That would make a difference.

Finally, the member raises a very important point about the aging population. I want to use this opportunity to use the evidence which has been presented by many experts in the field. Those who suggest that our aging population is causing a crisis in the health care system are wrong. It is a bogus argument and must be debunked. If we care for our elderly, the seniors of this country who make a very important contribution to our society, and ensure that the appropriate services are in place for them, we end up saving money for our health care system.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Chairman, I would like to ask my socialist colleague a question.

I am very surprised to see her strong stance in favour of centralization.

Would she not agree that we must ensure that those who know our fellow citizens' needs are the ones who are in the best position to provide the services? It is the provinces that have the expertise. In some cases, it is even the municipalities. But it is definitely not the federal government.

How, in the year 2002, can the hon. member still be talking about national standards when everyone knows that the management process must be at a much more local level? With all due respect, does she not think that her views are somewhat outdated?

● (2015)

[*English*]

Ms. Judy Wasylycia-Leis: Mr. Chairman, I appreciate the question because it is a fundamental issue that has to be debated in the whole discussion on the future of health care.

I want to say first that I very much worry about our national health care system and our medicare model being dissolved into a patchwork system for which their is lack of portability and continuity.

I think we can achieve the desired changes in our health care system through national leadership, national goals and national funding without forsaking the important role of the provincial and local governments in the delivery and provision of health care services.

The recent health ministers conference is a case in point. Health ministers came together and agreed to establish a national system to review new drugs coming on to the market so that they could pursue a co-ordinated approach thereby saving the system money. They did that because the federal government abdicated its responsibility. It refused to do what it had long promised to do, which was to establish a national pharmacare program and to reduce patent protection for brand name pharmaceutical drugs.

There is a need for national standards but I think it could be done in a way the member would agree with. It could be done in collaboration with provincial governments, with delivery at the local level, with the advice of experts in the field and with the involvement of citizens in the decision making process.

Mr. Loyola Hearn (St. John's West, PC): Mr. Chairman, I would like to ask the hon. member a question about home care.

One of the best bargains any government has in relation to caring for the elderly or the sick is the provision of home care, proper care within a patient's own home, which is where older people want to stay. Very few of them want to leave home to go to boarding homes, nursing homes, hospitals or whatever.

Because of a lack of government involvement and proper funding especially for home care workers who get paid very low wages, the seniors, the elderly and the sick people are forced to go into homes which quite often are a considerable distance from their own homes. This puts an increased burden on them, at a cost which is several times what it would cost to fund home care for them.

It does not seem to make any sense. We seem to be penny wise and pound foolish in this case. I would like the member to comment on what she sees happening in this area.

Ms. Judy Wasylycia-Leis: Mr. Chairman, the member has raised a very important issue, a case in point of how we can renew and revitalize our health care system and in the end make sure that our non-profit public model is sustainable and actually saves money.

With respect to home care, it has been well documented that an investment in that kind of approach would save money for the system as a whole and would sustain medicare for the future.

As the hon. member may well know, the 1997 National Forum on Health, after an extensive study, concluded that home care should be considered an integral part of publicly funded health services. In 1997 the federal Liberals promised a national home care program. Do we have it? No.

In 1998 at the national home care conference the former minister of health said in his speech that the most urgent element of modernizing and enhancing medicare is home care. It should not be an add on. Do we have it? No.

We have been through another election, the 2000 general election. We heard some more promises. Do we have it? No.

This is the issue and the matter before us. How do we convince the government to move on its promises? They are so necessary and vital for ensuring quality health care services to all Canadians and they are so important for the future sustainability of our system.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Chairman, I commend the member for her very articulate and informed speech.

The member spoke of the necessity for funding. The Progressive Conservative Party and other parties as well had advocated an injection of the sixth principle of health care, namely stable funding.

Does the hon. member agree that we have to be innovative, and Mr. Romanow I am sure is prepared to do so, to look at ways to ensure the stability of that funding? I suggest one would be a model similar to the employment insurance plan in which money is specifically earmarked and designated for health. Would the member agree that this is the direction in which we must go? Health care is so important it would justify making that designation.

● (2020)

Ms. Judy Wasylycia-Leis: Mr. Chairman, I am not sure if one needs to add a sixth principle to accomplish what the member is suggesting. What it requires is political will on the part of the federal government to live up to its commitments, to restore cash payments and to move us back steadily toward the 50:50 partnership which was a reality at the beginning of medicare in Canada.

I would suggest, and I am sure Mr. Romanow is doing this, that we look at the way in which health care is funded today and think about revamping the formula. The CHST has failed Canadians. There are no conditions attached to the funding. We have lost the ability to move our system forward because of the way we fund health care.

I for one would be prepared to recommend that we scrap the CHST. We should put in place a health investment fund where the dollars would be tied directly to health care needs and the provinces and the federal government would collaborate on how to move our system forward.

Mr. Rex Barnes (Gander—Grand Falls, PC): Mr. Chairman, I appreciate the opportunity to speak on behalf of my constituents in Gander—Grand Falls.

The Canadian health care system is in crisis. This idea is demonstrated by the true failure of the health care system faced by all Canadians, particularly those living in rural Canada. In Newfoundland and Labrador the number of rural physicians fell by 12.3% between 1996 and 2000. Any solution that is sought for this problem must address the issue of providing adequate, sustainable, stable funding for those that administer health in this country.

The position of adding a sixth principle to the Canada Health Act has been long advocated by the Progressive Conservative Party. The provinces must be able to rely on the federal government so they can put in place long term plans to effectively deliver health care without having to look over their shoulders wondering when the next round of cuts will come to this essential service.

Prior to being elected as the MP for Gander—Grand Falls last month, I worked directly in the health care field as a paramedic for 22 years. I can say that morale in the health care field is at an all time low. Health care workers are discouraged by the lack of support, the lack of leadership and the lack of compassion the federal government has shown toward patient care. Health care workers do not have the tools or the personnel to do the job for which they were trained and so desperately need to do.

It is from this perspective as a frontline worker in the health care system that I talk to the House today. I have seen this crisis firsthand. In Grand Falls-Windsor where I worked, as of April 26 there were 10 physician vacancies. On January 10 it was also posted that the region has two more openings in clinics for family physicians. In Gander three permanent positions for family physicians were posted on April 8 as available immediately. Prior to that announcement two other vacancies had already been posted on March 28.

The rural crisis grows each month as health care professionals choose to go elsewhere because the system as it stands now simply does not work. What is needed more than talk and debate is leadership in finding solutions. Any solution will only be found in direction from the federal government in finding co-operative solutions with the provinces. Clearly, the answers do not lie in a private health care system. The answers lie in co-operation and leadership. The very fabric of this country is universal access for all Canadians no matter where they live.

Our party understands that throwing money at problems does not automatically result in a solution. Funding must address the real needs of the people. What is needed is a plan. Strategic spending of financial resources will result in direct benefits at the local level.

One thing I think we can all agree on tonight is that the fundamental pillar of universality is in doubt. Certain provinces are able to pay their health care professionals more than other provinces can. Last year Alberta offered its nurses more than its neighbouring province of British Columbia offered its nurses. Some provinces may have the financial ability to match this challenge. Newfoundland and Labrador cannot.

This does not mean that health care workers in other provinces should have their wages limited. Rather, the federal government must work with the other provinces to ensure that all provinces have an equal opportunity to acquire the resources required to meet their needs. The federal government must put an end to the ongoing bidding war for the ever shrinking pool of trained health care professionals.

Doctors are not taking on new patients in regions of the country, especially in Gander—Grand Falls and in rural Canada in particular. The biggest problem is that doctors are leaving because their working conditions are unacceptable. Health care professionals leave rural Canada because they do not have the tools to fulfill the professional code of care they have been sworn to uphold. Doctors are faced with a lack of adequate staff, the absence of proper medical equipment required to do their jobs and the prospect of better financial compensation elsewhere.

There are several ways to address these problems. The issue is not just how to entice doctors to rural Canada but also how to encourage them to stay.

● (2025)

The first step is to provide the means for those medical students who come from rural Canada to return. This can be accomplished through loan programs that provide students with the opportunity to acquire their medical education debt free with the agreement that they will spend the length of time they have spent in their studies in rural areas. The idea here is not to trap people in rural Canada. It is to provide encouragement.

We need to think outside the box. Instead of chaining students debt to the obligation to practice in rural Canada, the federal government should provide income tax breaks for those who take up the profession in Canada's less populated regions. For example, those who work in rural areas should be free from income tax for the first five years after graduation. This is not unlike the cost of living tax breaks offered to Canadians who live in the far north.

In addition to this, with an eye to a more permanent solution, for every five years that doctors work in rural Canada they should be rewarded with a year free from income tax. This would have the added benefit of freeing up dollars for health care professionals who would most likely spend it in the local economy.

First year enrolment in Canadian faculties of medicine continues to drop meaning that the problem will only get worse before we find a solution to start making it better. One solution to this problem is to make it easier for foreign trained health care professionals to practice in Canada. Canada is a country that boasts about its immigration policies, and then we prevent these new Canadians from using their skills and knowledge when they come to our country.

At a time when we are producing fewer doctors, I would ask the government: Why is it not tapping into this obvious resource talent? The federal government should take the lead by bringing together professional associations and provincial governments to resolve this problem immediately.

The lack of federal leadership is continually demonstrated by the fact that moneys allocated to health care are not going where they are needed. In my riding of Gander—Grand Falls there is a lack of health care equipment. The federal government must sit down with the provinces in good faith with the idea of ensuring that the money that is allocated nationally gets to the local places where it is needed.

The committee from the other place on social affairs, science and technology stated that it was concerned that:

> —there are apparently no mechanisms for ensuring accountability on the part of the provinces and territories as to exactly where money targeted towards purchasing new equipment is actually spent..

Such occurrences stem directly from the lack of co-operation between governments, responsibility for which lies directly at the federal level.

Our aging population means increasing demands on our system. What is easily overlooked is that our health care professionals are also aging. This will lead to even further future demands on our system. An aging population also means a reassessment of the needs of our health care system. We must redesign and refocus our health care system to address where the population bulge is now found.

In my election campaign I met a woman who had spent $3,700 a month on prescription drugs. Her options were pretty limited, bankruptcy or illness so severe that it would undermine her quality of life. No Canadian citizen should be faced with this dilemma

There is no commitment, no vision by the federal government to even improve the time limits for drug approval that would result in lower costs for Canadians. We all know that unless people are able to have access to prescription medication that they will only end up institutionalized, further compounding our problems.

In Canada, towns with a population under 10,000 people amount to 22.2% of the population, and yet they are served by only 10.1% of our Canadian physicians. Any solution to the health care crisis must address the problem facing rural Canada exemplified by what is happening in my riding of Gander—Grand Falls.

Ultimately, the system cannot fail because the federal government and the provinces cannot work things out. Someone must take the lead.

● (2030)

Mr. Peter Adams (Peterborough, Lib.): Mr. Chairman, I enjoyed hearing what the member had to say. I was particularly interested in what he had to say about health care professionals and working in rural areas. He is absolutely right.

There seems to be a gulf in health care between the large communities and our rural areas. If we look at the health standards of individuals living in rural areas they are below the norm of urban areas. At the same time we have a situation in which the number of health care professionals and the other services which are available to treat those people whose health standards are lower are fewer than in the urban areas. It is a particularly large problem.

The member gave a number of examples of things that could be done but I would like him to talk to us a little more about that. At the medical school at Queen's University in Kingston this year I am told that only one of the graduates will be going into family practice. All the others will be going into a specialty of some sort, which means that the chances, no matter what we paid them or what the incentives were, of those graduates going to a rural area are very slim.

I know there will be two new medical schools, one in northern Ontario and one in northern British Columbia. That is a step in the right direction. Does the member have any other ideas about what we can do to persuade the students who are already in the medical schools to, first, go into family practice and then, to practise in rural areas?

Mr. Rex Barnes: Mr. Chairman, I spoke to several students who were in the process of getting their degree to practise medicine. Many of them have told me that they cannot afford to stay in Newfoundland and Labrador to practise as family physicians because of the large debt load they must pay back. Some will leave the province because the money and working conditions are better.

The province from to time designates so many doctors to cover for MCP in certain areas and as a result will not hire more. There is no incentive for them to go to rural Newfoundland and Labrador. If the province would give them incentives they would probably go there. Some have said why should they go down into rural Newfoundland and Labrador and spend 10 years of their life trying to accommodate the province when it will not give them anything back? They are forced to go to Upper Canada, as they say, to make more money so they can pay off their debt load much quicker.

Some people do return after 10 or 15 years, but the problem then is where do they go? The doctors who are there are probably younger and will not be leaving because they made a commitment. Tax incentives to persuade doctors to stay there is a good idea. It is something that the federal government should look at.

Just prior to announcing that I was running in the election I spoke to three interns. They told me that if the government could take care of their debt they would give a commitment to the people of the province and go to rural Newfoundland and Labrador.

They know the need is there and they know they need the expertise there to make health care better out on the coast. That is why in rural Newfoundland and Labrador they are training nurse practitioners to take on the workload. Some of the nurse practitioners are able to do it and some are not able to do it because of family concerns and family problems and commitments. If there was an incentive program to work with they would do it.

● (2035)

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Chairman, I listened intently to my hon. colleague's comments and his answers to the last questions. He spent the majority of his presentation talking about the shortage of human resources in health care.

There is no question that one of the most acute problems we have in this country is the fact that two-thirds of our medical practitioners refuse to take on any new patients. We have a critical problem across Canada. However it is a problem that we have known about. It is a problem that the government has known about and was told about a decade ago. Money was pulled out of health care and the number of placements in universities and teaching facilities was cut. This was a recipe for disaster. We knew it would happen and here we are.

It takes 10 years to train doctors. We have a major problem dealing with this. We have a problem not so much with them staying in Canada and going from province to province but we have a problem with them going from Canada to the United States. There is a shortage of doctors around the world. A great number of physicians come from South Africa and Cuba.

Has the member thought about more than just the tax incentive? Being in close proximity to the problem in rural Alberta my experience in dealing with this issue is that it is much more than just money that keeps physicians at home. I would be interested in the member's comments on that.

Mr. Rex Barnes: Mr. Chairman, there are no new ideas out there. We hear the same rhetoric about what should be happening and telling the federal government what it is or is not doing. We need to start a new program for health care with new ideas.

The incentive program is something that should be looked at and considered. If the federal government were really concerned about health care as a unit, it would return the health care dollars it took back in 1993 or bring health care back to the 1993 level. That is a starting point in taking steps to providing a better health care system.

If the government is not willing to do that, then we must come up with new ideas. The federal government should be listening. I hope the Romanow commission will look at these incentives seriously to ensure we have a new health care system that will work for Canadians.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Chairman, I want to congratulate our colleague for his first speech in the House and wish him the best for the future. I have three short questions for him.

First, why does he think that it is the role of the federal government to give money directly to doctors? Would it not be better to increase transfers and let the provinces give the money?

Second, does he have ideas on the means to reduce the cost of medication?

Third, since he comes from the Atlantic provinces, is it true that Bernard Lord might be tempted by federal politics?

[*English*]

Mr. Rex Barnes: Mr. Chairman, with regard to prescription drugs there are a lot of Canadians who are financially unable to have a drug plan or are unable for whatever reasons to buy certain drugs for their medical condition. I deal with people in these circumstances on a continuous basis. As I mentioned in my speech tonight, I know of a woman who has spent $3,700 for medication. She is going to have to declare bankruptcy.

The federal government is going to have to make prescription drugs easily available for these exceptions, or the federal government and the provinces will need to work together to make sure that people have access to them. Sometimes provincial governments shift the blame and say it is a federal government problem. I have heard that many times. I spent 22 years fighting the provincial government on issues regarding health care. It always blamed the federal government for a shortage of money. We have to work together. We have to try something different. With a co-operative spirit we should be able to work these things out.

● (2040)

The Chairman: Before we resume debate, if that was the member's maiden speech, I congratulate the member for Gander—Grand Falls.

Some hon. members: Hear, hear.

Ms. Carolyn Bennett (St. Paul's, Lib.): Mr. Chairman, first I would like to thank the House leaders for agreeing to have this very important debate tonight and the Romanow commission for agreeing to meet with each of our caucuses. I think it is the proper role of members of parliament to be able to report in our homework in terms of what we have been hearing in this ever important policy process.

I would also like to thank my patients, who taught me pretty well all I know about health care and taught me the benefit of what informed patients who are prepared to use the system wisely can actually do to provide input into public policy. I would also like to thank the people of St. Paul's who show up in record numbers at the neighbourhood checkups that we hold and who were at the five town hall meetings that we have had over the past while on palliative care, on health care report cards, with Monique Bégin, with Peter Singer and on health care reform.

There is no question that these people have two overriding themes. One is that they want a strong federal role. They support the five principles of the Canada Health Act, but I think they are very aware that it is only the confidence Canadians have in their health care system that will indeed protect it, that if we erode the quality of care they will begin to demand to pay. We have to protect the quality and they need to know about accountability and transparency.

As we know, there has been a cottage industry of commissions and task forces looking at what we should be doing and there are some very clear consenses. One is the wellness initiatives, which virtually every commission has talked about. There are the ideas of some sort of pharmacare reform or community health groups that would do 24/7 care. There is the idea of the role for information technology and electronic medical records. There is the report card to the public, which again comes back to the competence issue. I would hope the report card would also compare us to international models. If people know that they are doing just as well with their heart attacks here as in California, they will begin to understand what indeed this spectacular health care system really has done.

The key to sustainability has to be prevention. We have to actually decrease the demand side. We have to avoid the Walkertons. We have to avoid the smog in July and August. We all know, from Marc Lalonde on, that poverty, violence and the environment are the most important things in terms of keeping Canadians well. I think most Canadians understand that at 10% of GDP we can have a fantastic health care system and with what we now have as a 70:30 private-public split we can again sustain the system.

We need to have more measurements in quality to provide incentives for good performance. I think we now know that there are two important roles for Canadians in the system. One is as knowledgeable and empowered patients who can drive the quality outcomes, and as well patients need to have the access to information with which they can make quality decisions. Clinical guidelines need to be available for patients so that they know why antibiotics are not appropriate for viral infections or why their ankle will not be x-rayed because it does not meet the criteria.

The most important thing I want to talk about tonight is the role of Canadians as citizens in this ongoing, fluid evolution of our health care system. On May 16 we had a round table at the University of Toronto with Janice Stein, where we brought together the people who know a lot about health care, a lot about governance and a lot about information technology. We were trying to figure out whether information technology, perhaps funded by the federal government, could help drive the reforms we want done.

The paper by Sholom Glouberman and Brenda Zimmerman on complex adaptive systems and the kinds of feedback loops we need was interesting. We in effect described a distributive model of power, where if the incentives are down as close to the ground as they can be, we can eventually have those feedback loops that end up with better quality and better cost effectiveness. What is important in a distributive model is a compelling purpose, a strong belief and an agreed upon process. We must agree upon a process by which the system will continue to renew itself. A few key principles will allow infinite diversity and yet coherence. We can be competing and co-operative at the same time. What we now believe is that a centralized control of an ecosystem is illogical, that equitable membership for members and voluntary co-operation are essential.

● (2045)

I believe it is unreasonable to think that Commissioner Romanow would be able to tell us exactly what our health care system should be, because it is going to continually change. I believe that what Commissioner Romanow should be telling us is to mandate a process by which Canadians will continue to always feel comfortable that their needs are being looked after.

The overall goal of priority setting must be legitimacy and fairness and citizens must be involved at every single step of that priority setting. It should not be a discussion about what should be funded but rather a discussion about how those decisions get made. It is clear that it has been impossible for us to define the term medically necessary, yet I think all of us, even with different values, still agree on how the priority setting should be done.

What is interesting is that in Peter Singer's *National Post* article entitled "Needed: An honest way to set priorities", he cites the accountability for reasonableness framework developed by Norman Daniels and James Sabin. It provides guidance on how legitimate and fair priority setting decisions should be made.

First, we must have an inclusive decision where citizens are at the table. Second, that then must be communicated to everyone. Third, there must be grounds for appeal. Fourth, it then must be enforced. I believe that this could happen anywhere, from the very smallest health care organization in terms of a community health centre, to a regional health authority, to a ministry of health deciding on what goes on a formulary, to the highest level of the federal government.

Citizens now know that there needs to be democracy between elections. They need to have a place where their values get imposed at every decision. Ursula Franklin says that good governance is fair, transparent and takes people seriously and that if we do not do it in our small organizations no one can expect us to do it in the big picture.

What we need is a system. We have had a fantastic health care insurance plan. We now need a system. That means governance, and I believe that citizens have to be at the table in every decision. We can no longer have joint management boards where providers and bureaucrats sit behind closed doors and the bureaucrats save money if something comes off the list and the providers get to charge more if it is off the list. The citizens must be at that table. Citizens must be at the federal-provincial negotiating table. As Judith Maxwell said in this week's *Canadian Medical Association Journal*:

> Citizens, as the owners and funders, also have something to offer to the construction of our health care edifice. What they offer is their core values about how the system should be financed, about what rules should determine who has access, and about the way the patient interacts with the system.

That gives us Peter Singer's legitimacy and fairness and Trudeau's social justice.

It is imperative that we look back to the social union framework agreement, where we and the provinces have already agreed that we would "ensure access for all Canadians, wherever they live or move in Canada, to essential social programs and services of reasonably comparable quality". We have to be measuring that quality and we have to be doing what principle 3 in this social union framework states, which is that we would be informing Canadians in public accountability and transparency. Whether that has to be companion to the Canada Health Act or whether we just sit back and enforce what was agreed to in the social union framework agreement is left to be seen. The principle states that we must be ensuring "effective mechanisms for Canadians to participate in developing social priorities and reviewing outcomes".

I am particularly intrigued with the model that Carolyn Tuohy and Colleen Flood presented to the Kirby report, which is concentric circles with the things that would be public in the centre, things with co-payments in the middle area and then the things that would be privately funded in the outer area. I believe that citizens should form a semi-permeable membrane by which things come in and out of there all the time based on the education by experts and by the information sharing and value systems that they would afford.

I believe we should not be making any decisions without citizens joining hands in terms of that educative function. I think if we look at that we can move it into all levels. I am particularly interested that citizens at those tables must have a responsibility for connecting back to their communities using strong associational networks.

The confidence that Canadians have in the system is the only thing we can count on in terms of protecting our system. Other countries like Australia and England have now mandated the importance of citizen engagement at all levels in decision making.

It is imperative that if we think of a national body that could look at pan-Canadian standards, could review the CIHI, could look at a national formulary, and could perhaps involve the citizens' council for health quality, we could start to look at the federal government as a provider, the fifth biggest provider, of the health care in this country, for aboriginals, soldiers, veterans and in corrections, and bring the federal government to the table in its joint project with all of the provinces on the delivery of health care.

● (2050)

We then need to share the best practices. We need to do the performance pool and reward the great things that are happening across the country. Then, I think, we can look forward to the system. Canadians are the solution to this system. They no longer want to be seated out of the project. I know they want to help us make it work and I know that they will be forever involved in this incredibly important—

The Acting Chairman (Mr. Milliken): The hon. member's time has expired. Questions or comments, the hon. member for Hochelaga—Maisonneuve.

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Chairman, I listened to the my colleague's speech from the lobby, where of course I drank a glass of juice and toasted your health.

I know that our colleague is quite familiar with the health and social services system. In the Romanow report, four options are being considered. I believe the member remembers that these are more privatization, increased public investment, the reorganization of services and a greater call on the consumer's purse.

Can the member tell us which option she supports? Does she agree that, even though the future of health services is not only a financial issue, the fact still remains that it this a prerequisite to any further discussion with the provinces?

[*English*]

Ms. Carolyn Bennett: Mr. Chairman, I am particularly interested in the reorganization. I think that from the Fyke commission on down, there is a view that if we actually could get an integrated, coherent system there probably would be a 30% saving in the system. I do not think there is a patient in Canada who has not had to have a test repeated because no one can find the results when the patient shows up for appointments. I believe that if we could make a primary investment in an information technology that would get us a real system, we could begin to think about what else might be necessary.

My primary goal is to develop a real system that is a reorganized, coherent, integrated, accountable and transparent system. I think that in order to get there we will need an infusion of money, particularly around the accountability and information technology framework. We have excellent evidence that user fees do not work. They are like some zombie that keeps coming back like a bad video game. People just continue to want to talk about them. As a physician I found it appalling that time and time again I would have to ask people what they could or could not afford. If I had wanted to talk about money all day I would have been an accountant.

It is extremely important to note the administration fee of trying to collect user fees, but also, user fees, in terms of asking for that extra, private part, are indeed a deterrent to the most vulnerable Canadians, like the fragile diabetic and the pregnant teenager. They are the people who do not seek help because of user fees and they are the people who will cost us buckets of money when they end up in an intensive care unit or the baby ends up in a neonatal intensive care unit.

I do not think there should be more private care in that sort of user fee way, but I do think that there are things in that model of core services, copayments or whatever, for which we have evidence that they do not work any more, that we should not be paying for out of the public purse.

I think that is a conversation to have with citizens: How we can get some of things that are core services now back out again? These are things such as the eighth ultrasound in a pregnancy to find out what the sex of the child is or cholesterol testing every three months because someone is obsessed by it when the person has had three normal cholesterol tests and the evidence shows the cholesterol only needs to be tested every couple of years. There are some things that can come out and if people really want them they can pay for them, but I also think this is a conversation that citizens are perfectly capable of having and we should not be making any of those decisions without them at the table.

● (2055)

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Chairman, I congratulate the hon. member. I know she has tremendous practical experience in the area of health care. I listened to her remarks and I agree with much of what she discussed and the substance of what she said. I will be the first to admit that she is not a member of cabinet, although when her man is in place she may have a better shot at it.

I will preface my remarks by saying that this has been a good debate.

I do not want it to become overly partisan but I would ask the hon. member a question with all seriousness. When it comes to priority spending, the spending on new Challenger jets and the money that has gone awry with respect to contracts, it has not been consistent with Canadians' priorities. It has not been consistent with the needs that the member knows exist.

She spoke about new technology in the area of the practice of medicine, new x-ray machines, new ECG machines, medication itself, home care and the ability to have more personnel, nurses and doctors, actually working in the system.

How does she reconcile what she knows is so sorely lacking in the current system with her government's spending priorities and simple lack of spending and cuts that have been brought about during the tenure of the administration of which she is a part?

Ms. Carolyn Bennett: Mr. Chairman, there is no question that the member's earlier comments about stable funding is the most important thing in terms of planning for health care.

The deal the Prime Minister made with the provinces on September 11, 2000, was a commitment to that kind of stable funding with money targeted toward information technology, primary care and those types of things.

Some people feel that infusing money every time the opposition asks for it destabilizes the health care system. Some political scientists and observers feel that planning is more important to health care than just throwing money at it, which was the problem in the eighties. Monique Bégin said that we threw all the extra money at the system in the eighties with no appreciable increase in the quality.

We need to make sure we have a cost effective assessment of the dollars we spend, not a cost containment. The cost containment model ruined the system in the nineties. Province after province and regional health authority after regional health authority were not prepared to make the tough decisions to get rid of the stuff that did not work any more and continued to ask for more money. Instead of moving toward a more cost effective model they just cut.

In deciding where we want the money, I would like more money to go into accountability, transparency and information technology to create a real system. It may be an infusion in terms of what we described. Sharon Sholzberg-Gray and maybe the Fyke commission have said that we might need $6 billion to fund the secretariat or whatever would actually help us design an information technology system for the whole country with the feedback loops around quality and accountability. Just giving money to provinces that goes for strikes and labour disruptions has not been effective up until now.

● (2100)

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Chairman, I agree with a lot of my hon. colleague's presentation but I am a little astounded. Her government has been in power for almost a decade and now the member is coming up with some of the things that we have been suggesting for many years. I appreciate hearing that.

My specific question relates to the fact that my hon. colleague is a physician. I have talked to many physicians who tell me that they could save the system $2,000 or $3,000 a week if there was an appropriate incentive.

I do know whether I blame physicians for this but I think one of their main concerns is with their liability as physicians. I wonder if there is something that might assist the system regarding liability. Could she comment on that?

Ms. Carolyn Bennett: Mr. Chairman, maybe it would work for politicians too.

In terms of liability, we have been looking for a new way to do risk management and risk assessment in health care. It would be in much the same way as it is for airline pilots. They do not lose their licence for making a mistake. They lose their licence for failing to report a mistake.

In the learning culture of a real health care system we would want to know about collective mistakes because in this college system we have no place for system wide errors. We have a college of nurses, a college of doctors and a college for all of these things. Quality councils might be able to feed back the learning episode instead of it being a gotcha litigated model and, like so many things, we just want to get the lawyers out.

Mr. Werner Schmidt (Kelowna, Canadian Alliance): Mr. Chairman, it is good to see you in the chair and wonderful to have you out tonight. I also want to recognize my hon. colleague from across the way. I think she delivered a very significant set of comments.

I want to address my comments to a particular segment of our society and their relationship to health care, seniors. Since 2000, it has been my responsibility for the Canadian Alliance to look at the issues for seniors. The major issue for seniors, whether they were in British Columbia, in Saskatchewan, in Nova Scotia or in New Brunswick, was the issue of health care.

Our consultations were informal and we ended up talking to real people about real problems and where they existed on the day to day experience. The viewpoints expressed by these people were not those of learned scholars. They were the viewpoints of people who were suffering and people who were experiencing difficulty with the health care system.

The idea was to have organizations and groups of seniors work together to make things better. These organizations and many of the frontline caregivers struggle under a health care system that is too often inadequate and underfunded.

Through these visits, I came to realize that my main objective was not to sell a particular political idea but rather to be a voice for these people in the Parliament of Canada where the important decisions are made. That is what I intend to do here tonight.

It is the same perspective that will become increasingly important because of the demographic shift that has taken place in Canada. By the year 2040, roughly 25% of our population will reach the age of 65 or older. The implications of that are very serious for the health care system. We also need to recognize that the greatest proportion of the money spent on health care is for people between age of 85 and older, particularly women. Older seniors, the majority of them women living alone, need more and more health care. Will the health care system and health care services meet that growing demand? Where will we get the final funding to support home care and long term care? Will the specialty services required for older seniors be there when they are needed? How can we ensure that the cost of prescription drugs will be reasonable and affordable?

Only a few months ago the Canadian Medical Association charged the federal government with systematically underfunding the health care system, in particular, specialty care. What does the federal government intend to do with the CMA's charge that it is systematically underfunding the health care system?

Those are some of the questions that the seniors asked as we talked to them about their problems and concerns with health care.

Let me read into the record what some of the seniors specifically said. I want to be very careful to read this exactly the way they said it. I do not have all of them but we have some.

The comments are as follows: Health care spending is wasted; too many services have been cut and there is a lack of facilities; hospitals, emergency units and intensive care facilities are being closed, forcing families to be transferred greater and greater distances away from family support; the cost of drugs is too high and more affordable generic drugs take too long to come to market; federal health care funding must be restored; the federal-provincial governments must work together to resolve health care issues; the cost of covering diseases such a Alzheimer's and diabetes are insurmountably high for seniors; user fees for emergency rooms might alleviate crowding and unnecessary use; nursing homes are understaffed; a better understanding of the care needed for seniors could mean that not all health care providers need be doctors, nurses or specialists; organizations that care for seniors could do a better job of co-ordinating activities to avoid duplication; there is a lack of monitoring of quality and standards of institutionalized care; governments could lower or remove taxes to offset the cost of living at home; prevention and a lifelong promotion of good health could reduce health care costs.

Those are only a few of the comments that were made but they cover a full range of issues. They refer to almost every aspect of health care, from home care to drug costs.

● (2105)

Seniors are aware of the deficiencies of the health care system. If I could summarize in one statement what seniors fear most about the state of the current health care system it would be this: They feel their ability to receive timely and affordable care in the setting of their choice is being compromised. This is the kind of health care seniors want: timely, affordable, and in the setting of their choice. If we can offer seniors a health care system that provides these three things we will have gone a long way to addressing the most pressing problems.

What does timely mean? When seniors ask for health care that is timely they are seeking services that are available where and when they need them. Seniors need to have access to services, particularly those of specialists, without delay. If they need to be cared for in a hospital they do not want to wait until a bed becomes available. Nor do they want to drive miles and miles to get treatment. If resources and services were more readily available at the community level the desire for timely care would be satisfied.

Seniors want health care to be affordable. When seniors ask for affordable health care they mean services that are within their means. This is particularly true of seniors living on fixed incomes. Seniors have told me that living on a fixed income presents a challenge in terms of both meeting current costs and planning for inevitable cost increases in the future.

As provincial governments try to deal with deficits and decreased funding from the federal government, services for seniors are too often hit with cutbacks. Seniors are expected to absorb increased costs to the provinces in such areas as medical services, drug plans, community and care services, transportation, income supplements and housing. In some cases seniors have said they were forced into financial distress and into a position where they had to choose between food or medicine. If on top of that they are faced with a long term illness, what do they do? Affordability is critical to the health and well-being of seniors.

Seniors want to have care in the setting of their choice. This is probably the most important aspect of health care for seniors. Without question their preferred choice is to remain at home. Yet they are faced with uncertainty. I do a daily scan of newspapers for stories related to seniors. Overwhelmingly, by a ratio of about three to one, the issue of cutbacks to home care is the big issue.

Not only are cuts to home care in direct opposition to what seniors want. They deny seniors independence, something they consider their most valuable asset. Seniors argue that the lack of good home care puts direct pressure on other housing options. Seniors have been quick to tell me that neither low income housing nor institutional care options meet the demands of persons facing the prospect of leaving their homes.

Seniors are not only talking about their problems and concerns. They are talking about solutions. I do not want to oversimplify the issues, but I believe seniors could achieve timely and affordable health care in a setting of their choice if two things happened: First, we need to develop and maintain a harmonious relationship between the provinces, territories and federal government. In January the Minister of Health said:

> The provinces...deliver health care, they are on the front lines of health care every day, and therefore what I want to do is work with them cooperatively to renew the system they largely run in this country.

This kind of comment is encouraging to Canadian seniors. They like that kind of co-operative spirit.

Second, we need stable funding. We are not alone in this. The Romanow commission agrees it is the case.

We could achieve solutions to our health care problems by establishing harmonious relationships and stable funding. I would argue, as our party has from time to time, that this should become the sixth principle of the Canada Health Act. We could call it a guide or a requirement. In any event, stable funding should be a legislated requirement under the Canada Health Act. It can be done. I would challenge the government to do so at the earliest possible opportunity.

● (2110)

[*Translation*]

Mr. Jeannot Castonguay (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chairman, I appreciate what my colleague had to say. Since I will soon join the ranks of those who are 65 and older, I must think about my welfare also.

I am well aware of the problem that exists throughout the country. People say "We have lived many years in our community and would really like to be taken care of at home". I believe they are right. This is part of the challenge that we face.

We have difficulty keeping medical and nursing staff in the regions, close to these people. In New Brunswick, I looked for all kinds of ways to get financial incentives and, frankly, after a few years, people say "We do not need them anymore and we will move on".

Do you have any ideas on how to keep these health care workers close to those people, where there are real needs?

The answer is not necessarily easy, and I do not have it.

[*English*]

Mr. Werner Schmidt: Mr. Chairman, it would be presumptuous on my part to say I have all the answers. I do not. However there are some principles we could address to help us deal with the problem at least in part. First, we could recognize that not all health services and procedures need to be provided by highly trained doctors, specialists or even nurses. Other people could perform them because a lot of health care services are the vested interest of certain professional groups.

Second, we could provide and allow for a system that permits home care. Many patients would be far healthier at home or in a setting of their choice than in an institution. Providing this kind of care would help a lot.

Third, it is absolutely imperative that our institutions of higher learning address the problem of insufficient numbers of people being trained in the various health fields.

Fourth, we must address the issue of attitude. All professionals including myself should make service rather than money our number one concern. Let us look at the recent situation in British Columbia. It seems the most important issue to the doctors, particularly physicians, has been money rather than people.

That is wrong. The health care profession is a service profession. Its practitioners are there to help and heal people. They are healers in the first instance. Sure, we want to pay them well. We want them to have a good standard of living. However when greed takes precedence over service we have a serious problem.

We need to move on all four of these areas.

● (2115)

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Chairman, I listened intently to my hon. colleague's remarks, particularly with regard to seniors. He made mention of the fact that demographics are having an impact on Canadian society in terms of its health care system. The same can be said of countries around the world but particularly of Canada.

In the last decade we have been adrift in terms of health care. We have only been able to get away with it because the impact of the demographics has not yet hit. In the next decade we will see the percentage of people 65 and older increase. The amount of health care dollars they will consume, especially given the new technologies and drug therapies impacting our system, will also increase.

Is my hon. colleague as fearful as I am that the Liberal government that will play politics with health care again? As brilliant as the Romanow commission might be, is my hon. colleague afraid it may be used as a lever to win political gain rather than a way to sustain our health care system into the 21st century, which is what Canadians expect and deserve?

Mr. Werner Schmidt: Mr. Chairman, my hon. colleague has put his finger on what is probably the most interesting, controversial and devastating aspect of the whole health care system.

I talked earlier about greed versus service. Perhaps health has become politicized to the point where politics have become more important than providing service to people. Politics is the system of determining who gets what, when and how much. That is why I am so concerned about having stable funding legislated. We could then predict what would happen. Provinces, institutions and health organizations must plan ahead. When health becomes a political football planning goes out the window. That is significant.

My hon. colleague also mentioned the demographic shift. It is not just that a larger proportion of people in our society are getting older. People are also living longer. As a consequence demands on the health care system are increasing. It is a double whammy that complicates the issue.

To politicize all this stuff is to suggest politics can decide what the facts of life are. I do not know of any politician yet who has affected the law of gravity. It exists regardless. We must become realistic. We must ask ourselves what the issues are and deal with them on that basis. We cannot simply say "I am a Liberal and I solve problems that way", "I am a Canadian Alliance and I solve problems that way", or "I am a Conservative and I solve problems that way."

Mr. Wayne Easter: The Conservatives do not solve problems.

Mr. Werner Schmidt: With all due respect, I am not quite sure the hon. member is implying that the Liberals solve problems. They have created problems.

We must get down to grips and ask what we are doing. We have given the government some good suggestions. I wish the hon. member would take them seriously.

Mr. Rob Merrifield: Mr. Chairman, my hon. colleague briefly mentioned some of my concerns with regard to the way health care has been treated in the last decade. There is no question that seniors are fearful as they look ahead to discern whether health care will be there for them at the most vulnerable stage of their lives when they need and rely on it the most.

My observation over the last decade has been that if there is a political party in the House that should throw fear into Canadians with respect to health care it is the Liberals. Since they have been in power they have pulled money out of health care and watched it drift into crisis. We now have problem after problem. We have waiting lists and people who cannot get into the system. People are stuck on waiting lists while their muscles atrophy and their conditions worsen. Some people die while on the lists.

An interesting study was done in the United States recently about private hospitals. We should have a study in Canada about how many people die before they get to hospital.

Could my hon. colleague could comment on the crisis? Which party is throwing fear into seniors?

● (2120)

Mr. Werner Schmidt: Mr. Chairman, I do not know who is throwing the greatest fear into whose heart. However the hon. member opposite commented that in the last while the Liberals have seemed to be systematically taking money out of the health care system.

I would remind the hon. member opposite that although the Liberals put money back into the budget last year and the year before that they are still a billion dollars short of what they took out eight years ago. It is therefore not an unfounded accusation.

The biggest concern of both seniors and young people is stability and the need to feel secure and safe in our society. This is what I heard from seniors across Canada. They said they want to feel secure and safe. They want to be treated at home to the degree that it is possible. They want the services they need when they need them. They want to be able to afford the medicines they need despite being on fixed incomes.

We can point the finger forever and say it is the fault of the Liberals, the Conservatives or the provinces. However it is the fault of all of us if we do nothing about it.

One of the reasons I am here tonight is to draw attention to the fact that there are solutions. Will the government take it on itself to introduce stable funding into the health care system, something it has refused to do for the last eight years? The government has played around with the system. It has added money and taken money away. The end result is that it is still short of where it was in 1993.

Mr. Wayne Easter (Malpeque, Lib.): Mr. Chairman, before I start my speech, I was a little worried that we had a bit of a problem in the House. The member for Yellowhead seems to be hallucinating in terms of the numbers.

I am pleased to take part in tonight's take note debate on health care as we look toward the completion of the Romanow commission. Mr. Romanow stated:

> Canadians themselves are the ultimate custodians of medicare. Not politicians. Not royal commissions. Canadians.

I agree with the statement made by Commissioner Romanow. I also agree that our role is very important. I will focus my remarks to give some voice to the residents of my riding who support a very strong federal role in the health care system.

The Romanow commission is about options. It is about discussing with the public, health care professionals, patients and the full cross-section of stakeholders what kind of health care system Canadians want and are committed to support.

In this debate we have seen some facts. Yes, we will disagree, sometimes along partisan political lines, sometimes on principle. However, this debate is starting to come up with some ideas to give us focus.

What direction do we want to go in? In my view, there has been a drift toward a two tier health care system. The one which ultimately sees a United States model imposed upon the Canadian landscape is one direction most Canadians are opposed to, and one which has been expressed to the Romanow commission. In terms of wanting a strong, federally funded system let us look at the facts. Why is the opposition moving toward the United States model?

The United States spends 14% of GDP on health care. Canada on the other hand spends 9.3% of GDP on health care. The cost per person for health care in the United States is $3,701 U.S. The cost per person for health care in Canada is $2,050 U.S. There are 43 million Americans who have no coverage at all while millions more are not adequately covered. Every Canadian is covered. One study found that in 1997 Canadians paid $270 U.S. per person for health care administration and overhead. Americans paid $615 U.S. per person.

I lay out those facts to relay that the solutions some people are proposing in terms of moving to the United States system of health care is not the way we ought to be going.

Alllow me to give a perspective from a resident of my riding. Joyce Taylor, who wrote me on June 4 stated:

> I wish to add my voice, as one who has experienced non-medical coverage for many years in the long distant past, consequently I would not like my grandchildren to suffer my experiences of anxiety and worry over the health of their children.

She explained the difficulty her family faced. She also explained what happened when she and her husband were in Florida recently and a man collapsed in front of them. She said:

> My husband suspected the man was having either a heart attack or angina. He attempted to help him and asked me to run and call an ambulance, the man begged me not [to] call any medical aid for him because he was worried about the expense. His condition certainly was not helped by worrying about paying his medical bills.

She went on to say:

> I believe as many Canadians do, that health care should be universal and not be commercialized for profit.

We cannot talk about the other place but I am worried about some of the statements made by the chair of the committee over there that is looking at health care in terms of moving us toward a privatized health care system.

● (2125)

Where do we go from here? The former minister of health talked about a report card. That is absolutely essential. Before we can deal with a problem or spend money, we have to understand where the money is going. It is amazing that with all the money we spend on health care in Canada we do not have comparisons. We do not know where every dollar is going.

If we had that kind of report card, a comparison could be done between rural and urban areas and we could see where the problems are. We could do a comparison between one province and another. Maybe one province is doing something right and another is doing something wrong. We could compare one hospital to another. We have to have greater accountability. We have to know where every dollar is going in the health care system.

Greater effort must be placed on caregivers themselves, in particular nurses, the people who work on the hospital floors. With the financial crunch the health care system is facing, the lives of nurses have been made more difficult.

A wing has been closed at the QEH hospital in Charlottetown. I find it amazingly strange that in that wing I now see offices and more managers. I do not see more people who do the actual work on the floor. As one nurse told me tonight "Any important event is not important because you are a nurse". She made that statement because nurses are finding it extremely difficult to get the quality of life they require.

I would also like to speak to drug costs. The greatest increase in costs the health care system is facing now is the cost of drugs. We have to seriously look at the patented medicines regulations. What is wrong with them? The automatic 24 month injunction under the patented medicines regulations of Canada's Patent Act allows brand name pharmaceutical companies to prolong their market monopolies by simply alleging patent infringement against generic manufacturers. That adds substantially to our costs.

As the regulations stand, no generic drug can be approved by Health Canada until any claim of alleged patent infringement is decided in court. The regulations withhold Health Canada approval not when a patent is actually infringed but when the brand name company says it might be. Clearly this provides enormous financial incentive to brand name companies to allege patent infringement regardless of the possible outcome of the litigation.

Even when the generic manufacturer wins, which has happened in about 80% of the cases since the last amendments were made to the regulations in 1998, the generic drug is still kept off the market through lengthy and costly litigation often for years past the expiry of the original patent. We must deal with that and try to get the cheaper generic drugs on the market.

The pharmaceutical industry has found a way through the use of patents and legal means to abuse the intent of the patent regulations. That definitely must be addressed.

There is a lot of rhetoric around the health care issue. We heard it a moment ago when the member for Yellowhead talked about spending. The fact is that the federal government has increased spending for health care. In 1997 CHST transfers to Prince Edward Island stood at only $118 million. As a direct result of the government's sound financial management in the year 2002-03, transfers to Prince Edward Island will reach $158 million. That is a substantial increase.

● (2130)

The point I want to make, and others have made it before me, is that it is not just a question of more money. We have seen reports this week in the press stating that the extra money the federal government has extended to the provinces for health care equipment was not necessarily spent on health care. Coming back to my point earlier on report cards and accountability, it is important that the federal dollars that go into the health care system be accounted for and used for what they were intended.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Chairman, I listened very closely to my hon. colleague's comments. I am a little confused. He suggested some numbers that may have been thrown around. If he wants to play the numbers game, let us play the numbers game.

The percentage of the health care dollars that comes from the federal government is only 14%. In some provinces it is less than that. It is down to as low as 12%. Some health ministers will say it is even less than that in some provinces. From the provincial side, it is up to 42% in some provinces. Looking ahead over the next five years, it will get to 50% and beyond. That is if we move things out to the next four or five years.

When it comes to responsibility from one jurisdiction to another, let us get serious about who is supporting health care. Is it the provincial governments or is it the federal government?

If the federal government is serious about doing what it says and recognizing that health care is the number one priority for Canadians, then it is time to put its money where its mouth is and to do something when it comes to putting dollars back into health care, but not just dollars because dollars alone in a dark hole will just evaporate. That is what we are discussing this evening. Even Mr. Romanow has suggested that we need to do more than just put dollars back in. This is a golden opportunity to sustain the health care system into the 21st century.

Where has the member been for the last 10 years as the government has run health care just about into the ground?

● (2135)

Mr. Wayne Easter: Mr. Chairman, I said earlier that I was worried the member for Yellowhead was hallucinating but now I am sure. He obviously believes, and that is his right to do so, this 14¢ myth that has been portrayed by the provinces.

It is true the provinces do claim that the federal share of their health care spending is now only about 14¢ on the dollar. To come up with the 14¢ figure, provinces are comparing only the cash portion of the Canada health and social transfer.

When we went to the Canada health and social transfer a few years ago, the tax points were increasing and the cash portion was lessening. As a result the federal government had less ability to ensure that the provinces maintained the principles of medicare. We went to the CHST to try to keep the cash portion high enough to have the leverage because the best leverage is the spending leverage. The member is only talking about the cash portion, which is indeed 14¢, but we have to add the transfer for the tax points as well.

Direct federal spending for health care currently amounts to about $4 billion a year. This is for first nations health, veterans health, health protection, disease prevention, health information and health related research. As well through the tax system we provide support worth about $1 billion a year. This includes credits for medical expenses, disability, caregivers and infirm dependants. When we add the $5 billion in direct spending and tax credits to the $24 billion in transfers, we are spending about $29 billion a year, or close to 36% of all public spending on health care in Canada. The 14% does not have merit. It is actually about 36%.

We can debate the numbers but certainly jointly between the federal and provincial governments, we have to ensure that the stable funding is indeed there to get the job done. We must ensure that we have the kind of public health care system that Canadians want.

[*Translation*]

Mr. Jeannot Castonguay (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chairman, I would like to ask a question to my colleague, who has been here for a number of years already. With regard to the current provincial transfer formula, does he think that we could look at whether the money transferred for health care does in fact go to health care? I would like to hear his comments on this. Could this be a way to ensure that we know exactly where our investments in provincial transfers are going?

[*English*]

Mr. Wayne Easter: Mr. Chairman, I thank my colleague for the question. I believe they should be targeted to health. I talked about accountability and knowing where the dollars are spent. It is partly for that reason that the money should be targeted toward the health care system. In that way we can check if the efficiencies are being made that ought to be made through the public spending of health care dollars.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Chairman, we could continue the numbers game but I do not necessarily want to do that. We have exhausted that. He can throw his numbers and I can throw my numbers and we will go nowhere. I am more concerned with where we are going with health care into the 21st century. I am most frustrated with what I see as a system that is focused on itself. Over the last number of years anyone who wanted to be able to talk about health care as a politician was slain at the polls. Would the hon. member and I agree on one thing, that the system must change to be patient driven rather than system driven?

● (2140)

Mr. Wayne Easter: Mr. Chairman, the system can always be improved. That is why the Romanow commission was set up. That is why we are having this debate tonight. I am strongly in favour of a public health care system in which governments are accountable and responsible for the funding toward that public health care system and in which Canadians regardless of their status, income, stage in life or where they live have the opportunity to be able to receive universal health care services.

[*Translation*]

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Chairman, I came to lend a helping hand to my friend and colleague, the member for Hochelaga—Maisonneuve.

It is a pleasure to participate in this extremely important take note debate on the future of our health care system, and more specifically on what we commonly call the Romanow commission.

First, I would like to stress the fact that, whenever the government decides to create a commission, it chooses with great care the person who will chair that commission. The government knows that the philosophy and the ideology of that person will naturally play an important role in the findings of the commission.

The Prime Minister has chosen Mr. Romanow, a New Democrat as we know, and a former Premier of Saskatchewan. We know and we often see, in the House, that the NDP strongly supports centralizing social powers in Canada; it is keen on national standards and believes that "Ottawa knows best". The ideology of that party is one of centralization. The New Democratic culture has been left its mark on Mr. Romanow. That was my first point.

Second, Mr. Romanow, as we know—and incidentally, this happened 20 years ago this year, the anniversary was celebrated very well—, was a major player in the recent history of Quebec and Canada, when he schemed with his friend, the current Prime Minister, in the kitchen of the Chateau Laurier, to patriate the Constitution in spite of Quebec, in spite of what Quebec wanted.

These two elements demonstrate Mr. Romanow's vision: first with respect to the place of Quebec, in particular, but also to the role of the provinces in the Canadian federation.

Mr. Romanow published an preliminary report, as has been said many times in the House. From the outset, Mr. Romanow stated that Canadians do not want a 10-tiered system. He was alluding to the provinces and to Quebec.

Clearly, his philosophy is that there should only be one system in Canada, and that this system must be managed in Ottawa, this system, the philosophy, the elements, and that decisions must be made in Ottawa instead of being left to the provinces.

This also demonstrates the vision whereby there can only be one vision. This is the Canadian vision, which scorns any different ways that the other provinces, and obviously Quebec in particular, may want to proceed.

In its preliminary report, the commission completely disregarded Quebec's jurisdiction. This is something we know and we must repeat over and over. As sovereignists, it becomes tiring to have to repeat it to people who should know their constitution, since they claim to be defending it. Health is under the jurisdiction of the provinces. Health is under Quebec's jurisdiction.

How can we accept this vision of one single health care system where everything would be decided here in Ottawa? In fact, and I quote from page 43 of the report:

> —governments may need to step back fromtheir traditional perspectives, decide what is in the best interests of the healthsystem overall—

This is code for saying that the provinces should abandon any hopes of autonomy and any hopes for specificity in order to fit a mould that will be cast in Ottawa. This is what this passage means.

● (2145)

In the preliminary report of the Romanow commission, it is already clear what direction he is headed in and what his philosophy is. We see the desire to build a uniform Canada, one that is increasingly centralized and standardized.

The preliminary report of the Romanow commission also sets out and recognizes the problem of the instability of health funding and opens the door to partial privatization of health services. It proposes a framework which assumes the standardization of health care systems in Canada and clearly tackles issues which come under the exclusive constitutional jurisdiction of Quebec.

As members know, the Government of Quebec quite rightly boycotted the proceedings of the Romanow commission because it thought it pointless. Quebec has already held its own commission to study health care and social services, the Clair commission, which tabled its report in January 2001. This report proposed tangible, specific solutions adapted to the needs of Quebec and Quebecers and it respects their health care needs.

Speaking of needs, this is an opportunity to uncover what could be seen as a bit of bad faith on the part of the federal government. Federal funding to Quebec for health care, through the Canada health and social transfer, stands at 14%. This means that for every dollar spent in Quebec today, 86 cents come from the Government of Quebec and only 14 cents come from the federal government. This contribution was slated to drop to less than 13% in 2005-06.

I hope that the minister will ask me some questions about this. I would be delighted to provide explanations and I hope that she will listen closely, as she can do.

In 2000-01, federal transfers represented only 16% of Quebec's revenues, dropping from over 28% in 1983-84.

The additional federal health transfers deposited in trust also pose many problems. The federal government boasts that it has transferred money in trust to the provinces. But it is requiring that the monies transferred be used for specific purposes. They are one-time payments and Quebec does not necessarily have the resources to hire the staff needed to use the medical equipment.

This one-shot payment in trust is not working well. This serious fiscal problem which has the Government of Quebec and, through it, all Quebec taxpayers in a stranglehold is so real that, in 2010-11, it is estimated that about 85% of Quebec's program spending will go the education, health care and social services.

What does that leave for the environment, culture, foreign affairs and recreation? When 85% of a budget goes to these basic items, it does not leave much leeway. The federal government is deliberately applying this fiscal stranglehold on the provinces.

In this two-fronted attack on Quebec's autonomy, the first front being the fiscal imbalance—and I will come back to that—and the second being the administrative centralization required by the social union agreement signed in 1999 by all provinces, except Quebec of course, and the federal government, how can the latter justify such blackmail with regard to the funding it provides, when its share of health care costs has shrunk to 13% and its share of education costs has shrunk to 8%?

Since my time is running out, I will conclude by saying that the fiscal imbalance that undermines the autonomy of the provinces and of Quebec, and this is a deliberate decision on the part of the federal government, is jeopardizing the social and economic choices of Quebecers. In the end, all the decisions could be made in Ottawa. This is the danger that Quebec is facing. This nation building process undermines the desire of Quebecers to be different, to do things their way, to have their own culture and their own identity.

The shortfall in Quebec is estimated at $50 million a week, or $2 billion a year. If this fiscal imbalance were corrected, Quebec alone could hire over 3,000 physicians and 5,000 nurses.

● (2150)

For the people of Charlesbourg—Jacques-Cartier, these sums represent $24 million for the current fiscal year alone and $78 million by the end of fiscal 2004-05.

These are practical measures, and this is what the federal government should work toward instead of listening to what the Romanow commission wants, which is a uniform health care system across Canada.

Mr. Jeannot Castonguay (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chairman, a few years ago, in Quebec, the provincial government decided to offer pensions to doctors who agreed to retire.

This evening, the hon. member is talking about the need to recruit 3,000 doctors, and I am trying to reconcile all this. Some years ago —but this is still relatively recent—that same government decided that there were too many doctors and offered them early retirement. Surprisingly, many more doctors than anticipated took the government up on its offer.

How can we reconcile the fact that, today, they are saying that if they had more money, they would recruit more doctors with the fact that they offered early retirement to doctors a few years ago?

Mr. Richard Marceau: Mr. Chairman, I am somewhat disappointed in the parliamentary secretary not being on top of the news. First, he should know that, following an agreement with the Collège des médecins, enrollments in Quebec's medical schools has increased significantly.

Second, I said that if the tax imbalance issue were solved, Quebec would be able to hire an additional 3,000 doctors and 5,000 nurses. That is what I said. The parliamentary secretary and the minister cannot deny that.

Getting back to these figures, the Séguin commission used a study from the Conference Board of Canada, which is definitely not a haven for separatists, nor is it a PQ office or a branch of the Mouvement national des Québécoises et des Québécois. It is a completely independent organization with a federalist tendency, and it makes no bones about it.

The fact is that the needs are glaring and that the shortfall, the tax imbalance is of the order of $50 million per week, or $2 billion annually, which means $24 million for the riding of Charlesbourg—Jacques-Cartier. These are concrete figures.

And how many problems could have been solved by simply settling the tax imbalance issue?

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Chairman, everyone in the House knows that the minister of health is a constitutionalist.

I would ask my colleague this: if he had to correct the health minister's exam and found that she had answered a question by saying that a national health act as we have at present was justified, would our colleague have written a note to remind our constitutionalist health minister of which powers relating to health, according to the very terms of the constitutions of 1867 and 1982, are federal and which belong to Quebec?

Perhaps for the sake of our colleagues, that distinction needs to be made.

● (2155)

Mr. Richard Marceau: Mr. Chairman, I see that the minister is very eager to hear the explanation.

The member for Hochelaga—Maisonneuve is spending a lot of time in law schools these days, which means that his legal and constitutional knowledge is really up to date. I know that the Minister of Health will appreciate the importance given to the legal profession by the member for Hochelaga—Maisonneuve.

Of course, according to the division of powers, health is a provincial responsibility. The tool used by the federal government to interfere in the area of health care is the spending power.

Very recently, I had a most interesting conversation with Eugénie Brouillet, a doctoral student in constitutional law at Laval University who specializes in Canadian federalism. She explained to us how the spending power theory undermined the very principle of federalism because it prevented or removed any real separation between the various levels of government.

We know that a federation is defined by the distribution of powers among different levels of government. By introducing the spending power theory, the Canadian federation has undermined the very principle of federalism. As a result, Canadian federalism has lost many of the elements that are usually the trademark of a federation.

We could take other examples. The most recent is the social union agreement. It is the latest example of this distorted vision of Canadian federalism that the federal government has.

[*English*]

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Chairman, I want to do something that is unheard of in the House. I want to take politics away from this discussion and talk about the substance of this debate tonight.

Mr. Romanow talked about four themes when he presented his interim report: values, sustainability in funding, quality and access, and leadership collaboration and responsibility. I would like to deal with those four issues in the order in which they come.

The first is values. Mr. Romanow talked about how the Canada Health Act reflects the values of Canadians today. When the Canada Health Act was first written and medicare's inception began in the late 1960s and 1970s Canadians believed in certain values. The question he is asking is are those values still as valid today?

We have been to town hall meetings and talked with our constituents in roundtable discussions. We have listened to the public, to patients and even the provinces at the first ministers conference on health reform in 2000. All agreed that those values are unchanged. The values that we espouse under the five principles of medicare: public administration, comprehensiveness, universality, portability and accessibility are all still as real for us as Canadians today as they were in 1969.

However let us ask ourselves, what has changed? Why is it that even though we still espouse these values we are having this debate? Why are we discussing medicare right now? The thing is that since 1969 our country has changed. There are so many pressures that have been placed on what was inherently at one time a good system.

One of the most important things that we must remember about the system is that it started as a system that would ensure that when Canadians became ill they would not be bankrupted or have to sell their homes to be able to take care of their families when they became ill. That was the basic principle behind this medicare system as we have come to know it today.

At that time we were looking at whether or not we would only deliver care. This medicare system decided we would deliver care in hospitals only and that it would be for physicians only. It began as a physician and a hospital centred service. What has changed since then is that we are delivering care everywhere. Not only are we delivering care in hospitals, but in homes, long term care centres, palliative care institutions and in the community. That has changed.

We are coming to realize that physicians are not the only people who can deliver care to people when they are in need and when they are ill. We know that we have nurses and nurse practitioners. We have chiropractors. We have many health care professionals who are capable of delivering certain types of care as required when patients become ill. The whole concept has changed and we have seemed fixed into this area.

This is what the federal government does when it transfers payment for health care. It transfers payment under the concept of paying its share for physicians and hospital service only. As time went on and as provinces that deliver service realized that they had to take care of all these other places where services were delivered, all the other types of services that were required, we began to find that there began to be pressures in the system.

The provinces began to focus on paying for health care, for services and programs that were outside those two original areas. This was a second area where pressure began. Therefore the question is, if we still believe in those values how do we deal with those questions?

We also find that the technology has changed. We have technology that can tell us anything we want to know about diagnostics, about care and treatment. People are living longer so the chronic degenerative diseases that we never used to see in the old days are now there. We spend a lot of the money in medicare at the last stages of life and in the latter years of life as well as in the early years of life. We are finding that we can deliver babies earlier and that they can survive earlier. So we have all of this technology coming into play.

● (2200)

Finally, as a result of all of this new knowledge, we find that patients are beginning to expect more of their system. Patient expectation is also a huge pressure that is driving the system.

I remember I once had a friend who said to me “I think today because of so much technology and all the things we know that everyone thinks that death is an option”. Therefore, we want to plug into every single thing that we can to ensure we have what we need when we want it.

I use the word “want” and that is another pressure on our system. Canadians have come to expect that they can have what they want, when they want it. The medicare system is designed to give Canadians quality care when they need it, in a timely, accessible and cost effective manner. This is where we have to start focusing our debate.

That then moves me into the second theme and that is sustainability and funding.

How do we sustain a system that has evolved so rapidly and that will not take another 30 years to evolve? It is evolving as I stand here right now. There are changes. There is fluidity in the system. Evolution is occurring and something new is being discovered every day. We are debating new reproductive technology. We are debating all kinds of new things. We have a new armamentarium of tricks up our sleeve to diagnose and to keep people living for a longer period of time.

We will not have to find an answer to the question today, but we will have to find an answer that is flexible and that can evolve as this evolution continues. That is one way to look at sustainability.

Funding is a huge issue. I think we have all bought into the 70:30 split in public funding/private. However there is a bigger question because of the variability of opinion. Some people say that because we have the 70:30 split we should have a private system and those who can afford to pay can use it. They say that this will take the pressure off the public system, it will solve the problem and everything will be fine.

However that goes against the values. Let us not forget that these five themes are interconnected. The values tell us that we do not believe that anyone should be bankrupt when they need care or that anyone should be denied care when they are ill because of a lack of ability to pay. Therefore, in that very concept we have accepted the fact that we will never have two classes of citizens, one class that can afford to be well and one class that cannot afford to be well. We have already bought into that concept, so let us not even debate that.

What happens when a system is developed where one class of people can pay and the other class cannot, whether it be full pay or a user fee or all those other things that are suggested? Having practised family medicine for 23 years and having delivered a thousand babies, some people who cannot afford to pay will not care. They will accept charity and get those services free while others will have to pay. That is wrong.

So many of my patients who were low income people had a sense of pride. They did not want some sort of charity. They wanted to pay their way. There are families of working poor with three children for whom a $5 user fee for each child is a huge amount of money. Therefore user fees already create a barrier to one of our principles and that is accessibility.

Then we have people who say that we should look at those who can afford to buy premiums or that we should have an escape valve and people can buy different kinds of premiums for different kinds of things from private insurers.

Many people do not speak about one of the five principles of medicare and I would like to touch on that. It is called universality. What people do not know is that universality means that there should be no pre-existing conditions considered in medicare. There is no insurance service anywhere else in the world that does not consider pre-existing conditions.

The fact is no matter how rich people are, if they suddenly develop a long term chronic disease, their first year will be fine. In the second year in a private insurance company their premiums will go up. In the third year they will become completely uninsurable and no matter how wealthy they are they will end up selling their houses to get care. That is not what we want.

We have to deal with this in a different way. We have to look at the issues of leadership and collaboration. We have to talk about how we get it. We have to talk with the provinces. We have to get away from this blame and pointing finger attitude that it is their fault or our fault. Let us talk about how we can sustain a system that we know must be there for Canadians.

● (2205)

Let us talk about how we define what is medically necessary so that we give people the health care they need when they need it, and what they want they can buy. The need and the want are two very important things, so let us redefine what we mean by medically required services.

Let us not do this in an arbitrary way. Let us do it by looking clearly at what we call clinical guidelines and evidence based care. We have that information today. Let us put aside the rhetoric and the politics and talk about something that is so important to all of us and to all Canadians. Let us decide that we will share the responsibility as a federal government and as provinces. Let us work together in a collaborative manner to find solutions not just for certain Canadians and certain provinces but for all Canadians no matter where they live or work, whether it be in rural, isolated or urban Canada or on the east or west coasts.

In closing, perhaps one of the ways to do this is to bring forth some sort of commission that can take away the politics occasionally, that can give us the evidence, the outcomes and the results, that talk about funding and that give us the statistics so that—

The Acting Chairman (Mr. Milliken): I regret to inform the hon. member but her time has expired.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Chairman, my questions are quite simple when it comes down to it. When we look at health care, we see some major problems. There is no question of that.

My hon. colleague talked about the Canada Health Act and the values of it. I think we bought into that as a nation and that is fine. However those five principles were set up in 1983-84 and the health care system has changed significantly since that time. We have a system now where the technologies have changed, drug therapies have changed and who delivers health care has changed. That act was set up really for primary care and only for primary care. The system has evolved so much more since then.

The obvious question is this. Does the Canada Health Act, which contains the five principles, need to be freshened up and does it cover all the bases to sustain a system that is affordable for everyone, regardless of their financial means, and that moves us ahead into the 21st century? Does it deal with time limits? Does it deal with accountabilities? Does it deal with quality of care and some of the things that we cherish and want to have in our health care system? This is why we are saying that the system must change from being system driven to patient driven.

Would my colleague like to comment on the areas of the Canada Health Act that need to be spruced up? Perhaps she could comment as well on the sustainability of the system as well as the funding as one of the principles.

● (2210)

Hon. Hedy Fry: Mr. Chairman, that is an interesting question because originally when we looked at the Canada Health Act, which was going to pay for physicians and hospital services, it was not only primary care, it was also for secondary and tertiary care, whatever care was needed in a hospital setting.

As many people said in the House, that has changed. We need to now look at the Canada Health Act differently. If the Canada Health Act is the instrument that will serve whatever it is we wish to do with our medicare system, our health sustainability and broader areas, we will have to talk about what we mean by delivery of care. Where is the care delivered? We are not only going to talk about hospitals. These are questions we need to ask.

Should the Canada Health Act therefore look at home care, long term care, palliative care and community care? If so, how would the provinces come on side and collaborate with the federal government so that we could enter that domain? If we do enter that domain and decide that we would like to fund those areas, which right now are not in our jurisdiction, then that would be an excellent idea. However the question then would be, what things would we have to do in terms of the accountability? The member asked about that. What would be required of the provinces? What would be required of that new funding? Then we would have to talk about how we would judge outcomes, how we would look at national standards for home care, long term care, palliative care and community care?

When I talk to Canadians, they do not particularly care who pays and what level of government is responsible for what. They just want to know that when they are sick or their families are ill that they can go wherever they are and get the quality care they need.

The time has come for us to make the federation work, to really talk about Canadians as people who need their levels of government to come together. It is time we talk about how we open up the Canada Health Act and look at ways in which we can redefine where we deliver that care? Who are the people who will deliver that care because it will not only be physicians? Who are these people? How will we move in and collaborate in some of these areas? How do we define what is medically necessary? We need to use an evidence base to do that and not arbitrary measures like age, where people live or any such thing. What are the evidence base guidelines that we know would dictate necessary care?

We need to talk about those kinds of things when we talk about the Canada Health Act. Obviously we have to look at the Canada Health Act in a completely new way and see it as a tool to define where we want to go. However we have to decide where we want to go and how we want to do that, then let the Canada Health Act serve as the legislative tool for helping us to deliver the system we want.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Chairman, since the member for Vancouver Centre earlier questioned the accuracy of statements that medicare was originally funded on a 50:50 cost shared basis, and since like all Liberals tonight she is dodging the questions about the federal role in financing health care, I want to put to her a recent statement by the hon. Monique Bégin, under whose ministry the Canada Health Act was established, and ask her if she agrees.

Monique Bégin said last February:

> This legislative federal transfer [CHST] mechanism should be rescinded and a new Act written that would cover only health financing. The whole contentious issue of the value, and of the very fact, of tax points' transfer to the provinces should be put to rest once and for all...Tax points transfers are a taxation capacity lost forever and they carry no enforcement power whatsoever. So let us stop talking about them. For both accountability purposes and for good governance, we should revert back to the spirit of a 50-50 cost-shared arrangement, block-funded by cash transfers established in multi-year blocks.

Will the member for Vancouver Centre indicate if she supports this approach?

● (2215)

Hon. Hedy Fry: Mr. Chairman, that is an excellent question which deals with what we are debating here. No one has yet been able to come up with a decision on where we want to go, how we want to fund and what the sustainability of the funding is. The federal government does not have within its jurisdiction the ability to do this on its own. Where we go and how we fund is something that has to be decided on with the provinces.

People have been knocking the CHST and that block funding. It was based on some fairly sound policy principles that may or may not, at the end of the day, have been proven to work in terms of their implementation. However the concept was that if the health of a person was dependent upon things other than just disease or the lack thereof, and upon issues like poverty, the environment, et cetera, that if we gave funding to a province which had within it social, health and education components, then it allowed the provinces to use this to influence some of the determinants of health and other areas which would have an impact on the health of the individual.

We must ask: Is that a viable thought? Should we go with that or should we fund health care as a simple block piece for health only? If we mean that, are we talking only about medicare or are we talking about prevention and promotion? Are we talking about rehabilitation and palliative services? Are we talking about research and development? Are we talking about infrastructure? What are we talking about?

This is not a simple question. It is a nice and simple statement to make but inherent in that statement are huge and complex issues that we must talk about. That is part of what we are doing here today. I do not think we are here today to come up with definitive answers and I will not stand here and say that I have the answers at all. What we are trying to do is exchange ideas, hopefully in a manner which at the end of the day will benefit Canadians.

There is merit to some of that but it must be examined under a microscope. We must look at what it means. It certainly is not something that the federal government can do on its own.

[*Translation*]

Mr. Jeannot Castonguay (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chairman, I would like to begin by thanking my colleague for her excellent presentation, especially when she mentioned that she had tried to make her speech non-political.

I think that all of us often have a collective responsibility for the expectations that we have created in the public by speaking about free care. The result has been that, very often, people demand services based much more on what they want than on what they need, as my colleague mentioned.

I would like to know what her ideas are. How could we reverse this trend and redirect it towards the availability of services based on needs?

At one point, my colleague spoke of a commission. I would like her to elaborate and comment on this.

[*English*]

Hon. Hedy Fry: Mr. Chairman, as my hon. colleague would know because he is a physician himself, there has been a lot of work done over the last 10 or 15 years in terms of looking at clinical guidelines. We now know that there are clear clinical guidelines, for instance, on how to know whether an ankle that is twisted and swollen is sprained or broken. Therefore inherent in that question would be some clear guidelines as to whether to do an x-ray or not, because an x-ray is an extra cost to the system.

If we have some of these guidelines it is something we can use. It means that governments should collaborate and work in close partnership with health care professionals and the people who are doing that kind of research.

At the end of the day if we had some sort of health commission it could look at outcomes and stop the finger pointing and the idea that it is the fault of the federal or provincial governments. It could look at clinical guidelines that were set by various health care associations, bodies or colleges. It could decide whether the outcomes are good, whether the quality is being achieved, and whether there are cost savings.

We know that to spend a day in an acute care hospital costs anywhere between $800 to $1,200 a day, yet the cost for a person getting home care or care in the community could be anywhere from $120 to $200 a day. We need to have people who do not have political stripes on them in any way to look at that.

Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance): Mr. Chairman, this is an interesting evening as we enter this health care debate. Members from all sides of the House have been expressing their views on this important issue.

What can we do to satisfy the health needs of Canadians? It is an important issue to many of the constituents in all of our ridings. Many Canadians have expressed to all of us individually as members of parliament their concerns about the state of our health care system and where it is going.

I was interested in the health minister's comments tonight as we started off debate. She indicated that Canadians are concerned about timely access to quality care. Tonight she started off by saying she wanted to address values. What should be covered? How should we pay? How should we provide the services? What values do Canadians want to see in their health care system and what values are needed?

My colleague from Yellowhead mentioned that in our consultations with Canadians we learned quickly that Canadians are concerned about timely, quality, accessible care and they want care available to all Canadians. My colleague from Kelowna spoke tonight. He mentioned that seniors are particularly concerned about the setting of their preference, in addition to timely, quality, and accessible care.

We are now over $102 billion in health care spending. Why are we doing so poorly in outcomes? Why do we have such long waiting lists, shortages of personnel and why are outcomes so poor when we are spending so much?

I heard the minister say earlier that Canadians are tired of seeing their valued health care system sliding away while politicians argue and blame each other over funding, jurisdiction and their visions. Could it be that we are spending a lot of money for a high cost system that delivers what has become a low value product? I am one who believes we are spending enough money on health care. We could do a lot better if we perhaps spent it in a different way. A lot of Canadians would share that perspective.

This subject has been studied and studied. In British Columbia the Justice Emmett Hall study was done in 1979. In 1997, just prior to the last election, there was a National Forum on Health which spent about $12 million. We have had provincial studies: the Fyke commission in Saskatchewan and the Clair commission in Quebec. We have had the Kirby Senate reports that are ongoing on health care and the Mazankowski report recently tabled in Alberta. Now we are waiting for the Romanow study to be completed in the next few months. That is another $15 million of taxpayers' money going into a study. What will we do to fix this situation?

My colleague from Yellowhead indicated earlier tonight that researchers from the Library of Parliament studying this said that the federal Liberals have spent $242 million studying the health care system. We do like to study health care.

One I did not hear mention tonight is hot of the press and sure to add fuel to the fire of discussion. It is the Canadian Medical Association document "Prescription for Sustainability" that was just released on June 6. Its prescription is on behalf of more than 53,000 physicians. I am sure there will be valuable and interesting suggestions and no doubt will add to the debate in the days to come.

I want to address a few major concerns. One of them is the cost of drugs and the effect of drugs. Health Canada has received in the vicinity of 7,400 domestic reports of suspected adverse reaction to health products in 2001. These were reported for the most part by health professionals either directly to Health Canada or indirectly through another source. It is unknown how many cases go unreported. According to the government's own data doctors report less than 10% of all reactions.

About 51% of Canadians have taken more than one prescription or non-prescription medication on the same day. Yet 61% of the same people do not always check with their doctor or pharmacist about possible interaction, according to a Pollara study. The need for mandatory reporting of drug reactions is something that needs to be addressed. The high number of casualties from iatrogenic causes, that is doctor caused, or inappropriate use of medications, is a terrific cost driver and a mortality driver and a serious concern for Canadians.

● (2220)

Another issue is independent drug approval for children. Children are routinely given lower doses of drugs than are approved for adults and yet they are at a greater risk than adults for developing a severe reaction. Drug research is not currently performed on children, and without a more reliable regulatory body the safety of adult drug use in children is unknown.

Emphasis needs to be placed on the differences in the pathogenesis of adverse reactions between children and adults. A recent study indicated that physicians are notoriously bad at mathematics when it comes to deciding what a dose should be for a child. This was responsible for overdose situations for children in a large number of cases. Nurses are a bit better with a pencil. This is a serious concern and something that needs to be addressed.

In addition, we have problems with drugs being imported, ordered by mail or on the Internet and mailed into Canada. I am speaking of drugs that are not available in Canada such as Prepulsid that Vanessa Young died from. Drugs coming across the border are a serious issue and we have no means of controlling it.

The increased cost of drugs is a huge problem for seniors as well as their safety. My colleague mentioned that about 30% of seniors are addicted to prescription drugs and with questionable clinical outcomes. The amount that we are currently spending on drugs is about $15.5 billion of that $102 billion.

Another serious issue involves aboriginal communities. In the Regina *Leader Post* on May 13, Dr. Henry Haddad, president of the Canadian Medical Association said, “Aboriginal health is a national tragedy and a national shame”. That is in spite of $2.3 billion in federal spending for aboriginal health.

Diabetes is three to five times more prevalent in aboriginal communities as it is in the general population, according to Health Canada. It is increasing at a rapid rate among aboriginal people. Before 1945 diabetes was almost unknown in aboriginal communities. If it goes unchecked at the current rate it is expected that 27% of all aboriginal people in Canada will have diabetes. Even aboriginal children are now being diagnosed with type II diabetes which was generally associated with older people.

What is happening to our aboriginal people? In coastal aboriginal communities in my area there is a saying, a philosophy, which is called *Hish Tukish T's Awalk*. It literally means “everything is one”. We are part of nature and nature is a part of us.

I want to address this issue on a different angle. Health is not something that is here one day and gone the next. Health is built over time by the choices we make, including lifestyle choices: what we eat, what we drink, the quality of air and the quality of water that we drink. All of these are part of building healthy bodies.

Exercise is also an important part. Exercise is promoted in cancer therapy for breast cancer and there are higher survival rates for those who actually pursue physical exercise such as the dragon boats that are popular with breast cancer survivors and even those undergoing treatment. Building healthy bodies ought to be a focus for Health Canada, and indeed it is a focus for many Canadians.

Many Canadians find that if they look after their physical, mental and spiritual well-being they will not get sick. They find that they do not get sick as often and if they do they recover more quickly. Building healthy bodies ought to be as much a concern for the health department as it is for Canadians. That has been my vocation for quite a while. I have spent some 25 years as a health care provider trying to build healthy bodies.

We need to address effectiveness and cost effectiveness. The system needs to become more patient focused rather than system focused. A lot can be said about manpower shortage as mentioned earlier tonight. Nurse practitioners could play a large role by helping out doctors with the care they have trouble providing. According to some studies perhaps 80% of what a physician does could be done by nurse practitioners.

Low back pain is a major factor in our society and also a major cost driver. A study was done by Dr. Pranlal Manga, a health care economist at the University of Ottawa, on the effectiveness and cost effectiveness of chiropractic treatment of low back pain.

● (2225)

Hundreds of millions of dollars could be saved provincially and on the national scale up to $2 billion by simply sending the patients preferentially to a treatment that works better than drugs or surgery. Why is it that there are financial disincentives when people choose another form of health care?

Simple nutritional supplements can make a big difference in a person's outcome. Why is it a substance like chromium picolinate which is very helpful and necessary in the management of blood sugar and necessary for the glucose tolerance factor is on a restricted list with Health Canada? These questions and others are ones that Canadians ask me. Why is Health Canada not more interested in promoting health than in continuing to fund a system that focuses so much on illness?

With these questions I add to the others that have been raised tonight and with my colleagues submit them for consideration as part of the dialogue. We are looking for answers. I believe there are more cost effective ways to deliver health care to Canadians and that is what we are looking for.

● (2230)

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Chairman, I certainly appreciate the suggestions made by the Alliance member on how to renew, strengthen and reform our health care system. Most of those suggestions I agree with.

I am really curious about where the Alliance stands when it comes to the issues of management, funding and support of our health care system. Earlier when I raised questions about the Alliance position of support for two tier health care or support for such things as user fees and medical savings accounts, the health critic for the Alliance reacted vehemently and left the impression that the Alliance position had changed.

My question for the member is does the Alliance Party support public not for profit health care? As part of that question, does he agree that it does matter who delivers health care and who controls the corporate structure of a hospital, a health care clinic or any other facility?

Mr. James Lunney: Mr. Chairman, I know the hon. member has a passion for health care and for seeing people well and for finding answers for sustainable health care.

As stated in our policy, "ensuring timely, quality and sustainable health care is available to every Canadian regardless of financial means" is part of our policy. We are looking for answers so that Canadians can receive value. Value is something we mentioned. We want to talk about Canadian values tonight. It is value in health care delivery that we are actually interested in pursuing.

On the issue of sustainable funding, we would add another principle to the Canada Health Act and that is sustained funding. We would ensure that the federal government cannot unilaterally withdraw funding from the provinces and leave them hanging out to dry in the delivery of the services.

We believe that sustainable and predictable funding so that health care budgeting is possible is really important. In the management of health care it is finding value, and that is effectiveness and cost effectiveness. That is something we need to pursue. It is something we are interested in pursuing, giving Canadians a choice in services they receive and making sure that they get value.

That is something in which the federal government can play a positive role. Nearly $1 billion in health care research funding is available to us. The federal government, rather than telling the provinces what they should and should not deliver, should be providing a leadership role in making sure that if there is another way of doing business, another way of delivering effective care to Canadians that it will put research dollars into checking it out. It must make sure that Canadians are getting cost effectiveness and value for their health care dollars.

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Chairman, I was interested in the hon. member's presentation. There are a couple of words that the hon. member used. Value as defined by Mr. Romanow had to do with how we felt about the principles of medicare, et cetera.

On quality care, how does the member propose that we define quality care? For me, and from the Canadian Medical Association document which the hon. member referred to, quality care will obviously be defined by evidence based analysis, by looking at outcomes. When defining how a person is getting their health care, value is not necessarily a word in that case. It would be how we define quality accessible care.

I would be interested in knowing how the member would define quality care. Does he believe it is important to have evidence based outcome analysis? Does he believe it should be done by a third party as suggested by the Canadian Medical Association and the Canadian commission on health?

● (2235)

Mr. James Lunney: Mr. Chairman, quality care is certainly an interesting concept but how do we make sure that we are getting quality? For the dollars we spend we have to look at outcomes. Are we actually delivering the product that we are purporting to deliver when we undertake a procedure?

The hon. member for St. Paul's who is also a physician mentioned that politicians lack the courage to address the issue of many outdated procedures that are not actually delivering value. She made a very good point. Where do we get the idea that if a physician orders every test in the book that it is good medicine? Frankly many tests are performed that actually are not needed.

I asked a surgeon that very question recently. I know it is not how he was trained. The hon. member opposite was trained in clinical and differential diagnosis so she could determine which tests were more likely to be necessary rather than just testing everything. The physician was not too happy with the question but his response was that there are two drivers.

One driver is patient expectation. Somehow patients expect that if they take every test in the book and it takes three weeks, six weeks or 10 weeks to do it, that this is good medicine. One of the problems is the patient has no idea what these tests cost. Worse yet, the physician has no idea whether they cost $300 or $3,000 or $30,000. That is a major concern.

The other driver is that nobody has been sued for taking too many tests. That is a major driver in our system as well. When we are talking about quality care we have to make sure that we are actually getting value for what we are doing rather than just doing procedures for the sake of doing them.

Ms. Paddy Torsney (Burlington, Lib.): Mr. Chairman, I truly appreciate the opportunity this debate offers to join with our colleagues in reinforcing the government's commitment to quality health care. It has become a fundamental part of our national values and heritage.

I wish to focus my remarks on two issues this evening, the federal government's monetary contribution to health care and the need for new services which are important to my constituents, including home care and end of life care. I would have preferred to focus my speech primarily on those two issues, but the level of misinformation and hyperbole around federal spending on health care clouds the debate so completely that I am compelled to set the record straight.

There is no question that people are deeply concerned about the challenges, especially regarding financing, that confront our system. However, our government has a priority that is clear and concrete and that is to work through partnership with all levels of government and all stakeholders to provide Canadians in every region with the public health care system they need and rely on. It is not rhetoric. We have backed this priority with real action and with bottom line results. Almost 70% of all the new federal spending initiatives that we have undertaken since balancing the books have been in just three areas: health care, education and innovation.

Indeed, since the 1999 budget the federal government has announced increases in funding to the provinces under the CHST alone totalling $35 billion. These funds are available to the provinces to use as they see fit on health care, post-secondary education, social programs and early childhood development. Moreover, when we look at major federal cash transfers to the provinces, both the CHST and equalization money is expected to increase more than three times faster than the growth in federal revenues over the next five years.

Let us look at the facts for a second. The first ministers agreement of September 2000 on health care renewal and early childhood development provided $23.4 billion in increased funding to provinces and territories over five years: $21.1 billion for the Canada health and social transfer; and $2.3 billion for new targeted investments in medical equipment, primary care reform and new health information technologies. These investments in particular will lead to innovations in health care, increased support for doctors and nurses, the availability of new MRI machines and other medical equipment. By 2005-06, CHST cash will reach $21 billion, a $5.5 billion or 35% increase over last year's levels.

The cash transfers are only part of the story. It is only fair to include in the CHST calculation the value of the tax points that we ceded to the provinces at their request in 1977. This year the value of these tax points will reach an estimated $16.6 billion. If we take the two numbers together it means that the total value of the CHST to provinces this year, cash and tax points, amounts to $35 billion. Again, that is only part of the federal health care story. The federal government provides eight of the 10 provinces with equalization payments which they are free to allocate as they choose. Currently those payments exceed $10 billion.

Added together, federal transfers currently cover one-third of all provincial health care costs. We have to recognize that federal support for health care extends beyond transfers. This debate is not just about money. My constituents are concerned about what basket of services we are funding.

As part of her work with the provinces, I encourage the minister to work on improving what those services are that are available across the country. Home care and end of life care are of critical importance to my constituents.

On the home care front, anecdotal evidence shows that a lack of home care is definitely forcing people into hospitals, is straining families and is causing harm. I had a constituent who recently came to me. He had his two hours of home care per week cut. He needed help recently, but rather than having access to a home care nurse he was told to call an ambulance to deal with his nose bleed. He spent several days in hospital and cost everyone a lot of money. Frankly, I agree with his concern that a few hours per week would have prevented a whole series of other costs within our system and would have had a better impact on his quality of life.

● (2240)

On the hospice front, in Burlington we are extremely fortunate to have a wonderful new facility, the Carpenter Hospice, which recently opened its doors. It will provide terminally ill people with better end of life care than would ever be possible in a hospital. Our community identified a need, raised the funds, found the volunteers, found the donated land and built a truly beautiful facility, where I am confident excellent care will dramatically improve the lives of patients and their families.

Unfortunately, provincial health care dollars are not provided in these facilities and our national system did not plan for this kind of expenditure.

In our area, a recent *Maclean's* annual health report identified that the Mississauga-Brampton-Burlington area ranked in the top four communities in Canada offering the best health care services. It is not news to me or to the people of Burlington. Our Joseph Brant Memorial Hospital offers exemplary service and medical care, yet it faces the same challenges and struggles all hospitals face, exacerbated by a critical shortage of primary care physicians. Far too many families in my constituency do not have a family doctor. We have a physician recruitment team in my community. Northern and rural communities face this issue to an even larger extent.

Canadians want to know that the federal government is looking forward, that we are providing funding and support for all types of medical research. We need to advance research into AIDS, cancer, diabetes, ALS, Parkinson's and multiple sclerosis, to name just a few. The new CIHR system is funding, in unprecedented ways, research into these illnesses and others, and our new reproductive health legislation will ensure we are able to participate in important stem cell and genetic research to help unlock the mysteries of these diseases.

Finally, as chair of the Special Committee on Non-Medical Use of Drugs, I must say that we must do more to ensure that we are providing Canadians with education and health promotion so that they can make informed choices about risks related to occupations and recreations, about drugs and about participating in healthy activities. As well, I believe we need to ensure that there is available across this country much more treatment for those who are addicted to drugs and alcohol.

Canadians support the fundamental values of the Canada Health Act, the values of universality, portability and accessibility. The Romanow commission and its public consultations are very important to ensure that we find realistic solutions to the health care challenges that face us, that we have the flexibility in how and where health services are available, and that Canadians have decisions made that are realistic, rational and reflective of the reality of their lives. They want governments to show openness to new ideas and alternative delivery.

This debate and the work of our Minister of Health and her parliamentary secretary will ensure that we get the services and the products that all Canadians have come to know and love.

● (2245)

[*Translation*]

Mr. Jeannot Castonguay (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chairman, first I would like to thank my colleague for her excellent presentation. She was particularly good at explaining how the Government of Canada makes contributions to the provinces, and that it is not simply transferring cash, but that there are also tax points and equalization payments. Very often, the provinces try to tell the public that they only receive cash transfers. It is important that Canadians understand how it works.

I would like to know what she thinks about the formula currently being used to calculate transfers. Should we not target the money we transfer specifically for health, rather than the current formula, which includes health funding with education and social programs? I would like her opinion on the matter. Does she believe it would be better to target certain amounts for health specifically?

[*English*]

Ms. Paddy Torsney: Mr. Chairman, as the parliamentary secretary will know, we in fact responded in our first mandate in office to a desire from the provinces to have more flexibility in investing in the areas they thought were important. The problem with that, of course, is that then we leave ourselves open to this attack that we are not funding the things that they thought we were supposed to be funding or that we have somehow restricted them. I do not think that is very fair.

I think that if there were more honesty and accountability and perhaps tied funding, as we have done with the equipment funding, Canadians would actually be able to track those dollars and see the benefits of their federal spending as well as of the provincial spending.

We do have to make sure that we have some flexibility in what is important. With the drug committee we have been to the Vancouver east side. There they are asking for different kinds of treatment in health interventions which would not necessarily be appropriate for my community or other communities across the country.

We have to make sure that the provinces have flexibility, but I do think we are going to have to look at tying some moneys to specific needs, as we did with the medical equipment fund and as I think we are going to have to do with treatment dollars, so that there is no excuse and Canadians looking for those services can find them in their own provinces.

That is another thing I am sure the parliamentary secretary has heard from constituents in his riding and other places. We need to separate the myth from the reality. All kinds of people have come to see me about health care but they have not had an intervention lately. By and large, the people who are having issues and who are receiving health care are extremely satisfied with the level of care, with the innovation that is taking place at the local level. By and large, they are extremely pleased.

Of course there are some people who have had difficult situations and they need to be addressed, but the people who seem to be most concerned or fearful that it has all gone to hell in a handbasket or that we need to introduce a private health care system are people who have not actually had any interaction with the health care system and in fact have bought into some of the myths.

I think the parliamentary secretary has hit on an important issue and that we perhaps very much do need to look at reconstructing those dollars and at tying the money to the services that Canadians have told us are important.

Mr. Irwin Cotler (Mount Royal, Lib.): Mr. Chairman, this take note debate on health care comes at a most important and propitious time, for wherever I go in my constituency of Mount Royal, if not in the country as a whole, Canada's health care system is held out as the litmus test of society, defining who we are and what we aspire to be, a caring, sharing, responsive and compassionate people.

The federal-provincial-territorial agreement of 2000 was an important step forward as a comprehensive, sustainable and renewable health care system for the 21st century wherein, inter alia, the federal government is investing more than $21.1 billion over five years through the Canada health and social transfer agreement.

The agreement should not be measured in dollars and cents alone, however crucial the infusion of monetary resources. Most important, apart from the re-commitment to protect the integrity of the five basic principles of Canada Health Act, is the commitment to a sustainable vision of a renewed and revitalized health care system, including a commitment to work together on eight specific health care priorities, which are as follows.

One: increasing the supply of doctors, nurses and other health professionals in order to better meet current and emerging demands for health services.

Two: improving primary care, the first point of contact for Canadians with the health system, so that they can have access to the right care, by the right provider, when and where they need it.

Three: strengthening home and community care in order to relieve pressure in the more than one in five Canadian families currently caring for a sick or elderly family member at home.

Four: co-ordinating efforts to manage rising costs for pharmaceutical products, the fastest growing cost component of our health care system.

Five: supporting the development of common indicators and monitoring so that we can measure, report and improve health system performance.

Six: harnessing the potential offered by recent advances in information, Internet and communications technologies to enhance access to and better integrate the delivery of health services and electronic patient records.

Seven: investing in new and more advanced health equipment, like MRIs and CAT scans, to reduce wait times for diagnostic and treatment services and improve the quality of care.

Eight: renewing performance standards and expanding the use of standards.

It is not surprising, therefore, that the Romanow interim report asserted that "for many Canadians the concept of Medicare, as expressed by the Canada Health Act, is a defining aspect of their citizenship". Accordingly, what I would like to do now is share with the House briefly 12 principles that would underpin an equitable, universally accessible, responsive and sustainable publicly funded health system and one that, as the Romanow interim report put it, would offer "quality services to Canadians and would strike an appropriate balance between investments in prevention and health maintenance and those directed to care and treatment".

Principle number one is health and human rights, the right to health as a fundamental human right. Recently we commemorated the 20th anniversary of the Canadian Charter of Rights and Freedoms, the centrepiece for the promotion and protection of human rights in the country. While there was a good deal of discussion about fundamental freedoms such as freedom of religion, expression and association or about legal rights such as the right to protection against arbitrary arrest and detention, or economic, social and cultural rights, we heard very little about health and human rights despite the critical link between the two.

Simply put, we tend to ignore that there is a universally recognized, though not universally publicized, human right to health. As set forth in article 12 of the international covenant on economic, social and cultural rights, it recognizes "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health".

Accordingly, those engaged in the struggle for human rights must always remember that the right to health care must be a fundamental goal, that the right to health is not just one right among many but is at the core of the human rights edifice, that it is the foundation of autonomy as autonomy is the foundation of humanity, and that when we struggle for the rights of the poor, the rights of women, the rights of the minorities and the rights of the oppressed, one must always remember that without the right to health, all other rights become a mere chimera. This is particularly true with the struggle of many in the developing world for the most basic rudiments of a healthy life, if not life itself: clean water, immunizations and AIDS prevention, just to mention a few.

Principle number two is health care and Canadian values. An equitable and universally acceptable, responsive and sustainable publicly funded health system would reflect basic Canadian values, apart from the five principles of the Canada Health Act, including: ensuring access to health services on the basis of health need and not on the basis of the ability to pay; a shared risk approach to the provision of health services, which is necessary to ensure an equitable access to health services; the public governance and accountability of health services; and the whole question of the integration of economic performance and health services.

● (2250)

Principle number three is sustainability, debunking the myths. A network of myths has developed around the Canadian health care system. Despite the popularity of the Canadian health care system among Canadians and the international respect that it enjoys, it is being dismissed by critics as old fashioned, unsustainable, economically unfeasible and otherwise out of step with the new globalization.

In particular, some 10 myths have been propagated and passed as conventional wisdom when the evidence indicates otherwise. These myths include the myth that the aging population will overwhelm the health care system, the myth that Canadian health care spending is out of control, the myth that health care is an ordinary market good, the myth of Canada as socialized medicine, the myth that Canada has the most publicly funded system internationally, the myth of medical savings accounts, the myth of user fees, the myth of strengthening the public system by freeing up resources, the myth of the federal government's limited contributory role, the myth of affordability and requiring more private money, and the myth that a two tiered system is inevitable and desirable.

That brings me to principle number four, toward a strategy of cross commitment, the interplay of health determinates. Simply put, a comprehensive response to an equitable and publicly funded system may require not only the eight national strategic priorities that I cited above but must also address the oft ignored health determinates: the struggle against poverty, discrimination, poor housing, poor working conditions, poor education and a lack of civic literacy in health and the like.

As my colleague, the member for St. Paul's put it, "investing in air quality is preferable to more puffers and respirators".

Principle number five is the imperative of prevention. It is more cost effective, more value added and just easier to prevent and pre-empt illness than to treat it once it has arisen. Accordingly, there is a clear role for all the stakeholders in the system in promoting wellness, a healthy diet, exercise, lifestyle and preventive medicare checks and the like.

Principle number six is the integrity of the patient. The health care system must treat patients as individuals to be treated with dignity, with concern for the psychological and emotional impact of illness and treatment, not just the physical and medical effects, and an appreciation of the distinction and diversity of the patient population having a regard to culture, gender, religion, the whole and increasingly multicultural society.

Principle number seven is the imperative of aboriginal health care. My colleague, the member for Nanaimo—Alberni, has discussed this so I will simply say that particular care must be given to ensuring that aboriginal populations are properly and sensitively served by the health care system.

Principle number eight is stable and predictable funding. Stakeholders must know years in advance the resources they will have available to ensure proper planning and the delivery of services.

Principle number nine is that we must protect the health system in international trade negotiations. The challenge here is to find a balance between protecting our health system from unfettered international private sector funding and delivery while at the same time enabling public-private Canadian health partnerships to have exposure on the world market.

Principle number ten is respect for all stakeholders. The stakeholders in the health care system are not just those who use its services but also those who provide them. Nurses, doctors and all health professionals have a right to work in a health care system that treats them with respect and attentiveness, that values them in their work and that recognizes the commitments they make.

Principle number eleven is the critical importance of human resource issues. These human resource issues are not the only major cost factors in the health delivery system. For example, 70% to 80% of health organizations' budgets are allocated to staff. However there is a current and projected global shortage of providers and an uneven distribution of people and skills across Canada, not only between regions but within regions. These issues involve not only physicians and nurses, but also social workers, pharmacists, therapists, medical and laboratory technologists and the like. We need to develop a cross-Canada human resource framework and strategy.

Principle number twelve is embracing an appropriate system change. I would like to make reference to the importance of the particular reference that was made in the report of the Canadian Health Care Association in a response to a sustainable and publicly funded health care system in Canada, The Art of the Possible. The report refers to the importance of implementing primary health care reform; of encompassing home, community and long term care; and of strengthening all components of the health care system; in other words, providing more resources and attention to public health programs, emergency medical services, mental health services, palliative care services and the reorganization of pharmacare.

● (2255)

Several provincial governments have released studies on their health care systems. These studies contain several similar recommendations, including, as I mentioned earlier, the importance of wellness and prevention initiatives; improved waiting list management; and the importance of community health centres, such as the CLSs in Quebec which have two principal benefits. They reduce the stress on health care professionals by creating interdisciplinary teams who care for a pool of patients and provide 24 hour clinics where people can get the care they need so that only the most ill patients need to use the more costly emergency rooms.

Finally, as Mr. Romanow put it, “Everything is on the table except the status quo”. What is at stake is defining who we are and what we aspire to be as a people.

● (2300)

The Acting Chairman (Mr. Milliken): It being 11 o'clock, pursuant to Standing Order 53.1(3), the committee will rise and I will leave the chair.

Ms. Paddy Torsney: Mr. Speaker, I rise on a point of order. I am not sure if it is a point of order but I did want to identify that there have been a lot of people who have worked very hard this evening to make sure this debate took place. They include our table officers, our pages, a whole slew of people in the interpretation booths, keeping track of the recordings and turning on the microphones, and all our security guards.

I wanted to make sure they were duly thanked and that they would know that the whole House appreciates their fine work.

The Speaker: The hon. member raised the point of order she did because of course points or order are not permitted under the rules adopted for this evening. So she has gotten away with something. However I am sure we all appreciate the hon. member's comments.

[*Translation*]

It being 11.00 p.m., the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 11 p.m.)

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