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OFFICIAL REPORT
(HANSARD)

Wednesday, June 12, 2002

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, June 12, 2002

The House met at 2:00 p.m.

Prayers

• (1405)

[*Translation*]

The Speaker: As is our practice on Wednesday we will now sing O Canada, and we will be led by the hon. member for Ancaster—Dundas—Flamborough—Aldershot.

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

STATEMENTS BY MEMBERS

[*Translation*]

MILLENNIUM SCHOLARSHIPS

Ms. Yolande Thibeault (Saint-Lambert, Lib.): Mr. Speaker, it is with pride that I pay tribute today to four remarkable students from my riding who received millennium excellence awards.

Congratulations to Nicholas Dion and Cindy Gauthier, from Champlain Regional College, Stéphanie Dufresne, from Collège Durocher de Saint-Lambert, and Guillaume Garant-Rousseau, from the École internationale St-Edmond in Greenfield Park.

This is the third consecutive year that the Canada Millennium Scholarship Foundation has rewarded academic success in order to promote excellence in meeting the challenges of the new world economy and ensuring Canada's future prosperity.

Once again, all my congratulations, and be proud that you are among the nation's top students.

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[*English*]

NATIONAL MEMORIAL

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, the Manitoba government is planning to mark the anniversary of the September 11 attacks on the World Trade Center with a memorial cairn at the International Peace Garden located on the Canada-U.S. border.

On December 12 I asked the federal government to erect a national memorial to the 24 Canadian victims of the attack. The Minister of Canadian Heritage confirmed that she had no plans to do this.

Canadians were attacked on September 11 and would like an opportunity to express their remembrances at a national memorial, a simple symbol of caring. Britain is planning such a memorial and Canadians expect Canada to do no less than our friends and allies to honour Canadian victims.

Once again I urge the government to raise a permanent national memorial. It should not be left to a provincial government to take the initiative to do what the federal government has yet to do and should have done a long time ago.

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AMYOTROPHIC LATERAL SCLEROSIS MONTH

Mr. Bryon Wilfert (Oak Ridges, Lib.): Mr. Speaker, I rise today to speak about ALS, sometimes called Lou Gehrig's disease. June is ALS month across Canada and today I am proud to wear a blue cornflower, the floral emblem of the ALS Society of Canada.

Imagine individuals not being able to walk, write, smile, talk, or even breathe on their own and yet their mind usually remains alert. This is what is happening to ALS victims. More than 1,500 Canadians suffer from this disease. It can strike anyone and results in complete paralysis and death, generally within three to five years of diagnosis. Each day two to three Canadians die of ALS. Although promising research continues there is still no known cure.

Throughout the month of June ALS volunteers will be asking the public for donations to fund research to fight this devastating disease. I urge my colleagues and all Canadians to make a generous donation so the dream of finding a cure soon becomes a reality.

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DEPOSITORY SERVICES PROGRAM

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, this August the Depository Services Program at Communication Canada will celebrate its 75th anniversary.

For the past 75 years the DSP has safeguarded the public's access to government information by locating, identifying, collecting, organizing and maintaining the public's long term access to government publications in print and digital formats.

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Established in 1927 the DSP is one of Canada's earliest public-private partnerships, supplying libraries in Canada and abroad with the latest government publications in all formats. For the library community this partnership provides libraries with the ability to expand their networking and resource sharing capabilities for government information beyond their local, regional and provincial networks to other geographic areas and to other types of libraries.

Today the DSP is at the centre of a network of over 790 libraries in Canada and of another 147 institutions around the world holding collections of Canadian government publications. Every time a person consults a Government of Canada publication at a local or university level the Depository Services Program is behind it, providing that service.

On behalf of all members I wish to congratulate the DSP on its proud Canadian contribution and achievement.

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MILLENNIUM SCHOLARSHIPS

Mr. Gary Pillitteri (Niagara Falls, Lib.): Mr. Speaker, I wish to bring to the attention of the House five brilliant young constituents who recently received the Canadian millennium scholarship excellence award. The scholarships are based on academic merit, community involvement, leadership and innovation.

Aaida Mamuji of Westlane Secondary School and Mai Nguyen of Stamford Collegiate received the top national award. Ashley Bredin of Stamford Collegiate and Matthew Law, a resident of Niagara-on-the-Lake attending Ridley College, received the provincial award. Melissa Agnew of Stamford Collegiate and Anita Kappukatt of St. Michael received the local award.

All these young people, in addition to their excellent academic achievements, also gave proof of care for the community in which they live. I trust my colleagues will join me in saluting their achievements, their dedication to community service and excellence in education.

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WILLOW CREE EDUCATIONAL COMPLEX

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance): Mr. Speaker, grade 8 students at the Willow Cree Educational Complex on the Beardy's and Okemasis Reserve in my constituency have earned two regional awards, with one of the students heading to Newfoundland and Labrador in July to participate in a national competition.

Classroom teacher Virginia Moberly encouraged her students to enter the Saskatchewan regional fair that was held in Saskatoon in May. Students Jeannine Gardipy and Yvonne Cameron received the highest points in grades 8 to 9 out of 94 displays and had their project selected to go to the Canadian national heritage fair, which is taking place in St. John's in early July.

Another student from Moberly's class, Trevor Cameron, earned a finalist award, winning the first nations history award at the heritage fair. Trevor Cameron earned his award with a display entitled "Our People: Willow Cree Warrior" which is a look at band members who

fought for Canada by serving with the Canadian armed forces in the two world wars and other military conflicts.

I wish to congratulate this teacher and Jeannine Gardipy, Yvonne Cameron and Trevor Cameron for a job well done.

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P.E.I. BUSINESS HALL OF FAME

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I wish to congratulate three Islanders inducted into the P.E.I. Business Hall of Fame on June 5.

Ralph Callbeck operated the first superstore in P.E.I. Callbeck's Limited sold everything from groceries to auto accessories. He was well known for extending credit and underwriting farm crops on the basis of trust alone. The award was accepted by his son Bill.

Keith Rogers was instrumental in bringing wireless radio to the island and in 1924 CFCY officially received its call letters and has been providing Islanders with news ever since. The award was accepted by his granddaughter Kathy.

Joseph Gaudin, following World War II, became instrumental in the credit union movement as well as working with the North Rustico Fishermen's Co-operative. His community work earned him membership in the Credit Union Hall of Fame.

I wish to congratulate Joseph Gaudin and the families of Ralph Callbeck and Keith Rogers for receiving this honour. It is well deserved.

* * *

● (1410)

[Translation]

SUZANNE VEILLETTE

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I wish to pay tribute to Suzanne Veillette, a resident of Jonquière, who recently received an award of recognition from the Association pour la recherche au collégial.

For many years, Ms. Veillette has conducted research on the living conditions of regional citizens, as well as on regional youth issues. She has also done a number of studies concerning Cegep students enrolled in work-study programs.

Because of her association with the Jonquière Cegep's Groupe ÉCOBES, her knowledge, and the excellence of her research, Ms. Veillette is often invited to take part in international symposia.

This award, which is presented annually, recognizes the full range of Ms. Veillette's work, but is also a tribute to the entire Saguenay—Lac-Saint-Jean Cegep community.

Once again, my hearty congratulations to Suzanne Veillette, who does Quebec and the Saguenay region proud.

[English]

TOURISM

Mr. Dominic LeBlanc (Beauséjour—Petitcodiac, Lib.): Mr. Speaker, Beauséjour—Petitcodiac is the home of some of New Brunswick's most interesting and important tourism destinations. The Government of Canada has played an important role in developing these attractions.

The Atlantic Canada Opportunities Agency has been vital to the growth of this industry all across the Atlantic region by supporting major tourism icons such as the Bouctouche Dunes, the Pays de la Sagouine, the Hopewell Rocks, and the Monument Lefebvre National Historic Site in Memramcook. Les Ateliers du Verso or la Savonnerie is a soapery that was founded in Sainte-Anne-de-Kent in 1996. It has been designated Canada's soap econo-museum.

Speaking of visitors, last year la Savonnerie had more than 30,000 visitors which forced the business to more than double its production space, and that with the help of ACOA. Les Ateliers du Verso and its owners Pierre Pelletier and Isabelle Gagné are just one example of the kind of entrepreneurial spirit that permeates the tourism industry and is generating jobs and creating economic growth all across Atlantic Canada.

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FINANCIAL INFORMATION STRATEGY

Mr. Philip Mayfield (Cariboo—Chilcotin, Canadian Alliance): Mr. Speaker, the Liberal government has been dragging its feet on using industry standard accounting procedures. Do the ministers not want to know how to spend taxpayers' money wisely?

The financial information strategy was launched in 1995 but the auditor general says that the government is not only late on delivering but is not following through. Its commitment is weak and the progress is slow. After seven years government departments still do not speak the same accounting language linking cost to performance.

Government managers cannot make the needed changes to improve their stewardship of tax dollars without political leadership. With millions if not billions of dollars spent on lost reports, verbal contracts, auditors finding empty files and Liberal Party donors linked to untendered contracts, it is no wonder the government does not want to improve record keeping and provide all the federal departments and agencies with the most modern accounting tools available.

Canadians deserve better. We must kick-start the financial information strategy. It is our money so let us do it.

* * *

HEALTH

Mrs. Carolyn Parrish (Mississauga Centre, Lib.): Mr. Speaker, I wish to acknowledge a true Canadian success story of which we can all be very proud.

On Monday Health Partners International of Canada inaugurated a new distribution centre in Mississauga, Ontario. From this new centre Health Partners International co-ordinates the shipment of donated medicines, vaccines and health care products to needy

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patients in developing countries. The centre also delivers aid in response to natural disasters around the world.

Over the past decade Canadian research-based pharmaceutical companies have donated almost \$100 million dollars worth of products for this effort. This includes more than \$15 million dollars that will be donated this year alone.

I wish to congratulate Canada's research-based pharmaceutical companies and Health Partners International for this program, a program that exemplifies the universal desire of Canadians to help the less fortunate around the world.

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NANCY RICHE

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, it is a great honour for me to rise in the House today to celebrate the life, work and contributions of Nancy Riche, the outgoing secretary treasurer of the Canadian Labour Congress.

Nancy Riche has held her current position for over three years and before that was the executive vice-president of the CLC since 1986. Nancy has fought passionately for women's rights, public health care, unemployment insurance, workplace safety, fair trade and social justice. And she never gives up.

As a Newfoundlander through and through she has a comic turn to her phrase which has brought many a house down in laughter. Nancy can chair a meeting better than anyone in the country, present company included. She has a clarity of purpose and a fire in her eye which literally burns through resistance and gets right to the core of the issue, which for Nancy is always equality and fairness for the working people of this country.

The New Democratic Party wishes to salute the efforts of this amazing woman, this fighter for social justice. We wish her good luck in all that she does in what we are sure will be an even more colourful future.

* * *

● (1415)

[Translation]

WORLD FOOD SUMMIT

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, yesterday the countries participating in the World Food Summit adopted a final declaration reiterating their commitment to a 50% reduction in the number of starving people in the world by the year 2015, that is from 800 million to 400 million.

It is imperative for the wealthy countries to comply with their commitment to allocate 0.7% of their GDP to development aid. At the rate things are going at present, this objective will be attained only 62 years from now.

Canada is well down in the ranking of wealthy countries, as far as international aid is concerned, and must waste no time adopting an action plan in order to attain the objective the UN has set. This objective was set by Lester Pearson in a 1969 report "The State of Food and Agriculture".

Oral Questions

Thirty-three years later, Canada's aid has been cut in half. The Liberal government must stop all this talk about its generosity. Action must be taken and taken quickly, because millions of women and children are dying.

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[English]

UNIVERSITY OF OTTAWA HEART INSTITUTE

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Mr. Speaker, I am privileged today to pay tribute to a family in Ottawa West—Nepean for exemplifying the community service of which Canadians are so proud.

Zeev and Sara Vered this past week have generously supported the new chair in cardiology at the University of Ottawa Heart Institute, ensuring that the institute can continue to sustain leading edge research. Their sons are equally involved in supporting worthwhile causes throughout the region. Tonight Sara Vered will be presented the Gilbert Greenberg Award for distinguished service at the Soloway Jewish Community Centre.

I wish to congratulate and thank the Vered family on behalf of all who benefit from their generosity.

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IMMIGRATION

Mr. Inky Mark (Dauphin—Swan River, Ind. Cons.): Mr. Speaker, the new regulations announced by the Minister of Citizenship and Immigration yesterday indicate that the government has no plans to clear the backlog of applicants waiting to get into Canada, other than to support retroactivity.

With no new resources for the department and a lack of personnel to complete application processes, the immigration system stands to bog down into both old and new application chaos.

The minister said his department can “walk and chew gum” at the same time with regard to processing the backlog of applicants while still taking in new ones. Just how big of a wad does the minister need to have before Canada chokes on it?

ORAL QUESTION PERIOD

[English]

HUMAN RESOURCES DEVELOPMENT

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, let us recap the latest Shawinigan shakedown.

Two failing Shawinigan companies that did not qualify for taxpayers' money suddenly qualified after lobbying by the Prime Minister. The internal audit said the Prime Minister met with Les Confections St-Élie.

Will the Prime Minister explain to us why he thought it was necessary to meet with this company that the RCMP are still investigating?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, first let me explain to the hon. member

that this is not new. This is old news. Let me recap for him the facts once again.

This project received support from the government of Quebec on January 24, 1997. The project was approved by my department on March 7, 1997. Our agreements terminated in March 1999.

The hon. member will know that I answered detailed questions on this file in the House during the spring of 2000. My department asked for a forensic audit to review this file on February 25, 2000. The file was referred to the RCMP in March of that year. It has come back saying there is nothing untoward in this file.

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, the reason it is news is because we received the audit on Monday.

The audit showed, interestingly enough, that the Prime Minister was to meet with this company accidentally. It was set up by one of his riding individuals.

Why was it necessary for the Prime Minister to meet accidentally with Les Confections St-Élie?

● (1420)

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, maybe the hon. member should ask a number of his own colleagues who made direct representations to me in support of transitional jobs fund projects in their own ridings.

As the hon. member knows, members of parliament did have a role to play in that program. As he also knows, when we are talking about the transitional jobs fund, investments were made right across the country, the majority of them in opposition ridings.

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, I was really interested in what the Prime Minister was doing in his riding.

[Translation]

Was the Prime Minister aware that this company was facing bankruptcy and was ineligible for government funding when he met with the owner? Yes or no?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, in answer to the hon. member's first question, what the Prime Minister was doing was acting as a responsible member of parliament.

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, the human resources department's own independent audit claimed that phoney companies may have been set up in the Prime Minister's riding just so they could defraud HR grant money. Yesterday the HR minister confirmed that the most egregious of these grants is still under RCMP investigation.

Could the Prime Minister confirm whether he or any of his staff have been questioned by the RCMP regarding this shady grant file?

Oral Questions

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, let me emphasize something the hon. member has said himself. It was the department that commissioned the forensic audit. It was because of the information in the audit that the files were referred to the RCMP. The RCMP has done its work. It has concluded in two files that everything was in order and those files have been dropped. There is a third file that the RCMP is continuing to review and it will do so without my intervention.

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, the House will note that the Prime Minister did not answer that very serious question.

Independent auditors said:

There may be a web of interacting individuals and companies involved in the formation of companies created largely to fraudulently benefit from the HRDC job creation branch.

One of these grants is now under RCMP investigation.

Why will the Prime Minister not admit that by bending the rules for his friends he may have ended up aiding the defrauding of HR grant money?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I would ask the hon. member why he just does not pay attention to the facts. It was because of that precise indication in the forensic audit that the files were referred to the RCMP. Can he not accept the fact that the RCMP has reviewed the files and in two cases found nothing untoward and dropped the cases? There is one that is still under investigation. If he has questions about that file he should put them to the RCMP.

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[Translation]

GOVERNMENT CONTRACTS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister has not solved anything with his ethics rules. In fact, while he said he wanted to restore public confidence, he completely missed the mark by going after his rival in the Liberal Party. Yet, it is clear that what is really undermining this government's credibility is the sponsorship scandals, which the Prime Minister is stubbornly refusing to go after.

If he is serious when he says that he wants to rebuild public confidence, why does the Prime Minister not do what he should have done two years ago when he was alerted to the problem and launch a public inquiry to get to the bottom of all of the abuses under the sponsorship program?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I will repeat for the seventh, eighth or tenth time. At the request of the opposition, the auditor general is examining all of these cases. A few of them have been referred to the police for investigation.

We responded to the request of the House of Commons that we ask the auditor general to examine these cases. She is doing so, and we await her recommendations.

In the meantime, the minister has suspended the program. He is in the process of changing the system. He will have an announcement, I hope, in the next few days.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the government changes ministers more often than the system.

In attempting to neutralize the leadership hopefuls with his ethics rules, the Prime Minister has done nothing to keep scandals from recurring. He has done nothing to prevent his ministers from continuing to intervene on behalf of Liberal cronies.

How does the Prime Minister explain his refusal to order a public inquiry, when his new ethics rules do absolutely nothing to prevent the abuse committed under the sponsorship program from happening again in the future?

[English]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I would point out to the hon. gentleman that before the Prime Minister's announcements yesterday he already instructed the President of the Treasury Board to review the governance system and the management system with respect to all advertising, all sponsorships and all polling. That was before yesterday's announcement and it is proceeding under the President of the Treasury Board.

• (1425)

[Translation]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Prime Minister is behaving as if the sponsorship program were unrelated to his government.

In fact, the setting up of such a program implies discussions by cabinet, the establishment of a management structure and the allocation of a budget. This means that all government ministers are responsible for the implementation of this program.

Why does the Prime Minister refuse to admit that he and all his ministers are directly responsible for the establishment of this system to divert public funds?

[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, to identify past problems and make sure they are corrected, we have launched a departmental review. The auditor general will conduct a government wide examination. The police are informed whenever there are circumstances that raise legal issues. The treasury board is examining the management framework and the governance system. The public accounts committee is making inquiries.

The government is proceeding on all fronts to correct the errors of the past. For the future we intend to have a good, solid, transparent program that does not engage the services of external aids.

[Translation]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Prime Minister has referred a number of times to the Internet site of the Department of Public Works and Government Services to exonerate himself in the sponsorship case. This site mentions double billing, overbilling and inadequate follow up.

Oral Questions

And what did the Prime Minister do? Did he refer the files to the RCMP? Not at all. Did he end the program when he found out about the scandal? Not at all. He convened the guilty parties to tell them "Be careful; we could get caught, so I am preparing a communication strategy".

Does the Prime Minister realize that only a public inquiry will shed light on this business and that the responsibilities of—

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

[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 is more than a communications strategy. The departments involved launched an action plan to respond specifically to the audit findings of the internal audit section of Public Works and Government Services Canada.

Over the course of the year 2001 those audit recommendations were implemented. In the spring of this year we sent the internal audit team back in to verify that corrective action had in fact been taken.

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AGRICULTURE

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, the American government is providing billions of dollars in new subsidies to their farmers that could put thousands of Canadian farmers out of business. This year alone our farmers will suffer a trade injury of \$1.3 billion.

Farm organizations and provincial governments have been pleading with Ottawa to provide compensation to cover off that amount. The very future of our family farms lies in the Prime Minister's hands.

Will the Prime Minister commit today to a trade injury compensation for our farmers of \$1.3 billion Canadian?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we have been working for the farmers while the House was talking about something else for many weeks.

We have had a task force from the caucus which introduced an excellent report. The minister introduced a program that is being studied at this time by the cabinet.

While they were talking we were acting.

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, they were acting all right. They were acting against the farmers of Canada.

The government of the United States is providing full compensation for its farmers. It is not asking the states to do it.

In Canada the agriculture minister is insisting that 40% of any aid package should come from the province, and that is simply unacceptable.

The responsibility for trade injuries lies with the Prime Minister. Will he admit that it is the federal government's responsibility to

cover the cost of the \$1.3 billion trade injury suffered by our farmers?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I see that the great friends of the farmers do not want to put one cent where their mouths are, for the farmers. They want the federal government to do it.

We will do our share. The provinces will have to do their share. Agriculture is a joint federal and provincial responsibility. We are more generous. We pay 60%, not 50%. The provinces should be very happy that they only have to pay 40%.

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ETHICS

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

Do the guidelines published yesterday prohibit the Prime Minister from instructing his chief of staff to summon the president of the Business Development Bank of Canada to 24 Sussex Drive and then urge the crown corporation to change its position on a loan which interests the Prime Minister?

• (1430)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, as usual the leader of the fifth party is wrong. This person visited 24 Sussex along with 50 other young presidents. He was not summoned to 24 Sussex. He had his picture taken with me, like I did with everybody else. He asked to have a picture taken with me. I did not ask to have a picture taken with him.

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LEADERSHIP CAMPAIGNS

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, surely people have no idea what he was talking about.

As part of the new no ethics package, the Prime Minister is asking leadership contenders to put their money in a blind trust. This of course will further shield and protect cabinet and contenders from public scrutiny.

There are no rules when a blind trust is established, particularly if there is no official leadership underway.

Could the Prime Minister say what will happen to the unofficial leadership campaign funds that were already collected by Brian Tobin, the former minister of industry, and the former minister of finance, the member for LaSalle—Émard?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Prime Minister can act only with ministers. Individuals or members of parliament who collect money will have to answer to the public for the collections they make, and when one is no longer a member of the House of Commons.

The candidates who are ministers have agreed to publish the amount of money they collected over the last months and years. For those who are not in cabinet, I have no authority over them.

*Oral Questions***HUMAN RESOURCES DEVELOPMENT**

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, the Prime Minister's fingerprints are all over the latest revelations of waste, mismanagement and even potential fraud flowing from the transitional jobs fund.

That same failed company, Les Confections St-Élie, received \$900,000 from taxpayers through the Business Development Bank of Canada, and we all know how fond the Prime Minister is of lobbying the BDC.

How much influence did the Prime Minister exert to get that loan okayed?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the opposition may have just received its access to information request information but it does not change the details that were rehashed over weeks in the spring of the year 2000.

I guess what the opposition is telling us is that it is bankrupt of ideas and bankrupt of any issues to deal with to take us back to 1997 and 1998 when things have been reviewed fully and are a matter of public record.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, it would be nice to have an answer from the Prime Minister. He is the only one who knows the answer to the question.

[Translation]

The Prime Minister's fingerprints are all over the latest revelations of waste, mismanagement and even potential fraud flowing from the Canada Jobs Fund.

That same failed company, Les Confections St-Élie, owed \$900,000 to the Business Development Bank of Canada. This was taxpayers' money.

How much influence did the Prime Minister personally exert to get that loan okayed?

[English]

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, the record shows that the transactions were dealt with by the BDC entirely in accordance with the standard protocols.

* * *

[Translation]

GOVERNMENT CONTRACTS

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, the scandals that are sully the government at this time are connected to the abuse of power and the creation of a system of administration involving third parties who get their hands on some very tidy commissions by acting in place of the government.

My question is for the Prime Minister.

I challenge the Prime Minister to inform us as to which of the new ethics rules will stop his ministers from using the sponsorship program as they did before, and from handing it over to be administered by their cronies.

[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, there is a precise section in the release issued yesterday by the Prime Minister dealing with strengthening public service management and accountability for public funds.

In addition to that, the President of the Treasury Board is developing a new governance system and a new management framework to make sure that the problems of the past are not repeated.

[Translation]

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, I will read the press release.

Since the sponsorship program, according to all the ministers who have answered our questions, complies with all treasury board rules, why has the Prime Minister not changed these rules in any way, when they can allow the worst possible abuses, as we have seen?

• (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, the internal audit that was conducted by my department in the year 2000 indicated that there were certain treasury board procedures that had not in previous years been respected. It was the recommendation of that internal audit that those deficiencies be corrected. During the course of the following months, those corrections have been made.

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HUMAN RESOURCES DEVELOPMENT

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, the government continues to waste taxpayer money in an unprecedented fashion. Let us add up the money wasted on just two of the Prime Minister's cronies: \$900,000 in the BDC loan, \$451,000 in TJF grants and \$224,000 in back taxes. That is nearly \$1.6 million.

The audit says a visit by an HRDC Shawinigan official resulted in an inquiry whether HRDC ought to seek some recovery of the funds it had provided. How much did the government recover on behalf of Canadian taxpayers?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the RCMP have completed its review. The file is back with us and as always, we will look at it to see if there is a reason for assessing and establishing an overpayment

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, these businesses did not create jobs at all. They actually lost jobs.

Oral Questions

Yesterday the minister admitted that another company, Placeteco, also received grants of \$1.2 million and is now employing 47 people, another net loss of 123 jobs. If the Prime Minister keeps on helping his cronies, soon no one will be working in Shawinigan, not even the Prime Minister.

Why would the Prime Minister support businesses that were clearly not viable? Was it because they were his political friends?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the whole point of the exercise is recognizing that in some parts of Canada it is more difficult than in others to create jobs.

Perhaps the hon. member would like to ask the 47 employees of Placeteco who are still employed whether they think the investment was a wise one.

* * *

[*Translation*]

GOVERNMENT CONTRACTS

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, with his ethics rules, the Prime Minister is trying to wipe the slate clean, as if manifesting a few good intentions for the future were sufficient to avoid having to face the music. The government is responsible for the sponsorship scandal, yet no one within this government has yet admitted any responsibility whatsoever.

How can the Prime Minister present new ethics rules for the future while continuing to sanction the behaviour of his ministers involved in wasting public funds, without laying any blame on anyone?

[*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, the hon. member is inviting the government or others to draw conclusions before the police have finished their work, before the auditor general does her work, before departmental reviews are completed, before treasury board finishes its work.

I would indicate that we have launched a whole series of the appropriate examinations to find out exactly what transpired, to make sure that the problems are identified and then properly fixed for the future.

[*Translation*]

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, how can the Prime Minister and the Minister of Public Works and Government Services think, by just focussing on the future, they can make everyone forget the millions of dollars that have been wasted greasing the palms of the Liberal party's cronies, when absolutely no minister, nor the Prime Minister, has yet admitted one iota of responsibility, as if the scandal had nothing at all to do with anyone within 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, we have indicated that we have found

the practices identified in the past to be unacceptable and that we have launched the appropriate inquiries, investigations and corrective procedures to make sure that first, all those problems are thoroughly ventilated and second, that corrective action is taken so that they do not occur again.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, the audit into Les Confections St-Élie inc. had this to say:

Actions taken by Élie...appear to have facilitated what may be misrepresentations made to HRDC required for the approval of grant money—

Misrepresentation is a serious charge.

Canadians want to know, did the Prime Minister know about the failed job creation record of his supporter when he pressured HRDC officials for this grant money?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, let me try to explain again to the other side what actually transpired.

The department asked for a forensic audit on this file. It is because of the comments the hon. member has made that the file was referred to the RCMP. The RCMP has done a complete review of the file against the terms and conditions of the program, as well as other aspects and has found nothing untoward. End of story.

● (1440)

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, the minister still is not answering the questions.

The investigation into the Prime Minister's riding is now over two years old. In total there are or have been over 20 RCMP investigations into various sponsorship contracts or HRDC grants and it has already resulted in three criminal convictions.

Will the Prime Minister tell Canadians today how many more criminal convictions it will take before he orders a full public inquiry?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I would think that member of parliament, more than anyone else, who supports the RCMP would take its conclusions as substantive and final.

I say again on this particular file that the RCMP fully reviewed it and found nothing untoward. That is the end of the story.

* * *

LIBERIA

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, my question is for the Secretary of State for Latin America and Africa.

A recent CBC news program highlighted the connection between the timber trade in Liberia and the brutal and destabilizing regime of the country's president, Charles Taylor. It also drew attention to the fact that Liberian timber processed in a third country is sold in Canada.

Oral Questions

Can the secretary of state tell the House what Canada is doing to break the link between natural resources and conflict with particular reference to Liberian timber?

Hon. Denis Paradis (Secretary of State (Latin America and Africa) (Francophonie), Lib.): Mr. Speaker, Canada is working with its G-8 partners to combat the wrongful use of timber resources.

[Translation]

Canada supports including wood in the UN sanctions against Liberia. Wood must not become a means of financing war.

[English]

Unfortunately, there has been no consensus at this time on this issue at the United Nations Security Council, but Canada will continue to push to support the inclusion of timber in the sanction regime, just like we did with diamonds.

* * *

THE MEDIA

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, my question is for the heritage minister and the government House leader who promised us a reply on Friday.

Friday saw another urgent plea for the government to abandon its policies of unfettered media concentration. This plea came from 40 of Canada's greatest journalists sponsored by the Southam family. They want the government to consider tax incentives for media companies that preserve journalistic independence, measures to promote journalistic freedom and stronger tax policies to protect our culture from foreign ownership.

These things have to come from government. They are outside the terms of the standing committee study. Will the minister act on these pleas today?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, while I fully understand and respect the concern of the hon. member about diversity of voices, I find it rather strange that an editorial which is written by an editorial board in Winnipeg and travels across the country is somehow more egregious than the fact that the previous owner of that paper used to put his own stories in and they were printed on a fairly regular basis as news.

* * *

LA SOIRÉE DU HOCKEY

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I guess I have to just go back to the fact that we have some of the best minds in the country who feel otherwise. My supplementary question also is for the Minister of Canadian Heritage.

After 50 years *La Soirée du hockey* is slated to disappear. French Canadians deserve to be able to tune in and enjoy our national winter sport, but with the new contract between RDS and the Canadiens, many francophones will not be able to see our national sport in their own language.

Will the government bring all the parties together to make sure *La Soirée du hockey* will survive by covering other Canadian teams so francophones can see hockey in their own language?

[Translation]

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I completely agree with the policy proposed by the hon. member.

[English]

I completely agree with the hon. member that it is incredible that *La soirée du hockey* will not be available in the French language across the country. That is why I am really pleased the Standing Joint Committee on Official Languages has invited the participation of the CBC and other rights holders to look at this issue.

I hope they can come to a resolution. If they cannot come to a resolution, there may be a requirement for other interventions.

* * *

● (1445)

NATIONAL DEFENCE

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, the privatization of the military supply chain is raising more questions than answers. We know it will affect 1,674 jobs. We know it will affect the economies of local communities. We know it could put at risk our national security.

Canadians need to have their say on this issue. Will the Minister of National Defence agree to delay signing any contract until the defence committee can conduct a full set of hearings on this issue? Will he agree to put the supply chain contract to a vote in the House of Commons?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, with all due respect, none of those contentions are correct. The whole idea of this project is to concentrate scarce resources on core military capabilities.

I might add that 100% of the affected permanent employees are guaranteed their jobs at no reduction in salary for a period of seven years. I do not have a job guarantee for even seven minutes let alone seven years.

* * *

[Translation]

LA SOIRÉE DU HOCKEY

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, the Prime Minister acknowledges that millions of dollars have been stolen in sponsorship payments to promote Canadian pride in Quebec.

Yet, at the same time, Radio-Canada, a well respected federal institution in Quebec, may be losing *La Soirée du hockey*.

Nearly 25% of Quebec households and most French speaking households outside of Quebec will no longer receive this program for free.

Why was this stolen money not given to Radio-Canada, so that it could continue this 50 year tradition?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, the rights were negotiated by the CBC, but unfortunately, they decided to negotiate for the rights in only one language.

Oral Questions

As a result, Radio-Canada managers have been called to appear before the Standing Joint Committee on Official Languages to see how they can resolve this situation, which is completely unacceptable, not only for Quebecers, but also for the one million French viewers outside Quebec, who have the right to watch the game in the language of their choice.

* * *

[English]

OFFICIAL RESIDENCES

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, 24 Sussex is not the only official residence that the Prime Minister has used for partisan purposes. In the last federal election the Liberal Party of Canada used the Prime Minister's official residence at Harrington Lake to film Liberal election TV commercials.

Can the Prime Minister tell us if the Liberal Party reimbursed the National Capital Commission for this partisan Liberal use of the official residence?

[Translation]

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I was at my residence, and had my picture taken. What a scandal.

[English]

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, his buddy Warren Kinsella said the party paid rent, but we have learned from documents obtained through access to information that "the chief property manager for official residences has no knowledge or information of any use of the residence as a rental property at any time since the National Capital Commission took over the management in 1987".

It is wrong for the Prime Minister to abuse taxpayer funded resources for partisan purposes. Will the Prime Minister immediately table proof that the Liberal Party reimbursed taxpayers for this partisan use of the official residence?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I guess I have the right to invite people to visit with me. They were nice people. They took some good pictures and it was a good place. It is the residence that the Prime Minister occupies in his function.

I have seen other jurisdictions using their residences, such as in the United States, regularly for everything. If in the United States they had to pay every time we saw the White House in publicity, it would cost a lot of people a lot of money.

* * *

[Translation]

GOVERNMENT CONTRACTS

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, there was the sponsorship scandal. Millions of dollars were spent on nothing at all. A system for diverting funds was set up by this government, and nobody has yet admitted any responsibility for the whole affair.

The Prime Minister thinks that he will wiggle out of this mess just like that by tabling draft ethics guidelines, but he is mistaken.

Does the Prime Minister not understand that there are individuals in his government who are responsible for squandering hundreds of millions of dollars in unearned commissions to cronies and that only a public inquiry will clear up this business to our satisfaction?

● (1450)

[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, we are working on several fronts to identify the exact nature of the problem and the responsible authorities.

My department is conducting a review of that period under question which is between 1997 and 2000. Whenever there is anything questionable that comes to the attention of my officials, they refer it to the appropriate police authorities.

The auditor general will be commencing a government-wide examination of all advertising and sponsorship issues.

The treasury board is looking again at the issues of the governance framework and the management framework.

This is being addressed on all fronts.

[Translation]

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, how many millions of dollars were thrown away in commissions in the sponsorship affair? Who benefited unduly? Which minister hatched and implemented this program? Which ministers tipped the odds in favour of Liberal-friendly companies?

These are just some of the questions we would like answered.

Does the Prime Minister not see that only a public inquiry will provide the answers and that the very least he can do is order one?

[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 remind the hon. gentleman that we have launched a whole series of examinations into the nature of the difficulty here. We intend to get to the bottom of it so there can be transparency, accountability and verification of value for money.

As I have said now for two and a half weeks, we intend to develop a management system for the future that does not engage the services of outside commission agents.

* * *

ETHICS

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, it is wrong to use an official residence as a backdrop for Liberal election ads. It is worse to claim, as a Liberal operative does in the book, that the party paid to rent the residence when it did not. Talk about getting kicked.

Oral Questions

The Prime Minister is already in trouble for misusing 24 Sussex Drive. Now we see he has misused Harrington Lake, too. When will he stop?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, the statements of the hon. member are simply not true.

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, that is very interesting. Every time these people get caught doing something wrong they make up excuses, create diversions or make an announcement of some sort. They claim to have paid for residences. Officials say that they did not. Canadians deserve better.

I simply want the proof that the Liberal Party did as it claimed. Will the Prime Minister give us a document that supports the claim of his party?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, this from the party that promised to turn Stormoway into a bingo hall.

* * *

[Translation]

CHRYSOTILE ASBESTOS

Mr. Gérard Binet (Frontenac—Mégantic, Lib.): Mr. Speaker, my question is for the Minister of Public Works and Government Services.

Considering the negative image of chrysotile asbestos fibre worldwide, what is the Government of Canada doing to stimulate the asbestos industry?

[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, we want to be supportive of producers of Canadian natural resources. The government's policy is based upon the safe use principle which recognizes that, when properly handled, minerals and metals, including non-pliable chrysotile asbestos, can be used, reused, produced and recycled in a manner that is consistent with sustainable development and public safety.

[Translation]

My department's position is to accept material containing non-friable chrysotile asbestos. We select products on the basis of functionality, effectiveness, cost-effectiveness and environmental friendliness over the life of the product.

* * *

[English]

GOVERNMENT CONTRACTS

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the government has done its best to cover up the sponsorship program scandal by trying to hide it in plain sight. The minister claims everything was transparent because an audit was posted on the website, a full two months after it was delivered to the department. They were a pretty hectic two months spent planning the damage control with the full participation of the top five ad companies.

Why is the Minister of Public Works and Government Services waving around a copy of a sanitized audit that does not name names? Who is he really hiding?

• (1455)

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 is my understanding that under the provisions of the Access to Information Act and the Privacy Act we are not permitted to disclose those names on the Internet.

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the minister calls these audits courageous and says what a great job these folks did. We do not argue with that.

Regardless of what the minister says, these audits are really standard procedure. They are done all the time. The public works department maintains a complete audit branch that also does work for other government departments, so they know what they are doing.

Our concern is not with the audits. Our concern is what the government does with the results of these audits. It brings out more rules but more rules do not help when everyone breaks them anyway and no one is forced to adhere to them.

Why will the minister not be truly accountable and table the complete audit with the names attached? Who is he still hiding?

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 am glad the hon. member has referred to comments that were made by the Auditor General of Canada, Madam Fraser. She is the one who called the internal audit section of my department "excellent, courageous and having done a critical piece of work". It is that same internal audit section that went back into this program in the spring of this year to verify that the corrective action had in fact been taken.

[Translation]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, today we learned that the former key public servant in the sponsorship program, Charles Chuck Guité, refuses to appear before the Standing Committee on Public Accounts and that his successor, Pierre Tremblay, who is still a government employee, is considering doing the same.

Is this not additional proof for the Prime Minister that an independent public inquiry has become absolutely necessary, because then, these people would not be able to avoid testifying?

Oral Questions

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the hon. member has been here a long time and he is well aware of the rules of this House.

He knows full well that if a person is asked to appear before a parliamentary committee and refuses to do so, the committee is free to report to the House. In turn, the House is free to adopt the report. Following the adoption of the report, action is by the House. This is the rule, and this is the way things work.

* * *

INTERNATIONAL TRADE

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, Canada has always promoted greater transparency in trade negotiations.

The fact that we released the FTAA negotiating texts last year is evidence of our key role in promoting greater transparency.

My question is for the Minister for International Trade.

In the context of the negotiations on WTO services, will the Government of Canada inform the public of what it will negotiate?

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, yesterday, I had the pleasure of announcing that Canada would make public its initial conditional offer, when it will submit it to its partners.

As a government, we are also committed to providing a detailed description of all the initial demands that the other members of the World Trade Organization will make, to try to have access to the Canadian market for services.

Allow me to repeat in this House that Canada will not make any offer relating to health, education, public services and culture, since we feel that these are not negotiable.

* * *

[English]

NATIONAL DEFENCE

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, in the defence minister's last seven minutes, here is another case of the government using phoney companies to rip off taxpayers.

An audit of the defence department shows that millions of tax dollars have been squandered through irregularities and inappropriate sole sourcing of contracts. The audit is also critical of professional help brokers saying that they cost a lot but add little value. In one year alone this government gave these firms \$220 million, an increase of 500% since this government took office.

Is this not just another way of using taxpayer dollars to pay off Liberal friends?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, on the one hand, as a result of an internal audit initiated by the department, \$2 million of improper activity was discovered and an action plan has been put in place.

On the other hand, I would add that no amount of non-compliance with policies or regulations is acceptable to me or to the taxpayers. Our goal is always to have 100% compliance.

* * *

● (1500)

[Translation]

GOVERNMENT CONTRACTS

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, the government has announced that it intends to recover the \$333,000 in sponsorships paid for the Salon du grand air de Québec, which never took place.

That is too easy. That is too convenient. They recover the money and, at the same time, put a lid on the whole business.

Does the government realize that what we want to know, and what only a public inquiry will uncover, is why and by whom permission was given not to require repayment of the sponsorship when officials knew very well that the event had been cancelled?

[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, not only have I instructed my officials to make every effort to recover these funds, this file has also been referred to police authorities as I said a number of days ago.

* * *

NATIONAL DEFENCE

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, my question is for the Minister of National Defence. The Government of Canada misleads the House when members say that no jobs will be lost on the supply chain transfers. The reality is all 1,674 of those public service jobs are eventually at risk, plus the fact that over 3,000 Canadian businesses will eventually lose access to business with various defence companies and bases across this country.

Would the defence minister now allow the defence committee and/or the auditor general to peruse that contract before he signs off on that disastrous deal?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, on the last point, there is a lot of confusion out there. All the decisions on the ordering of materials will continue to be made by the defence department, not the private company.

The other thing I would add is that in all my time in the private sector never have I seen a deal where 100% of the permanent employees are given job guarantees for seven years at 100% guarantee of their salaries. That is a great deal.

*Routine Proceedings***FISHERIES AND OCEANS**

Mr. Rex Barnes (Gander—Grand Falls, PC): Mr. Speaker, concerns are being expressed again about the solarization and destaffing of the light station at Sargeant's Cove Head, Exploits Islands. To completely eliminate this service would have a devastating effect for boat operators in the Gander—Grand Falls riding.

Would the minister of fisheries revisit this decision so that there is a human being at the light stations for the peak boating season?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the object of our light stations is of course to ensure the safety of boaters, be they commercial or recreational boaters. We continue to take our role seriously. I would be happy to review the situation of that lighthouse.

* * *

PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of Her Excellency Dr. Vaira Vike-Freiberga, President of the Republic of Latvia.

Some hon. members: Hear, hear.

The Speaker: I also draw the attention of hon. members to the presence in the gallery of His Excellency Duoji Cairang, Minister of Civil Affairs of the People's Republic of China.

Some hon. members: Hear, hear.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I think it will be of interest to the House of Commons to know that the President of the Republic of Latvia lived for many years in Montreal. She was a teacher.

[*Translation*]

She was very well known in Montreal. She was a great citizen of that city. As Canadians, we are very proud to see that she is now the president of her country.

* * *

• (1505)

[*English*]

POINTS OF ORDER

HOUSING

Mr. Steve Mahoney (Parliamentary Secretary to the Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, I would like to correct the record. In a speech I made in the House on May 28, during an affordable housing debate, I made a comment on a residential building known as Urban Manor in the riding of the hon. member for Edmonton Centre-East. For the record, I made a mistake but an honest mistake.

In my statement I said that the building did not get RRAP funding from CMHC because it was condemned. In fact it was not condemned but rather it did not meet the guidelines and program criteria for RRAP assistance. I want to apologize to the owners and residents of Urban Manor and to the member for Edmonton Centre-East.

Finally, by way of explanation, the Edmonton community plan on homelessness felt that replacing the shelter was a high priority for the community. As a result, I am pleased to say that the government has contributed over \$3 million for a new shelter.

Mr. Peter Goldring (Edmonton Centre-East, Canadian Alliance): Mr. Speaker, on behalf of my constituent, Mr. Terry Draginda and his Urban Manor project, I accept that the parliamentary secretary has recognized his error. I might add though that the 60 current residents and the 20 staff members of Urban Manor can now rest a little easier knowing the truth that Mr. Draginda's building Urban Manor is sound and safe.

ROUTINE PROCEEDINGS

[*English*]

ORDER IN COUNCIL APPOINTMENTS

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

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GOVERNMENT RESPONSE TO PETITIONS

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

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CANADIAN SECURITY INTELLIGENCE SERVICE

Mr. Lynn Myers (Parliamentary Secretary to the Solicitor General of Canada, Lib.): Mr. Speaker, pursuant to Standing Order 32(2) I have the honour to table, in both official languages, copies of the Canadian Security Intelligence Service 2001 public report.

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[*Translation*]

INTERPARLIAMENTARY DELEGATIONS

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, pursuant to Standing Order 34, I have the honour to table, in both official languages, two reports by the Canadian Branch of the Assemblée parlementaire de la Francophonie and the accompanying financial report.

The first report is on the APF Committee on Co-operation and Development meeting held in Monaco, from April 10 to 14, 2002.

The second report is on the APF Parliamentary Affairs Committee meeting held in Beirut, Lebanon, from May 11 to 15, 2002.

Routine Proceedings

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have the honour to present the 65th report of the Standing Committee on Procedure and House Affairs regarding the membership and associate membership of some committees. If the House gives its consent I intend to move concurrence in the 65th report later this day.

I also have the honour to present the 66th report of the Standing Committee on Procedure and House Affairs regarding the committee's consideration of the existing procedures governing private members' business.

NATIONAL DEFENCE AND VETERANS AFFAIRS

Ms. Colleen Beaumier (Brampton West—Mississauga, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on National Defence and Veterans Affairs, entitled "Long-Term Care for Veterans: The West Coast Crisis".

Pursuant to Standing Order 109 the committee requests a comprehensive response from the government. Notwithstanding the 150 day time limit prescribed in Standing Order 109, the committee requests that this comprehensive response be tabled within 120 days.

[Translation]

CANADIAN HERITAGE

Mr. Dennis Mills (Toronto—Danforth, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Canadian Heritage.

● (1510)

[English]

Pursuant to its order of reference dated Monday, April 15, 2002, your committee has considered Bill C-54, an act to promote physical activity and sport, and agreed on Tuesday, June 11, 2002, to report it with amendments.

INDUSTRY, SCIENCE AND TECHNOLOGY

Mr. Walt Lastewka (St. Catharines, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 10th report of the Standing Committee on Industry, Science and Technology, entitled "Canada's Innovation Strategy: Peer Review and the Allocation of Federal Research Funds".

The committee believes that the three federal granting agencies, the Natural Sciences and Engineering and Research Council of Canada, the Social Sciences and Humanities Research Council of Canada and the Canadian Institutes of Health Research, all have vital roles to play in improving Canada's innovation strategy. The committee believes that the 11 recommendations contained in the report will further assist the granting agencies in their work of supporting research and development.

I wish to thank the individuals and organizations who took part in our hearings, the research staff of the Library of Parliament,

particularly Dr. Lalita Acharya, and the members for their invaluable contributions.

I also have the honour to present, in both official languages, the 11th report of the Standing Committee on Industry, Science and Technology.

Pursuant to Standing Order 97.1 the committee is requesting an extension of 30 sitting days to consider Bill C-248, an act to amend the Competition Act, referred to the committee on February 25, 2002.

HUMAN RESOURCES DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES

Mrs. Judi Longfield (Whitby—Ajax, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the eighth report of the Standing Committee on Human Resources Development and the Status of Persons With Disabilities, entitled "Building on Success".

Pursuant to Standing Order 109, your committee requests the government to table a comprehensive response to this report.

The report "Building on Success" makes important recommendations to the House. The subcommittee, chaired by the hon. member for Don Valley West, urges the government to substantially change the way it administers programs for first nations families and young children living on reserves by streamlining federal funding and accountability mechanisms for early childhood development services into one envelope.

* * *

INCOME TAX ACT

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP) moved for leave to introduce Bill C-477, an act to amend the Income Tax Act (amateur sport fees).

He said: Mr. Speaker, this is another great idea from the New Democratic Party. It is one of the finest pieces of legislation ever to grace the halls of Parliament Hill.

Basically what the bill would do is allow individuals and families across this great country to deduct any amateur sport fees that they are asked to pay for. For example, fees that are paid for children to be registered for soccer, volleyball, hockey or such sports, should become tax deductible, similar to that of a charitable donation.

This would encourage more people to be active in sports, because we all know that healthy children and adults lead to healthy communities and a great future for our country. We know that we will have great support throughout the—

The Speaker: I would remind the hon. member for Sackville—Musquodoboit Valley—Eastern Shore, and indeed all hon. members, that the rules require that when members speak at this stage on a bill they give a succinct explanation of the purpose of the bill. The hon. member may have been succinct in his remarks only because the Chair cut him off.

I am not sure that all of the remarks were an explanation of the bill, but we appreciate his enthusiasm.

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

* * *

[Translation]

LEGISLATIVE INSTRUMENTS RE-ENACTMENT ACT

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.) moved that Bill S-41, An Act to re-enact legislative instruments enacted in only one official language be read the first time.

(Motion agreed to and bill read the first time)

* * *

•(1515)

[English]

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Mr. Speaker, discussions have taken place between all parties with respect to the passage at all stages of Bill S-41, an act to re-enact legislative instruments enacted in only one official language.

I believe you would find consent for the following motion. I move:

That notwithstanding any Standing Order or usual practice of this House, the House immediately consider the second reading stage of Bill S-41, and at the completion of the said stage, the said bill be deemed referred to committee of the whole, reported without amendment, concurred in at report stage and read a third time and passed.

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

Some hon. members: Agreed.

[Translation]

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

Some hon. members: Agreed.

(Motion agreed to)

* * *

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, if the House gives its consent, I move that the 65th report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in. I presented two reports. This is the report dealing with the membership and associate membership of some committees.

The Speaker: Does the hon. member for Peterborough have unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

Routine Proceedings

PETITIONS

CHILD PORNOGRAPHY

Mr. John Duncan (Vancouver Island North, Canadian Alliance): I have a petition signed by more than 50 individuals from my riding of Vancouver Island North. The petitioners are asking parliament to ensure all necessary steps are taken to protect our children from any material promoting child pornography and to make it clear that any such exploitation of children will be met with swift punishment.

[Translation]

RURAL ROUTE MAIL COURIERS

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, I have the honour to table two petitions. The first bears the signatures of 26 people from the Montreal area. They support the rural route mail couriers, who often earn less than minimum wage, because the right to collective bargaining is denied them.

The petitioners call upon parliament to repeal subsection 13(5) of the Canada Post Corporation Act.

ALGERIAN REFUGEE CLAIMANTS

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, the second petition is signed by 170 people from the Montreal area, in support of Algerian refugee claimants. These claimants are worried by the prospect of being returned to their country, although many have been here for some time.

They are calling upon parliament to look into the possibility of a generalized regularization and of reinstating the moratorium on returning people to Algeria.

[English]

PRESSURE TREATED WOOD

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I would like to introduce three petitions signed by residents across the country stating their concerns over pressure treated lumber. They pray upon parliament to ban the use of the compounds in pressure treated wood and other products in order to protect our children and communities across the country.

CANADIAN HERITAGE

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, it is my pleasure to present a petition pursuant to Standing Order 36, signed by residents of the Pugwash, Amherst and Oxford area, including Mr. Ted Embree.

These citizens are concerned about the transference of cultural items and heritage items that reflect our history and are being sold to the United States, especially because of the low value of our dollar. The petitioners ask the government to draft legislation to identify and protect these cultural items.

CHILD PORNOGRAPHY

Mr. Janko Perić (Cambridge, Lib.): Mr. Speaker, pursuant to Standing Order 36 I have the privilege to present to the House a petition with 80 signatures from concerned constituents in my riding of Cambridge.

Routine Proceedings

My constituents wish to draw to the attention of the House that the creation and use of child pornography is condemned by a clear majority of Canadians and that the courts have not applied the current child pornography provisions in a clear and decisive fashion.

Therefore, the petitioners call upon parliament to take all the necessary steps to protect our children by outlawing all materials that promote or glorify child pornography.

• (1520)

THE PARTHENON

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have the honour to present to the House a petition which is in both official languages. It is from 400 or 500 Canadians who ask that parliament 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, the country of their origin, prior to the 2004 Olympic Games, which will be hosted by Greece as the 28th Olympiad.

RIGHTS OF THE UNBORN

Mr. Paul Steckle (Huron—Bruce, Lib.): Mr. Speaker, according to Standing Order 36, I have a number of petitions here, with 600 signatures drawn from the Kitchener area of Ontario.

These signatories draw the attention of the House to the following: they believe that the majority of Canadians respect the sanctity of human life. They also contend that human life at the pre-born stage is not protected by Canadian society. They pray upon parliament to act immediately to extend protection to the unborn child by amending the criminal code to extend the same protection enjoyed by born human beings to unborn human beings.

CHILD PORNOGRAPHY

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, I am delighted to present to you and to the House a petition from a unique part of Saskatchewan, a little town that is celebrating its 100th birthday this year.

These people, with a few signatures from elsewhere in the province, are pleading with the courts and claiming that the courts have not applied the current child pornography law in a way which makes it clear that such exploitation of children will always be met by swift punishment.

I am very pleased to read this to the House. I do hope that we have a response to the petition.

Mr. Werner Schmidt (Kelowna, Canadian Alliance): Mr. Speaker, I would like to present two petitions. The first one has signatories from Kelowna and Winnipeg. They call upon parliament to protect our children by taking all steps necessary to ensure that all materials that promote or glorify pedophilia or sado-masochistic activities involving children be outlawed.

The second petition has signatories from Kelowna, St. Albert and Calgary. The petitioners draw parliament's attention to the fact that they want immediate invocation of section 33 of the charter, the notwithstanding clause, to override the judgment of Duncan Shaw,

the same judge who in 1999 erred in his decision that the child pornography law was unconstitutional, and second, the amendment of the child pornography section of the criminal code by deleting the term artistic merit.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance): Mr. Speaker, I have three petitions to present.

The first petition calls upon parliament to protect our children by taking the necessary steps to ensure that all materials which promote or glorify pedophilia or sado-masochistic activities involving children are outlawed, because the petitioners believe that the courts at present have not applied the child pornography law in an appropriate way.

REPRODUCTIVE TECHNOLOGIES

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance): Mr. Speaker, the second petition signed by residents of Canada draws attention to the fact that hundreds of thousands of Canadians suffer from debilitating diseases such as Alzheimer's, diabetes, cancer and so on. Because Canadians support ethical stem cell research, the petitioners call upon parliament to focus its legislative support on adult stem cell research to find the cures and therapies necessary to treat the illnesses and diseases of suffering Canadians.

Mr. Speaker, the third petition is similar in vein.

The petitioners make the point that it is harmful to destroy some human beings in order to benefit others. Whereas adult stem cell research holds enormous potential, they ask that the Parliament of Canada reconsider its position and define embryonic research as an unacceptable practice in the act respecting assisted human reproduction which was introduced in the House of Commons on Thursday, May 9.

THE FAMILY

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, I have a petition signed by 70 people from my home province of Alberta. The petitioners believe the strength of the nation is in the strength of the family. Therefore the individuals respectfully request that parliament amend the criminal code to prohibit any type of performance, including those in live peep shows, in any form or manner.

FISHERIES

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, it gives me pleasure to table, pursuant to Standing Order 36, a petition from my constituents in Queensport, Guysborough County, Isaacs Harbour, Boylston, Erinville, Sunnyville and many communities who are expressing concern yet again about the fishery.

Their names join the rolls of hundreds if not thousands of constituents who are calling on the government to address the crisis in the fishery, in particular with respect to what has happened in Canso, Nova Scotia with the refusal of the Minister of Fisheries and Oceans to grant access to the resource as he has done in communities throughout Atlantic Canada.

S. O. 52

The people of Canso fully want to be participants in the economy. They want to have an opportunity to work, stay and live in their communities. The need is there. There is a larger crisis looming with respect to the failure of NAFTA and Canada's failure to preserve our offshore fishing rights.

I hope the Minister of Fisheries and Oceans will take the concerns seriously and address them in the very near future.

* * *

● (1525)

QUESTIONS ON THE ORDER PAPER

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, Question No. 145 will be answered today.

[Text]

Question No. 145—**Mr. Peter MacKay:**

Which chiefs of staff for ministers or other political staff in ministers' offices have been assigned government cars and drivers or government cars?

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): I am informed that the chief of staff in the Prime Minister's Office has been assigned a government vehicle and driver. There are no other government vehicles or drivers assigned to staff in all other ministers' offices.

[English]

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

[Translation]

MOTIONS FOR PAPERS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

[English]

REQUEST FOR EMERGENCY DEBATE

FISHERIES

The Speaker: The Chair has notice of an application for an emergency debate from the hon. member for St. John's West.

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, as you are well aware, the discussions about overfishing on the nose and tail of the Grand Banks and the Flemish Cap have drawn a tremendous amount of attention not only in the Atlantic provinces but nationally and, recently, internationally.

When I first raised the issue with the fisheries committee last fall, pretty few were aware of the problem. The committee agreed to have hearings. It came to Newfoundland and was presented with tremendous amounts of information from all sectors of society, everyone involved with the industry and people interested and affected by it.

Mr. Speaker, shortly following that, after we had some examples of what was going on in the area outside the 200 mile limit, you granted us an emergency debate in the House which was supported unanimously by all parties and drew a tremendous amount of attention.

Since then the committee has been finalizing its report and listening to officials, people directly and indirectly affected by the industry, and the public generally. We have discussed the issue with people nationally and internationally. We are now seeing a fair amount of concern and interest expressed by other countries, especially the political arms. This is something we have not seen before.

The committee tabled its report yesterday. It was hard hitting and unanimous. However all it did was present to the House the same arguments people affected by the industry had brought before the committee. Unfortunately, without any consultation with his colleagues or the House, yesterday the minister rejected the report. What kind of signal is that sending?

The concern is that the autumn meeting of the Northwest Atlantic Fisheries Organization, more commonly known as NAFO, will be underway before the resumption of the House of Commons and the next supply cycle. The opportunity allotted for a debate is therefore only available at the present time.

I am aware that a request for debate must be on an issue, it must be an emergency and it must be of national scope. Mr. Speaker, as you ruled before, this issue fits both.

The minister has made statements that indicate he is preparing to abandon efforts to combat overfishing at the NAFO meeting. The NAFO meeting could well determine the fate of our Canadian Atlantic fishery. The cabinet would benefit from hearing the views of members of the House of Commons before determining the policy it will follow.

In his comments the minister said custodial management, which was recommended unanimously—

● (1530)

The Speaker: I am sorry. The hon. member is to be given a brief opportunity to explain the reason for urgency, but this sounds more like a speech to the poor Speaker who is unfamiliar with these things in great detail. I wish he would come to the point. He really has to move rather quickly at this stage and not make a speech. He can save that for later if the emergency debate is granted.

Mr. Loyola Hearn: Mr. Speaker, it is fairly complicated and I wanted make sure that not only you but the other members understood. The request I am making today could or would be made by any member who sits on our committee.

Government Orders

In a response yesterday to the press, not to the House but blatantly and openly to the press without any consultation, the minister stated that custodial management or unilateral expansion of the 200 mile limit were one and the same. They are not one and the same. This is not the way we can go to NAFO—

The Speaker: The hon. member is not taking my advice. I know that he does not share the minister's view. That is clear. However it is irrelevant to the urgency of the matter for debate. He has to stick to that point in these submissions at this point and not make arguments. If he will be making arguments I will not be able to hear him further. I invite him to deal directly and immediately with the issue of urgency.

Mr. Loyola Hearn: Mr. Speaker, I will get right to the point.

I do not think I need to convince you that the issue is important locally and nationally. It is an emergency because before we get a chance to debate it openly and convince the government of the direction to take at NAFO, the NAFO meetings will have taken place. This is our last chance to go to NAFO with arguments supported by everyone in the country and not just the fishing industry. If the minister's opinion is the one we are going to NAFO with, we have lost our case already.

The government must be aware of what the committee presented. There is only place to make it aware: here in the House as members from the committee and others interested in the topic get a chance to make their arguments.

SPEAKER'S RULING

The Speaker: I thank the hon. member for St. John's West for his submission.

As he said, I did grant an emergency debate on this very subject a few months ago because I believed there was some urgency to the matter. However I must say that nothing he has said today has convinced me that the matter has become more urgent today than it was when I granted the previous debate.

Accordingly, I am of the view that his request does not meet the exigencies of the standing orders at this time.

GOVERNMENT ORDERS

[English]

LEGISLATIVE INSTRUMENTS RE-ENACTMENT ACT

Hon. David Anderson (for the Minister of Justice) moved that Bill S-41, an act to re-enact legislative instruments enacted in only one official language, be read the second time.

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am pleased to begin the second reading debate on Bill S-41, an act to re-enact legislative instruments enacted in only one official language.

The bill is necessary to resolve any uncertainty with respect to the constitutional validity of certain instruments of a legislative nature such as regulations and orders in council that are still in force today

but, at another time, may have escaped bilingual enactment and promulgation.

From time to time doubts have been raised about the constitutional validity of some regulations. The bill would dispel any such doubts and ensure compliance with the language guarantees of the constitution. Perhaps just as significantly the bill would demonstrate and strengthen respect for the equality of status of both official languages in all federal legislation.

Parliament has a duty, both legal and constitutional, to ensure compliance with the language provisions, which were written into our constitution in 1867, and later supplemented by the official languages acts of 1969 and of 1988, as well as enshrined in the Canadian Charter of Rights and Freedoms of 1982.

In its third report tabled in parliament on October 30, 1996, the Standing Joint Committee for the Scrutiny of Regulations expressed the view that some federal regulations made in the past by the governor in council were unconstitutional and of no force and effect because they had been made only in one official language.

The bill would correct any potential constitutional defect arising from regulations and orders in council made only in one official language but published in the *Canada Gazette* in French and English. Such legislative instruments would be automatically and retroactively re-enacted in both languages.

In effect the bill would replace by general reference, without amendment, all regulations and other instruments of a legislative nature for which English and French versions have been published in the *Canada Gazette* by giving the published versions legal authority and retroactive effect.

This legislative technique does not require that reference be made to each instrument or that each be physically re-made by the regulatory authority. It is an efficient, cost effective and legally appropriate solution to the situation identified by the Standing Joint Committee for the Scrutiny of Regulations.

The bill would be given retroactive effect pursuant to the widely recognized powers of parliament. This is required to ensure that everything done in the past in reliance upon federal legislative instruments is validated. This is only right. Persons who have had notice of the existence of the legislative instruments at issue and have consequently arranged their affairs should be confident in the legal validity of their actions.

The bill makes provision for the possibility that some legislative instruments may also have been made in one official language only and published in that language only or not published at all. The governor in council would be given authority to re-enact such instruments and to give them retroactive effect.

I wish to reassure the House that the bill is required only for greater certainty. The government is confident its legislative instruments are valid. The validity of a proclamation published in English and French but made in English only in 1921 was challenged in the lower courts several years ago. There are currently no court cases in which the validity of such instruments is challenged. However, the risk that such arguments could be raised does exist and the government has the duty to address it.

Government Orders

I commend the bill to the House for consideration and passage. The bill is about respect for the equality of status of English and French. The bill would provide for greater certainty and ensure that all acts of parliament and government regulations respect the constitutional language requirements. The bill would ensure the continued application of the rule of law.

• (1535)

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, I rise on behalf of the constituents of Surrey Central to participate in the debate on Bill S-41, the legislative instruments re-enactment act, which was introduced in the Senate in March.

For years we did not have an opportunity to debate regulatory reforms or parliamentary scrutiny of legislative instruments in the House, but this week coincidentally we have a second debate on this issue. Yesterday I debated Bill C-202 during private members' business. I was a kind and made non-partisan remarks in the co-operative and collective spirit of the House. However, today I cannot help being critical of the government and I will take my full time.

I point out that Bill S-41 is the result of the hard work of the members and legal counsels of the Standing Joint Committee for the Scrutiny of Regulations. I have the honour of being a three term co-chair representing the House of Commons.

The purpose of the bill is to re-enact, in both official languages, legislative instruments that were enacted in one language but published in both official languages; and to allow for the re-enactment of legislative instruments that were enacted in one language but not published, or published in one official language.

Section 133 of the Constitution Act, 1867 provides that acts of the Parliament of Canada shall be printed and published in both official languages. The proposed act would ensure the validity of legislative instruments that are made in only one official language although they may or may not have been published in both official languages. The bill would also confer regulation-making powers on the governor in council to retroactively re-enact those legislative instruments in both official languages.

From 1867 to 1969 most regulations and orders in council were made only in one language. Those instruments were then generally printed and published in the *Canada Gazette* in both official languages. Prior to Blaikie No. 1 and No. 2 the constitution was believed not to require bilingual enactment of delegated legislation.

Beginning in 1969 the Official Languages Act has required that all rules, orders, regulations, by-laws and proclamations that are required to be published by or under the authority of an act of parliament must be made and published in both official languages. A legislative instrument is made in both official languages when both versions are signed by the competent regulatory authority prior to printing and publishing.

The constitutional requirements that the Supreme Court of Canada held to exist in 1979 were specifically included, in clear and unambiguous terms, in the 1988 Official Languages Act.

In all cases that have come to the attention of the committee, regulations that should have been enacted in English and French were enacted in English only. The issue of the constitutional validity

of the federal delegated legislation enacted in English only was first raised in 1992 by the Standing Joint Committee for the Scrutiny of Regulations in relation to the Public Lands Mineral Regulations.

The department argued the constitutional defect was cured by the 1978 Consolidated Regulations of Canada. A consolidation could not serve to validate an otherwise illegal regulation. The department argued that the regulations made in English only in 1969 were valid because the governor in council was in good faith when the regulations were adopted. However, the issue of the good faith of the governor in council in enacting certain instruments is entirely irrelevant to the issue of the constitutional validity of those instruments.

• (1540)

Then the Public Lands Mineral Regulations were revoked and the committee identified four other unconstitutional regulations. There can be no doubt there are others. For example, it was recently ascertained that the income tax regulations were unconstitutional as they were enacted in only one official language. The government dropped the legal argument it had been touting for the preceding four years and returned to the discredited consolidation argument.

The 1978 consolidation is irrelevant from a legal and constitutional point of view. A consolidation, as was pointed out by Senator Gérald Beaudoin in the Senate committee, is at best a housekeeping process that has no impact on the constitutional status of the consolidated legislation.

Then surprisingly the former justice minister acknowledged that the Standing Joint Committee for the Scrutiny of Regulations had put forward a number of opposing arguments which warrant serious consideration. She requested her officials to further study the issues raised and to suggest ways to remove any uncertainties regarding the validity of federal regulations or other legislative instruments which were still in force.

Law does not lend any support to the peculiar interpretation put forward by the Department of Justice. On the contrary the courts have confirmed that section 133 requires the publication in both languages of all legislation to which it applies; nothing more, nothing less.

The Supreme Court of Canada in the Manitoba language rights reference described the purpose of section 133:

—which was to ensure full and equal access to the legislatures, the laws and the courts for francophones and anglophones alike.

and that:

Section 23 of the Manitoba Act, 1870 entrenches a mandatory requirement to enact, print and publish all Acts of the Legislature in both official languages...

It establishes a constitutional duty on the Manitoba legislature with respect to the manner and form of enactment of its legislation. This duty protects the substantive rights of all Manitobans to equal access to the law in either the French or English languages. Those words are equally applicable to section 133. I note that the court did not refer to some acts of the legislature of Manitoba but all acts.

Government Orders

I note that some 20 years after the *Blaikie* decision the federal government has yet to take measures to identify the extent of its non-compliance with section 133 of the Constitution Act of 1867. Subordinate legislation enacted prior to section 133 should be identified and re-enacted by the appropriate regulation making authority.

The approach chosen by the government in Bill S-41 would distinguish between two classes of non-complying instruments. The first class of instruments is made up of those legislative instruments that were published in both official languages at the time of enactment but that were not enacted in both official languages. Those instruments would be validated by clause 3 of the bill.

The second class of legislative instruments is made up of those instruments which were not enacted in both official languages and were not published in both official languages at the time of their enactment. With regard to those non-complying instruments the federal government apparently does not intend to take corrective action other than to confer on the governor in council a discretion to retroactively validate the instruments in question.

The Department of Justice claimed that to identify non-complying regulations would involve prohibitive costs. I suggest that if the federal government is aware of the legislation that is being applied at the federal level, as it should be, it is a simple enough matter to verify whether or not that legislation was properly enacted in both official languages.

In reality Bill S-41 would only provide a partial solution to the issue brought forward in the committee's report. Following passage of the proposed legislation there would continue to be a number of unconstitutional regulations in place that would not have been validated.

• (1545)

The proposed clause 4 is premised on the continued application of and enforcement of legislative instruments that the federal government knows to be unconstitutional. The propriety of this approach in constitutional terms is questionable. Because it does not wish to engage in the task of identifying with precision the class of instruments referred to in clause 4, the government is content to allow those legislative instruments to continue to be applied in spite of their unconstitutionality.

In the event a person raises the issue of the unconstitutionality of such a legislative instrument by way, for example, of a defence to a criminal prosecution, the governor in council would intervene to deprive the person of their defence by retroactively deeming the unconstitutional instrument to have been validly made.

The preamble to the Canadian Charter of Rights and Freedoms recites that Canada is a society founded on principles that recognize the rule of law. Is it too much to expect that in such a society, a government is under an obligation to take active steps to remedy constitutional defects of which it is aware and has been aware for at least 20 years?

The instruments referred to in clause 4 are not unconstitutional only on the grounds that they were enacted in only one official language. Clause 4, as noted above, applies to instruments that were

not enacted in both official languages but that also were not published in both languages.

Any legislative instrument referred to in clause 4 would be unconstitutional even if it had been enacted in both official languages on the grounds that it was not printed and published in both languages.

Clause 4 of the bill does not appear to contemplate the existence of instruments enacted in both official languages but not printed and published in both languages. Of course this is consistent with the hypothesis put forward by the Department of Justice according to which the government may choose not to print and publish a legislative instrument, in which case section 133 would not apply to the instrument. For reasons stated before, I reject that hypothesis.

Clause 3 of the proposed legislation satisfactorily resolves the problem of constitutional non-compliance with regards to all legislative instruments made in only one language but published in both official languages at the time of enactment.

As for all non-complying legislative instruments, it seems to be the view of the federal government that it is acceptable to maintain these laws in place notwithstanding their unconstitutionality.

The federal government is apparently incapable, 20 years after the second *Blaikie* decision, to identify those instruments made or approved by governor in council or a minister that forms part of the body of the federal delegated legislation.

It could well be argued that there is no justification for delegated legislation which does not comply with section 133 of the Constitution Act, 1867, either because it was not enacted in both official languages or because it was not published in both official languages, to continue to be enforced by public authorities, and that any such legislations are to be formally revoked or expressly validated. This is not what clause 4 of the proposed legislation proposes.

On May 2, 2002, Senator Hervieux-Payette and I appeared before the Senate committee charged with the review of this legislation in our capacity as joint chairmen of the Standing Joint Committee for the Scrutiny of Regulations. We urged the committee to amend Bill S-41 to ensure that the unconstitutional legislation referred to in clause 4 of the bill would not continue to be applied indefinitely.

In that regard we suggested that an appropriate legislative model was furnished by section 32 of the Statutory Instruments Act which provided the following.

• (1550)

“Where a regulation or an amendment thereto has not been published in the *Canada Gazette* and is of such a class that, if it were made after the coming into force of this act, it would not be exempted pursuant to paragraph (c) of section 27 from the application of subsection (1) of section 11, it shall be deemed to be revoked on a day 12 months after the day on which the act comes into force unless before that day it is transmitted to the Clerk of the Privy Council in both official languages, in which case the Clerk of the Privy Council shall, notwithstanding subsection (1) of section 7, register the regulation forthwith”.

Government Orders

The alternatives that are consistent with the government's obligation to respect the rule of law are: first, to identify all legislative instruments subject to section 133 of the Constitution Act, 1867 that do not comply with the requirements of that section and to re-enact them in such a way as to cure the constitutional defect; or, two, to formally revoke all noncomplying legislative instruments as unconstitutional legislation that has no place in the corpus of federal law.

A transitional provision patterned on section 32 of the Statutory Instruments Act represents a compromise between these two approaches. I am very happy to see that the Senate has amended the bill in the manner suggested by us and that the new subclause 4 (7) provides that: "Upon the expiration of 6 years after this act comes into force, any legislative instrument described in subsection (1) that has not been re-enacted in both official languages is repealed. Any instrument submitted for re-enactment within 6 years could in fact be re-enacted, but at the expiration of that time period all non-complying instruments would be formally revoked".

While some would argue that the delay of six years, which this clause gives to the government, is excessively long considering that the government has already had 20 years in which to correct the situation. It will nevertheless bring closure to this issue.

While I think that the one year delay we suggested to the Senate committee was entirely sufficient, I will support clause 4(7) as it was added in the legal and constitutional affairs committee of the Senate.

Bill S-41 would provide that the present and previous governments have been ignoring the rule of law, respect for the charter and the importance of linguistic duality in Canada and thereby allowing uncertainty.

It is the government's constitutional obligation to respect the rule of law. Cost cannot be a criterion in order to correct mistakes of abdicating constitutional obligation made in the past. It is respect for the rule of law which is important.

We in the Canadian Alliance believe that constitutional validity must be preserved in order to protect Canada's unique dualistic bilingual structure. By enacting legislation in only one language, the government risks isolating its citizens further. This is a very dangerous domestic policy to support.

I would also like to point out that what is troubling is the government's attitude: its approach to democracy, transparency, accountability and openness; and its arrogance and sometimes even bullying or do not care attitude. The government has taken 20 years in this case and what it has done is pathetic.

First, the government ignores the problem. Then it denies there is an issue. And then it bends over backwards to argue its case, baseless as it may be, against the strong and logical arguments from the general counsel of the Standing Joint Committee on the Scrutiny of Regulations. Once it is convinced it will then drag its heels and not properly correct the mistake or the error it made in the first place. That is the most serious problem the standing joint committee faces.

• (1555)

Some of the files have been in the pipeline for as long as 5, 10 and even 20 years. All this adds up to a huge backlog of instruments

whose legality or validity is questionable. As I mentioned earlier, it necessitates the need for regulatory reform.

The following are some of the improvements I would propose to the government.

The federal Liberal government does not govern, but rules Canada. It introduces bills that lack substance, are vague in intent and often written in incomplete and general terms, leaving the door wide open to put through regulations that define our laws without proper checks and balances. By doing so, the Liberal government effectively has gutted the parliamentary process of accountability and transparency in the formulation of its laws representing further erosion of the rights and powers of parliament. Parliament is no longer at the centre of the law-making process. It is the regulations that give form and substance to legislation instead of the government bills.

Only 20% of Canadian law is made in parliament. The remaining 80% is added through the back door by way of regulations which are neither debated nor subject to effective public scrutiny.

The role of parliamentarians to formulate legislation is very limited. Scrutiny of regulations is thus an essential task in protecting democracy, transparency, legitimacy and in controlling bureaucracy. The regulatory burden, also called red tape, faced by Canadian businesses is very high and is a costly impediment to productivity and growth. In addition to restricting people's freedom to make their own choices, rules and regulations dampen innovation, discourage investment, stifle entrepreneurship, weaken competitiveness, curtail job and lower the standard of living of Canadians.

Canadians spend over \$100 billion per year, which is 12% of GDP, to comply with federal, provincial and municipal regulations. If we convert it, that is about \$13,700 per household. This spending is second only to shelter. This cost exceeds total personal and corporate income tax collected by the federal government. Red tape is a hidden tax.

Between 1975 and 1999 more than 117,000 new federal and provincial regulations were enacted which would measure 10 stories high when stacked. Each regulatory program is a monument to a past problem.

The only means for parliament to scrutinize its regulations is through the House and Senate Standing Joint Committee of for the Scrutiny of Regulations, which I had the opportunity to co-chair. The committee has been operating without statutory footing for many years, perhaps since 1974. Before the committee uses its ultimate weapon of disallowance, in some cases the process can take 5, 10 or 20 years. This is unacceptable.

The current disallowance procedure was meant only as a temporary measure since 1987 and it has to be on permanent statutory footing. I will not elaborate on this because I spoke on it yesterday. I will move on to some other issues that I would like to bring to members' attention.

Government Orders

I would like to make some recommendations. The delegated regulations and other statutory instruments must be referred to the appropriate committee of the House in addition to the joint committee on regulations. It will provide the House with a check on the enabling clauses in the bills that allow the making of subordinate legislation. They can look to the regulations based on policy and merit because of the committee tenet.

The realistic alternatives to regulations, such as negotiated compliance, should be explored and the focus should be results based and not based on the process. There can be market or tax incentives or disincentives.

• (1600)

Regulations should be written in transparent, simple and easy to understand language. The primary clientele of government regulations is the public and not the legal professionals.

Another recommendation is that a cost benefit analysis should be done and published before making regulations. Estimation of competitive and impact analysis and enforcement cost and risk analysis would also be helpful. Regulators are largely insensitive to the hidden costs of regulations and unaware of alternatives.

Regulatory service standards should be established and a fast track approval process developed for products already found to be safe in other jurisdictions.

The Canadian tradition of promoting social policy objectives through economic regulations is a luxury with a high but hidden price tag. A strong social safety net is only possible if first there is a strong economy.

Regulatory action should be harmonized if possible with the existing provincial, national or international standards and regulations. There should be greater regulatory co-ordination, co-operation and even consolidation among various levels of government. There is a need for greater sensitivity in Canada to the regulatory structures and shifts in the United States and other major trading countries. We have no choice but to adapt to them. It does not mean imitating, but bending to international realities.

An interprovincial standardization commission should be established. Canada contemplates free trade with the United States, yet regulatory barriers to trade inside its own borders must be dismantled. Professional standards and licensing rules, such as the free flow of capital, consumer protection laws, export laws for unprocessed provincial goods, truck safety and measurements should be standardized.

Regulatory proposals must include a sunset clause or performance review to ensure they meet the desired objectives and results. In France, government forms have an automatic sunset review date. Reverse onus should be put on the process. Relevance, effectiveness and timeliness of regulations should be monitored.

The clogged pipeline of files needs to be cleaned. Accumulation leads to strangulation. The total cumulative burden of regulations is the number one regulatory problem. Departments and agencies should be encouraged to do a cleanup of redundant and obsolete regulations by eliminating and preventing non-essential procedures,

forms, licences and regulations that do nothing meaningful other than adding to the cost of dealing with the government.

Canada has reached a point where more good regulations are thrown after bad ones which causes a sinkhole effect. In a federal regulatory sedimentation system, over time layer upon layer create an unsystematic bundle of constraints and disincentives. Dormant regulations are like sleeping dogs and take up space, require occasional upkeep and pose a potential threat in the public sector.

Omnibus repeal legislation should be introduced. A reliable regulatory inventory and review of the accumulation should be prepared to identify problem areas and classify regulations as the good, the bad and the ugly. The government should be brought into the 21st century with the use of advanced technology.

The regulatory responsibility is intentionally split between or among various departments and agencies. One department carries on research and forms a judgment about a product yet the responsibility for whether or not that judgment is implemented rests in another department. Splitting responsibility encourages duplication, internal red tape and diffusion of responsibility and accountability.

• (1605)

For example, with the environment and fisheries departments, one department justifies the regulation making and the other department implements it. Other examples would be health, labour, transport and immigration; finance and national revenue; and health, agriculture, the human rights commission and employment insurance. For all of them there is loss of publication.

No internal regulatory commitments should be entered into without a careful regulatory impact analysis to ensure that international proposals are in tune with Canada's interests, for example, the Kyoto commitment.

Canada can learn from American and other international experiments about new approaches to regulations. These should be monitored both for lessons we should emulate and experiments we should avoid.

Many times penalties are too low in relation to the proceeds of violence or crime. Serious offenders get an unfair economic advantage. Serious non-compliance must be made unprofitable. Due to inadequate penalties, the government adds additional regulations to bolster the original regulations, for example in fisheries. Inadequate penalties entirely nullify the effect of the regulations, for example, penalties for smuggling humans or drugs.

Reliance on criminal sanctions can have a similar nullifying effect by virtue of being so heavy that the burden of proof becomes extremely difficult, legal proceedings commensurately too expensive and judges and juries too reluctant to convict.

There is a need to identify all regulatory statutes whose penalties have become inadequate. Omnibus amending legislation should be put before parliament.

Government Orders

Canada should introduce a regulatory flexibility act similar to the one in the United States to provide for tiering of regulations, administrative procedures and federal program delivery to recognize the limited financial and managerial capacities of small businesses. The government should be sensitive to the time pressures of small businesses and their limited resource pools.

Small businesses are the economic engine of Canada. They could be allowed a three to five year regulatory honeymoon period in which new businesses may be exempted from complying with certain tough regulations without compromising safety, health and environmental protection, for example, stringent labour standards. Any voluntary expenditure for occupational health and safety could be allowed as a business tax write-off.

Departments and agencies responsible for financial costs of regulatory litigation should pay their legal costs from their budgets to provide an incentive to regulators to ensure that their regulations are well prepared and enforceable and to prevent shaky prosecution. Departments and agencies should also pay the legal costs of private citizens and small businesses when a prosecution is unsuccessful and was questionable and intimidating.

The House of Commons should give itself, through its joint standing committee, the means, in terms of adequate number of legal counsel, equipment, communication tools and other resources, to make the scrutiny more meaningful. Previous problems concerning employees' salaries and the number of employees should not be allowed to be repeated. This is important for the morale of those working very hard in support of the committee.

When the standing joint committee tables a report in the House of Commons and desires a response from parliament, it simply mentions that it has made a similar request in the report tabled in the Senate. Within 150 days of the presentation of a report, the government shall table a response thereto, but no similar provision exists in the rules of the Senate. That is a problem of compatibility of the procedures in the House of Commons and the Senate with respect to disallowance, reports and so on.

The revocation of an instrument disallowed by the House of Commons is currently dependent on a decision of the governor in council or a minister to obey the order the House.

• (1610)

The current procedure for disallowance is not encoded in law. We need to make amendments to the Statutory Instruments Act so that the standing orders which lay out the procedure for disallowance have a statutory footing and can be implemented successfully. Moreover, it should be applicable to all the instruments, rather than those instruments which are made by the governor in council or a minister.

The disallowance procedure and the scrutiny of legislative instruments should be applicable to those instruments which are made by authority delegated by parliament to various agencies and boards, such as the National Energy Board, the National Transportation Agency, the CRTC and so on. There needs to be a statutory footing by amending the Statutory Instruments Act for the disallowance procedure.

The government should have a mechanism in place to measure the regulatory burden on individuals and businesses.

I will close my remarks by saying that we support Bill S-41 because we need to have all legislative instruments not only made but printed and published in both official languages of Canada.

[*Translation*]

Mr. Benoît Sauvageau (Repentigny, BQ): Madam Speaker, to begin with, I would like to say that it is not easy to follow the member for Surrey Central, after such a fine, scholarly speech that covered every aspect of a bill as important as Bill S-41. Nevertheless, I shall attempt to make a modest contribution in an attempt to explain to Canadians and Quebecers how Canadian legislation will be improved once Bill S-41 is passed.

It is a pleasure, but also a disappointment to speak to Bill S-41, which originated in the Senate. The bill is in response to the report of the Standing Joint Committee for the Scrutiny of Regulations that was tabled in October 1996. The response to a report which was tabled in 1996 and which was studied for many months comes in 2002. Therefore, the public and witnesses have been waiting for this response for six, seven or eight years.

People are disillusioned and disinterested in this government. The scandals, the squandering of public money, everything that has happened with Groupaction, Everest, Lafleur Communication, and so on, and the millions of dollars that have been wasted are examples that have made the public lose interest and confidence in the members who represent them and have led the public to become disaffected.

The six year wait for Bill S-41 is another example, in addition to the scandals at Human Resources Development Canada and those concerning the sponsorship program, which may explain the public's loss of interest in its elected officials.

As regards Bill S-41, I will quote some of the witnesses who appeared before the Senate committee. These are people who are well aware of the importance of this bill. I will begin with the hon. Minister of Justice. He said, on April 24, 2002, and I quote:

I am here today to discuss Bill S-41, the Legislative Instruments Re-enactment Act. This bill arises in the broader context of Parliament's duty to enact, print and publish its laws and other instruments of a legislative nature in both official languages of Canada. Before I present the purposes of this bill, allow me to clearly indicate to the committee that the government considers itself justified in asserting that the vast majority of such instruments comply with the constitutional requirements.

It was a nice admission on the part of the Minister of Justice to tell us that the vast majority of his instruments comply with legal and constitutional requirements. By saying this, he was really telling us that some of these instruments do not comply with the Constitution, but he said it candidly and honestly before a Senate committee. This is to the minister's credit, and I want to emphasize this.

Further on, the Minister of Justice added:

However, from 1867 to 1969—

I am not very good at math, but this means about 102 years.

—the scope of the constitutional duty was not known. Prior to the enactment of the 1969 Official Languages Act, it may fairly be assumed that most federal regulations, orders in council and other such instruments of a legislative nature were made only in one official language.

Government Orders

We are talking about the period from 1867 to 1969. I repeat what the minister said:

—it may fairly be assumed that most federal regulations, orders in council and other such instruments of a legislative nature were made only in one official language.

I will let hon. members guess which official language, but I will say that it is definitely not the one that I am using right now. This means that only one version of these instruments was signed by the governor in council. The minister concluded by saying:

These instruments were then generally printed and published in the *Canada Gazette* in English and French.

Of course, since then, we learned this through the rulings of the courts.

● (1615)

When we ask whether the rights of minority communities are being respected, the phrase “through court rulings” keeps coming up. When the government is not sure, instead of respecting what they think are people's rights, it turns to the courts, with the resulting expenditure of money, time and energy. The minister goes on to say:

Of course, we now know through the judgment of the courts that such a practice does not meet the constitutional requirements applicable to such legislative instruments.

The Minister of Justice came to tell us that the vast majority of legislative instruments are consistent with the constitution. This therefore means that some are not.

With respect to the constitution, which was patriated in 1982, I wish to point out that we are still waiting for the legislative instruments to be adopted in French. This constitution has not yet been officially translated. Twenty years have passed. We can celebrate the 20th anniversary, but we are still waiting for the provinces to approve the legislative instruments in French. The country's primary law does not respect Bill S-41, as now enacted.

The minister said that because of the federal government's restrictive interpretation, statutes were enacted primarily in English for 102 years in violation of section 133 of the Constitution Act, 1867. He very clearly pointed out to the Senate committee the shortcomings of the federal government with respect to its constitutional obligations since 1867.

The Commissioner of Official Languages, Dr. Adam, appeared before the Senate committee on this topic in May 2002. She said:

Moreover, these are rights that were recognized at Confederation by section 133 of the Constitution Act, 1867 and confirmed and clarified in the Official Languages Acts of 1969 and 1988 and in the Canadian Charter of Rights and Freedoms.

It is somewhat amusing that we find ourselves here in June 2002 discussing a bill, S-41, which sets out, confirms or proves the rights contained in the British North America Act of 1867.

Those who have drafted legislative texts and those who have enacted these texts since 1867 have not understood that section 133 of the constitution required them to do so in both official languages.

For 102 years, section 133 of the constitution was for the most part neglected and violated, as legislative texts were enacted in one official language only. It would seem to me that, having realized the error, it ought to have been remedied. But no, it took supreme court judgments.

As I said, when there is any doubt as far as the defence of the rights of minority francophone communities is concerned, rather than allowing them to exercise their rights, they are told to go to court. Then the cases move from courts of first instance, to second instance, and then to the supreme court. Then after five, ten, fifteen years of debates, the minority francophone communities are informed they were right. Everyone knows that, because it is clearly stated in the law.

But to get to that point, they have to hire lawyers, and spend money and energy they ought to be devoting to the promotion and development of their community. They are required to expend energy on defending rights that are already obvious, since they are in the constitution and in other Canadian statutes.

● (1620)

Here is what Ms. Adam said. “Fortified by these guarantees from 1867, 1969, 1999 and the two Blaikie judgments rendered more than twenty years ago, we now learn, with some astonishment, that there are still a number of pre-1980 regulatory instruments—no one knows exactly how many—that were not re-enacted in both official languages”.

This government does not abide by the Official Languages Act nor the Canadian constitution, but asks people to abide by its laws. That is pretty funny.

Ms. Adam concluded by saying:

The situation must indeed be remedied at the earliest possible opportunity so that the constitutional obligation of legislative bilingualism is respected and the validity of our laws ensured.

It is pretty disturbing and worrying to see the official languages commissioner ask the government to remedy, at the earliest possible opportunity—this is a nice phrase that means absolutely nothing to the government—a situation that is written and enacted in the founding legislation of this country and that goes back to 1867.

Today, the commissioner is saying:

The situation must be remedied at the earliest possible opportunity.

To think that the government wonders why some people do not have confidence in it and why French language minority communities doubt its goodwill.

It is simple, it is clear, it is specific and it is obvious, we have just demonstrated this. When it comes time to assert a right, it has to be fought for. In the case of this right, it has taken more than 130 years.

Also, at the same time as it is introducing Bill S-41, this government is telling us “We are hiring unilingual English employees to fill bilingual positions, but we are asking them to learn French, this country's other official language, within a reasonable timeframe”. No one knows what reasonable means.

So, at the same time that Bill S-41 is being introduced—government members may wonder where I am going with this example—we are also discussing hiring a poet for the House of Commons and the Senate, a very official position. Now, I did have not taken this to the supreme court, but as far as I can see, the Official Languages Act is not being respected.

Government Orders

So a bill has been drafted to clarify a section of the Constitution Act, 1867. The government is swaggering around, saying “This is wonderful, we are fixing a problem that has existed for some one hundred years”. However, at the same time, it continues to violate this country's laws.

I will read an excerpt of the release issued by the House of Commons and the Senate on the hiring of this poet. I want to point out that we opposed the creation of this position. The release reads:

Candidates must have published poetry works. They must also have made a contribution to writing and be accomplished writers who have influenced their peers.

When we hire a poet, it goes without saying that the person should have some experience in this area. It only makes sense. So far, so good.

The release then provides that:

—the candidate—and this is getting interesting—should be able to write in both official language.

I hope that he or she will indeed be able to write in both. A person who can write neither in English nor in French has a problem when applying for this position.

However, if I am reading correctly the job offer for the poet who was just hired, an idea, as I said, that we opposed, a person who only speaks one of the country's two official languages could have applied for the position. I am sure that the President of the Treasury Board will tell us “No problem. The incumbent can take courses to learn the other official language afterwards”.

If the person hired for this position is a unilingual francophone, I am prepared to make a long speech in the House of Commons. I am prepared to meet the challenge.

● (1625)

I know very few people with a command of only one of the two official languages, specifically French, who are hired in so-called “bilingual” positions. But it is a different story for the other linguistic group. Furthermore, I will be providing statistics.

We are told that the poet could speak and write in English only and be hired. It is not easy to translate poetry. I have never tried, but it cannot be easy.

How, in the year 2002, can the government offer an official position in one or the other of the official languages, but not both? The President of the Treasury Board will tell us that the person will take training in the other language. By the way, the language in question will be French. We presume that, after a reasonable period of time, this person would be capable of writing their poems in both official languages.

This is in very bad faith, and it is dishonest. The government is introducing a bill like this and, at the same time, breaking the basic rules for an official position in parliament.

I urge my friends and colleagues living in minority communities throughout the country, and anglophones who respect the law and who are francophiles to ask themselves some questions about the hiring of this poet. If the government hires a unilingual anglophone, what message does this send to anglophones about respect for

French-language communities, and to francophones about respect for themselves?

In the job offer, the government says that the poet must have a command of one or the other of the official languages, which I find utterly shocking.

This job offer is indicative of this government's whole approach to the Official Languages Act. Since the Liberal Party took office, the total number of offices designated bilingual in Canada dropped by 25%. This government was so interested in bilingualism that it reduced services in French by 25% in those places where people are entitled to ask for and receive service in their own language. Since 1993, the number of bilingual positions has dropped by 25%

Bill S-41 is all well and good, it is quite nice, but there is still a problem. Another statistic shows that 20% of public service managers who are in bilingual positions today are unable to meet the bilingualism requirements. This means that when a position is created, one of the conditions of this position is that the candidate be bilingual. Then a unilingual anglophone is hired. In 99.9% of the cases, the unilingual person that is hired is anglophone. A unilingual anglophone is hired to fill a bilingual position, and they are told “You must now take language training in the other official language, French”.

Currently, 20% of the management positions in the public service that are designated bilingual are held by people who do not meet the bilingualism criteria. They want to hire a unilingual English poet, and they want to pass Bill S-41.

Furthermore, the number of public servants at every level in the different departments who are responsible for the Official Languages Act, and the ones responsible for francophone minority issues, has dropped by 50% since the Liberals came to office. I am not only referring to deputy ministers, but all levels. The number of public servants assigned to positions directly or indirectly related to the Official Languages Act or to issues affecting official language minorities has plummeted by 50% since 1993.

● (1630)

Even the throne speech contained the following statement:

Canada's linguistic duality is fundamental to our Canadian identity and is a key element of our vibrant society—

It is a matter of saying one thing and doing another. I have proven this with the various statistics I have presented.

Since the Liberals came to power, the budget allocated to the Commissioner of Official Languages has been cut 28%. The person who is in a position to defend minority community rights, Commissioner of Official Languages Dyane Adam, has less money, fewer means, fewer tools, fewer resources to defend these communities.

Government Orders

At the same time as the government is talking in its throne speech about how important these communities are to the government, it has cut the number of employees responsible for their issues, their programs and their rights. There has been a 25% cut in the number of service points available to them, and people who speak only one official language are now being hired for positions with bilingual designation. At that same time, we are faced with the affront of the acceptance of a so-called official poet laureate, who might well speak only one of this country's official languages, and you can guess which one that would be.

We cannot, indeed, have any objection to the adoption of Bill S-41, because it rectifies a situation that is totally unacceptable and has gone on too long. Today, we still do not know how many bills and other instruments have been drafted and introduced in complete contravention of Canada's constitution.

I therefore encourage hon. members to support this bill. I do, however, hope that the ministers of this government and the members of the opposition will not give this matter only occasional consideration. It is an ongoing situation in our minority communities and requires their ongoing attention. I trust that they will always be watchful of what is going on with francophones in minority communities. They must not say to themselves "We have adopted Bill S-41 so we will deal with it two, five or ten years down the road".

The sole purpose of this bill is to remedy a shortcoming that ought to have been remedied since 1867. As the person supposedly responsible for the Official Languages Act, the president of the privy council, has said—and if he does not agree, let him say so—"If the francophone communities continue to go to court to defend their rights, they will have less money for programs aimed at promoting their communities, helping them develop, and encouraging various events in their communities and regions".

I do not believe that this is the way to advance the cause of minority official language communities. Their self-actualization will come through openness, an open and flexible interpretation of the various issues and the various pieces of legislation.

In conclusion, the Minister of Justice candidly admitted to the Senate committee that he was not complying with the constitution. He also told the Standing Joint Committee on Official Languages that, in his opinion, the most important section in the Official Languages Act, namely section 42, was a declaration of intent on the part of his government and not an obligation to act.

Again, in order to ensure the respect of an act that enjoys unanimous support—an act that was recognized by everyone in committee and even in the various court rulings—minority French language communities will have to turn to the courts. The minister told us that if minority French language communities want confirmation of the existence of this right, namely the government's obligation to act, as opposed to having made a mere declaration of intent, he is giving them the option of going before the supreme court.

Five or ten years from now, after having spent and wasted a couple of hundred thousand dollars—that they do not have or that they could use to promote and develop their communities—the

government will have no choice but to meet its constitutional obligations. It will be obliged to promote and to take action. This is clearly spelled out in the act.

But the minister said "This is a declaration of intent; we do not intend to engage in this promotion, in this development of French language communities".

• (1635)

We must support Bill S-41, but we must also be much more open. We must always keep in mind the development and promotion of these communities.

[English]

The Acting Speaker (Ms. Bakopanos): It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for St. John's West, Fisheries; the hon. member for Chambly, Government Contracts; and the hon. member for Davenport, The Environment.

• (1640)

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Madam Speaker, I wish to first thank my hon. colleague from the Bloc Québécois as well as his party for raising issues of the French culture and language, not only in the House of Commons but throughout the country.

It always starts the debate going when we talk about Mr. Trudeau, the former Prime Minister, offering official bilingualism throughout the country. We are still struggling in our predominantly English sectors with our educational process, which is a provincial responsibility, of having French language taught from the very beginning, or having French immersion or French lessons or anything of that nature.

I am just as much to blame for this as anyone, but I hope by now that all school aged children are offered official French and English language training when they first start school. By the time they become teenagers and young adults they will be able to flip back and forth between both official languages without any problem. Also people who speak our aboriginal languages such as Cree, Dene, Inuit and Inuktitut in turn would not only be able to speak their native languages but would also have the opportunity at a very early age to speak the other two official languages.

On a more provincial level, a big battle is going on in the city of Halifax about funding for École Beaufort and on whether to shut the school down or move the people enrolled in French lessons. It is really sad that we are going to stop or reduce the opportunity for children to study French because of financial restrictions. That is simply unacceptable.

There should not be one child that does not have the right, from the very beginning, to take courses in both official languages. If we did that, I believe we would see the debate over bilingualism subside. It would be really nice if say in 15 or 20 years the vast majority of Canadians could speak both French and English.

Government Orders

Although I am taking lessons in French, I am by no means bilingual, and I apologize for that. I could probably spend a lot more time in that regard. If only the opportunity had existed when I went was going to school, from kindergarten on up, as it does in Europe. I was born in Holland. Four languages are taught right from the beginning. By the time these kids reach their teenage years they can flip among three or four languages without a problem. I notice a lot of cab drivers here speak Arabic, French, English and other languages as well. If all Canadians had that opportunity, issues like we are discussing now with Bill S-41 would be a thing of the past.

I also want to mention the fact that the bill originated from the Senate. I question why a Liberal dominated government would have to debate a bill that originates from the Senate. Why did it originate from the Senate and not from the front benches of the government? Maybe a member on the Liberal side will answer that when he or she gets up to speak.

I just very briefly want to say that our member for Acadie—Bathurst is very supportive of this legislation. He has encouraged members of our party to support it, which we will. We know there are flaws in the bill but it is better than what we had before. We encourage the government to move quickly on this legislation and to promote and encourage official bilingualism in the country whenever it can.

[*Translation*]

Mr. John Herron (Fundy—Royal, PC): Madam Speaker, I wish to begin my speech on Bill S-41 by saying that the Progressive Conservative Party intends to support the government on this bill.

[*English*]

When we look at the bill we see that it is only four pages of reading. It is one of the most simple bills we may actually have before the House of Commons. Many individuals may not think that this piece of legislation necessarily requires a lot of debate or that it could be confrontational in any way, shape or form. To be honest, the merit of the bill is that it is a technical bill. It addresses the reality that many of our statutes, principally orders in council or perhaps regulations, were initially instituted in only one of our official languages.

There is a debate among certain individuals that because these acts were in fact translations when they were eventually adopted into law, as opposed to being enshrined in law simultaneously in both of our official languages, they potentially could be subject to some form of legal challenge. There are certain individuals who may say that the bill is merely of a legal nature. I must compliment the government on the approach it has taken. I believe it to be a very efficient approach to ensure that the intent and the spirit of parliament is never contravened by our laws. I think that is the government's intent in giving this a retroactive nature. I do not think there is anything where one could conclude that the actions had an aspect of malice or mis-intent. I think the approach it has taken is completely legitimate.

I believe that the preservation of our laws in both of our official languages quite clearly speaks to the fabric of this nation. The formation of this country in 1867 was indeed a very serious partnership of four founding provinces and two strong linguistic communities. Having a law enshrined, whether or not it is intended to be a defensive mechanism for court challenges, has a positive

aspect to it as well. It enshrines into law the necessity to protect and respect both of our official languages. That indeed does speak to the fabric of our nation.

We have had some similar situations arise in our country in the recent past. In the city of Moncton in the province of New Brunswick there was a court challenge because the municipal bylaws were initially tabled only in English. There is a strong bilingual character in the city of Moncton. The constitutional legality of those laws was challenged as to whether they were in fact binding in terms of municipal law.

Courageously, the province of New Brunswick did not challenge the court decision that was made. In fact, it made a clear commitment to actually ensure that in our largest cities and in our most linguistically pluralistic cities we have our municipal bylaws translated to reflect the nature of those communities. I really want to applaud the federal government and the efforts of not only the Minister of Canadian Heritage but in particular the Minister of Intergovernmental Affairs for their financial contribution in assisting my provincial cousins in the province of New Brunswick with the costs of the translation for those municipal communities. This reflects a similar initiative taken by the Right Hon. Brian Mulroney in 1984 for the province of Manitoba, after the Blaikie decision, whereby the provincial statutes were written in both official languages.

I think this reflects the common bond that we have as a nation. When it comes to defence of our linguistic communities, this is an issue that transcends most party lines. Sometimes I am a little bit confused about the official position of the leader of Her Majesty's official opposition on embracing that duality, but I suspect he will have a chance to be able to provide more clarity on that aspect down the road as well.

• (1645)

I know that we are never supposed to make reference to the absence of a member in the House, but I would like to make reference to the presence of my friends from the ridings of Madawaska—Restigouche and Saint John. We can applaud a strong, progressive piece of legislation just passed by the province of New Brunswick through premier Bernard Lord. It is our new provincial official languages act, which really reflects the spirit of the first pioneering act that was passed by the then premier, Louis Robichaud. What the provincial government of New Brunswick has done with its new law is ensure that we have a progressive piece of legislation that meets our constitutional obligations, particularly under sections 41 and 42 of the Official Languages Act. I would like to pay tribute to that aspect as well.

I would like to perhaps send up a flare or indicate one particular concern because people are worried about our constitutional obligations under official languages and about the need to respect the constitution, which is a document that, in theory, makes our family whole. These days parliamentarians are reticent to raise the constitutional aspects of our nation from time to time, but the fact is that 25% of our population is still not represented in our constitutional family.

Government Orders

At some point it will be incumbent on the Government of Canada to address that immense inadequacy or deficiency. It is something that concerns me dearly, because it is just a matter of fact that at some point that issue will flare up again. We should do this in a very proactive and progressive way and not let it sit in perpetuity in the hope that it will go away. Not only is it a fact that it could be problematic, but it is also in the spirit of the nation to ensure that all members of our Canadian family participate in the constitutional framework itself.

That was the spirit of Meech when it was embraced by all 10 premiers, not once but twice, initially in 1987 and later in the 1980s. Then one particular individual turned his back on Canada, the then premier of Newfoundland. Make no mistake about it, Meech was about the protection and respect of the linguistic duality of the national identity that we have in the province of Quebec, its language, culture and civil code. It reflects the historical compromise that founded this nation and even steps back to the Quebec act of 1774 itself.

When we talk about the constitution and ensuring that we have laws that meet those obligations, let us ensure that at some point as parliamentarians we have the courage of our convictions to understand that our country has to be whole again and that 25% of the population is not represented in our constitutional framework. We need to find a way to actually accomplish that so we can reflect the nature of what we had attempted to do under the then premier, the late Robert Bourassa.

For a technical bill perhaps I went into some deeper thought for some individuals, but that is why we do this. That founding partnership still reflects the essence of our nation and is one that has to be wholeheartedly addressed. We need to ensure that we have national leadership in that regard.

• (1650)

[*Translation*]

The Acting Speaker (Ms. Bakopanos): Pursuant to order made earlier today, the bill is deemed to have been referred to a committee of the whole, reported without amendment, concurred in at report stage and read a third time and passed.

(Motion agreed to, bill read the second time, considered in committee of the whole, reported, concurred in, read the third time and passed)

* * *

• (1655)

PEST CONTROL PRODUCTS ACT

Hon. Anne McLellan (Minister of Health, Lib.) moved that Bill C-53, An Act to protect human health and safety and the environment by regulating products used for the control of pests, be read the third time and passed.

Mr. Jeannot Castonguay (Parliamentary Secretary to the Minister of Health, Lib.): Madam Speaker, I rise today to speak at third reading of Bill C-53, the Pest Control Products Act.

The passing of this bill will enhance the government's protection of Canadians' health and their environment by minimizing risks posed by pest control products.

Enshrined in this legislation is the requirement to incorporate modern risk assessment concepts into the scientific assessment of pesticides. This includes additional safety factors to protect children, thereby helping to ensure that Canada's children are given special protection from health risks posed by pesticides.

These additional safety factors recognize that children are affected by pesticides in a way that is different from adults and are applied whenever children might be exposed to pesticides through food or residential uses.

Health protection will also be strengthened through C-53's requirement that aggregate exposure to pesticides and the cumulative effects of pesticides that act in the same way be assessed.

One of the most important amendments that was made to the bill was to ensure that these factors are considered when making registration decisions about all pesticides, not just those used on food. This bill states unequivocally that no pesticide may be used in Canada unless any associated risks to the environment have first been determined to fall within acceptable limits.

The term "environment", defined broadly to be consistent with the Canadian Environmental Protection Act, includes the components of the earth, all layers of the atmosphere, animals, plants and other living organisms. Environmental risks include the potential capacity of pesticides to do harm to ecosystems, species at risk and biological diversity.

Bill C-53 supports minimizing risks, not just keeping them within acceptable limits. A pesticide will not be registered if its value is determined to be unacceptable—that is, if it does not contribute to pest management in a positive way. The assessment of value, which includes the pesticide's efficacy, enables the lowest effective rate of the pesticide to be determined and it is only that lowest rate that is approved for use.

One of the most important features of this bill is to increase the Canadian public's access to information generated and held by the government.

When enacted, the new Pest Control Products Act will make Canada's pesticide regulatory system among the most transparent and open in the world. A public registry will be established that allows the public to have access to detailed evaluation reports on the risks and the value of registered pesticides. The public will also be allowed to view the confidential test data on which pesticide evaluations are based.

Bill C-53 will make it easier for Health Canada to share scientific studies on pesticides with other federal, provincial, territorial and international regulators and with health professionals.

Government Orders

Sharing studies with its international regulatory counterparts enhances the process for international harmonization, including joint reviews of pesticides. Joint reviews give Canadian growers equal access to newer, safer pesticides so they can be competitive in the marketplace, while helping to ensure that Canadians have a safe and abundant food supply.

International harmonization also contributes to risk reduction by speeding up the withdrawal of older, frequently more hazardous pesticides and expediting their replacement with pesticides that are safer and more compatible with the goals of sustainable pest management.

Bill C-53 will also strengthen the government's post-registration control of pesticides. This control is being enhanced, first, by requiring mandatory reporting of adverse effects.

A company that is applying to register a pesticide or one that has a registered pesticide will be obliged to report to the government any adverse effects produced by its product.

Failure to report adverse effects will be an offence under the legislation. When the government receives an adverse effects report, it will review the information and decide whether it should initiate a special review in order to determine if registration of the pesticide needs to be amended or cancelled so that health and environmental risks remain acceptable. Action can be taken right away to protect human health or the environment, if necessary.

• (1700)

The government's capacity to re-evaluate pesticides systematically is being strengthened, notably by requiring re-evaluations of pesticides to be done 15 years after they are registered.

It is also providing the minister with the authority to take action against registrants who fail to provide the data needed to conduct re-evaluations. Strengthened capacity to conduct re-evaluations will translate into better environmental protection. It will also translate into better health protection, notably for vulnerable populations such as children and seniors. The re-evaluation process will be similar to the processes used in the United States and Europe.

Finally, Bill C-53 brings federal pesticide legislation into line with contemporary standards regarding compliance. It provides clear rules and increased powers for Health Canada's inspectors. The bill also allows higher maximum penalties to be set when pesticides are not marketed or used in accordance with the law—up to \$1 million or three years in jail for the most serious offences.

Having touched on the main thrusts of Bill C-53, I will now review the changes accepted by the Standing Committee on Health which have been reported back to the House. Under these amendments, the major elements of the bill are substantially unchanged. But in order to improve and refine these elements, significant amendments have been accepted. They reflect comments made by committee members, the debates in the House, and take into account comments made by numerous other Canadians in submissions before the committee.

To respond to concerns that the term “acceptable risk” was too vague, an interpretation of this term has been added to the legislation, “Acceptable risk” means that there is a reasonable

certainty that no harm to human health or the environment will result from exposure to or use of a pesticide.

This level of precaution is the most stringent way to protect Canadians and their environment from the potential risks associated with pesticides.

By adding a definition of “formulant” and including this term in the definition of “pest control product”, the requirement to ensure that all ingredients of a pesticide are assessed has been clarified. As well, as I have already mentioned, consideration of aggregate exposure and cumulative effects that was already in the section on maximum residue limits has been added into the registration and re-evaluation sections of the bill. The committee also accepted the suggested amendment that information about adverse effects be included in the material available for Canadians to examine in the public registry.

An important objective of the bill is to minimize risks associated with pesticides, not just ensure that risks are acceptable. One way of doing this is to facilitate access to pesticides that pose lower risks than those already registered. To this end, an important amendment made to the bill was to add a provision to require the minister to expedite the evaluations of reduced risk pesticides. The new provision in the bill will ensure that this is given priority. Another amendment also clarified that the annual report to Parliament on administration of the act will include the status of registrations of lower risk pesticides.

Access to minor use pesticides by farmers and other users was another key area of discussion during the committee deliberations. A specific authority to make regulations respecting minor uses has now been incorporated in the bill.

Finally, a provision has been added to have the act reviewed by a parliamentary committee after seven years.

There are two areas that have received considerable attention: restricting the so-called “cosmetic use” of pesticides, and extending the precautionary principle to the registration of new pesticides. I would like to explain why amendments have not been made in these areas.

Some witnesses before the standing committee stated that the cosmetic use of pesticides should just be banned by the federal government. The fact is that all pesticides and their uses must be treated in the same way under federal law. They must all be subjected to rigorous scientific testing and the results must be critically evaluated using the latest risk assessment methods. The results of these risk assessments will be different for each pesticide and use. An outright ban on “cosmetic uses” of pesticides presupposes that they all cause unacceptable risks.

That is not the case. Since the PCPA is based primarily on the criminal law power, it would not be appropriate to make that use a crime if the risks posed by that use have been determined to be acceptable.

Government Orders

●(1705)

The preamble to Bill C-53 recognizes the interdependence of federal, provincial and territorial pest management regulatory systems and encourages respect for the responsibilities of each order of government.

Should provinces and municipalities, whose legislation is not based on the criminal power, want to further restrict the use of any pesticide, they may.

For example, provinces may have sensitive wetlands that need to be protected and they would restrict the pesticide from being used in that area. Or, citizens of a particular municipality may decide that they do not want to have a pesticide used in their community no matter how small the risks and they may persuade the municipal government to enact a by-law to that effect, if their municipality has been given such authority by the province.

In any case, access to new, safer pesticides and an active re-evaluation program for older pesticides will ensure that any pesticides registered at the federal level do not pose unacceptable risks, bearing in mind the very stringent interpretation of "acceptable risk" that has now been added to the bill. Priority has been given to re-evaluating all lawn pesticides.

Suggestions have been made to have broader incorporation of the precautionary principle in Bill C-53. It is already included in the section of the Bill that pertains to pesticides that are already registered and in use. The principle is stated there so that if threats of serious or irreversible harm are detected for a pesticide that is already registered, the government will not have to wait for full scientific certainty before taking cost-effective measures to prevent adverse health impact or environmental degradation.

Use of the precautionary principle under these circumstances will enhance the government's capacity to act quickly when threats are detected.

The situation regarding the approval of new pesticides, that is those that are not already in use, is different. The Pest Control Products Act has as its fundamental approach the extremely rigorous assessments of pesticides before they are registered for sale or use in Canada.

As explained earlier, "acceptable risk" means that there is reasonable certainty that no harm to human health or the environment will result from use of the pesticide. Applying the precautionary principle based on a threat of serious or irreversible harm to the registration of new pesticides would actually weaken the standard set for safety, not strengthen it.

Registration decisions are based on whether or not exposure would be 100-1000 times lower than the level at which no adverse effects are shown. This is a more stringent test of safety than whether or not there are "threats of serious or irreversible damage", which is the wording contained in the Canadian Environmental Protection Act's version of the precautionary principle and the one in this bill.

Pre-market assessment of pesticides means that Health Canada does not simply allow a pesticide to be used and then wait for evidence of harm, it exercises its authority to reduce risks before a pesticide ever reaches the market.

I would just like to note that the current Pest Control Products Act is 33 years old and Canadians are expecting the government to act to help protect their health and environment and ensure a safe and abundant food supply.

I ask everyone in the House who wishes to see an effective, modern and open pesticide regulatory system in Canada to support Bill C-53.

In closing, I would like to thank the Standing Committee on Health for its careful assessment of this bill and for the amendment that have been made to further strengthen it. I believe that this bill represents a critically important step forward in our capacity to protect Canadians and their environment.

[*English*]

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, on behalf of the constituents of Surrey Central I am pleased to rise to participate in the debate on Bill C-53, an act to protect human health and safety and the environment by regulating products used for the control of pests.

Before I begin I want to acknowledge the hard work done by our senior health critic on the file, the hon. member for Yellowhead with whom I will be splitting my time.

Bill C-53 would replace the 33 year old Pest Control Products Act which is long past due. This primary legislation intends to control the import, manufacture, sale and use of all pesticides in Canada.

The Acting Speaker (Mr. Bélair): Order, please. I must advise the hon. member that the first three speakers cannot split their time unless they ask for unanimous consent to do so.

●(1710)

Mr. Gurmant Grewal: Mr. Speaker, I would ask the House to give me unanimous consent to split my time.

The Acting Speaker (Mr. Bélair): Is it agreed?

Some hon. members: Agreed.

Mr. Gurmant Grewal: Mr. Speaker, as I was mentioning, although the Canadian Alliance supports the general intent of Bill C-53 the amendments should have reflected changes within the industry.

For a short time I have been a member of the Standing Committee on Environment and Sustainable Development, particularly when it has reviewed pest control products. The environment committee passed amendments requiring the act to be reviewed after seven years, but the government defeated the amendment that would have restricted review to Commons committees.

The Canadian Alliance amendment on harmonization passed through at committee stage. This means that under the bill applicants who apply to register pest control products or amend pest control product registrations would be able to submit information from reviews or evaluations conducted in other OECD countries if the product were to be used in Canada under conditions similar to those of the foreign countries where the evaluation was conducted.

Government Orders

The efficiency of the PMRA's registration operations has a direct impact on Canada's ability to remain competitive internationally. As I emphasized in my last speech, this could avoid costly duplication of pesticides for pesticide makers and hasten the process of getting newer and safer products onto the market.

We in the official opposition believe proven and sound science, domestically and internationally, should continue to be the cornerstone for debate. We also believe a clear understanding of environmental regulations and research responsibilities between federal and provincial governments and the private sector must be achieved. The precautionary principle is in the right place in the bill. We appreciate the government for that.

Bill C-53 would not impose a ban on the use of pesticides for cosmetic purposes. That is a concern because it would allow municipalities to maintain control over such decisions.

While the official opposition is supportive of developing and using proven alternatives in urban environments, we do not believe a moratorium on pest control products should be put in place before there is a substantial body of conclusive scientific evidence that unequivocally links such products to human disease or ill health. I have been in the pest control business for many years. My first degree was in agriculture. I know that without conclusive scientific research or evidence such a moratorium would not only not be useful. It would be counterproductive.

There are still many shortcomings in the bill which were not addressed at committee stage despite our best efforts. The preamble to the act needs to recognize: the use of pest control products that are beneficial to human health; the need for timely access to safe and effective pesticides; and the use of safe and effective pest control products which are essential to the competitiveness of agriculture, forestry and so on.

Bill C-53 contains no provisions for minor use pesticides. Economies do not support full registration of pest control products. It is important for Canadian competitiveness. Though the government recognizes the importance of minor use, concerns about access to minor use products featured prominently in the agricultural committee's recent "Report on the Registration of Pesticides and the Competitiveness of Canadian Farmers". The report stated:

—Canadian farmers do not have access to the same safe and effective pest management tools as their competitors, particularly American producers.

Our American neighbours can use certain chemicals Canadian farmers cannot. When produce from the United States is brought into Canada for consumption it is therefore not only a health hazard. It puts Canadian farmers at a disadvantage.

• (1715)

The committee also called for the appointment of an adviser on matters pertaining to minor use pest control products to intervene in decisions and policies to facilitate activities relating to minor use products. The adviser's mandate should include a special focus on the harmonization issues with the United States, such as the equivalency of similar zone maps and the consideration of data that already exist in the OECD countries. The adviser should report to the Minister of Health and the Minister of Agriculture and Agri-Food.

Also, Canada's risk management practices should be aligned with those of our trading partners and through Canada's membership in organizations such as the OECD.

Bill C-53 makes no provision for getting new, safer or reduced risk products into the marketplace. There is a need to expedite reviews of such products. The United States has a reduced risk category and timeliness. Last year the timeline to get these products registered was approximately 35% less than conventional pesticides. That is where the efficiency is. Bill C-53 still lacks any mention of timeliness for registration, re-evaluation or even special reviews of pest control products.

A number of witnesses appeared before the health committee and testified that registrations are taking too long in comparison to the United States, our major agriculture trading competitor. The Canadian Alliance demanded the drawing up of timeliness in registration to within one year.

The health committee also heard concerns about the Pest Management Regulatory Agency from several witnesses. Administrative and management practices were repeatedly called into question.

We know these are the reasons our farmers' impatience and frustration persist.

Accordingly, independent ombudsmen can assist farmers as well as other stakeholders. The Auditor General of Canada can conduct value for money or performance auditing that will help the industry. It is vitally important that problems within the PMRA be resolved if worthy goals within Bill C-53 are to be realized.

Bill C-53 is only as good as the PMRA's ability to administer it. Unfortunately those concerns are not adequately addressed in the bill. Regrettably the government lacks balance and does little to promote partnership and understanding between stakeholders. It fails to recognize the tremendous efforts and success achieved by manufacturers and users of pesticides or pest control products to make the products as safe to human health and the environment as they are effective in controlling pests and protecting crops.

All stakeholders recognize there is room for improving transparency, efficiency and accountability in our pesticide management system. Therefore the official opposition advocates promoting a balanced approach toward dealing with issues relating to the management and regulation of pest control products and offers recommendations on how the Pest Management Regulatory Agency could improve on fulfilling its mandate to protect human health and the environment.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, it is a privilege to address some of the concerns the Canadian Alliance has with regard to Bill C-53, the pest control management legislation.

Government Orders

This is a very important bill and one which the committee worked on for a long time. It is important to many Canadians from different perspectives. The legislation has three main intentions. The Canadian Alliance generally supports those intentions to strengthen health and environmental protection; to make the registration system more transparent, which is very important; and to strengthen the post-registration control of pesticides. We agree with these.

The Canadian Alliance agrees that safety and environmental issues are very important to Canadians. Health and environmental concerns must be at the forefront of Canada's pesticide registration regime.

Bill C-53 looks at the ten times safety factor and the thousand times safety factor. Whatever the factors are and whatever decision making goes into the bill, we have to ensure they are based on science and not based on emotion, half truths or misinformation. We must have the facts before we make a decision. Once we have the facts it becomes easier to make a proper decision.

We welcome the formal commitment to protect the health of infants, children and pregnant women. This is a given in the bill.

One of the disappointments of Bill C-53 is the way it was brought into the House and how it went through committee. At the initial stages of discussion on how it should be brought into parliament it was felt there should be a joint committee of agriculture, perhaps international trade and health. We are dealing with an issue that goes across more boundaries than just health. It has significant implications for international trade and for the agricultural community. We had hoped that would have taken place at the beginning but because it did not, we see some flaws in the bill which need to be addressed.

This legislation has not been worked on since 1969, some 33 years ago. It is high time it was modernized and brought up to speed. It is very important to incorporate modern risk assessment concepts and entrench the current practices into law. It is important to account for the new developments in pesticide regulations around the world and to reflect the growing concern for the health of children and others.

Looking at the legislation from a farming or forestry perspective, agricultural practices have changed considerably in the last two decades. Agriculture is an industry that is evolving probably faster than many others. We are seeing a greater reduction in the use of pesticides in agriculture and for very good reasons. I have yet to meet a farmer who likes to use pesticides. Farmers use them as a tool to solve a problem they may have and they need to be competitive with our neighbours to the south and others around the world. It is very important to understand that fact as we look at Bill C-53.

Two amendments were put forward at committee with respect to the renewal period for this legislation. It was to be reviewed not in 33 years as was mistakenly done in the prior legislation, but in five years as stated in one amendment or 10 years as stated in another. The committee settled for seven years. That is okay. At least it is not 33 years. We know that in seven years there will be another review of the legislation.

What disturbed me and others on the committee is who would do the review. An amendment came out of committee stating that the

legislation should go back to a House of Commons committee and not be sent on to the Senate. That was overturned by the minister. This legislation could be reviewed in seven years by an unelected, unaccountable arm of the Prime Minister and not by a committee of the House of Commons. We have great concerns with this. Is that a true review of a piece of legislation? The committee amendment was overturned by the minister and we have serious concerns about that.

• (1720)

We were pleased to get some amendments through at committee. One was the harmonization of pesticides and the review of pesticides from the OECD nations and other countries. Harmonization is very important in order to be competitive with some of our trading partners. This could avoid many of the costly duplications when pesticides are registered. Newer and safer products would get into our marketplace more quickly than in the past. Some products have been held up for as many as 20 years.

The inefficiencies in the PMRA absolutely need to be addressed.

There are many shortcomings in the bill. The preamble completely ignores the value of pesticides to Canadians

It is not that we put pesticides out for our health or because we are trying to do anything other than good for Canada. There is a lot of good that comes out of the use of pesticides. Unfortunately that is not recognized in the bill. It helps us to be competitive, although we do have to recognize that health and safety come first and on that we agree.

One issue we want to talk about is the minor use products. The bill makes no provisions for minor use products. It is something that we tried to get through. A minor use of a pesticide is defined as "a necessary use of a pesticide for which the anticipated sales volume is not sufficient to persuade a manufacturer to register and sell the product in Canada".

It is a product for which very few acres are involved. It is not really economical to go through the regime that we have right now. Yet it is very important that we see some of these products on the market because they are much safer and much better.

It impacts the horticultural sector, the producers of fruits, vegetables, herbs and floral crops. These are small in comparison with many other crops in the country but it is a \$4.2 billion sector. It is one of our fastest growing agricultural sectors. It is also very important to the pulse crops sector, which grows peas, beans, lentils and chickpeas. These are small acreage crops but it is very important that they be competitive particularly with our American counterparts.

What actually is happening with our American counterparts is something we should consider so that we are on the same footing. It will give us an idea as to how slow we are in bringing forward different products.

In 2000-01 the total number of minor use products that were registered in Canada was 22. Eighteen were for food use and four were for non-food use. During that same period of time in the United States, 1,200 different products were approved, 500 plus of which were approved for food use.

The government does recognize the importance of minor use but it is not in the bill. That is one of the problems we have with this legislation. The PMRA doubled its resources recently in being able to evaluate minor use. We are hoping that something can be done perhaps in regulations, however it should be in the legislation that is before us. It is very important.

Given the evidence that we have, why did the government not recognize that? The government recognizes it as being valuable but not valuable enough to put in the bill. That is something which disturbs us.

We can also talk about the reduced risk products. The bill makes no provisions for getting newer, safer reduced risk products into the marketplace. We need to expedite the review of these products. My colleague mentioned that the United States has had reduced risk categories and timelines for the last year. The timeline to get these products registered was approximately 35% less than conventional pesticides.

It does not matter what one's perspective is on this legislation, whether one believes we should ban all pesticides, and there were people who said that at committee, or not, the idea of timeliness for approving newer and safer products in Canada is very important. It does not matter which side one is on. We put forward amendments suggesting that the minister at least come up with a timeline, perhaps within a year after the bill is enacted, so that the industry would know how long it would take to approve some of these products.

• (1725)

It is certainly something that would hold the PMRA accountable to Canadians and to what it is mandated to do. We heard from many witnesses about the PMRA. There is one thing that was consistent. Nobody said anything good about the quality of performance of the PMRA. It is something the bill should recognize and try to address as one of the concerns.

The agriculture committee looked at the efficiencies of the PMRA. It called for an independent ombudsman and for the auditor general to review that agency with a view to making it more efficient. We are pleased that cosmetic pesticides are left in the hands of local municipalities because Canada has many diverse problems in different areas. The problems in the Northwest Territories are different than those in southern Ontario. It is important that the responsibility be left with the municipalities.

It is important that we have the bill before us now. It is 30 years late, but it is here. It will ensure that farmers have access to newer and safer products. It will also ensure that Canadians have access to safe and reliable food at a competitive price.

The Acting Speaker (Mr. Bélair): I am sorry to interrupt the hon. member. I wish to inform him that he still has nine minutes left in his speech when Bill C-53 resumes.

• (1730)

[Translation]

It being 5.30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

Private Members' Business

PRIVATE MEMBERS' BUSINESS

[English]

CANADIAN FLAG

Mr. Leon Benoit (Lakeland, Canadian Alliance) moved:

That a legislative committee of this House be instructed to prepare and bring in a bill, in accordance with Standing Order 68(4)(b), which would make it a criminal offence to wilfully desecrate the Canadian flag.

He said: Mr. Speaker, I take a lot of pride in rising to speak to the motion which is about the Canadian flag. It has a lot to do with the patriotism that most Canadians feel toward our flag. I would like to read the motion again for the record and then talk a bit about why I put the motion forth in such general terms. Motion No. 216 states:

That a legislative committee of this House be instructed to prepare and bring in a bill, in accordance with Standing Order 68(4)(b), which would make it a criminal offence to wilfully desecrate the Canadian flag.

It is a general motion and there are good reasons for that.

We have had motions brought forth to the House before on the desecration of the flag. These were motions that presented positions against Canadians wilfully desecrating our flag. When I was putting my motion together I was careful not to put anything in the motion that would give anyone a reason not to support it.

Some members in previous debates on the flag, and there have been a couple I know about, have said they could not support it because the penalties laid out were not appropriate. The penalties were either too tough or too weak. For that reason I put no specific penalties in my motion on the desecration of the flag. I did that so that there would be no reason for anyone in the House not to support the motion. That should be left to the committee.

If the motion is passed on to a committee members from all political parties in the House and a majority of members from the governing party, with input from Canadians, would have an opportunity to determine what penalties would be appropriate in the event that a Canadian or anyone else wilfully desecrated the Canadian flag. That is why I have left this so general and so open. It makes it really inappropriate for anyone not to support the motion.

In the past other members have tabled similar motions. The member for Souris—Moose Mountain, from the Canadian Alliance, has tabled a motion. It has not yet been selected. The member's name has not been drawn but it is there waiting.

The Liberal member for Haldimand—Norfolk—Brant presented a motion that was debated just a couple of months ago. His motion did actually present and recommend specific fines that should be put in place. In that motion the member recommended that for a first offence there be a fine of \$500 and for a second offence or any subsequent offence there be a fine of a minimum of \$500 to a maximum of \$15,000. I heard some people in debating the member's motion complain that the fines were not appropriate. For that reason I have left this open.

Private Members' Business

The member for Haldimand—Norfolk—Brant, in his presentation of Bill C-330, made it clear that his bill was not aimed at those people who destroyed a flag when it became tattered or when it came to the end of its life, whether it was badly faded, tattered or somehow damaged. He made it clear that his motion would in no way impact on people who destroyed the flag under those circumstances. That of course is a completely acceptable thing to do. It is a recommended course for people to take under those circumstances where a flag can no longer be flown because of the condition it is in. There is no intent to aim the motion at anyone who would destroy a flag simply because it is inappropriate to fly because of the condition it is in.

• (1735)

Why did I choose this motion? When my name was drawn I could have chosen from several motions and bills that I had in the pot. They were there for my choosing when my name was drawn. From all those motions and bills I decided to debate this one. Why was that? The reason is that the flag is an important symbol of our country.

Most Canadian olympic teams for some time have had a stylized version of the Canadian flag on their uniforms. It is something that Canadians take instant pride in. They take ownership of those athletes as being Canadian athletes when they see the stylized version of the flag on their uniforms.

When athletes march in or out of the arena during the start and end of the Olympics, Canadians take great pride when they see our flag. When any of our athletes are on the podium after winning a medal and our flag flies and our national anthem plays, all Canadians feel great pride under those circumstances. It is because of this type of pride that we should have in Canada some law with appropriate penalties to deal with people who would wilfully desecrate our flag. We saw Team Canada, our hockey teams and other teams playing teams from around the world and we know the pride we feel.

Even as elected representatives, how many of us in the House, on our business cards, letterheads or on other information we put out before the public, have a symbol of the Canadian flag on those pieces of information? The member for Red Deer is showing me his business card proudly. He has a picture of our Canadian flag on his card, as do so many of us. We take that kind of pride in our card. When we pass our card to people we want them to know that we are proud and loyal Canadians. That is why we do that.

When we respond to an important issue from constituents, we want them to know that we are proud and loyal Canadians, proud to be serving them. We do that because of how we feel about our flag and because it is truly the most important and best recognized symbol of our country. For that reason I brought this motion forward.

We take pride in members of our Canadian civil service serving in the various departments, serving us and our country so well in most cases. We take a lot of pride in that. Their letterhead and even the buildings they work in have our Canadian flag on them and that is important because they are serving our country and are proud to do so. The symbols are there to show that they are proud to do that.

Almost all products made in Canada proudly present the Canadian flag to show that the product was made in Canada. Business people, companies and corporations from across the country are proud of

that because it is a symbol of Canadian made excellence. Our flag is presented on almost all products made in our country. All of these products and the different items I have mentioned have the Canadian flag on them for good reason, because it is the most outstanding and best recognized symbol of the pride we have in our country.

In particular since September 11 Canadians have felt a renewed pride in our country. Most Canadians have recognized since September 11 the importance of the Canadian military.

• (1740)

Of course I, as the official opposition critic for defence, know as well as anyone the pride Canadians take in the service provided by the Canadian military. The Canadian armed forces serve under the Canadian flag and fight under the Canadian flag. We take great pride in that as Canadians.

A large part of the reason I brought this motion forward is because I have had citizens from across the country who formerly served in the Canadian forces. Many are currently serving in the Canadian forces. Many are members of the Canadian legion. They either have formerly served or they take a particular interest in the Canadian military.

Those people in particular are recognized in conjunction with the Canadian flag. Many have died serving under the Canadian flag. Their comrades who live on, who have put pressure on me, and rightly so, to bring this motion forward, have said they want to have in place a law which will punish those who would desecrate that same flag or even the former flag under which their comrades served. They want that special recognition that they felt could come only from having such a law in place.

Before I get into the closing of my presentation, I want to read a couple of poems. I have taken them from another Canadian Alliance member who spoke on this issue before in the House of Commons. They are excellent poems about the pride that Canadians take in the flag. I will read parts of two poems presented by the Canadian Alliance member for Souris—Moose Mountain. I know that he is a proud Canadian and that he feels it is extremely important that we protect the Canadian flag as a symbol of our country.

The first verse that I will read is part of a poem, or an old patriotic song as he has presented it, read:

At Queenston Heights in Lundy's Lane,
Our brave fathers side by side
For freedom's home and loved ones dear,
Firmly stood and nobly died.
And those dear rights which they maintained,
We swear to yield them never.
Our watchword ever more shall be,
The Maple Leaf forever.

Of course, the maple leaf is our Canadian flag. The last verse that he read and that I want to read today is a short part of a poem on our emblem of liberty, and it reads:

It's only an old piece of bunting
It's only an old coloured rag
But there are thousands who died for its honor
And fell in defence of our flag.

I think these two verses from songs and poems from our past really present the pride that Canadians take in the flag, particularly our men and women who serve this country in our armed forces and military.

I would encourage everyone in the House to support this motion. It is presented in a way that allows the committee to do what it wants with it.

I would now like to ask for unanimous consent to make this motion votable.

The Acting Speaker (Mr. Bélair): Is there unanimous consent to make this item votable?

Some hon. members: Agreed.

An hon. member: No.

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am pleased to have the opportunity to speak on this important issue, one that involves freedom of expression and dignity. It is one of our important national symbols. In other words, it is a debate over values.

The motion proposes that a legislative committee of the House be instructed to prepare and bring in a bill which would make it a criminal offence to wilfully desecrate the Canadian flag.

This issue has been addressed in this Chamber recently. As the government has previously indicated on those occasions and as my fellow parliamentarians would agree, this issue deeply touches all Canadians. Our Canadian flag symbolizes democracy, freedom, liberty and Canadian unity. The Canadian flag and all it represents must remain as it always has, the pride of all Canadians.

While debating the issue before us, it is imperative that we consider the principles that should guide the elaboration of criminal law. In policy terms we must remember that criminal law in a free and democratic society such as Canada must be reserved for wrongful acts that seriously threaten the fundamental values of our society.

Let us ask ourselves what values do we wish to protect? It is well understood that the actions that the committee would look into prohibiting would amount to the expression of a political opinion by act or gesture. As troubling as these acts may be to some and perhaps to most of us as Canadians, there are other fundamental values that need to be protected which indeed our flag also represents.

Canadians are proud to be a tolerant and civilized people. We value our diversity of culture, religion and belief. We have accordingly incorporated into our constitution the fundamental principles of this wonderful country. These are some of the values that our flag represents.

Let us recall the words spoken by the hon. Maurice Bourget, Speaker of the Senate, in February 1965 during the ceremony inaugurating the new flag, which was held on Parliament Hill before parliamentarians and thousands of Canadians.

Before the charter, before the issue of desecration of a flag was ever considered and on knowing of the issue that would one day arise before us, he rightly stated:

Private Members' Business

The flag is the symbol of the nation's unity, for it, beyond any doubt, represents all the citizens of Canada without distinction of race, language, belief or opinion.

The acts contemplated by this motion simply do not amount to actions that require a criminal sanction. We must keep in mind that expressions, judged distasteful by the majority, are not in and of themselves a basis for restricting free expression in a free and democratic society.

In short, criminalizing these acts would go against the fundamental values for which our nation flag stands. That is, representing Canadians without distinction as to belief or opinion.

I propose that what really upsets us the most is the message conveyed by that act. The reality is that the message transmitted, usually disagreement with government policy, is disturbing. We must understand that however disturbing this message may be, putting limits on the expression of political opinion is nothing to take lightly. We cannot justify criminalizing an act because we do not like the message it conveys. That is not the Canadian way.

It is noteworthy that other countries have also refrained from criminalizing the desecration of their flag, countries such as Ireland and the United Kingdom. Although the United States has attempted in the past to do so, the legislation was judged to be unconstitutional. In Canada it would be very likely that such legislation would not survive a charter challenge.

● (1745)

Freedom of expression is protected by section 2 of the Canadian Charter of Rights and Freedoms and flag burning is recognized as a form of political expression.

I share the views of a vast majority Canadians that desecrating our national flag is truly an offensive behaviour. Those who commit such acts do nothing to forward their cause. However, while it is objectionable behaviour, because it is a form of political expression, it is protected by the charter and cannot be criminalized.

● (1750)

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, I want to speak briefly on this issue. It is unfortunate that members opposite would not agree to make it a votable item because it would be extremely interesting to see how most of the members feel about this topic. Arguments can be made on either side.

Our flag is one of our most prized possessions. It is a symbol of our country which we see most often. It is one that we revere. It is one of which we are very proud. It is one that leads to an awful lot of concern and anger by people who watch such desecrations, as we have seen occasionally in the past.

Whether it is the flag of our country or someone else's country, that flag symbolizes a country. Whether we agree with the policies of that country, or the government of that country, or the issues put forth by that country or how they treat us on the world scene, does not make a difference. It is their flag of which undoubtedly all of them are as proud as we are. When flags are desecrated, it shows a complete lack of respect for governance in the countries concerned and a complete lack of respect for civilized people throughout the world.

Private Members' Business

However, should we make it a criminal offence? That is why I say it is unfortunate it was not a votable motion because we would have got a much better idea of how people felt generally rather than just the three or four of us who speak to the issue.

This is a question to be asked? What is desecration? A number of people would be very concerned if a person decided to burn an old flag because that person thought it was getting old and dilapidated and a neighbour seeing that accused the individual of desecrating it. That is stretching it but if the legislation is not properly presented that individual could be in trouble. However I am sure that is certainly not the intent of the legislation. Again, legislation can be written to ensure that only those who are guilty of an offence are punished.

The flag, especially our Canadian flag, the red maple leaf which flies across our country, is one for which all Canadians have great respect. I remember when it was brought in. I was interviewed on television the day the flag was first flown. I think that was the first time I was ever on television, although I have made it a couple of times since. I was asked what I thought of it. I still remember my response which was "It's worth waiting for". Until then, we were under the Union Jack. Many older Canadians in particular have a tremendous amount of pride in that flag, as we all do, because most of them fought under it during the wars. It exemplified our country as part of the Commonwealth of nations and it tied us very closely to Great Britain, much more so than expressing a clear identity of our own.

The day the first new Canadian flag was shown, with the red stripes and the red maple leaf, younger Canadians thought that this was our identity because the maple leaf represented Canada more than anything else.

In the earlier days of my teaching profession, I was responsible for looking after different concerts and fundraisers in our area. I remember having one such concert on November 11, which is Remembrance Day. It had a war theme. We played many of the songs about the early war days and common war songs.

• (1755)

One of the songs sung that night was by a young woman with a great voice. She sang a Canadian song entitled, *I Wouldn't Trade a Million Dollars For A Single Maple Leaf*. Listening to her sing it in practice, some of us got the idea that perhaps as she sang we should have a Canadian flag in the background so we tried it the following night. Somebody else had the idea that if we turned on a fan the flag could blow in the wind. This was back in the days when we did not have a lot of technology. As we got into our final night's practice we put an individual spotlight on the singer. As she finished singing the song the light shifted to the Canadian flag. The song itself talked about values and how one would not trade a million dollars for a single maple leaf and then the spotlight shifted from the singer, who had done a tremendous job, to the flag blowing in the wind.

Of all the things in my life that made an impact on me, I do not think anything hit me more in a patriotic sense than watching that flag that particular night where we were paying tribute to the war dead, the people who were still living and who had been involved in the wars, and all those who fought to give us the freedom and to give us the type of country that lies under this great flag. To see the flag

just blowing in the wind we realized that this was our country and this was the flag we were proud of. It certainly gave me the type of feeling I had never had before.

A flag can do that for any of us. It is the flag we see carried by our athletes and our Olympic champions. How proud were we when the Canadian hockey teams held up the flag? It just goes on and on. It is something that we should not desecrate nor let people desecrate without some retribution.

It is unfortunate that this is not a votable item but I am quite sure we would be willing to support legislation to that degree provided that it would be directed at those who are committing what we would call an unpardonable offence rather than some accidental happening that might be termed desecration.

It is disappointing that it was not up for a vote so we could get a true impression of how Canadian representatives in the House feel about it. However that is how the government can keep people from expressing their true feeling, it makes sure we do not get the opportunity, and it has been doing a good job of it.

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, I am very honoured to participate in the debate today. I want to say at the outset that I was quite shocked at the speech given by the parliamentary secretary from the government side. I have never seen such a wimpy attitude toward defending something that is worth defending.

We keep on saying that we do not want to offend anyone, that we want to make sure people can do or say anything they want and therefore we do not dare lift a finger and in any way suggest that desecrating our flag might be wrong. People would probably say that it is a right that is protected under our charter. We certainly have it wrong if that is what we are saying. It is almost beyond comprehension to me.

I am not particularly a flag waver. This may come as a surprise to some people since it is known that historically I was involved in what came to be known as the flag flap a couple of years ago. However that was quite unplanned. It was a reaction which I made at a time when I was challenging something that I believed should be defended.

It was at a time when one of the members of the separatist Bloc Party insisted that we not display a flag in the House. I felt that I could not allow a member of a party that wanted to break up our country to tell me that I had to put away my flag. It was a plain defence reaction. When challenged in that way I knew I had to stand up for that symbol of our wonderful country.

Unfortunately, it did not go the way I intended. The Bloc member appealed to the Speaker at that time calling it a prop. We know that props are not permitted in the House. Even in this debate I cannot hold up but an imaginary flag or bring any props into the House. The Speaker ruled that in fact I could not display this prop and I was dissuaded from doing so.

I made the mistake of defying the Speaker at that time. I said that if we had to take the flag away in here then it was all worth less. It then became a controversy which I later regretted and apologized most sincerely for having defied the Speaker but certainly not for having defended the Canadian flag.

Private Members' Business

Our flag represents very hard won freedoms. The flag we are talking about today is the flag that represents for many of our immigrants the hope for freedom and opportunity which they were denied in their own countries.

I just confirmed that on July 1 I will be participating in a celebration of inviting new citizens into our country and giving them their citizenships, as many MPs do on July 1. I remember a number of years ago at one of those ceremonies there was a relatively young lady, of course at my age everyone is relatively young. She was living in this country and was about to receive her citizenship. She had tears running down her cheeks and just kept saying "thank you, thank you, thank you" with a broken voice.

I could relate to that because my grandmother always said that, too, having escaped from a country in which the family was under threat of death. My dad was just a youngster at the time when my grandparents brought their family to Canada. My grandmother so often said that Canada was a wonderful country and how thankful she was to be in a country of freedom and opportunity.

Since 1965, if I remember right, we have had a new Canadian flag. This was not the same flag when I was a youngster in school. This may come as a surprise to the pages, but by the time the current flag came into being I had already graduated from university. It is ancient history to them but it is pretty contemporary history to me that this flag came to be.

• (1800)

I remember the debate that was held at that time about the Canadian flag. There were of course various defenders and detractors of the flag. However, having adopted it, it is now the symbol of our country and it is recognized around the world as the flag of a country of freedom and opportunity, probably unequaled in the world. People are literally risking their lives in order to come to this country.

My colleague has come forward with a motion, which I was most pleased to second, that is the most gentle of motions. There can be no member in the House who could come up with any rational reason to be against it. All the motion says is that we want to refer the issue to a committee that will work through the details of coming up with acceptable legislation so that the wilful desecration of our flag as an act of disrespect will be subject to penalties.

The definition of desecration and the penalties would be decided by a multi-party committee so there can be no serious objection to the motion today. Members who vote against the motion today would be saying that they do not want to even talk about it. They are ready to give up. They are ready to put their hands in the air, raise an imaginary white flag, the flag of surrender, and give up. They are not prepared to stand up for what is right in the country. They do not want to even talk about it. They do not want it to go to a committee and they do not want to discuss it any further.

I believe that members who stop to think about what the motion says have no defensible reason to vote against it.

I want to quickly address the issue of freedom of expression. We do not yield that as a universal unassailable right. We have laws in the country, and rightly so, that there are some words that we cannot use. A classic example is that a person cannot in a crowded theatre in

an evening yell "fire, fire". It would put people's lives at risk. If a person did that and people were hurt, he or she would be subject to criminal charges even though the person may only have been expressing his or her freedom of speech.

We have laws that do not permit us to counsel other people to commit murder or to commit suicide, although I think the one to counsel people to commit suicide has now been pulled from the books. However, when I was a youngster it was against the rules to counsel people to take their own lives.

I could say that I have the freedom of speech to say to some young person or older person that he or she would be better off to end it all. However I do not have that freedom of speech because that is against the law.

I do not have the freedom of speech to speak against an identifiable group of people and promote hatred toward them. That right is taken away, and quite rightly so. Even within the confines of our charter we may not do that.

There are some exceptions of course. In the last election campaign we had the case where the then minister of immigration thought it was quite acceptable to take an identifiable group of people and say all sorts of horrible things about them that were untrue and which would then subsequently produce a great aversion and a hatred toward the group. It happened to be the Canadian Alliance. We had to live with that and accept it. I guess that is part of the political process. Personally I think it would have been quite legitimate for us to have launched a legal action in that case but we chose not to do that.

We have accurately and justifiably put limitations on the expression of our speech. Therefore I do not think there is any reason not to say, yes, we can speak in opposition to the government but that we must do it respectfully and that our debates should be logical, rational and persuasive. I do not believe in the kind of debate that involves violence and overturning cars. That is not debate.

• (1805)

I once was asked to speak at a meeting and there was a small group there who started chanting and basically drowned me out. They deprived me of my free speech. I did not want to deprive them of theirs so I just walked away and let them do that.

We must have the right to protect our flag in this country. I urge all members to support the bill because it is a proper limitation on our total and absolute freedom of expression, which is well justified.

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, it is an honour to be able to speak today in defence of our national symbol. I am disturbed to think that we cannot find it within ourselves to make laws giving us authority to protect our national symbol.

We have many different symbols. We promote them. We have religious symbols that we understand. We know what they mean. There is an identity that comes with those religious symbols. They have a meaning behind them. There are very important messages contained within those symbols.

Private Members' Business

Not only do we have symbols of religion, we also have symbols of reward and achievement. Those symbols, those badges and medals, are worn proudly by our military men and women. There are even certain rules and conditions under which they may wear those medals and under which others may not. We recognize their importance. They are not important because they are valuable, not in their right by themselves. They are important because of the achievement or merit that earned an individual that medal.

There are other symbols that are very precious to some of us. Every day I wear on the finger of my left hand a symbol of my commitment to my wife in marriage. It is an important symbol to me. My wife would not like it if I took it off, desecrated it, cut it in half, threw it away and those kinds of things. She would be offended by that. She would want to defend that symbol in some way. Yet we simply allow people to do what they want with our national symbol. We allow them to stomp it in the dirt, rub it in the ground, burn it, wrap their garbage in it, do whatever they want with it. That is not an honourable way to treat our symbol.

Members opposite will recall an incident that happened in the House a few weeks ago. A member of ours picked up the golden symbol sitting on that table. What a fuss that caused. What a fuss there was just because he touched that sacred symbol of the Mace and lifted it over his head in protest of the lack of democracy in this place. We defended that symbol by disciplining that member. He was put outside the bar. He was made to stand at the bar and apologize to the House for his inconsideration in regard to that symbol.

Mr. Speaker, I suggest to you that the symbol on your right, the red and white one, is much more important and much more valuable than this symbol over here. That symbol represents the whole nation. It represents our national sovereignty. Only nations should be able to fly a flag which indicates that they stand as independent nations on their own, making their own decisions, making their own laws and providing for their own citizens. The flag is a symbol of that. It is a symbol of our freedom, that which we are able to enjoy as citizens in this country.

People come to Canada and live under the symbol of the maple leaf and know that they are in a country that stands for freedom. Freedom is not bought cheaply. It comes with a high price. I do not believe that we need to let the symbol of our freedom be trodden upon cheaply. There needs to be a price. We need to protect the symbol of our sovereignty and our freedom. It is a symbol of our national identity. We are proud of who we are. We are proud of this nation. We are proud that we are different from other nations in the world. We pride ourselves on being different from the United States. That is our identity.

● (1810)

That maple leaf is a symbol, perhaps, of beauty. I remember my first trip to the Gatineau hills last fall. As I drove on the west side of the hills and the sun was shining at 5 o'clock in the afternoon, those maple trees lit up and were aglow in a fluorescent red that was as beautiful as the red on our flag. The flag reminds us of the beauty of our land, the fruitfulness of the sweet syrup that comes from the maple tree, the sweetness of our land. It is a symbol of that. It goes beyond the maple tree and beyond the maple syrup and speaks of the

sweetness of the land that we need to protect, and we need to protect that symbol as well.

National pride: Do we not have any national pride? We are so upset when someone else suggests that we do something, when someone else suggests that we guard our borders in a certain way or suggests that we might pass certain laws. We are so wounded in our pride to think they are pushing us in some way, yet we do not have the spine to stand up when someone desecrates our national symbol and say that it is against the law and therefore something will be done about it.

I cannot understand why we cannot have enough pride to protect our national symbol. I would have been proud to vote for the bill should it have been votable. It is a shame for us to be denied the opportunity to vote for this great symbol of our land and to see it revered with the respect with which it should be.

● (1815)

Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance): Mr. Speaker, I am glad to join my colleagues and others who have entered the debate tonight on Motion No. 216 brought forward by my colleague from Lakeland. I will repeat it in case someone has tuned in late on this debate. It states:

That a legislative committee of this House be instructed to prepare and bring in a bill, in accordance with Standing Order 68(4)(b), which would make it a criminal offence to wilfully desecrate the Canadian flag.

That is the subject of our discussion this afternoon and we are very pleased to enter into this debate because it is an opportunity to talk about the country that we live in, this country that has been recognized around the world. I know that the Prime Minister is very proud to say that Canada is the best country in the world and has been voted that year after year. Unfortunately this year I think we slid just a bit, however, it has been voted number one for many years and just this year was voted number two. That is quite an honour considering all of the nations around this great world, which is becoming smaller for us because of our ability to travel.

Many people have had the opportunity to visit many parts of the world. I have had the opportunity to do a lot of international travelling and I can always say that I am glad and proud to come back to my country. Having travelled and having seen some of the most beautiful and interesting sights and places around the world, in Europe, the Middle East and even in Russia, I am always very proud and pleased to come back to this country and recognize how much we have to be thankful for here. We have so much in this country that people in other nations find desirable. Immigrants from around the world want to come here. In spite of the fact that it does create problems for us, and our new immigration policies try to deal with that, it does reflect the value that other people around the world place on this country and what a desirable place it is to live.

Private Members' Business

I have lived in several parts of the country. I was born in Winnipeg, in central Canada, grew up there and then lived for 19 years in Ontario. I remember that as a young boy I was impressed with the beauty of the prairies. I saw those prairie thunderstorms roll across, the beauty of the wind blowing across the prairie fields and the sun set and rise so far away. When I moved to Ontario I was so impressed with the beauty of its rolling hills and the fact that I could not see for 27 miles, or 127 on the prairies, and that around every corner and bend was a new vista. We have so much beauty in this country. Then in about 1990 my wife and I moved out to British Columbia and I had a whole new experience of beauty. Of course we were drawn there because of mountains, oceans, trees and the beauty of the area.

Wherever we go we find these Canadian institutions. I am very pleased to have had the opportunity to travel more in this country since I have been a member of parliament. I have travelled in the eastern provinces and in Newfoundland and Nova Scotia. In Charlottetown, on Prince Edward Island, I was impressed to see how many homes had the Canadian flag flying. Frankly, I am quite determined to see more Canadian flags flying in my own neighbourhood on Vancouver Island. Through my office we are making an effort to make some available to our community.

The flag is a symbol of our identity. It is a symbol of our nation. It is recognized around the world and it is something that we ought to be proud of. We have so many privileges as Canadians, such as the freedom to stand in the House and debate. Although we may get a little hot around here and sometimes a little steamed up, we do have the freedom to enter into debate. We have so many other freedoms, such as the freedom of speech. As my hon. colleague mentioned, there are limits on freedom of speech that are recognized by the House and by our society. There are limits on the freedoms we have in this country. There are limits on statements that incite hatred or disrespect. Disrespect for the flag is frankly an insult to all of us.

The Canadian flag means something to me. Morning after morning, in the years when I was a member of a rotary club, we would stand and face the flag and sing "O Canada, we stand on guard for thee". Frankly, I remember many times feeling pierced a little, because I felt that as Canadians we were not standing on guard for the principle that the country was founded on.

● (1820)

That is precisely why we are here as members of parliament: to protect the freedoms our forefathers fought for. We are here to protect the vision for this great country from coast to coast which the Fathers of Confederation laid a foundation for and which we have inherited.

I will tell hon. members a story about something that happened recently. I relate to people. There are people who have a vision for the country. Many people have prayed for the future of Canada and believe it has a future and a destiny among nations. I was with a group of such people on the west coast on Canada Day, 1995. There was a gathering of people in Whistler to pray for the nation. I am sure hon. members would agree there are a number of issues on which we need the wisdom of the Almighty.

During the course of the gathering an aboriginal woman shared an interesting experience with us. She had been praying by a river in

British Columbia. As she was praying she saw in her mind a vision of a great flag flying over the river. The leaf dropped off the flag, floated down and landed in the river. As it hit the river the waters were cleansed. As the waters of the Skeena River flowed down into the Thompson and from the Thompson into the Fraser, people ran to the waters and were cleansed. As the waters flowed down the Fraser to the coast people ran to the waters and were cleansed, and as the waters washed up on the shore the land began to be cleansed.

It was a very interesting vision because in the good book the Book of Revelation says the leaves from the tree of life would be for the healing of the nations. There are people who believe Canada may have a role in the healing of the nations. We like to think our country has a role as a peacemaker among the nations. We like to think we have an impact on our fellow nations during conflicts. We have a lot of discussions in the House about how we might accomplish that.

We ought to remember that the leaf a powerful symbol. As far as I know Canada is the only nation with a leaf on its flag.

I would join with my hon. colleagues in calling on all members of the House to support the motion. It is right that we should respect this symbol. It is a symbol of our national identity and our pride in our heritage. We ought to treat it as such.

Mr. Leon Benoit: Mr. Speaker, I find myself in an awkward and difficult situation. I asked for my motion to be made votable so it could go to a committee where appropriate form could be put in place and it could be instituted into law. However unanimous consent was denied.

The motion is as innocuous as it could possibly be. It proposes:

That a legislative committee of this House be instructed to prepare and bring in a bill, in accordance with Standing Order 68(4)(b), which would make it a criminal offence to wilfully desecrate the Canadian flag.

In spite of this the only member of the governing party who spoke to the motion, the parliamentary secretary to the justice minister and hon. member for Northumberland, stood and said the flag represents the fundamental values of our country but we should not do anything about it. It seems the government believes there is no place for values in law or in the House. Many of the laws presented by the government reflect that.

It is disappointing that resistance to the idea of allowing values to guide law in this place is leading members of the governing party to deny unanimous consent to my motion. I find myself in an awkward situation. I will ask for unanimous consent once again a little later. I hope the members of the governing party who denied unanimous consent the last time will reconsider.

I would remind the government of a time a month ago when one of its own members asked for unanimous consent to make a private members' bill votable that would have recognized Canadian forces day. It was not made votable by the private members' committee so he asked for it to be made votable in the House.

Adjournment Debate

A member of the opposition denied unanimous consent. He said he would be happy to vote for the motion if the government provided unanimous consent for his own patriotic motion which would have had parliament recommend two minutes of silence on Remembrance Day. Members of the government and another opposition party railed against the hon. opposition member for denying unanimous consent to an innocuous and important motion that would have recognized Canadian forces day. The important motion of the opposition member regarding two minutes of silence on Remembrance Day was also denied.

Today we are debating my motion. The government has spoken against it. It says it is important but it does not want to do anything about it. The only argument I heard was that it would somehow go against the charter of rights and freedoms. That is total and utter nonsense. It is an absolutely nonsensical argument.

I am therefore in an awkward situation because I am tempted to threaten any member who speaks out and denies unanimous consent. I am tempted to make that kind of threat because it seems unfair that government members would show so little respect for this place by denying my motion unanimous consent.

However I will not do that. I will instead ask all members in the House, particularly members opposite who do not support my motion, to at least recognize the importance of respecting democracy and allow the motion to be debated in the House and voted on. That way all members in the House could decide whether or not they wanted to support it.

I ask members to be reasonable and grant unanimous consent for the motion to be made votable.

• (1825)

The Acting Speaker (Mr. Bélair): Is there unanimous consent to make this item a votable item?

Some hon. members: Agreed.

Some hon. members: No.

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

ADJOURNMENT DEBATE

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

[English]

FISHERIES

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, one of the things that perturbs me perhaps more so than having a motion rejected that deals with the Canadian flag as we just saw happen, is debating an issue which I raised in question period, receiving an answer I was not satisfied with, and wanting to debate the issue with the minister involved.

However, evening after evening, with few exceptions, the ministers involved send in the parliamentary secretary with a prepared statement. It does not matter what I say about the question I raised. It does not matter whether I emphasize that I was not satisfied with the answer, or whether I talk about the rain tomorrow and how it will affect fish. I will get the same answer. When I asked the minister the question his response did not satisfy me, not to the limit of how far he went but more so in what he did not say in contribution to my question.

I was talking about the Russian boat that was arrested and brought into St. John's. It was determined that the boat contained a tremendous amount of product that was undersize. We obtained a copy of the manifest from the boat long before the minister did. By carefully scrutinizing the manifest we could see that there were all kinds of possible infractions staring us in the face.

The minister and his department quite often look at the manifest. It is like individuals stopping at customs coming across the border, being asked what they have to declare and answering they have nothing to declare because it is all on the form. In the meantime their trunk and suitcase is full of contraband.

The boats come into port having caught fish perhaps 30 or 60 days before landing, having processed the product and stored it in a frozen state where it would be impossible to tell what we are dealing with anyway, and flashing the manifest. We thank them and say they have done everything in accordance with the law. We ask them to unload, send their product back home and sail again. That is not good enough because we have seen evidence now of blatant abuses.

The minister in responding said NAFO regulations were followed. If we accept the manifest then he is right. The problem is that the NAFO regulations are wrong when we let people catch species like redfish the size of one's thumb using illegal gear to do it, when catching species that are not supposed to be caught at all because they are under moratorium and when the manifest clearly shows that they caught a lot more than they were supposed to.

If the regulations are wrong, no one has a better chance to do something about it than the minister of fisheries, who today rejected a clear cut decision and direction given to him by the committee. I am not sure what the member will say in response but I look forward to it.

• (1830)

[Translation]

Mr. André Harvey (Parliamentary Secretary to the Minister of Transport, Lib.): Mr. Speaker, I would like to thank my colleague, the hon. member for St. John's West, for his interest in foreign overfishing.

I am aware that the people of Newfoundland and Labrador are very concerned about this issue. Personally, even though I am not assigned to this department, I am pleased to speak on behalf of the Minister of Fisheries and Oceans and also on behalf of his very available parliamentary secretary, the hon. member for Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, both of whom are working very hard together on this issue.

Adjournment Debate

I had the opportunity just this afternoon to read an article in *Québec Science* that referred to the drastic decline in fish stocks off our coasts. The cod stocks dropped from between 40,000 and 100,000 tonnes per year to 6,000 or 7,000 tonnes.

With respect to foreign fishers' lack of compliance with NAFO regulations, I am happy to have the opportunity to talk about this issue. I would like to ensure my colleague that this is an issue that is being taken very seriously by the government.

Indeed, there have been orders to close the ports to foreign fleets, including the Estonian fleet, because it did not respect NAFO conservation regulations and measures.

We also take into account the fact that the Russian authorities have decided to cancel for the rest of the year the licence allowing the *Olga* to fish in the NAFO regulated area. We will investigate further the activities of this vessel.

Canada will not tolerate intentional violations of NAFO quotas and regulations by these fleets. DFO officials will continue to monitor fishing activities in the NAFO regulated area to ensure compliance.

However, as far as Russian trawler *Tynda* is concerned, the situation is different. So far, no violation to Canadian or NAFO regulations have been observed. Moreover, the *Tynda's* manifest, which was reproduced in the *Telegram*, contained absolutely no indication of any illegal activity.

At present, there is no restriction on the minimum size of redfish, which is the main species captured by the *Tynda*. Redfish in the southern part of the Grand Banks are 19 to 28 centimetres long and weight between 100 and 200 grams. This tallies with the *Tynda's* manifest. The size of the fish found on this vessel is not unusual for this species.

In the case of many fisheries, the fish are small. The 30 redfish caught by all fishing fleets, including the Canadian one, both in Canadian waters and beyond, were usually very small. We always take into account the small size of species such as this one when we conduct a scientific assessment of the stocks. In the case of the *Tynda*, the fish landings fully complied with Canadian legislation and with NAFO's conservation measures.

As for the other species caught by the *Tynda*, including the cod south of the Grand Banks or the 3N0 cod, for which a moratorium is currently in effect, a 5% bycatch is authorized, in compliance with NAFO's conservation measures.

The bycatch caught by this ship was well below this limit. Again, this ship did not do anything illegal. It was not involved in any illegal fishing activity.

Canadians put their trust the Department of Fisheries and Oceans when it comes to managing the resource on their behalf, and to manage it in a responsible way, while keeping in mind the needs of future generations.

In the meantime, I can assure hon. members that officials from the Department of Fisheries and Oceans will continue to closely monitor and evaluate the fishing activities of all the fleets and, if necessary, they will take appropriate measures. They will continue to use the

means available to them to put an end to overfishing beyond Canada's 200 mile limit.

● (1835)

Mr. Loyola Hearn: Mr. Speaker, I want to thank the member for Chicoutimi—Le Fjord. Maybe he should go talk to the Newfoundland fishermen.

[*English*]

If he came to Newfoundland and talked with the fishermen or with anyone involved, they would tell him. I am reminded of the words of the old Johnny Horton song:

It's the same old tale that the crow told me
Way down yonder by the sycamore tree

This is the same story that we hear over and over, that there is nothing wrong. No wonder our resources are being raped over and over when the government says there is nothing wrong. The circumstantial evidence surrounding that manifest was enough to take all the Russian boats out of there and send them home for good. All we look at is a manifest without analyzing and say that yes, everything is okay and off we go.

It is unfortunate. The minister has a great opportunity to make a name for himself, do what is right for Canada, and he has blown it.

[*Translation*]

Mr. André Harvey: Mr. Speaker, I want to stress that I had the opportunity to visit Newfoundland and I saw some absolutely magnificent and unique regions of that province. I remember Port-aux-Basques and the capital, St. John's, which is an extraordinary place.

I want to tell my colleague that the department is very closely monitoring the whole issue of fish stocks, and especially the question of fishing by foreign vessels. We already have serious problems along our shores. Therefore, we are perfectly aware of the problem. I am sure the minister and his parliamentary secretary, who is very concerned about the situation, will handle this with utmost care.

I thank my colleague for having raised the question here tonight.

GOVERNMENT CONTRACTS

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, I suppose that I will be addressing the Parliamentary Secretary to the Minister of Public Works and Government Services this evening.

I would simply remind him that on June 5, I asked his hon. minister a question about the now famous CD-ROM-Dessins animés. From what I can see, this is a small company which applied for grants in two separate years. In one year, it asked for \$450,000; it received \$550,000. God is therefore good, particularly when one has friends like Groupaction or Groupe Everest. The following year, however, it asked for \$125,000 and that is what it got.

But in addition to this amount, an amount of \$319,495 was also paid for professional services, an amount which I could not figure out. I naturally asked the minister about it. In fact, \$675,000 in grants were received by this small company, CD-ROM-Dessins animés, but a total of \$1,296,000 was paid out. And yes, the middleman was indeed Groupaction and it took its 12% cut.

Adjournment Debate

I am a bit disappointed. The minister replied that there was no problem, that I could ask to have the question put on the order paper, which is what we are doing this evening, and that the information would be provided.

I see that the parliamentary secretary to the minister is here, however. Not that I do not like him, or that he is not a good assistant; on the contrary he is an excellent one. He will do here what he has done in committees since January, in sessions of the standing committees on transport, and on government operations and estimates.

I asked him to call before the committee John Grant, former minister Alfonso Gagliano, Mr. Desgens, Mr. Brault and Ms. Donnelly of Groupaction. The hon. member for Chicoutimi—Le Fjord and he totally lost it. To put a lid on it, they took advantage of their government majority in committee to prohibit any of these people from appearing.

I also wanted to have Michèle Tremblay come. This is a person who received astronomical benefits. According to the former minister, he who has sought refuge in Denmark, she alone received \$10 million in fees in the past few years. This he said in a statement on television to a reporter, Mr. Bureau.

I am somewhat disappointed to see that this parliamentary secretary is the one with the job of putting the lid back on, hushing everything up, providing no explanations. Unfortunately, that is what we are going to have to deal with. I am speaking before him, and I know we will learn nothing from him.

I would like to hear from him who got the \$319,495 in professional fees here? Who got this stupendous amount? An amount of \$125,000 was asked for, and \$544,000 received.

I will break it down for hon. members: \$15,000 or 12% of \$125,000 to Groupaction; \$3,750 to Media IDA Vision just to write a cheque for \$125,000, not a bad deal that; a subcontract of \$80,237, although Mr. St-Pierre says he never did any subcontracting, and \$319,495 in fees. Finally, there is a \$80 travel claim. Scandalous. I would like an answer on this.

•(1840)

[English]

Mr. Paul Szabo (Parliamentary Secretary to the Minister of Public Works and Government Services, Lib.): Mr. Speaker, I hope that the member will take the opportunity in his final minute to correct the record. We did not turn down the request in committee to see people but in fact the committee voted unanimously to table that until the auditor general's report was complete and the member agreed. I hope the member will take the opportunity to correct this information.

The hon. member being in opposition has the liberty to make whatever statements he feels are important. However, when one is in government one has to be accountable, show prudence and good judgment with regard to matters. The government is not at liberty to discuss this matter because it has been referred to the RCMP. It would not be appropriate to make further comment on those items while consideration of an investigation is underway, simply not to jeopardize it.

I can comment on the broader issues. Here are the facts. Contrary to the allegations this is not a recent issue. We are dealing with contracts and files between 1997 and the year 2000. The difficulties that we are finding now in those files were identified in an internal audit which was started or commissioned by the department itself. Corrective action was taken.

The auditor general said, with regard to the quality of the report, that the internal audit section of public works was excellent and courageous. A subsequent internal audit was commissioned to ensure that those corrective measures that were specified were implemented and indeed they have been.

Let there be no question, mistakes have been made. Our job is to correct the situation so that we do not have these problems occurring ever again. If we find administrative problems they will be corrected. If there is any evidence of overpayment, we will recover the moneys. If there are legal questions they will and have been, where necessary, referred to the appropriate authorities such as the RCMP.

Today we have public works doing its own review of the 700 files between 1997-2000. The auditor general is doing her own independent review of those same files. The public accounts committee has commenced its own investigation on related matters. Treasury Board is looking at the management framework and the governance system.

To go forward we do need a better system. Many members have said, including the BQ members, that they like the sponsorship program but they are a little concerned about the method of delivery of support. We agree that the delivery system of using outside firms may not be the best way to do it. We are looking to change it. This is what we will correct in the future.

•(1845)

[Translation]

Mr. Ghislain Lebel: Mr. Speaker, the parliamentary secretary's answer is exactly what I expected. We have before us the most corrupt government in the history of Canada's parliament, since 1867, but it has a strong majority. It put the lid on its mess very tightly, and now it is sitting on it, to prevent it from going public.

That is what the government is doing right now. It is afraid of authorizing a public inquiry because there are members of this government who will get caught red-handed.

An inquiry is what we have been calling for from the beginning. To recap quickly, for folding up little posters with the Canadian flag for the Salon du grand air de Chicoutimi, the bill was \$318,000, with a \$38,000 commission; for the Salon du grand air à Rimouski—all that had to be done was to cross the river with the bags—, the bill was \$318,000; for the same thing at the Salon du grand air de Montréal, the cost was \$739,000.

This continued in Sherbrooke, Chicoutimi and Trois-Rivières. All told, \$2 million was spent. They took their share of this, and some money was donated to the Liberal Party of Canada. That is the scandal, that is the shame.

Adjournment Debate

[English]

Mr. Paul Szabo: Mr. Speaker, I would remind the hon. member that when the auditor general did her review with regard to the Groupaction files she found and reported that two senior public servants had not followed the Financial Administration Act and the matter has been referred to the RCMP. Nowhere in that report does it refer to government wrongdoing or the government. I want to put that on the record.

I would also like to indicate that within the sponsorship program in the periods that we are talking of in the last year, of the 564 applications that were received from Quebec, 60% were approved. It had 60% of the applications and 50% of the money from that program. The reason is that Quebecers want the presence of Canada back in Quebec.

THE ENVIRONMENT

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, when the Canada-Ontario Great Lakes agreement was signed in 1994, Canada and Ontario were to share responsibility on the Canadian side to restore, protect and sustain the world's largest freshwater ecosystem, namely the Great Lakes Basin.

Working together the governments were first, to continue jointly to restore degraded areas as identified by the International Joint Commission. One must say that according to a 1999 progress report by Environment Canada, only 60% of the actions necessary to restore the areas of concern has been implemented.

Second, the governments were also to prevent and control pollution with an emphasis on the virtual elimination of persistent toxic substances and a significant reduction of other pollutants. The same 1999 Environment Canada progress report stated that considerable progress had been made in reducing toxins within the Great Lakes but the report did not quantify in percentage terms the achievements made.

Finally the governments were to conserve and protect human and ecosystem health, including people, wildlife, land, air and water. The same 1999 progress report stated:

Considerable advances have been made toward achieving targets related to the conservation of habitat, the protection of ecologically valuable lands, and the management of land and water.

However the specifics of the progress are vague and the report calls for the development of new policies and science.

In July 2000, the 1994 Canada-Ontario agreement lapsed. It is worth noting that a recent report by a non-government organization located in southwestern Ontario called Great Lakes United commented that "decisions are made without taking into account the cumulative and long term impact" of industrial and agricultural activities on the Great Lakes Basin.

In view of the fact that the Canada-Ontario agreement is meant to tackle these problems, a new agreement is needed. After lengthy negotiations, the 2001 Canada-Ontario agreement was signed in March of this year, yet the details have not been made public.

Considering the importance of this freshwater ecosystem, can the Parliamentary Secretary to the Minister of the Environment or her representative inform the public and the House as to: first the

objectives and details of the new agreement; second, the allocation of funds from both the provincial and federal governments; third, whether we can expect the new agreement to continue to build upon the objectives of the 1994 agreement; and finally the duration of the new agreement?

• (1850)

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, on behalf of the Minister of the Environment and the Parliamentary Secretary to the Minister of the Environment, it gives me great pleasure to respond to the question from the distinguished member for Davenport.

I am pleased to report that today the Minister of the Environment along with the Ontario minister of environment and energy made an official announcement about the finalized Canada-Ontario agreement respecting the Great Lakes basin ecosystem. The agreement was signed in March 2002.

During the period of negotiation on the agreement and through to its official announcement today, ongoing work on the Great Lakes has continued apace. The public has been aware that an agreement was to be announced shortly. In fact a draft of the COA was made available to the public for comment in the fall of 2001. The draft agreement has been available on Environment Canada's website since that time.

The delay in announcing the final COA was due to scheduling difficulties between the two governments but I can assure everyone that the implementation of this agreement is under way. The governments of Canada and Ontario share a common interest in rehabilitating, protecting and conserving the Great Lakes basin ecosystem.

The 2002 Canada-Ontario agreement is a successful model of federal-provincial co-operation which recognizes the shared jurisdiction surrounding many of the issues faced within the Great Lakes basin. It establishes common goals and results. It co-ordinates actions to eliminate overlap and duplication and optimizes the use of resources for maximum results.

Previous Canada-Ontario agreements have enabled us to achieve significant progress toward our shared vision of a healthy, prosperous and sustainable Great Lakes basin for present and future generations. We have reduced the levels of many pollutants, improved water quality and restored species and their habitats.

The 2002 agreement will enable us to continue to make progress on priority issues. The agreement recognizes the need to continue to tackle the most pressing issue, the cleanup of the 16 remaining Canadian areas of concern, while also addressing broader issues such as binational management on a lake by lake basis and the reduction of harmful pollutants.

Signatories to the agreement are the federal ministers of agriculture and agri-food, the environment, fisheries and oceans, health, heritage, natural resources, public works and government services and transport and the provincial ministers of agriculture, food and rural affairs, the environment and natural resources.

Adjournment Debate

At the outset of negotiating the Canada-Ontario agreement, the Government of Canada demonstrated its continuing commitment and leadership by announcing an additional \$40 million specifically for the cleanup of areas of concern. At the conclusion of negotiations, Ontario announced \$50 million for work on areas of concern and other Great Lakes management issues. While these resources are allowing us to accelerate actions, the governments of Canada and Ontario recognize that it is going to take considerable time, effort and resources to achieve the goal of a healthy, prosperous and sustainable Great Lakes Basin ecosystem.

Both governments have made a commitment to undertake ongoing public consultations and report back regularly on both the state of the Great Lakes basin ecosystem and the government progress on commitments under the COA. The efforts of the Government of Canada and Ontario alone cannot achieve the vision of a healthy, prosperous and sustainable Great Lakes basin. The engagement and efforts of all levels of government, the private sector, community groups and individuals are required.

• (1855)

Hon. Charles Caccia: Mr. Speaker, I would like to thank the parliamentary secretary for his immediate response and for being so efficient in making things happen on the same day that this matter would be raised in the House. If I understood him correctly, the federal contribution for cleanups will be \$40 million and the Ontario contribution will be \$15 million, for a total of \$55 million.

Perhaps it would be appropriate at this stage for me to ask the parliamentary secretary whether he could indicate the duration of this agreement. Over what period of time is the allocation of funds to be distributed? Is it a one year agreement, a two year agreement or

longer? Has there been any interruption in the implementation of this plan?

Mr. Geoff Regan: Mr. Speaker, I do not have the answers to those specific questions. I am sure the member will have an opportunity to speak to the minister directly or we can discuss it when we are finished here. I can tell him a little more about the agreements.

For the past 30 years Canada-Ontario agreements have guided Canada and Ontario in efforts to improve the environmental quality of the Great Lakes basin ecosystem. The 2002 agreement spells out exactly what the two governments plan to accomplish over the next five years.

Specifically, the government addresses the most pressing problems in the Great Lakes, including the cleanup of the remaining areas of concern; the implementation of a series of binational lake-wide management plans to address problems unique to each of the Great Lakes; the virtual elimination and significant reduction of harmful pollutants within the basin; and improvement in monitoring and information management.

I believe the 2002 agreement is the most comprehensive agreement to date. I am proud that Canada and Ontario have renewed their commitment to restore and protect the world's largest freshwater ecosystem, the Great Lakes basin.

[*Translation*]

The Acting Speaker (Mr. Bélair): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24.

(The House adjourned at 6.58 p.m.)

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