



CANADA

House of Commons Debates

VOLUME 138 • NUMBER 124 • 2nd SESSION • 37th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Monday, September 22, 2003

—

Speaker: The Honourable Peter Milliken

CONTENTS

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

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

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

HOUSE OF COMMONS

Monday, September 22, 2003

The House met at 11 a.m.

Prayers

• (1105)

[*English*]

BUSINESS OF THE HOUSE

The Speaker: It is my duty pursuant to Standing Order 81(14) to inform the House that the motion to be considered tomorrow during the consideration of the business of supply is as follows:

That, in the opinion of the House the Prime Minister should convene and lead a multi-party delegation, including representatives of the industry, to Washington at the earliest possible date to discuss with officials of the Congress and the Government of the United States all possible means to fully reopen the U.S. border to shipments of Canadian livestock.

This motion, standing in the name of the hon. member for Perth—Middlesex, is votable.

[*Translation*]

Copies of the motion are available on the table.

PRIVATE MEMBERS' BUSINESS

[*English*]

FAMILY SUPPLEMENT

The House resumed from April 30 consideration of the motion.

Hon. Maria Minna (Beaches—East York, Lib.): Mr. Speaker, it is a pleasure to rise and to fully support the motion this morning.

The family supplement was brought in to replace the old UI dependency provision and to better target and improve benefits for unemployed parents in low income families.

The EI family supplement provides additional financial support by topping up the basic EI benefit rate. This means that claimants who qualify can receive up to 80% of their insurable earnings instead of the regular 55% level.

Last year's EI monitoring and assessment report found that the family supplement was more effective at targeting benefits to low income families than the old UI approach, but it has also found that the number of EI family supplement recipients is declining.

For example, the report shows that in 2000-01 family supplement claims represented 10.7% of all EI claims. That was down from 11.4% the year earlier.

The average weekly benefit in 2000-01 increased from \$254 to \$255 but because the number of claimants went down, total payments under the EI family supplement declined by 2.3%, to \$157.4 million. No doubt some of this reduction is due to the good economy and the fact that more people are working. However we must continue to ensure that all families living in low income situations can benefit from this important supplement.

For example, when we look at the experience of the national child benefit supplement we see the number of children qualifying as living in low income families, as defined by the Canada child tax benefit, is going up.

Data presented in last year's national child benefit progress report showed that the number of children receiving the NCB supplement because they live in low income under the Canada child tax benefit criteria actually went up by over 90,000 in 2000-01.

In other words, according the national child benefit supplement criteria, many more children were living in low income circumstances during the same period that fewer families were qualifying for support under the EI family supplement.

This apparent disconnect raises a number of questions.

Is the difference occurring because the qualifying income level for the NCB supplement is indexed but the EI family supplement is not?

Is the EI threshold income level that was set in 1996 too low?

Does it mean that families who need extra help from the EI family supplement no longer qualify?

Or, is the EI family supplement still meeting the needs of those it was designed to meet in 1996?

The EI family supplement is an integral element of the overall EI system. Granted, we must also look at any proposals for change in terms of their impact on the rest of the system.

Private Members' Business

For example, there is the question of how to index the family supplement. The motion proposes that this be done by linking it to the cost of living, which I believe is a very reasonable solution to ensure that all Canadian families and their children in low income situations can benefit from the temporary support of this important supplement if a member of the family suffers a job loss through no fault of their own.

However I am certain that these questions will be resolved once a bill is presented. This motion represents a first step to seek all parliamentarians' support on this important issue.

The government has a long track record of support for women. Doubling EI parental leave from six months to a year helps a lot of working women. Eighty-eight per cent of parent benefit claims in 2001-02 were women, for example.

EI reform in 1996 introduced provisions that better reflected the changing labour market and recognized that working families and, in particular, women who work part time, contribute enormously to Canadian society and the labour force. Employment growth for women continues to rise. Over 80% of women between 24 and 54 years of age were in the labour force in 2002, and women's unemployment rate has consistently stayed below that of men.

Clearly, claimants with children who work part time, possibly in lower paying jobs, and are eligible for EI may only have limited income, and that is why the family supplement is there. It only make sense that it, like the Canadian child tax benefit, should be indexed to inflation.

• (1110)

Old age security benefits and Canada pension plan benefits are indexed and, thankfully, this helps our seniors. The family supplement should also be indexed.

I thank the member for Ahuntsic for bringing this motion forward and for giving us the opportunity to examine the family supplement to better support working families with children.

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, I am pleased to rise on this topic today. It is my first opportunity to speak to a topic pertaining to my new portfolio as chief critic of HRDC. It is pleasing to have the chance to show our support for this resolution and to thank the member for bringing it forward.

We in the Canadian Alliance believe very strongly that the programs we offer through HRDC are important ones. They offer support to those citizens who are less fortunate, those who have been placed in a situation where they and their families are dependent on these programs for support, although we hope temporarily. However that remains a significant problem today in Canada as unemployment rates are on the increase and as, unfortunately, a growing number of families find themselves needing to use these programs to sustain some reasonable level of income and standard of living for themselves and their children.

What the motion is designed to do, as was mentioned by the previous speaker, is index the family supplement to the cost of living in the next federal budget. Though we are curious as to why this should not be done on a regular basis, on a statutory basis, we do

support the intent of the motion. It is in keeping with the recommendations the member has made but, more important, from my standpoint it is in keeping with Canadian Alliance policies as to fair taxation and the fair structuring of benefits that will support families.

Right now the family supplement is paid to EI recipients who are in low income families. That means families making less than \$25,921, families with children and those who receive the child tax benefit.

Canadians may not be aware of this but recipients of the family supplement have an EI benefit rate of 80% of their insurable earnings instead of the 55% that most claimants are paid. Persons receiving the family supplement are subject to a maximum weekly benefit of \$413, as are all other claimants.

That being said, according to the 2001 monitoring assessment report, about 11% of all EI claims receive higher weekly benefits because of the family supplement. With the family supplement not being indexed to inflation, we are eroding those recipients' ability to support their families and themselves at the level that they previously could. Obviously this is sort of similar to the old bracket creep problem that we had under this government for many years whereby people were thrust into higher income tax situations even though their purchasing power was not going up.

It is logical and it seems fair that we take into account the impact of reduced purchasing power on a level dollar for Canadian families and that we index according to the levels that the member has recommended in her proposal.

I will cite some statistics here. In 2000-01 the number of claims that included the family supplement declined by 4% and total payments declined by 2.3% over the previous reporting period, but the fact remains that most other federal programs, their requirements, their payments, are already indexed to inflation, including the child tax benefit.

What the member is proposing is not a costly proposal. We believe it would direct around \$7 million for the first full fiscal year of implementation to those in Canada who are most in need. When one considers that in the context of the current situation with regard to EI, particularly since the previous finance minister took away the arm's length rate setting mechanisms for EI, we have a situation where working Canadians and employers are being asked to submit billions of dollars more than is necessary to sustain the EI program. We are taking money away from some of the working poor, particularly the lower income people who suffer as a consequence of higher EI premiums. Yet, under the previous finance minister, we removed the arm's length mechanisms for setting those rates and gave them to the political masters of our country.

Private Members' Business

•(1115)

What they have done is maintained a higher than necessary rate for working Canadian men and women and for employers. It is a shell game. It takes billions of dollars more out of the pockets of working people, puts it in the hands of the government, which it can use it out of general revenue for anything it wishes. I would suggest this slush fund is a worthwhile place from which to take \$7 million. It is a worthwhile place and a very defensible way in which to use the money that has been taken from these people, many of whom were paying into the EI program for years before needing these benefits. This is a worthwhile reciprocation of the trust they showed in the program when they paid into it to now offer them fair compensation based on and reflective of the rate of inflation.

Just to use an example, in 2002 and 2003 the total cost for the EI program, that is the expenditures under it, were estimated to be about \$16.6 billion and total revenues were \$19.6 billion. Therefore it follows that there was a surplus in that year alone of \$3 billion. The accumulated surplus in the EI account projected for this fiscal year end is an unbelievable \$45.6 billion.

We all understand there needs to be a reserve for higher unemployment demands that may occur, in particular under the management of this government it is necessary to have a reserve in that account, but the Chief Actuary of Canada says that a sufficient reserve would be in the area of \$10 billion to \$15 billion.

What about the other \$30 billion or \$35 billion that has been taken from working people across Canada on the basis that it would be required for EI program expenditures? That is not the case nor has it been the case for years. The reality is that for 2003-04 the finance minister has projected that \$2.5 billion will come out of working Canadians' pockets to be given to the government.

This is a \$7 million proposal and a very good one. Based on the context of our policies, which require that the taxation system and the benefit structures of the country be fair, we believe this is a very good proposal with a tremendous amount of merit and we support it.

Just to conclude I would like to allude briefly to some other issues that we will be advancing that we think are critical regarding EI in a broader context. We in the Alliance believe that the premiums for EI should be set by an independent commission, not by the politicians in the country, and they should be based on the recommendations of the Chief Actuary. The Chief Actuary's recommendations have been ignored by the previous finance minister and, as a result, to his advantage, I suppose, strategically some might say, he has built this giant slush fund that makes him look good, but at what price to Canadian working people?

Second, we would want to see a separate hard reserve established that would ensure the payment of benefits in difficult times.

Third, employer premiums should be experience rated so that employers who have a record of fewer layoffs than other employers in the same sector would pay lower premiums.

Finally, we believe that the frequency of maternity leave and sickness leave will not affect employer premiums.

We think those are compassionate proposals. We believe they will help the most deserving and the most needy among our population.

We believe they are constructive and, in the context of today's discussion and this proposal, as one aspect of these larger proposals, we ask other members of the House to support the Canadian Alliance and support the member's resolution. We believe this will be well received by the Canadian people.

•(1120)

[*Translation*]

Mrs. Suzanne Tremblay (Rimouski—Neigette-et-la Mitis, BQ): Mr. Speaker, I am very happy to speak this morning in the debate on Motion No.395 brought forward by my hon. colleague for Ahuntsic. The motion reads as follows:

That, in the opinion of this House, the government should index the family supplement to the cost of living in the next Federal Budget.

First, I will remind the House and our listeners that last spring, in a previous hour of debate on this motion, the hon. member for Lac-Saint-Jean—Saguenay clearly expressed the position of the Bloc Québécois, which I shall summarize.

The Bloc Québécois supports Motion M-395. As my party's critic on this subject, I have recommended that my colleagues vote in favour of this motion, as did my hon. colleague for Lac-Saint-Jean—Saguenay in the spring when he replaced me on this issue during my long absence.

I should like to take this opportunity, if I may, to express my special thanks to the hon. members for Lac-Saint-Jean—Saguenay and for Laurentides, who shared my duties in addition to their own heavy workloads.

Getting back to the motion and the Bloc Québécois position on it, the members of the Bloc should vote in favour of this motion, because it is important that all the various programs which support families be indexed to the cost of living.

Clearly, if the amount of money destined for families is not indexed to the cost of living, some families will become poorer.

It is also important to remember that the family supplement is paid to low-income families. Most of our fellow citizens would agree that these families suffer the most from cost of living increases. Indexing the family supplement should be an obvious step.

The Bloc Québécois still has reservations, however, about some of the measures affected by the motion. For example, several aspects of the family supplement, a federal program, unfortunately infringe on Quebec's jurisdiction.

That is why Quebec has obtained a right to opt out with financial compensation with respect to some of these programs.

Private Members' Business

And if this motion were to be taken up in the next budget, I would ask the hon. member for Ahuntsic to be particularly vigilant to ensure that her government also transfers an amount equivalent to the cost of living indexing on amounts transferred to Quebec under the agreement on the right to opt out with financial compensation.

Finally, the Bloc Québécois would have liked the motion for cost of living indexing to go beyond the next federal budget and for this provision to be added to family supplement legislation to make indexing automatic.

Let us look at the list of programs that, at first glance, could be affected by this motion.

There is the Canada Child Tax Benefit, with two types of benefits going directly to families: the National Child Benefit and the Child Disability Benefit.

In the case of the National Child Benefit, the Government of Quebec signed an agreement with the federal government giving it the right to opt out with compensation for this benefit. The Government of Quebec pays the benefit rather than the federal government.

The Child Disability Benefit is a new program that came into effect in July 2003. The federal government says that it will work together with the provinces and territories to implement this program. We hope the government will keep this promise and uphold the jurisdictions of each level of government.

The Early Childhood Development Initiative is another type of program. This initiative is based on the September 2000 agreement promising Quebec it could opt out with compensation.

● (1125)

First, there are early learning programs, which are also available to first nations children on reserves.

The Early Childhood Development Initiative includes daycare programs. Discussions are underway with Quebec, among others, to reach an agreement on this. Once they are finalized, the provisions relating to Quebec and first nations children on reserves will be made public.

Given that Quebec and the provinces have jurisdiction over early childhood development—since it is essentially the foundation for education—this is consequently and unquestionably an area over which Quebec, the provinces and the territories have jurisdiction. The federal government must therefore conclude agreements so as not to infringe on jurisdictions that are not its own.

There is a third type of program, which is the child-centred family justice strategy. This totally new program is being administered by the Minister of Justice. Its primary aim is to assist children during the separation or divorce of their parents. This is therefore a program which falls fully under federal jurisdiction, and we recognize this.

Finally, I want to thank the hon. member for Ahuntsic for moving this motion in the House, and I want to express two wishes. First, I hope that the future prime minister of Canada will be as sensitive to the needs of young children and their families—primarily those most in need—as he is with regard to the rich, tax havens and major businesses that have given him the millions of dollars required to

buy him the position he has long coveted. His sensitivity must be followed by action in the next budget, since the current Minister of Finance has stated that the prime minister's guidance is essential to drafting a budget. This explains the government's current inability to make any budget-related decisions.

My second wish directly relates to the responsibility of the hon. member. Since she represents a Quebec riding, she is, to a certain extent, morally and socially responsible for representing the consensus of Quebecers. Therefore, she must ensure—and I hope that she will re-read my speech since she is doing something else while I talk—that the federal government signs agreements with the Quebec government guaranteeing that its jurisdiction will be respected and that it can opt out with financial compensation as it wishes and as promised.

[English]

Mr. John Herron (Fundy—Royal, PC): Mr. Speaker, it is my privilege to enter some remarks on this motion on behalf of the Progressive Conservative Party of Canada. The motion is indeed immensely flexible and is moderate in nature. I think it is a motion that all members of the House should be very comfortable in supporting.

The motion reads:

That, in the opinion of this House, the government should index the family supplement to the cost of living in the next Federal Budget.

One could even argue that this should be done in all future budgets to ensure that the intent and the value of this particular supplement is there for Canadians in the way in which it was designed in the first place.

Members likely are aware that some EI claimants with children can get more money because of the family supplement. Employment insurance's family supplement provides additional benefits to low income families with children by providing them, in some cases, with up to 80% of their weekly earnings instead of the usual 55% of earnings for most recipients. The amount of the family supplement depends on family income and the number and ages of the children in the family. In 1999 and in 2000, the last year for which we have statistics on this particular program, 195,000 families received the family supplement.

To be eligible, an individual, spouse or common law partner must receive the Canada child tax benefit and the annual family income must not be more than \$25,921. That is a very paltry amount of money. The intent of this program really is to try to help those low income families who indeed need a hand up. To ensure the effectiveness of the program, it seems only logical that the supplement be indexed to the cost of living. Otherwise, the families are not receiving the full benefit of the program.

The motion calls upon the government to review this essential program by indexing the family supplement to the cost of living. As the mover of the motion pointed out, it has been six years since the family supplement was established and it would seem only reasonable that a review be performed to determine whether changes like the introduction of indexing are in fact required.

Private Members' Business

The program targets individuals in need. It is geared primarily to women and children in low income families. I will point out the issue with respect to women, if I may. Figures from 2001 and 2002 indicate that \$175 million was paid in family supplement benefits to a total of approximately 187,000 recipients, of which 134,000 were women. It is a point of fact that 16% of Canadians are one parent families. This initiative really does speak to the progressive nature of the country, if I dare say it, the progressive and liberal nature of the country, to ensure that we give those individuals a hand up where it is indeed needed. Families that are already in desperate situations with one or both parents out of work and collecting employment insurance need this extra benefit.

The motion asks the government to index the family supplement to the inflation level. I support the motion on behalf of the Progressive Conservative Party of Canada because if we examine family incomes we see that the income ceiling for receiving the family supplement has been frozen at \$26,000 for over the last six years since its inception in 1996. Inflation is eating away at the family supplement. Unless we index it, we are taking away from the maximum assistance the program could be providing. Inflation erodes support payments, which have not changed in nominal terms. I think every party that supported this initiative at second reading should indeed go down that track as we move forward at this stage of the debate in this process.

I would like to add that there are some other initiatives the Government of Canada should be using, which would really follow and dovetail with the efforts of the hon. member who has moved this very constructive motion. I believe we should increase the basic personal exemption in order to take these individuals, those Canadians earning the lowest incomes, off the tax rolls altogether.

• (1130)

In our platform, which we tabled before Canadians in November 2000, we advocated that the basic personal exemption be raised to \$12,000. That would ensure that not a nickel, not a dollar of tax, would be collected from a family earning \$24,000. Even in a one parent family situation, the equivalent of spouse could be claimed. That would be the threshold at which it would begin.

In the debate on the motion we are discussing now, it could possibly become irrelevant from that one initiative but it is possible for us to dovetail the efforts in that regard.

The Progressive Conservative Party of Canada, since its Quebec policy conference in Quebec City in 2000, has been advocating that the Government of Canada endure a very rigorous process of Canadian social audit. The intent of that process is we would have a social auditor who would work in the same way the Auditor General does and who would collect the inventory of our social programs to assist Canadians and ensure we get the outcomes that we seek. This could be done in a very constructive way.

To the member who moved the motion, if that social auditor were in place already, the issue pertaining to inflation, of indexing the family supplement to the inflation rate, may have already been done. Therefore, this is a process that we should continue to pursue for another day, the process of ensuring we provide the financial needs for families and our young. We know the more we invest in our young people at earlier ages to ensure they are healthy and educated

is an immense social benefit for our society. Beyond that, it is just the right thing to do from a moral perspective as well.

Ensuring the best possible development opportunities for children and young people is not only the right thing to do but it makes sense for the social and economic future of this great country.

I am pleased to support the motion. I hope the government will act quickly upon it. I must take the opportunity to ask the government to do more to help Canadians who need it and above all, I compliment the member for moving the motion in the first place.

• (1135)

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, like those who have already spoken in this debate, I too am very pleased that we have this proposition before us today. I want to add my congratulations to the member for Ahuntsic for the initiative in introducing the motion to the House.

At the outset, I want to indicate my support for the motion and echo the words of members of all sides of the House in urging the House to adopt the motion as quickly as possible.

This is pretty basic to what we are all about in this place. We are talking about indexation of a benefit that helps families in times of unemployment. We are talking about the policy that should have been part of the government's initial proposition, its initial program revamping back in 1996. Its absence was clearly either an oversight or an indication of the government's lack of commitment to address the needs of low income families and particularly the needs of women in our society today.

I was particularly excited about the fact that so many members in the House today are recognizing and addressing this issue from the point of view that most of the beneficiaries of this family supplement, of this program, are women. They make up the bulk of the low wage workforce in Canada today.

I want to indicate my support and suggest that this debate be not only a time to agree with the motion but also be a time to look at the broad range of issues facing women in the newly revamped EI program today.

As others have said, the family supplement was introduced back in 1996 as part of some extremely controversial changes to the EI program, some changes that we have taken great exception to in the House. Many would say that the family supplement was simply a sop to those who were hurt by those changes and it was a way to make some otherwise very egregious changes to the program more palatable.

Having said that, and notwithstanding the motivations around this aspect of the EI program, we must all recognize of course that it does add important income support to low income EI recipients. There is no question about that. In terms of the roughly 183,000 people who are affected by this program, this helps top up the income and takes them from about 55% of job income to about 80%, so it is important.

Private Members' Business

However the fact of the matter is that today, just as it was the day it was introduced, to qualify total family incomes must be under \$25,921. The critical issue here today is the fact that there has been no indexation to reflect cost of living, the fact that more and more families are losing out on the benefit because of the absence of an indexation policy.

Let us be clear. The family benefit supplement does not replace an adequate, full employment strategy. The family benefit does not compensate for the inadequate basic level of employment insurance. What it does do, and this has been outlined in the 2001-02 monitoring and assessment report issued in March of this past year, is raise the weekly EI benefit income to over 187,000 recipients, three-quarters of whom are women. It is important to recognize that this program is of specific importance to women who make up the bulk of Canada's low wage earners.

I want to reiterate the fact that this is a self-evident proposition, if we look at the fact that indexation is a part of so many other programs. It has been recognized as an absolute necessity for programs that support Canadians in terms of income and economic security. The Canada pension plan, guaranteed income supplement, child tax benefit, to name a few, are indexed to the cost of living.

● (1140)

The report to which I just referred, which was issued in March of this year, shows the negative impact that the lack of indexing is having. I want to quote from that report. It states:

—the proportion of beneficiaries receiving the Family Supplement declined from 10.7% to 9.7%, which is attributable to family income increasing while the Family Supplement threshold remains fixed at \$25,921.

Specifically, if we look at it relating to EI maternity and parental benefits, 22% of maternity recipients and 21% of parental recipients receive the family supplement. That means, taking this report into account, in 2001-02 the number of those receiving maternity benefits together with the family supplement declined by 0.7% and those receiving parental benefits declined by 1.1%.

This has to be taken into account. The decline can be traced to family income increasing while the family supplement thresholds remains fixed. The fact that the family supplement was not indexed from the beginning is indicative of the government's half-hearted attitude toward employment insurance and its reluctance to make changes that are meaningful to low income Canadians, particularly women in low wage, part time and irregular work situations.

That brings me to my final point as part of this debate, which is the failure of the employment insurance system to meet the needs of women today. The indexation issue is an important one. We would hope the government would act on it immediately, but the indexation of benefits is a moot point to those many working Canadians who do not qualify for benefits at all. Only 38% of unemployed workers qualify for benefits from the program supposedly established for their benefit.

I want to reference again a recent study by the Canadian Labour Congress earlier this month which showed that the government's changes to the employment insurance system actually increased women's disadvantage. The gender gap between women and men receiving benefits has almost doubled. A status of women study

earlier this year shows that the EI system has failed to adequately protect the growing number of women in part time and irregular or non-traditional employment situations. We only have to look as far as the Kelly Lesiuk case for members to appreciate the significance of this point. Kelly Lesiuk is the mother from Winnipeg who was working part time and had to take time off to look after a newborn child who was born earlier than expected. The government refused to allow her to collect employment insurance to help her through that time. Why? Because she was short a few hours, even though she had shown a clear attachment to the labour force over a period of time.

EI income support is becoming more critical as unemployment is again rising under this government with no sign of it on the government's agenda of the new, soon to be announced leader of the government. Certainly it is not among the priorities listed, as we heard this week, in the former finance minister's speech.

New Democrats in the House will be on the government's case, the government under the former finance minister, about this issue, just as we have pressed his predecessor and the former finance minister when he was directing fiscal policy.

Finally, let us not forget that it was under the direction of the bride to be that the EI fund built up most of its \$40 billion surplus to the neglect of those excluded from coverage or those who needed training to stay in the employment game. Let us be clear about that. Let us get on with this indexation motion and work to ensure that our EI system is of benefit to all Canadians, particularly women who desperately try to juggle work and family responsibilities and who have been ignored so much by the government.

● (1145)

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, I too am thrilled, as are all other members of the House, to speak in favour of the motion put forward by the member for Ahuntsic. The government has done some terrific things in terms of supporting families and making meaningful changes, and as one member has already mentioned more can be done. We need to continue to look at these things.

The indexing of benefits and tax rates was stopped a number of years ago based on a low inflation rate, and that was an accomplishment. However, over a period of time it had a devastating effect on families and individuals. Thankfully, that was changed in the most recent budget, but these benefits have not been changed. The member for Ahuntsic has done a good job in bringing forth this issue.

This kind of benefit is a meaningful difference for families who need our help. There is a reason for government to support families and people in difficult times. We want to ensure that they have the possibility of getting into meaningful employment.

Private Members' Business

I am sure the member for Ahuntsic, as most members, finds it difficult dealing with families who are in a period of difficulty, families who are struggling after the loss of a job, and dealing with creditors, hydro and telephone companies, all wanting their payments. My office, and I am sure the offices of other members, spends far too much time trying to help people out because they are in such difficulties. This benefit was brought in to support families and to ensure there is still food on the table. This is something that I fully support.

As the member mentioned, this benefit is something that the government introduced following extensive consultations right across the country after we took office in 1993. However the discussions were somewhat contentious. Many of our offices were inundated by people who did not support the change and thought the old system worked best. We are now seeing, however, that benefits like this are making a difference, and I know the current minister definitely supports this kind of initiative for families.

Only one spouse in the family can receive the family benefit at one time. This has been effective at targeting low income families who are dependent on this provision under EI. Low income families with children whose annual income is less than \$26,000 are already struggling in this country. This is an important opportunity for them to get this supplement as well as the Canada child tax benefit which has done an amazing job in lifting a number of children out of poverty. As the member for the New Democratic Party has identified, this is an area where we could do a better job.

The EI monitoring and assessment report for 2002 indicated that the family supplement was effective and was responding as it was designed to do. The benefits in 2001-02 amounted to \$176 million with 187,000 low income people receiving them. That is a significant number of Canadians who needed our support. Approximately 10% of all EI recipients are receiving a higher benefit because of this family supplement, and hopefully, with the support of the House for the motion put forward by the member for Ahuntsic, those families will receive a better benefit.

Obviously, we want more people to be working and not depending on EI. However, for those who are in need, that is the role of the government. We must support people in their time of need and help them get to the next job. We must help their families and their children in particular.

This EI monitoring has shown that benefits for families receiving the family supplement are 38% higher than they were under the old system. For all the people who opposed the changes, that is the proof that the benefit is an important benefit and that the system is working. There is no argument that the family supplement works. With the member for Ahuntsic's motion, it will work even better and help those people.

The benefit has been frozen since 1996. Inflation and salary increases have eroded the number of eligible recipients. It is not the tradition of the government to sit by and not take steps to adjust programs when improvements can be made and when those improvements will make a significant difference in families' lives.

● (1150)

We have witnessed such measures as adjusting the EI programs to take into account small weeks of earnings, eliminating the intensity rule, modifying the clawback provisions, and repealing the undeclared earnings rule. These are important steps that have made a difference the life of every Canadian and particularly in the life of every child.

Certainly, the member has demonstrated, as have other members of the House, the merits of this proposal. It particularly benefits low income women and children who, sadly, are two-thirds of low income Canadians in this country. We do not want anyone to have to be in that particular position. However, it is clear that women and children are the majority of poor Canadians. We must do more to get them job ready and support them in their time of need.

The family supplement is an important part of our government's effort to alleviate poverty. It complements the federal contributions to many provincial programs aimed at diminishing poverty. I know that is something that is certainly important in my province as we are in an election period. We must be able to support families in need.

The member for Ahuntsic has done a good job in her motion. I fully support her. All colleagues on this side of the House and most colleagues on the other side of the House have also demonstrated their support in this debate.

We are able to see and Canadians can be proud that parliamentarians are getting together and working on progressive ideas and supporting each other to make a difference for all Canadians.

Mr. John O'Reilly (Haliburton—Victoria—Brock, Lib.): Mr. Speaker, I rise today to support the motion brought forward by the member for Ahuntsic. It is well timed and well received by the House. We are certainly going to support it.

It gives me great pleasure to address Motion No. 395 in regard to indexing of the family supplement. Motion No. 395 represents everything that the government stands for. It represents our firm belief in supporting children and families. It represents our commitment to providing financial support to those in need and it represents the government's effort to ensure a fair society.

These claims are not an idle boast. Since forming the government in 1993, there have been a number of measures on a number of fronts that have improved the lives of families and children. In 2002-03 alone federal investment and child benefits through the national child benefit and the Canada child tax benefit amounted to \$8.2 billion. Approximately \$5.9 billion of this sum went to low income families.

Private Members' Business

The Canada child tax benefit is already indexed to inflation. This indexing indicates that the government is not adverse to the idea presented in Motion No. 395 with respect to the family supplement. Budget 2003 also reflected that support to children and families as a fundamental plank in the government's program. The budget increased the national child benefits supplement to \$965 million a year by 2007, and committed \$900 million over five years to improve early learning and child care programs and services.

Employment insurance also plays a major role in providing families with low income support in their time of need whether it is owing to job loss, sickness or temporary maternity or parental leave from work. The current employment insurance program is a reflection of the government's willingness to take action to keep government programs and services in tune with the current needs of Canadians.

When the government replaced unemployment insurance with employment insurance, after extensive consultation with citizens, it committed to monitor and assess the new program to ensure that it kept abreast of the changing needs. That is precisely what we are doing now in discussing this motion on indexing the family supplement.

The family supplement was implemented as part of the major 1996 reform. It replaced the UI dependency provision and was designed to provide more targeted support to unemployed low income families. Under the previous legislation, eligibility was based solely on the income of the claimant and not total family income or the earnings of the spouse.

The EI family supplement, however, is based on family income. Only one spouse in a family can receive the family supplement at a given time. This method has been proven by the EI monitoring and assessment report to be a more effective targeting to low income households than the dependency provision under UI.

The family supplement tops up the benefits to employment insurance claimants in low income families with children whose annual family income is less than \$25,921, thus providing these families with added support.

As well, for those who receive the family supplement, the employment insurance benefit rate is 80% of insurable earnings compared with the regular rate of 55%. Recipients of the family supplement also receive the Canada child tax benefit. The 2002 employment insurance monitoring and assessment report indicated that the family supplement was effective and was responding as it was designed to do.

The 2001-02 family supplement benefits amounted to \$176 million. The number of low income people receiving them was 187,000. This translates into 10% of all employment insurance recipients receiving a higher benefit as a result of the family supplement.

Indeed, the proof is in the pudding, as the saying goes, and as a result of the introduction of this reform, benefits for families receiving the family supplement are 38% higher than they were under the old system prior to 1996.

There is no argument that the family supplement works. The question then is, is it working as effectively as it might? The income ceiling for receiving the family supplement has been frozen at \$25,921 since 1996. In the intervening years, inflation and salary increases have eroded the number of recipients eligible for this benefit.

• (1155)

Let me close by congratulating the member for Ahuntsic for bringing forward this motion. I know it will receive broad support. Certainly the people of Haliburton—Victoria—Brock support it 100%.

[*Translation*]

Ms. Eleni Bakopanos (Ahuntsic, Lib.): Mr. Speaker, first, I want to start by thanking all my colleagues who participated in the second hour of this debate, especially the member for Beaches—East York and the members for Portage—Lisgar, Rimouski-Neigette-et-la Mitis, Fundy—Royal and Winnipeg North Centre. I thank them for their support.

It is fitting that we discuss this issue today, six years later, and that we address what is happening with the EI Family Supplement. I agree to a certain extent with all the recommendations of my three colleagues, who made suggestions to improve our system. One of the recommendations that I find very attractive—and I think should be reviewed by the government—is the one that we lower taxes for low-income families.

• (1200)

[*English*]

I think the suggestion from the hon. member for Fundy—Royal that we should in fact re-examine where we draw the poverty line in this country is a very important recommendation. When I began this process, the member for Portage—Lisgar asked why it was necessary to bring forward this motion. It was necessary because after a few attempts at having it become part of the budget process and also part of the budget on the government side—and I am a member of the government, of course—I was unsuccessful. I felt it was an important enough issue, as based on everything we have heard today, that I should bring forward this motion to draw attention to the fact that it has not been done.

In the present context of having a surplus and having taken care of the deficit and the debt in this country, I believe we should be looking at ways of improving the situation of low income families. In my opinion, this is just one step in a series of other steps that have been taken by the government in order to ensure that low income families in fact have enough money to be able to live decently in this country.

I do not want to repeat a lot of what was said during the debate, but I again would like to make it clear that in 2000 and 2001, the most recent statistics show that \$157.4 million was paid out in family supplement benefits. In addition to the regular employment insurance benefit, low income recipients with children received on average an additional \$44 per week. According to the 2001 employment insurance monitoring and assessment report, nearly 11% of all EI claimants received higher weekly benefits through the family supplement.

Again, as other colleagues have said, women and youth benefit especially from the family supplement. Approximately two-thirds of recipients are women and 14% are youth. Women also accounted for 88% of the growth in family supplement top-ups paid to sickness benefits claimants.

[Translation]

I just gave the House an example of a situation concerning the family supplement that shows its obvious advantages for low-income families. It is a good program and I believe the support I received from all my colleagues from both sides of the house shows there is a need for this change. The members may wonder why we are asking for this again. As I already said, there is an obvious need.

[English]

The commitment to do more has to be our commitment in this place. We came here to do more and to do better for low income families and for children and women. We should keep what I consider our tradition and our promise on the government side: that we will do everything possible, especially in this time where we do have a surplus in terms of the budget, to make sure that the ceiling for receiving the family supplement is not frozen. It has been frozen since 1996 at \$25,921.

I would like to close by first of all thanking all the hon. members who took part in this debate and also those who seconded the motion, the members for Beaches—East York, Lac-Saint-Jean—Saguenay, Vancouver East, and St. John's West. I wish to thank everyone who took part in this debate. I want to thank them for their support and for the fact that they seconded the motion.

[Translation]

And since, as Acting Speaker, I do not often have the opportunity to do so, I would like to thank my constituents, who gave me the honour and privilege of representing them here in the House of Commons.

The Acting Speaker (Mr. Bélair): It being 12:05 p.m., the period set aside for debate on Motion No. 395 has expired.

Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bélair): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Bélair): All those opposed will please say nay.

An hon. member: Nay.

The Acting Speaker (Mr. Bélair): In my opinion the yeas have it. I declare the motion carried.

(Motion agreed to)

Government Orders

BUSINESS OF THE HOUSE

The Acting Speaker (Mr. Bélair): Before we move on to the debate under government orders, I would like to make a statement and draw the attention of all the members to an important issue.

• (1205)

[English]

Members should note that since the adoption on September 19, 2003, of the fourth report of the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons, the length of speeches at second and third reading of government bills has changed.

[Translation]

Essentially, the length of speeches for the first three speakers has changed. Instead of 40 minutes, the first member of each recognized party will have 20 minutes and the speeches may be the subject of questions and comments for a period of 10 minutes.

[English]

The first round of speeches will be followed by the usual five hours of debate of 20 minute speeches, followed by a 10 minute question and comment period. As in the past, after this period of five hours, the speeches will be of 10 minutes maximum.

GOVERNMENT ORDERS

[Translation]

PARLIAMENT OF CANADA ACT

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.) moved that Bill C-34, an act to amend the Parliament of Canada Act (Ethics Commissioner and Senate Ethics Officer) and other acts in consequence be read the third time and passed.

He said: Mr. Speaker, I am very pleased to speak to third reading of Bill C-34, the bill to establish an independent ethics commissioner reporting to Parliament.

The bill implements all—and I do mean all—of the recommendations the Procedure and House Affairs Committee made to a draft bill that was tabled last October.

When the committee reported the bill on June 11 of this year, it did not propose any amendments, or at least not the second time.

[English]

The government has accepted the House committee's recommendation to make the appointment process subject to consultation with other party leaders—I think that was a very good amendment and we agreed with it—and of course the approval of the appointment process by a resolution of the House. This is essentially the same now as what we have for all officers of the House and that is the formula we have accepted in the House modernization committee. All parties have agreed to the formula.

Government Orders

We just had the fourth modernization committee report last week. By unanimity we have made a number of improvements to the House rules. Of course at the time we had not addressed this particular position because it did not exist, but now this position will be subject to rules that are very similar to what we have adopted unanimously.

I want to thank the chair and the members of the committee for their excellent work on this issue. I also want to thank the Senate committee that studied the draft bill. It recommended, as we know, a separate Senate ethics officer. That is certainly appropriate as well. There are a number of officers of Parliament common to both Houses, but there are also a number of officers of Parliament that are distinct in each House. An example, of course, is those who serve at the table in this House, such as the sergeant-at-arms, the clerk and others. They are distinct in each House. That is certainly another model which is very acceptable and we agreed with the Senate committee's recommendation.

That being said, it means we have accepted all recommendations that have come from the House and the recommendation that came from the Senate as well about having a separate Senate ethics officer as it pertains to someone distinct from the official appointed to deal with this side.

[*Translation*]

In light of these recommendations, all of which we passed at the draft stage, and in light as well of the fact that the parliamentary committee did not make any recommendations for amendments when the formal version was referred to it, and particularly in light of the years of work that have gone into this, I feel it is high time to move on and pass the bill.

Mr. Speaker, I recall our days in opposition, a very long time ago. We examined some initiatives of this type at that time. Conservative MP Donald Blenkarn, who has not been in the House for the past ten years—so it was before he retired, a pretty long time ago now—had presented a report recommending creation of this position. I was a member of the parliamentary committee at that time. The co-chair was Senator Donald Oliver. After we did all that work, the present Speaker of this House also carried out a study, when he was the head of a parliamentary committee.

Today we are at last seeing the culmination of the efforts of all members and senators who have worked on the creation of an ethics commissioner position.

I congratulate all members on their work on this issue and recommend this bill to the House. I wish to thank in advance all those members who will work on implementation of the code, which is nearly complete, from what I hear in committee. I am certain we will have those tools in hand in the very near future. Once again, my thanks to all hon. members who have worked on this over the years. They will, I am sure, all be pleased and proud that it will be available to us from now on.

Now that amendments have been proposed and everything is done, I recommend that all members, regardless of party affiliation—I know that at least three parties voted in favour of the bill at report stage—rally round this bill in order to create this position with the support of all members of this House. That is what I recommend,

anyway. In future, of course, a candidate will be proposed for the position, and at that time we will have the procedure in place to create our own ethics commissioner, appointed by this House, for this House.

In the meantime, I thank members in advance for the support they will be giving to this bill.

• (1210)

[*English*]

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Mr. Speaker, I want to pose a couple of specific questions to the government House leader, particularly as they relate to the appointment of the ethics commissioner. The government is saying that this is a fulfillment of its promise, way back in the first red book, of an independent ethics commissioner, something that government members themselves voted against when the Alliance introduced this motion.

We on this side of the House have some concerns with respect to the appointment of this person. We do not see it being an independent ethics commissioner, particularly as it relates to the consultation that is to take place. Therefore, I would like the government House leader to specify the type of consultation that will take place with the Prime Minister and the other leaders.

Specifically, if the Prime Minister puts forward a name and the Leader of the Opposition disagrees with that name, what then is the process? Will the government House leader answer that question? He knows that it then is a majority vote in the House of Commons to approve the independent ethics commissioner, that is, apparently independent but obviously not. If the Leader of the Opposition disagrees with the name put forward by the Prime Minister, what then is the process? And will the Prime Minister then withdraw the name?

Hon. Don Boudria: Mr. Speaker, the hon. member should know that we are talking about a process that his House leader and all the other House leaders and I have developed and have adopted unanimously. He said that he was not sure that this is sufficiently independent. We have voted. The hon. member says it is not true. I beg to differ. I would beg him to find the report of the first modernization committee. That report was adopted unanimously in committee and it was adopted unanimously by the House.

Standing Order 111 gives effect to that particular provision. Almost word for word his House leader and I wrote that provision.

How it came about was for the appointment process of Dr. Dyane Adam, the Commissioner of Official Languages. We had a process before. Opposition members were asking how they could consult for this. It was a couple of House leaders removed, the member for Langley—Abbotsford is actually the person in committee who said “Why do we not hear who you propose and we will bring the person to committee. We will quiz the individual and we will see whether we can support that individual and then you can submit the candidate to the House”. That is what we did.

Government Orders

When it came time to revise the standing orders in the modernization committee report, again we said “Wait a minute. This is the process we used informally before. Why not put it in the standing orders and we will do them all this way?” That is what we did. We formalized it in the standing orders. In the standing orders we said we would make all of them subject to consultation and all of them subject to a vote of the House on a non-debatable motion. The debate occurs in committee.

There were about five different formulas of doing it, depending upon which officer of Parliament we were talking about. In some cases, there was no consultation with the opposition. In some cases, there was consultation with the opposition. In some cases, there was a vote of the House but not the Senate. In some cases, there was a vote of both Houses. No two of them were the same. We standardized them in a way with which we all agreed.

That is the process we used. Members should ask themselves the question it is so obvious. It will ensure that the individuals we choose are those who enjoy the support of all members of the House.

We used it again to appoint Mr. Reid as the Information Commissioner. The name was actually proposed, even though he is a former Liberal MP, by an opposition MP. That is the process we use.

The hon. member will know of the case in Alberta. The ethics commissioner there is a former cabinet minister supported by everybody. That is the kind of person we need to hold that position. Should that person be a retired justice of the Supreme Court, or a retired member of the House or the other place? I have no idea. It has to be the person that we support as an institution.

That is the structure we have established. I did not invent that model; I will not even take that credit. The model was invented by the House leaders together in the modernization committee chaired by the Deputy Speaker of the House, but in the preceding Parliament it was modernization phase one.

That is the structure. And believe me it was unanimous because the modernization committee could only report on those things where there was unanimity, otherwise they were automatically expunged. I ask the member to refer to the House order that created the first modernization committee. And if he does not believe me, he can always check with the hon. member for Langley—Abbotsford.

● (1215)

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I am pleased to ask the government House leader a question on Bill C-34. He will know it has been important to our caucus for some time, with earlier versions having been introduced by the former member for Halifax West and by the present member for Halifax.

Obviously we are interested in having the bill passed, although there are some flaws in it and we still have concerns. We are interested in having the bill passed and having it come into effect. Given some of the indications coming from the former finance minister, who obviously after this weekend is slated to become the leader of the Liberal Party and the prime minister of this country, I would like to ask the government House leader how long he expects this legislation to last under the new regime.

Hon. Don Boudria: Mr. Speaker, I do not think any of the House officer positions that have been created by Parliament have ever been withdrawn in the history of Canada.

When the position of Commissioner of Official Languages was created, that office was not abolished later. It is the same with privacy, access to information and officers that sit in this chamber. I do not believe there has ever been a recorded case of creating a position of an officer of Parliament and then a government cancelling that process. Of course, if a government wanted to do that, it would have to pass legislation and get the legislation through both Houses should that be the case.

I do not know if that is the question the hon. member was asking. If it is, I think the antecedents would prove that it has never been done. I have no fear. It will not be done. We will create the position and it will be filled. It will be going as soon as we can.

There is one note though. Both Houses still have to produce their codes. I understand the Senate has completed its code. I think the House committee is almost finished with its code. I believe these two codes have to be complete before we get the ethics commissioner. It could very well be that a particular candidate will look at the codes and say “I am not going to administer a code such as that. I do not want the job”.

We have to complete both codes and then seek out candidates. Because of the new structure there will be one for the House and one for the Senate, different officers. Then we will offer them to the House once that work is complete. I understand that it will be only a matter of weeks in any case before we will have that.

In terms of the actual date of an appointment, I can only say to the hon. member that as government leader I have consulted every step of the way with every officer of Parliament that has been appointed since I have been leader. I think I am the second longest serving one in Canadian history. I have been at this for a while.

I have consulted the Privacy Commissioner, the Information Commissioner, even the interim Privacy Commissioner. I have consulted at every step of the way. If I have anything to do with it, I will ensure that things are done, as would any other House leader for that matter, in a way that respects all the traditions of the House and to have the highest quality of individual.

When we are talking about someone who will be that close to MPs and the conduct of MPs, I do not think there is any doubt we all have to believe in the individual. Otherwise it would be a near impossible task to try and perform the very important duty that the particular official will have.

● (1220)

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, I am happy to talk about Bill C-34 which is an act to amend the Parliament of Canada Act and other acts in consequence in respect of providing for the appointment of a Senate ethics officer and providing for the appointment of an ethics commissioner for the House of Commons regarding the conduct of its members.

Government Orders

There is a jurisdiction in Canada that has really been at the forefront in terms of conflict of interest and behaviour of its elected officials and that is the province of British Columbia. I would like to quote from a commentary prepared by Gregory J. Levine, who is general counsel for the Office of the Ombudsman for the province of British Columbia. The following is an interesting capsule from his commentary on Bill C-34:

The current package is part of a dance of denial, a dithering that does not instill confidence. The Canadian people deserve better. What circumstances demand are clear rules forthrightly enforced by an ethics commissioner who is truly independent and powerful.

In other words, the bill simply does not cut it. It was brought forward in June of last year amid allegations of scandal and corruption in the seventh year of the reign of an ethics counsellor who has become known in the media as a lapdog, not a watchdog. He was appointed by the Prime Minister and reports to the Prime Minister. There are multiple scandals which have never been gotten to the bottom of and the cynicism within the public has expanded over the term of the Prime Minister. In many ways the current Prime Minister's legacy will be all about the abuses that were allowed to occur in this place despite the fact that for the first time there was somebody whose mandate was ethics. It was an abysmal failure.

That sets the stage for the fact that this legislation really does not do it. While the high-sounding bill would suggest that it is addressing a real problem in an objective manner, the reality is quite different. It is essentially smoke and mirrors.

Any of the scandals that have occurred around the government would not be addressed by the new scenario. The ethics commissioner envisioned by the bill for the House of Commons would not be independent. The ethics counsellor who has been in place for a number of years was not independent and neither would he be under the new scenario.

What has become abundantly clear is that the current Prime Minister has placed his personal interests and the interests of the Liberal Party of Canada ahead of the interests of Canadians and the national interest.

I can point to the loophole we addressed last week. The Bloc supply day motion had to do with the well known Barbados loophole utilized by the former finance minister's company, CSL. We now know that hundreds of Canadian companies are utilizing that loophole and exploiting it.

•(1225)

We know that this was all a part of the Liberal Party of Canada's courting of some interests within the business community. These friends of the former finance minister were well-informed as to the existence of the loophole. This glaring exception was allowed to continue to and it became and continues to be a glaring problem for the country.

The bill would not address the democratic deficit. It would contribute to it, from the standpoint that our committees are still overwhelmed by government members. We know that in almost every case appeals to the ethics commissioner have been largely not useful.

This initiative would create two new officers, which I consider to be largely window-dressing. One could ask the question: Why all of a sudden are backbench and opposition members of Parliament somehow responsible to someone who reports essentially to cabinet and the Prime Minister? This is ripe for abuse. As an opposition member of Parliament, I believe this is ripe for my privileges being abused and is an inherent conflict of interest in itself.

If we want to look at an example of how we could change all that, let us make an officer of Parliament who is elected in the same way as the House of Commons elects our Speaker. That is the model we should follow. Not the model that was promoted in this legislation or the model that the previous speaker suggested this morning. Let us fix this because what we have in place in this bill is completely inadequate.

The ethics counsellor envisioned by this would be appointed by the Prime Minister, would report to the Prime Minister and would be responsible to the Prime Minister and his cabinet. That essentially is still the way it is.

This conflict of interest is so obvious as to laughable. It breaks the Liberal red book promise of 1993 and has thoroughly discredited the office, in the public mind. One can only assume that the Prime Minister wishes to divert attention onto these two new ethics officers without fixing the crucial ethical questions which hang over the Prime Minister and his cabinet, despite government spin.

The Prime Minister would make the choice of this new commissioner. There would be so-called consultation with the leaders of the parties in the House and there would be a confirming vote in the House. Of course all this means that the Prime Minister would determine who would be appointed and the government members of Parliament would vote in favour of the Prime Minister's choice. Remember, the Prime Minister likes to say that he consulted with opposition leaders before appointing Howard Wilson, as his personal ethics commissioner, and we all know where that has led.

Contrast this with the red book promise and the way the House of Commons chooses the Speakers, as I just mentioned: a secret ballot and a Speaker who is responsible to the members, not to the Prime Minister, not to the cabinet, not to the Prime Minister and cabinet.

•(1230)

One might ask the question: What would happen under the legislation to address any of the scandals that have plagued the government? Would the new arrangement somehow make any of that any different? I think it is very clear that it would not prevent this activity. Nor would it make it any more subject to exposure.

I am very concerned about potential abuse of the new power because we now have a situation where complaints from members of Parliament, or in the case of the Senate officer, must be acted upon. We see, now that opposition members of Parliament are covered under the new umbrella, an opportunity for misbehaviour on the part of the government which basically controls the process. Through the Prime Minister and cabinet, there is now an opportunity to manipulate this with a timing such that it can be used for mischief making during critical times such as elections. We think this is a very obvious abuse and a singular enough reason why it needs to be changed.

Government Orders

Bill C-34 would also create a situation that would be problematic from the standpoint that we would now have the growth of two standards, one for the House of Commons and one for the Senate, simply because we would have two different appointees. Objective concerns about the bill have been expressed by people dealing with conflict of interest in ethics. They suggest this is very problematic. I subscribe to that as well.

Another issue deals with payment for services. The remuneration for both officers is to be set by cabinet. This is also a law inconsistent with removing a conflict of interest and government control over this process because obviously remuneration levels can be used as a lever. The mere fact that can occur or would have the appearance of being able to occur is enough to suggest that it is a conflict of interest and that should not be allowed to occur. Therefore it is one more reason why we would oppose the legislation.

The two individuals who would be given these new positions would also be given the rank of deputy heads of a government department for the purpose of operating their respective offices. It is very unclear and completely unaddressed as to what this really means in terms of independence because it would suggest that they are tied to government process. Once again, we have to make a clear distinction here.

We are opposition members of Parliament. We are not members of the government. This is another conflict of interest. This is a natural problem. This has not been well thought out. This is not addressed appropriately in the way the legislation is put forward. I object because I believe this is one more way in which opposition members of Parliament's privileges are being abused potentially by the legislation.

• (1235)

We currently have rules regarding our conduct within the Parliament of Canada Act which pertain to the Senate and the House of Commons and the members. These rules of conduct prohibit involvement in government contracts, prohibit employment in government services and prohibit us from taking money with respect to issues before the Senate or the House of Commons. Many of these rules will be repealed under the bill. Once again, objective, independent analysis of the bill suggests that we are weakening the rules of conduct with this proposed legislation and not strengthening them.

Once again this gives currency to my opening statement which is that the bill is an abysmal performance that does not do what it purports to do in terms of strengthening our ethics situation which we know has been very tarnished by the performance of the government over the last 10 years, 10 years next month. Those are some of the broader aspects of the bill.

I would like to remind people who are listening to the debate of some of the problems that are inherent in how the government has been operating. For example, we have heard major criticism in the last week or two about Charles Boyer and his expense accounts and the fact that the Minister of Canadian Heritage signed for every one of his expense accounts on the account of the taxpayers.

This has really resonated with the public. When George Radwanski carried on this kind of behaviour, the statement I got

from the public was "Under this government as a senior employee we expect that kind of behaviour". However when they saw the same kind of behaviour from a junior employee, directly approved by a minister who should know better, it drove them wild. There is no direction from the government to change it.

As a matter of fact, I quote from the Winnipeg *Sun*. It states, "Leading the nation by shining example, [the current finance minister] has given his blessing to fellow cabinet colleagues who routinely file hefty expense claims without providing a single receipt. Heck, he does it himself". Other ministers are mentioned also.

There are many other references to ethical lapses in the government. We know Alfonso Gagliano, the former minister of public works, now enshrined in Denmark, was never ever caught up in his ethical lapses because the Prime Minister got him out of the country. We have seen similar behaviour and the ethics commissioner has certainly not been as independent as we would like to see.

In summary, the bill does not do it. Canadians deserve better and parliamentarians deserve better.

• (1240)

[*Translation*]

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, I am extremely pleased to speak to this bill on behalf of the Bloc Québécois. Other hon. members from my party will also speak on Bill C-34, the bill to create the position of ethics commissioner.

[*English*]

Mr. John Duncan: Mr. Speaker, I rise on a point of order. I understood there would be 10 minutes of questions and comments. Are we entering into debate?

The Deputy Speaker: Yes, there was a provision for 10 minutes of questions and comments. I put out to the floor the possibility for questions and comments but when no one rose to seek the floor I then called for a resumption of debate. The member for Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans has the floor.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, I hope you will restart the clock at zero. That is a good way to make us lose our concentration, and all the more so since we do not actually have a time clock, something I requested of the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons. It seems that my voice was not heard by the committee members. But that is not my point and I would not want to cause you trouble.

I am pleased to speak to Bill C-34, which provides for the creation of the position of ethics commissioner. In particular, today we are examining the bill at third reading.

When talking about an ethics commissioner, I would like to begin by saying, "At last." I would like to add, "Better late than never." I would like to suggest that members read the Liberal Party's red book, a veritable bible for all Liberal candidates in the 1993 election. The red book entitled "Creating Opportunity: the Liberal Plan for Canada" talked about an ethics commissioner. This red book clearly stated:

Government Orders

A Liberal Government will appoint an independent Ethics Counsellor...The Ethics Counsellor will be appointed after consultation with the leaders of all the parties in the House of Commons and will report directly to Parliament.

That is why I would say, "At last. Better late than never." Sometimes we find that our constituents or other people we meet tend to view politics and politicians with rose coloured glasses and sarcasm. I think that the fact of having waited 10 years and gone through three elections with this recommendation shows how much the Liberal government wants to live up to the promises it makes in its campaign literature. It is high time that this government decided to keep its promise.

We must not forget that, over the past ten years, various events occurred within this government in relation to which the appointment of an independent ethics commissioner—and I stress the word independent—would have been quite appropriate. Let me explain.

Over the past decade, the Liberal government has faced numerous scandals, which remain unresolved. This is true of the majority of these scandals. We only need think, to name only the biggest, of the Auberge Grand-Mère and HRDC scandals, as well as the sponsorship program, in relation to which the RCMP laid charges just a few weeks ago. However, the Bloc Québécois noticed that the Minister of Public Works avoided the issue for nearly a year and said that it had been referred to the RCMP for investigation. It took a year before charges were laid.

I remind this government that the corrective measures taken do not change the past. In Quebec, we have the wonderful motto "Je me souviens" or "I remember". Unfortunately, we do not repeat it enough. I hope that people will remember this Liberal government's ethical failures. Although the hon. member for LaSalle—Émard was all but crowned leader yesterday, it is important to remember that he was a member of this government and a cabinet minister for most of the past ten years.

• (1245)

Ms. Diane Bourgeois: We could also mention tax havens.

Mr. Michel Guimond: My hon. colleague from Terrebonne—Blainville tells me that we could also mention tax havens; we could talk about companies that do not pay taxes here and which transfer all their revenues to tax havens. We could talk about this for a long time.

So, this ethics commissioner would replace the government's ethic's counsellor, Howard Wilson. I am a member of the Standing Committee on Procedure and House Affairs, which is considering the adoption of a code of conduct, and Mr. Wilson has been following the committee's work quite diligently. There were rumours that he might be interested in this position.

But, with all due respect for Mr. Wilson, it is not necessarily him, but the role he played over the past ten years. He was the independent ethics counsellor the Bloc Québécois had hoped for. Over the past ten years, Mr. Wilson has acted as a political advisor to the Prime Minister, the hon. member for Saint-Maurice. He did not act like someone responsible for ensuring that the government behaved ethically.

Let us say, whether out of ignorance or incompetence, or what is termed in legal parlance wilful blindness, Mr. Wilson had a rather

questionable view of ethics. If anyone needs convincing, they need only think of the example of the Prime Minister's ethics adviser authorizing secret meetings between the hon. member for LaSalle—Émard, owner of Canada Steamship Lines—a situation he has apparently regularized recently—and the directors of that company.

This is a rather dubious view of ethics, a rather elastic view. The property of elastic is that it can be stretched to suit us. There can be no denying the fact that, at these meetings, the hon. member for LaSalle—Émard certainly acquired certain information about his assets.

We in the Bloc Québécois are in favour of the ethics commissioner receiving complaints from members, and those members receiving feedback and follow up.

We also are in favour of having the ethics commissioner report to Parliament. At the present time, the ethics adviser reports to the Prime Minister in total secrecy, behind closed doors, unbeknownst to anyone, away from prying eyes and ears. This is not what is expected of an ethics commissioner.

We are told that there is total transparency on the government side. If it has nothing to hide, the government has only to appoint an independent ethics commissioner. That is what the bill indicates and I can tell hon. members that, on this side of the House, we are in favour of having the commissioner report to Parliament.

We were in favour of referring the bill to the procedure and House affairs committee prior to second reading, because we wanted to see certain points clarified by that process. Today it is very hard to get a precise idea of the provisions, as long as we are unable to analyze the bill in parallel with the parliamentarians' code of ethics, which we are currently involved in drafting in the Standing Committee on Procedure and House Affairs.

• (1250)

In all humility, we believe that the Standing Committee on Procedure and House Affairs has all the expertise it requires to analyze the bill and make any necessary amendments.

Some issues must be clarified. Among them, is this question: in what particular ways should the rules apply to ministers? After all, the code of conduct we are now working on is intended to govern parliamentarians.

We all know that a minister, is, of course, a member of Parliament, and governed by our code of conduct. Nevertheless, what will become of the code of conduct for ministers that the Prime Minister has a member of Parliament sign when he or she becomes a cabinet minister? Which of these rules will take precedence? Is it the code of conduct which governs the work, decisions, and functions of all MPs, or that governing the minister in decisions made in that role? The bill should clarify this issue.

Is there a complaints process if members should fail to respect the code of conduct? That also should be clarified. What will the penalties be, and so on? There are a certain number of points in this regard on which we would like some information.

Government Orders

In short, our party is pleased that the bill has been referred to committee before second reading. We believe that this bill requires very serious analysis, and that this analysis, as I said before, should take place in conjunction with the study of the code of conduct we have doing in the Standing Committee on Procedure and House Affairs.

There is one more element of interest to us. When I say this, I hope it will show the House that we are not an opposition party that criticizes simply for the pleasure of criticizing. When elements of a bill do not suit us, we say so loud and clear, and we defend the interests of Quebeckers. On the other hand, when we in the Bloc agree with certain elements, we also want that to be known.

The element in question is that we will be assured from now on that the leaders of recognized parties in the House will be consulted on the subject of appointing the ethics commissioner, since this obligation will be written in the law.

When we questioned Mr. Wilson's competency, the Prime Minister told us, "Yes, but you were consulted. We consulted you." Obviously, there are different kinds of consultations, one of which is more informative: "I hereby advise you that I have made such and such a decision." There is another possibility, which is: "I am asking for your opinion." The presumption is that the decision has not yet been made.

In this case, consultations by the Prime Minister regarding Mr. Wilson's appointment were bogus: "Please be advised that I have appointed so and so. This is the person I want." It is important, nonetheless, to be careful.

This legislation would make this a statutory requirement from now on. This was not part of the Prime Minister's commitment set out in the draft legislation introduced on October 23. So, now the House of Commons is supposed to adopt a resolution to approve, as well, the appointment of the ethics commissioner.

This provision was not included in the draft legislation. In a unanimous report tabled in April 2003, the Standing Committee on Procedure and House Affairs recommended that these provisions be included.

In closing, I want to say that we also welcome the formal establishment of a complaint process for parliamentarians with regard to ministers, ministers of State and parliamentary secretaries.

• (1255)

Additionally, each year, the commissioner should table in the House a report of his activities. These provisions are set out in the draft legislation introduced last fall.

In short, our party supports Bill C-34, but we must recognize that there is still room for improvement.

I know that the members of the Standing Committee on Procedure and House Affairs will be able to make constructive suggestions to ensure that this legislation is improved.

[*English*]

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, it is a pleasure to rise and speak anytime in the House and although I

wish we had made more progress in developing Bill C-34 into what it should be, I will speak to it today.

As other members mentioned earlier, Bill C-34 is a missed opportunity. It is a missed opportunity for the Liberals to keep a promise. Someone earlier mentioned the 1993 Liberal red book. I will quote a part of it. It says "The Ethics Counsellor...will report directly to Parliament".

That is a nice simple statement. It was a promise by the Liberals that if Canadians voted for them they would keep this promise. Ten years later they still have not kept it. In fact, they are entrenching it with Bill C-34, which is an alternative to what they promised Canadians in 1993.

The red book went on to say "The Liberal government will appoint an ethics counsellor who will be available to the Prime Minister to investigate allegations of impropriety by cabinet ministers".

It is amazing to note that the Liberals kept half of their promise but not the other. The ethics counsellor, unfortunately, does not report directly to Parliament. He in fact reports directly to the Prime Minister. I am not sure how much the ethics counsellor gets paid but I imagine it is in excess of \$200,000 a year. He probably has a car, an office, a lot of benefits and an expense account like none of us have. It is a huge job. The Prime Minister has bestowed a great benefit on the ethics counsellor.

When the ethics counsellor has to deal with issues which could possibly smear the Prime Minister indirectly, such as when a minister is being accused of doing something wrong, it is only human nature for the ethics counsellor not to do anything to jeopardize his position and hurt the person who gave him the big job with the big money and the person with the power to renew his contract. It would be just human nature that the ethics counsellor would not do anything to jeopardize his position and hurt the person who employed him, the person who appointed him, the person to whom he answers, and the person under whose pleasure he serves. It is really backwards.

If a minister is accused of wrongdoing and the ethics counsellor is brought in, it is like a judge, or in this case the ethics counsellor, working for the accused. If he determines that the minister failed to do something properly, correctly or ethically, it would be a smear on the Prime Minister who is also the judge's boss. The judge works for the Prime Minister. He serves at the pleasure of the Prime Minister. He answers only to the Prime Minister. It is a shame the Liberals missed the opportunity to fix that. I feel the whole bill is worthless because they did not do that one thing.

Government Orders

They can extend it to include members of Parliament, like myself, or to senators and others. However it does not matter because in the end the ethics counsellor answers to the Prime Minister. It is exactly the same. In fact, if the ethics counsellor turns out to be partisan, and I think human nature will deem he or she will be, those of us in the opposition who might have an exact same circumstance as a member in the government, may receive a completely different determination from the ethics counsellor. We might be accused of wrongdoing whereas someone on the government side may not because the ethics counsellor reports to the government. He serves at the pleasure of the government. This to me is a scary thing.

We have heard lots of accusations of scandal and corruption, but it has not been members of Parliament who have been accused. Even senators are not accused very often. It is mostly ministers who are in a position to influence the government's spending, to direct funds to certain parties that may be supporters or otherwise, or to make deals that could somehow indirectly benefit property they own or something like that. It is not members of Parliament who are accused of things like that, it is cabinet ministers.

Bill C-34 has been broadened so much to cover so many of us it looks like an enhancement, but it really is not. As long as the judge, in this case the ethics counsellor, answers to the Prime Minister for his job, for his pay and for his benefits, the position will never be impartial. It will never make any sense to me.

• (1300)

One can just imagine what it would be like if the Auditor General answered to the Prime Minister. We would never see these reports that come out that are so well done and so accurate. We are lucky to have her in this job and to have her answering to Parliament. She has come out with scathing reports on HRDC, on public works issues and on the sponsorship program. She reports on the military and on fisheries. Her reports are impartial and I am sure they effect positive change.

On the other hand, the ethics counsellor answers only to the Prime Minister. His reports go to the Prime Minister and we never know what is in them or what is behind them. It is all done behind closed doors, as opposed to the Auditor General who answers to Parliament. It is a wonderful system. We are very fortunate to have the excellent auditors that we have had. The fact that they answer to Parliament makes the Auditor General's Office perhaps the most valuable institution in Ottawa.

However it is just human nature that when our boss wants an answer and our jobs depend on giving a certain answer, we will give that answer in many cases. This is especially true if the job is as lucrative as the job the ethics counsellor has now.

I believe the ethics counsellor is in a conflict of interest. He knows his job will be in jeopardy if he gives the wrong report because he does not answer to Parliament. He answers to the Prime Minister. If he does anything to smear the Prime Minister, the cabinet or the government, his job could be at risk. Therefore he is in a conflict of interest and Bill C-34 entrenches that.

Recently we had the independent ethics commissioner in Ontario, who answers to the legislature in Ontario, write a scathing report

about an expense by a minister. The minister had to resign over the expense. That would never happen here.

The ethics counsellor here would say that he met all the criteria, that he did this or he did that, and it would be all smoothed over and everything would be hunky-dory because he answers to the Prime Minister. He serves the Prime Minister. He is paid by the Prime Minister. He serves at the pleasure of the Prime Minister. In Ontario the ethics commissioner answers to the legislature. It is fundamentally different.

I had a small case myself and I could not believe that it passed the ethics counsellor's scrutiny. A federal minister in the government personally signed an agreement to pay for a highway in New Brunswick. The other signator on the agreement was another provincial Liberal minister. They both signed this agreement saying that the highway would be 100% paid.

The minister in question, a former minister of transport, was defeated in the election and he went back into the private sector. Immediately the same provincial Liberal minister, who signed the agreement, signed the highway over to the defeated minister. It is amazing to see that the same two signatures are on the agreement, where a provincial minister signs over a highway to be a toll highway to a former federal minister, when the federal minister signed an agreement saying that 100% of the highway would be paid.

I took this to the ethics counsellor and somehow, even though this contradicted the post-employment criteria in every way, he found a way to exonerate the minister involved, even though it did not make any sense to have a minister pay for a project and then end up getting the entire benefit of it in the end. He signed both when the money went out and when the money came in. I could not believe the ethics counsellor found no problem with that even though very strict post-employment criteria were not followed. That is what convinced me that the position of ethics counsellor was pointless.

I can only assume that the ethics counsellor felt that if he criticized the former minister it would be a reflection on his boss. I do not know how he arrived at his finding but it certainly does not make sense. The signatures were on the paper, a federal minister paid for a program and then he got a multi-million dollar benefit from it in the end. I will never understand how that was approved, but it was. I do not believe it would have been approved if the ethics counsellor had been hired by Parliament and answered to Parliament.

Government Orders

Bill C-34 is all smoke and mirrors. It will not change a thing until the ethics counsellor answers to Parliament, not to the Prime Minister. The one thing I do fear is that opposition members will be treated differently than government members. Now that we are all included in this big net that the government has cast over all of us, I think we will be treated differently. If the opposition is accused of something it will not reflect badly on the government. It will probably reflect good on the government.

● (1305)

I believe that we will be treated differently than members of the government if they are accused of exactly the same thing because the boss of the ethics commissioner is still the Prime Minister.

I think it is smoke and mirrors. It is a missed opportunity for the Liberals to keep their promise they made to the Canadian people in 1993. It is a missed opportunity to correct a bad problem. It is a missed opportunity to provide confidence to people, their parliamentarians and their government, but they are not going to have confidence in an ethics commissioner that answers to one person and serves at the pleasure of that one person in Parliament.

● (1310)

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, I thank the member for the thoughtful comments that he has made today. He has used the phrase “smoke and mirrors” and I guess that is the nature of any legislation that is perceptual in nature. It tends to be accurately labelled as smoke and mirrors because it is dealing with a perceptual problem.

However, the perception of that problem is justified I think and has been justified by the numerous, shall we say, ethical lapses that have been raised not just by members on this side of the House, but in fact by some of the government's own members in reference to the conduct of others who may or may not now be with us in this chamber.

There is no doubt there is a need for this type of legislation. The question is regarding the effectiveness of such legislation. I think that is what the member has been alluding to. He has raised some important questions in his comments, but I would like to question him on one aspect of his comments.

He mentioned the potential, given the fact that the ethics officer would be appointed by the Prime Minister and accountable to the Prime Minister and so on, for an entrenched conflict of interest. Would he elaborate a little on what he means by an entrenched conflict of interest in that respect?

Mr. Bill Casey: Mr. Speaker, I should have done a little more homework to find out what the ethics commissioner earns a year, but I imagine it is in excess of \$200,000 a year probably. He has a very prestigious position. He can only keep that position if he keeps one person happy, and that is the Prime Minister. He will not keep that job because he does not answer to Parliament. He answers to the Prime Minister. He serves only the Prime Minister.

If he were to come to a conclusion that was against the interest of the Prime Minister, the Prime Minister could say he would not renew his contract for whatever reason. It is just human nature that there is a conflict of interest there. He would not look at these accusations

objectively because he knows he serves at the pleasure of one person and if he were to offend that one person, he would be gone.

That is why we have seen a consistent array of decisions in defence of inappropriate behaviour, that we all know was inappropriate. The media knows and so do the Canadian people. The ethics commissioner has become a joke because of his decisions when everybody knows that inappropriate behaviour has happened and he condoned it.

There is a conflict of interest because he would answer to one person. A judge cannot work for the accused. That is what would happen here and that is what would happen under Bill C-34. The judge would work for the accused.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I think the member has raised some interesting questions. It would be easy to simply reflect on a bit of history and make a judgmental call on whether or not what we have now has been constructive and functional for Parliament and for Canadians.

The member knows that the difficulty here is with regard to the ethics of parliamentarians and their role as parliamentarians, and this other group that is the cabinet which has another environment in which it operates. Obviously the issue of cabinet confidentiality comes into play. This new ethics commissioner would be actually reporting to a committee of the House, which is a change under that direction, but I think it does call for a presumption of honesty in that the integrity of individuals being proposed here would be scrutinized by all parties. There is an honest effort here.

Could the member perhaps comment on how we get over this bridge of cabinet confidentiality? Indeed, since cabinet is responsible to the Prime Minister and the Prime Minister is ultimately accountable for everything at the farthest level, how does the member suggest we deal with the problem of cabinet confidentiality, which is probably where the most risk or concern might be, and the issue with regard to members of Parliament and their role?

I would also ask him to reconsider his comment raising the spectre of concern that somehow there would be a bias of this commissioner against any party not in government. We must have the presumption of honesty and anything like that would truly be transparent.

● (1315)

Mr. Bill Casey: Mr. Speaker, I will start with the last question regarding my suggestion that there might be bias against the party. I only suggest that because of the track record of what has happened.

If members of Parliament were asked or the media or anybody who watched the actions and the decisions of the ethics commissioner, I believe they would say the decisions were biased in favour of the government and they have been ever since the day he was put in that position.

I do not like to suggest that somebody would be partisan or prejudiced in their decisions, but the track record is absolutely there and proven. Anyone who is independent and objective who watches the ethics commissioner will say that the decisions are biased. So why would we not take that one step further and say they will continue to be biased in the future.

Government Orders

However, this could all be eliminated if the ethics commissioner were engaged by Parliament and answered only to Parliament as does the Auditor General. She is not engaged by Parliament but answers to Parliament and does a great job. She does a great job for us.

Regarding cabinet versus MPs, I do not know why the Prime Minister or whoever developed this legislation cast out this big net to deal with MPs because I cannot call the president of the Business Development Bank or anyone else and influence them. I can call and ask them to do something or to have a look at something, but I cannot influence them. I do not hire anyone in a position of power. I do not influence anybody's pay. I do not influence anybody's career but some cabinet ministers do and when they call, it is different than when I call. I do not know why this big net was cast. The only thing I can think of is that this net is to provide a smokescreen to hide the fact that the ethics commissioner is still not going to answer to Parliament.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, I want to thank my hon. colleague for his views on this piece of very important legislation. He described the difference of how it will apply differently to cabinet as well as to all members of the House. I am really confused as to why that is in the bill.

However, I want to ask him some questions with regard to the timing of this legislation. Why, after a decade of promises, do we see it at this time? Does my hon. colleague have any conclusions or any insight as to why he feels it is coming forward now or why it did not come forward before this, or why it would not come forward after the next election?

Mr. Bill Casey: Mr. Speaker, he is asking me to think like a Liberal and that is a stretch. The promise the Liberals made in 1993 was simple and I think we should repeat it over and over: "The ethics commissioner will report directly to Parliament."

At that time the Liberals proposed an ethics commissioner to report directly to Parliament. They never did that and they are still not doing it now. But members have to draw their own conclusions of why they waited 10 years to bring a new and enhanced ethics commissioner bill in, even though to me it does not make any difference as long as the ethics commissioner reports to the Prime Minister and serves at the pleasure of the Prime Minister. All the decisions are still not going to be objective and will continue to be a conflict of interest.

Mr. Brian Pallister: Mr. Speaker, of course I will not ask the member to think like a Liberal; Liberal thinking being an oxymoron. But I will mention that I am pleased again to hear the expressions of concern from the member and I will remark on the fact that it is notable how the concerns of the Canadian Alliance and the Progressive Conservative Party are so similar on this particular bill as on so many others. That is fruitful.

However, I want the member to comment just quickly, based on his comments and my research on this bill. I find one part of this whole proposal offensive and that is the term "independent" being used in the context of a proposal the government is making for an independent ethics commissioner. I see no sign this ethics commissioner will be independent. I would like the member to comment on that aspect of the proposal.

● (1320)

Mr. Bill Casey: Mr. Speaker, I am sure we agree on a lot of things, but the independence of the ethics commissioner issue is also a problem with Bill C-34. Just imagine again the Auditor General, if she were to deal with matters in the same fashion as the ethics commissioner. We would not have the great reports and the objective reports that she comes forth with. It does not matter whether they are against the Conservatives when we were in power or against the Liberals now. Her office is a great institution because it is independent and the ethics commissioner will never be any good until that position is independent.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, we are being asked to debate a bill today that is long overdue, many would say 10 years overdue, and after all that time, it is a half a loaf. We are being asked to support a bill that has been desperately needed in this country for at least a decade and falls short in so many ways.

That is the dilemma we are all facing today. Do we support something because it is better than nothing, and try to address this paucity of action, this lack of decisive initiative by the government, or do we send it back to the drawing board and start again? It is a terrible dilemma to be in.

It is an unacceptable position to have to face, given the amount of time the government has had to deal with this matter, and to consider the concerns of parliamentarians and the views of Canadians. However, we are in that position today and we have to make that decision.

My colleagues in the New Democratic Party have wrestled with this decision around Bill C-34 long and hard. We have many concerns with this bill. We have made many amendments that have been rejected and we are disappointed in the process, but in the final analysis we know that we need an ethics commissioner for Parliament that has some independence and is different than the present arrangement. We desperately need that.

When all is said and done, we will have to support this bill. We will have to hold our noses and say that it is too bad that we had this great opportunity, that we had a moment before us where we could have made such a difference and we had to go for second best. We had to lower our expectations and we had to subject ourselves to true Liberal politics in this country today which is to never do the best when the situation presents itself, to always go for the bare minimum and keep the standards low. That is what we are dealing with today.

I want the record to be clear and I want members of other parties to know that while we will end up supporting this bill, we do so reluctantly and we share many of the concerns raised in the House today.

Government Orders

What will it mean if we pass Bill C-34? How will it change the situation and will it endure the test of time? I asked the question earlier of the government House leader about how long this new initiative would likely last given the new regime that is about to take over on the government's side and for good reason. I asked that question because we know that when it comes to the Prime Minister's legacy agenda, the Prime Minister and leader to be of the Liberal Party has said that he is not above tampering with legislation that the House is either in the process of implementing or considering.

We heard the former finance minister say last week, after we had the big debate on same sex marriage that whatever Parliament decides, he might make some necessary changes despite the will of Parliament. We heard the former finance minister also say that whatever this place decides on the decriminalization of marijuana, he might have something else in mind and he might just ignore or disregard what Parliament does.

The logical question is, if we proceed with Bill C-34, no matter what the government House leader says, what guarantees are there that the next Prime Minister of Canada will not find some way to alter or change this legislation, this idea, this important initiative?

• (1325)

It is a legacy agenda for the Prime Minister, that is for sure. The Prime Minister has said that he wants to see the bill through, no matter how flawed, as part of his legacy. Some would ask, what legacy? Others would say, though, that if it is his legacy agenda, given what the former finance minister has said it is doomed anyway. It is probably going to be changed, watered down, weakened and tampered with.

So let us put that in perspective. Let us keep that in mind as we deal with this legislation at a time when it is so difficult for us as parliamentarians to know how to pursue the issues on which Canadians sent us here in the first place, to pursue change and to pursue important public policies, when in fact we are dealing with a two-headed government. We are dealing with a Prime Minister who is intent on accomplishing a legacy agenda that is questionable and which the next prime minister of the day is likely to in fact take apart anyway, so what do we do as parliamentarians?

I guess we do the best we can with what we have. We continue to speak out on behalf of the concerns of Canadians. Today we have that opportunity. We have an opportunity to say to Canadians that we recognize this is vital for democracy in the land, that it is incumbent upon us as parliamentarians to deal with growing cynicism and skepticism among Canadians about the work of parliamentarians and about the influences they have in their day to day lives. It is critical for us to at least validate those concerns and to say it makes absolute sense and we will fight with everything we have to implement those changes and ensure that this place has an ethics commissioner who will in fact work to ensure that parliamentarians are operating at the highest levels of integrity, honesty and decency.

That is really what this is all about it. Others have said it today. This is about restoring faith in democracy. It is about giving people reason to believe that when they participate in elections those who are elected fulfill promises, operate at the highest standards and are

not influenced by money and influence and power for the sake of power.

Canadians have asked for this for a long time and the Liberals have promised it for a long time. As others have said, in 1993 there was the red book promise. It is just like the promise for national home care and national pharmacare. It is like all kinds of promises that just sort of disappeared and are gathering dust somewhere. In fact, I would like to hear some day from a Liberal across the way how many of those red book promises in 1993 actually were implemented. I have a feeling that it is not a very high percentage. Let us go back to the 1993 red book and remind members across the way and all Canadians of just what was promised to them.

Liberals in that election said they would:

—appoint an independent Ethics Counsellor to advise both public officials and lobbyists in the day-to-day application of the Code of Conduct for Public Officials.

That is one thing the red book said. It also said that Liberals would enshrine the principles and commitments of political non-interference in public decisions and free access to public office holders and, it stated, the Liberals:

—will develop a Code of Conduct for Public Officials to guide Cabinet ministers, members of Parliament, senators, political staff, and public servants in their dealings with lobbyists.

They were fine words. It was a commitment made for good reason. There were enough examples even back then of influence peddling and of corruption within government. The need for this was clear. Ten years later, we are debating legislation to establish an ethics counsellor, legislation that is flawed, falls short of what is required and does not reflect the will of most parliamentarians.

• (1330)

Probably the red book of 1997 repeated the same promises. I do not know. I do not have that in front of me, but I do know what the Speech from the Throne said in 1997. I was here, newly elected, and naive, I suppose, and a former colleague, in response to the Speech from the Throne, said:

So many of our citizens have become so discouraged with our politicians and our political system that they have chosen not to exercise the basic rights for which our forefathers fought and died. But the sad reality is, and it came across loudly and clearly to me during the election campaign, that many citizens have lost faith in their politicians. Politicians were described to me as not really caring, being in it only for themselves or for the money, being dishonest or full of empty promises....As I stand here today I pledge that I will do my best to put a new face on politics.

That was in response to the throne speech of 1997. Here we are in 2003 debating legislation to establish an ethics counsellor, legislation that is imperfect, flawed and falls short of the mark. Why?

Those were wonderful statements about Canadians' concerns with democracy and faith in politicians, but these statements, by not being acted upon, in fact add to that cynicism and skepticism. There seems to be more disillusionment than ever. It is another set of fine words from politicians, which no one acted on.

Government Orders

There have been attempts in the House over the last decade to get this government off its duff and get it started doing something with respect to the red book promise of 1993 and the throne speech promise of 1997. I do not need to remind members in the House that it was one of my former colleagues as the member for Halifax West who twice brought forward legislation in the House to convince the government to act. He would have been happy if the government had taken the idea and acted on it. It did not have to be his bill. It did not have to be that private member's initiative. But he brought forward legislation that did not go anywhere. I want to quote from Gordon Earle's speech of December 16, 1999. He stated:

This bill is realistic. It is reflected in provincial legislatures and other nations' national assemblies. This code of conduct would raise the level of integrity of our Parliament. This bill is rooted in very practical and legitimate concerns Canadians hold about their Parliament.

He went on to say that he was very disappointed that the issue had not been acted on to that point in December 1999. He talked about everything that Parliament should be, and which we think it is, but he talked about how it fell short because we did not have the framework in place, we did not have the proper legislation in place and we did not have an effective model for an ethics commissioner in place. That was in December 1999. At that time, even though the Liberals made the promise in 1993, the parliamentary secretary stood up in the House in that debate and said, "This is not a priority". It was not a priority.

We did not give up with the loss of that opportunity. Gordon Earle was unsuccessful in the 2000 election. The cause was taken up by our member for Halifax, then leader of the New Democratic Party, who reintroduced this private member's initiative, which became Bill C-299, with a view to pushing the government, giving government the tools it needed to make an election commitment a reality. We did the homework. We made it possible. We said, "Steal the idea. Run with it." Did anything happen on that front? No.

Finally, I guess, enough scandals happened, with enough rumblings and speculation about ministerial involvement in the sponsorship contracts. We got more and more examples of lack of ethical standards in the high echelons of the bureaucracy. We were talking earlier about Charles Boyer, but we should also remember that we recently had the case of Paul Cochrane, the former ADM at the Department of Health, and others of his colleagues who are charged with criminal wrongdoing, numerous counts of fraud, corruption and bribery, and who have now experienced charges in this case, which will be heard soon.

● (1335)

There have been all kinds of examples that have caused this issue to stay at the top of the political agenda. Finally, and I guess because of that, the Prime Minister decided in the spring of 2002 to move on this area. He introduced his package around election guidelines, election donations and leadership contributions, a code of conduct for parliamentarians, and some sort of legislation on an ethics commissioner. Was he serious? I think he was. I do not want to question his motives.

However, by that point it really ended up being a band-aid on a pretty big sore, a pretty big open wound, with all kinds of festering happening as more of these scandals came to life, more allegations were made and more Canadians became cynical about this place.

On the one hand one could argue that yes, in fact, the Prime Minister finally, after a decade, was deciding to put into action what he believed in all along. Or one could argue that perhaps he was trying to make life a little difficult for the former finance minister, the member for LaSalle—Émard, who was in the middle of all of this at the time with the concerns around Canadian Steamship Lines, concerns around money going into Barbados, and concerns around numbers of donations he was getting and the lack of a system to disclose those donations. All of that was coming to a head at the same time and perhaps the Prime Minister was really just trying to make life a bit difficult for the member for LaSalle—Émard. Who knows?

Needless to say, we are here today with a less than perfect piece of legislation. It is less than perfect on a number of fronts.

We have heard today particular concerns about the fact that this position is not really independent. The ethics commissioner is to be appointed following a simple majority vote in this place. It is an improvement from the way in which the ethics counsellor now operates; he was appointed by the Prime Minister. But will someone who receives 50% plus one be accountable to all of us and be open to all our suggestions and concerns? Or would that person in effect still be manipulated by the Prime Minister's Office?

What members, at least those on this side of the House, wanted to see was an amendment to the bill such that it would require a two-thirds majority for an ethics commissioner to be accepted by Parliament. A two-thirds majority makes sense, right? It would mean that we would have to involve all parties. It would go beyond the control of the government of the day. It would certainly carry the hope for more independence.

A simple majority vote in the House to support the appointment of an ethics commissioner is simply not effective. That is what members have been saying today and all through this debate: the ethics commissioner must have the trust and support of all members of Parliament to have the confidence of the House of Commons.

That amendment was presented in good faith and with good rationale and good reason. Members of the government side, the Liberal Party, turned down that amendment. Why? Why turn down something that would allow for more independence? That is a major concern.

Let me also reference the concern about the fact we had hoped that this legislation would ensure that the position would be able to incorporate a regime for the disclosure of private interests of MPs and senators and would include their immediate family. We have a couple of concerns on that front.

First, we understand that separate codes of conduct would be established by each of the respective Houses. That clearly begs the question, and there is a lot of history here to justify this, of whether there will be two sets of standards for parliamentarians and senators. Will there be one set for MPs and another set for senators? Are we not talking about basically the same thing, which is a way to ensure that conflict of interest is declared in an open and meaningful way?

Government Orders

• (1340)

Second, we are very concerned that we have not resolved the issue of family members, in particular the question of the spouse of the MP or the Senator, with respect to disclosure provisions and the code of conduct to be developed.

Finally, there is a very legitimate concern that has not been addressed by the bill and that is the public ought to have some way to access the system.

I will just conclude by saying we believe that receiving and investigating complaints of improper behaviour by the public should be part of the regime. The public should be able to make complaints directly to the ethics commissioner not just through a member of Parliament. The public should have some input in this process. It goes without saying that frivolous accusations should not be party to this kind of system.

We are very concerned. We hate being put in the position of accepting something because it is better than nothing. However we want to see an ethics counsellor. We will support the bill but we register vehemently our concerns with the process and the dragging of heels by the Liberals. We urge them to address these concerns immediately.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the member has raised some interesting questions. I have a great deal of respect for the member. We have worked together on many issues.

I have a concern though. If we reconsider the intent of Bill C-34 with regard to the whole ethics question, it really has to do with the integrity of the profession and of this place. I think we all want to work to improve upon that. However the member has raised more examples of allegations, innuendoes, et cetera and sprinkled in the word corruption two or three times in the speech to make certain suggestions. That is inappropriate. If the member has one example of corruption in government, and since corruption is an illegal act, I wish she would advise the House what that example is, because there is not any.

I would like the member to perhaps set that aside. I will accept her concurrence with the fact that there is no matter of corruption since the governments prior to 1993. However there are issues of allegations, innuendo, et cetera that have been referred to the appropriate authorities, whether it be the sponsorship file or whatever. We know corporations are subject to criminal proceedings, and possibly some people were in the employ of the bureaucracy at the time. That is very unfortunate but it is a reflection on us all.

Finally, would the member care to comment on the dilemma I raised with the previous speaker with regard to how we have an ethics commissioner who clearly reports to Parliament, as for instance an officer of Parliament like the Auditor General, but who also can deal with probably the area of most concern and most risk, and that is with regard to cabinet and the issue of cabinet confidentiality? How do we administer that independently within the House of Commons, accessible to the public and be able to access or deal effectively with the whole aspect of cabinet activity, most of which will be subject to cabinet confidentiality rules?

Ms. Judy Wasylycia-Leis: Mr. Speaker, I would be happy to address both parts of the member's question, starting with comments

I made during my speech about perceptions of corruption from the allegations that led the Prime Minister to finally address this issue generally in the spring of 2002.

If the member had listened carefully to my speech, he would know that I made no specific allegations of corruption in this place. It certainly would not be my intention to exaggerate and make unfounded accusations because that does not serve any of us very well.

I was referencing the context in which we find ourselves today and bemoaning the fact that it has taken so long for us to get to some point where as an elected assembly we can deal with some of these concerns and the perceptions that the public has about this place.

It is absolutely critical for us to acknowledge and understand that when the newspapers have headlines about bureaucrats who have been charged with criminal wrongdoing and numerous counts of fraud and bribery it impacts on all of us. It helps set the context and makes it more urgent than ever that we act expeditiously and in good faith with the best possible legislative framework for dealing with our own affairs as members of Parliament.

The member should know that I was speculating on why the Prime Minister moved on this as part of his legacy agenda and whether it was about putting ethics first or putting the former finance minister in a difficult spot. I said at that time it was about the present government trying to put a band-aid over incidents involving RCMP investigations and perceptions of corruption in cabinet. A government in an ethical sense would have done this back in 1993.

I say to the member that the allegations which have resurfaced around the sponsorship program should be enough for us to recognize that we have to act on this and we have to act on our own affairs and do so with the highest possible standards.

We have said this past week that the new speculation around money that has been involved in these sponsorship contracts finding their ways into Liberal Party coffers has to be enough to call for a public inquiry and should be enough for the government to say to Alfonso Gagliano in Denmark that his job is done and he is fired.

We have to start taking decisive action where allegations are made, where evidence is forthcoming and where public perception affected.

I am not casting aspersions on anyone. I am not trying to exaggerate the situation. I am trying to make the case for why this proposed legislation is urgent, why we are all disappointed with the shortcomings in the bill and why the Liberals could have done more.

My question for the member is this. Why did he and his colleagues not support the amendment at committee to require a two-thirds majority with respect to the appointment of the ethics commissioner? The member wants to know how can we protect cabinet and how can we do this. I say to him that we have a basic issue at hand which is let us have clear rules in place and a proper appointment process so there is no tainting of the position and let us get on with the job, whether we are a cabinet minister or a backbencher, so people have declared their interests and we have an ethics commissioner who is independent to investigate and rule on any allegations.

Government Orders

Until we can get an the answer on the question of why the government has refused to move beyond a 50% plus one appointment process, we will be unable to address the member's question about cabinet confidentiality.

• (1345)

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, I thank the member whose sincerity and enthusiasm I admire and have for a long time. I know many of the points she has articulated today are points that we share in the Alliance. We have made those points in debate on this bill and will continue to do so.

The member alluded to this as being a legacy piece of legislation. That is a fair observation. There is an attempt here to throw a bandage to a person who has been punched and bloodied pretty much over the last 10 years by the Prime Minister. It is about that trivial an attempt. It is a cosmetic attempt to try to patch up the credibility of a government that has had great difficulty in behaving credibly.

The member opposite, in defending the government on this issue, asked a question about specific examples. I could go on at much more length than I have time for today. However, for example, when a government pursues trumped up charges against the preceding prime minister, when it cancels contracts solely on the basis of a partisan initiative, when it cancels whether it be helicopters or Pearson Airport contracts, it costs taxpayers millions of dollars.

What this does is it calls into question not only its management ability, and certainly that would be in question, but it also calls into question its own ethics. It is under the Prime Minister that these things have happened.

Management competence versus ethics we could get into when they brush up against one another, which is the predominant problem, the management inability of the government or its ethical lapses. However the fact remains that this is a government that has been plagued by both of those problems.

Bill C-34 will not address satisfactorily the independent promise it made to affix an independent officer, an independent ethics commissioner, under the 1993 red book authored by the new prime minister, the member for LaSalle—Émard. If we expect a fresh face and a fresh approach, I do not think we will get one from that member because after all that is a book of unfulfilled promises.

Would the member like to elaborate a little more on some of the unfulfilled promises of that book in terms of the promises it made to improve the lives of Canadians, those less fortunate, those have not Canadians? I would like her to elaborate a little on that aspect of the unfulfilled promises of that book and how that might relate to a better role for an ethics commissioner who would be truly independent in this Parliament.

• (1350)

Ms. Judy Wasylycia-Leis: Mr. Speaker, I wish to thank the Alliance member from Manitoba for his question. I share his concerns about this bill in terms of that whole issue around independence and objective analysis.

We as a party will probably support the bill despite our concerns. We will do so holding our nose. We share the concerns of the Alliance.

It is absolutely critical to understand this in terms of a promise that has largely remained unfulfilled. I think the red book was very clear about having an independent ethics commissioner, about having a system of full disclosure for cabinet ministers and about finding a way to deal with some glaring problems in the bureaucracy.

The government has tried to glaze over its commitment. I think Canadians see the difference. I am glad to see opposition members working together to try to expose this development and to do the best we can in these difficult circumstances.

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, I am delighted to have this opportunity to draw the attention of the House to an aspect of this legislation that might be otherwise overlooked. It is a very important aspect of the legislation and one that I, because of my particular interests I suppose, am especially qualified to comment on, or at least I am the one most likely to notice and that is because of my interest in issues pertaining to access to information and privacy.

I draw the attention of the House to section 72.06(a) and (b). This section of the act describes the functions of the ethics commissioner in relation to public office holders. What we have in this section is a definition of public office holder that includes a minister of the Crown, a minister of state or a parliamentary secretary, which is fine, and in (b) even more significantly a person, other than a public servant, who works on behalf of a minister of the Crown or a minister of state.

Members of the House will recall that about a year ago there was quite a controversy involving the expense accounts of an exempt staff member of one of the ministers. The Treasury Board had ruled that the exempt staff of ministers were not public office holders. This was a fairly longstanding definition, or interpretation I should say.

Actually I have the Treasury Board analysis. It was actually a guideline, guideline 78 that was released in March 2001. It advised with respect to section 3(j) of the Privacy Act that ministers and their exempt staff are not deemed to be officers and employees of government institutions and as such are not covered by section 3.

When ministers take office they certainly have staff that are provided to them by the bureaucracy, by the public service, but they also have a certain number of employees who are their direct aids that act as intermediaries between the minister and the bureaucracy, sometimes as intermediaries with the media. Sometimes they also look after some of the ministers' politically partisan activities.

The problem is that as a result of this interpretation, this type of individual was not covered by the Access to Information Act. This exploded into something of a controversy when it was discovered, quite to everyone's surprise, that access to information requests made to this type of staff of ministers were being denied and were being denied as a result of this guideline set out by Treasury Board.

What is so interesting about the section I alluded to in Bill C-34 is the good news is that the government has acted on that controversy. We already knew that the government had acted on that controversy because after the hearings before the public accounts committee, even though it became very clear as a result of the testimony that this was a valid interpretation that ministers' staff were not covered by the Access to Information Act, there was a directive issued, I believe by the Prime Minister's office, to ministers to exercise their discretion and endeavour to ensure that type of information was released.

Thus we have the news of the day now where the staff of certain other ministers are receiving a certain amount of media coverage because of—I do not know how to describe it—elaborate spending, shall we say. I do not want to suggest excessive because I do not want to make a judgment, but we have seen in the news a number of expense account stories. That arises directly out of the public accounts activities and the questions raised about ministerial exempt staff.

As I say, the really good news is that obviously in Bill C-34 the government has received the message from the backbench, has received the message from the public accounts committee and has actually put into this legislation that a public office holder is indeed a minister, as indeed are the staff that the ministers hire. That is good news.

It means that the ethics commissioner will be part of a package of transparency that looks at not just how people spend money in departments, but how they deport themselves. I think it is a very good thing that the government has seen fit to put that actually in the legislation.

● (1355)

The Deputy Speaker: The hon. member for Ancaster—Dundas—Flamborough—Aldershot would have approximately 15 minutes remaining should he wish to continue his intervention after question period.

[*Translation*]

The House will proceed with members' statements. The hon. member for Saint-Lambert.

STATEMENTS BY MEMBERS

[*Translation*]

THE ENVIRONMENT

Ms. Yolande Thibeault (Saint-Lambert, Lib.): Mr. Speaker, today, I am pleased to note that today, like more than 1,300 other cities around the world, Montreal will close a major part of its downtown to motorists. The slogan for this day is "Car Free Day".

The first day of this kind was held in Paris in 1998. The aim of "Car Free Day" is to explore alternative modes of transportation to single-occupant vehicle usage and to promote joint reflection on possible solutions for improving quality of life in large cities.

Under the Kyoto protocol adopted in December 1997, Canada's commitment was to reduce greenhouse gas emissions to 6% below

S. O. 31

1990 levels by 2012. We all know that raising awareness of the problem of greenhouse gases is very important.

* * *

● (1400)

[*English*]

HIGHWAYS

Mr. Chuck Strahl (Fraser Valley, Canadian Alliance): Mr. Speaker, this past Saturday I took part in a cavalcade of four wheel drive vehicles that made the journey from Agassiz to Pemberton along the west side of Harrison Lake, past Port Douglas and Lillooet Lake. The purpose of the trip was to publicize the exciting potential of widening the existing forestry roads into a secondary highway.

The mayors of Agassiz and Pemberton, MLA Barry Penner, and a group of experts from the provincial government were there as well. Entrepreneurs and business advocates made the journey too. All of us were impressed with the possibilities that would go hand in hand with increased accessibility.

There were also representatives from some of the native bands that live along the route. While development could also provide economic opportunities for them, their needs are more basic. Right now some of these bands must live without electricity and phones, without access to education and medical care, even without year-round road access. The things we take for granted are simply unavailable to them.

I urge the ministers of Indian affairs, federal infrastructure and economic development to listen closely to local residents and representatives to see what role the federal government could play once the provincial government tables a report on this alternate route as early as October of this year.

* * *

[*Translation*]

CANADIAN FORCES

Mr. Christian Jobin (Lévis-et-Chutes-de-la-Chaudière, Lib.): Mr. Speaker, I am please to rise in this House today to acknowledge, once again, the quality of our Canadian Forces.

Nearly 2,000 of our soldiers are currently deployed in Afghanistan to fight terrorism and to ensure peace and security. Yesterday in Kabul, they showed that their skills exceed combat excellence.

Canadian paratroopers defused a delicate situation near the Afghan capital by using persuasion and diplomacy.

Locals had threatened to use force against refugees if they did not abandon their camp, which was too close to two of the local community's cemeteries.

Owing to the quality of their training and Canada's reputation around the world, our paratroopers prevented the start of another conflict in a very volatile country.

We are all very proud of our armed forces and grateful for their work.

S. O. 31

[English]

MARGARET ATWOOD

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, I rise today to congratulate Margaret Atwood on her novel *Oryx and Crake* being shortlisted for the Man Booker Prize, Britain's best known literary award. Ms. Atwood, who won the Booker Prize just three years ago for *The Blind Assassin*, is the only Canadian among the six finalists. In the past, she has also been nominated for the Booker Prize for her unforgettable novels, *The Handmaid's Tale*, *Cat's Eye* and *Alias Grace*.

I know that Canadians will be thinking of Ms. Atwood on October 14 when the prize is announced in London.

This is a good reminder of the quality of Canadian literature. What better time than today to pick up a book by one of Canada's authors. I encourage all members in the House of Commons as well as all Canadians to do just that.

* * *

[Translation]

AGRICULTURE

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, last August I wrote to my government to pass on the contents of a letter I had received from Alain Richard, President of the Fédération de l'UPA d'Abitibi-Témiscamingue, and Rosaire Mongrain, President of the Syndicat des producteurs de bovins d'Abitibi-Témiscamingue. In it they voiced concerns for the future of farm operations in their area as a result of the repercussions of mad cow disease.

Everyone is appreciative of the funding made available by the governments of Canada and Quebec to help farmers out of this crisis.

Today, however, governments must continue their efforts and improve their support to farmers.

Changes must be made to the cost-shared program between the governments of Quebec and of Canada announced on July 16, 2003.

If the U.S. embargo continues, Canada will have to implement one of its own on American beef.

* * *

[English]

NATIONAL SEX OFFENDER REGISTRY

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, the government failed to provide Canadians with a national sex offender registry by January 2002, even though it supported the Canadian Alliance motion calling for it a year earlier.

Last week, a Canada-wide warrant was issued for 51 year old Christopher Lance Neale of Surrey whose record of 44 convictions spans more than 20 years. He is wanted on nine counts of assault against two 13 year old girls. He fled Surrey with a young boy and police were concerned for the boy's welfare. Fortunately, I have been informed that the boy has been returned home safely. In a previous case, Neale sexually assaulted a 12 year old boy while the director of a youth program. Edmonton police want him on eight other charges.

He is accused of offering runaway girls accommodation, food and illegal drugs in return for sex.

If the Liberal idea of a sex offender registry were in effect, this predator would not be on it. Unbelievably, he would not be automatically registered even following a further conviction; the Crown would be forced to apply. Finally, if registered, he could apply for an exemption. The Liberal idea for a national sex offender registry is a total fraud.

* * *

SOUTH POLE RESCUE

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, I rise today to congratulate Sean Loutitt, a pilot from Calgary, who once again displayed the kind of courage and skill of which we can all be proud. Mr. Loutitt, along with a second plane piloted by Jim Haffey, made an extraordinary rescue at the South Pole yesterday.

This weekend Mr. Loutitt and his crew successfully completed the daring rescue of an American worker who needed urgent medical attention at the Amundsen-Scott Polar Research Station.

The Twin Otter plan left Calgary almost two weeks ago but could not attempt the rescue until now because of poor weather conditions. After more than 24 hours, they arrived safely at Punta Arenas International Airport in Chile.

I ask the House to join me in extending our congratulations and our thanks to Mr. Loutitt, his crew and all the other brave Canadians who undertake dangerous missions like this one to save the lives of others.

* * *

•(1405)

[Translation]

ÉLAINE ALLARD

Mr. Robert Lanctôt (Châteauguay, BQ): Mr. Speaker, I and my colleague, the member for Bas-Richelieu—Nicolet—Bécancourt, wish to pay tribute to an exemplary athlete.

Élaine Allard has given us proof that people can do anything if they want to hard enough. She took part in an expedition to Mount Everest, despite being in a wheelchair.

On April 24, 2003, she successfully reached Mount Kala Pattar, with an altitude of 5,545 metres, which is 145 metres higher than the Everest base camp.

Ms. Allard succeeded despite her personal obstacles. Her determination and courage, coupled with the backing of her family and the community as a whole, led to her success.

This exploit adds to my conviction that there is always hope. One day, I am sure, my son, who is also disabled, will be able to conquer the world.

I extend congratulations to Ms. Allard.

[English]

HOMELESSNESS

Mr. Joe Peschisoldo (Richmond, Lib.): Mr. Speaker, I would like to recognize the valuable contribution the national homelessness initiative has made to my riding of Richmond. Through this initiative, the government provided Chimo Crisis Services with \$697,000 to help build a transition house for needy families. The homelessness initiative also provided \$390,000 for a non-profit family housing development in Richmond.

Based on the success of the initiative and the continuing need to support homelessness people, the Government of Canada has renewed the national homeless initiative for an additional three years with a \$405 million investment.

The continuation of the initiative will help communities, such as Richmond, to continue their efforts to reduce homelessness and to focus on longer term solutions, such as transitional and supportive housing.

* * *

SOUTH POLE RESCUE

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, Canada's tradition of pioneer aviators has once again been highlighted by a recent aerial rescue mission to the Antarctic.

Two years ago a Canadian Twin Otter flew a daring medical rescue to the South Pole. That feat has been repeated as another rescue has just been completed this past weekend.

Some have asked: Why does a bush pilot from Calgary have to travel around the world to perform such a rescue? The reason is quite simple: because they are the best. This is due to the expertise gained by regular use of these aircraft in Canada's rugged north.

Pilots Sean Loutitt and the support teams from Kenn Borek Air are experts with no equal when it comes to cold weather flying. Sean's response when he was called a hero for his mission was also quite typical of a pioneer: "Just another day at the office".

My comment for Sean is, nice office, nice day.

* * *

WORLD PEACE DAY

Mr. Walt Lastewka (St. Catharines, Lib.): Mr. Speaker, yesterday marked one of the most important dates on our calendar. World Peace Day passed us by with war and violence being waged all over the world. Despite this, Canada's commitment to the goal of peace must persist.

Canadians have a proud tradition of commitment to the pursuit of peaceful resolutions to global conflicts. Former Prime Minister Lester B. Pearson won the Nobel Peace Prize for his role in the establishment of the international peacekeeping.

I believe that it is through continued support of the ideals of the United Nations and peacekeeping missions that the world will become a more secure and just place.

S. O. 31

Today I ask all Canadians to join me in recognizing World Peace Day and use this occasion to commit themselves to a peaceful world for us and for generations to come.

* * *

AGRICULTURE

Mr. Inky Mark (Dauphin—Swan River, PC): Mr. Speaker, Canada's \$30 billion cattle industry is still at risk. Contrary to popular belief, the borders are not open. I repeat, the borders are not open. The U.S. government is currently taking applications from American beef importers.

Canada exports six out of ten cows we produce but the beef industry is at a standstill. A way of life is at risk. Tens of thousands of farm families are about to lose their livelihood. The Liberal government has not done enough to resolve the problem.

Politics created this problem and it will take politics to fix it.

When will the government convene and lead a multi-party delegation, including representatives of the industry, to Washington at the earliest possible date to discuss with officials of Congress and the Government of the United States all possible means to fully reopen the U.S. border to shipments of Canadians livestock?

* * *

[Translation]

EMPLOYMENT INSURANCE

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, according to a formal study by the Canadian Labour Congress, made public just a few weeks ago, employment insurance was costing claimants and the local economy in Drummondville \$21.3 million per year.

Michel Dupont, FTQ regional representative commented:

It is all the more unacceptable since, of the \$40 billion in the employment insurance fund, 64% came from workers earning \$20,000 or less annually in 1999. This surplus will reach \$45 billion at the end of 2003. These people are contributing to the fund but they will never be eligible for benefits under the current criteria.

Women are the most severely penalized. In 1990, 76% of unemployed women in Quebec were entitled to benefits; today, only 39% are.

When will a self-sustaining employment insurance fund be created, as we have been demanding for so long?

* * *

● (1410)

[English]

THE UNITED NATIONS

Ms. Sophia Leung (Vancouver Kingsway, Lib.): Mr. Speaker, today the Prime Minister is in New York to attend the opening of the 58th General Assembly of the United Nations. The Prime Minister has made it clear that his goal for this week's meeting is to see multilateral cooperation strengthened through the UN.

Oral Questions

The Prime Minister also plans to attend two other important meetings today while in New York. First, he will participate in the leader's round table at the Fighting Terrorism for Humanity Conference. The goal of this conference is to provide world leaders with a forum to discuss the roots and origins of terrorism, as well as policy measures in the global campaign against terrorism.

Later today the Prime Minister will attend a leader's interactive panel discussion on HIV-AIDS in the UN.

Canada is working with various partners to meet the millennium development goals and the UN—

The Speaker: The hon. member for Vancouver East.

* * *

HEALTH

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, last night in Vancouver's downtown eastside, drug users began using Insite, the first officially sanctioned, supervised injection facility in North America. It is an historic day marking a commitment to restore health and dignity to a community that has witnessed and withstood much pain and scrutiny.

I want to pay tribute to the members of VANDU, the Portland Hotel, PIVOT and the Coalition for Harm Reduction, who never gave up hope to make Insite a reality to save lives, despite many barriers. The courage and commitment of Bud Osborn, Ann Livingston, Dean Wilson, Chuck, Earl, Brian, Melissa and many others who worked tirelessly is a powerful example of how justice can be won and the voices and needs of the most marginalized can be heard.

I feel honoured to have worked with this community to help bring about these measures to stop overdose deaths and prevent infections like HIV-AIDS and hepatitis C. There is still much to be done but we have begun at the right place.

* * *

FISHERIES

Mr. Shawn Murphy (Hillsborough, Lib.): Mr. Speaker, last week the Northwest Atlantic Fisheries Organization held its annual meeting in Dartmouth, Nova Scotia. Conservation and compliance were the major points of discussion, and Canada made progress in a number of key areas.

NAFO parties agreed to a multi-year conservation plan for turbot that includes an overall reduction of 60% in the total allowable catch. Canada is pleased with this move away from a year to year management regime toward a comprehensive, long term rebuilding strategy. This plan will save millions of fish. There will be an immediate and significant reduction of the total allowable catch, with the 2004 quota being reduced to 20,000 tonnes from 42,000 tonnes in 2003, and further annual reductions leading to a quota of 16,000 tonnes in 2007.

This reduction is significant and demonstrates political will among NAFO parties to focus on conservation of such an important stock.

AGRICULTURE

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, the agriculture minister is meeting with his provincial counterparts here in Ottawa this afternoon. Given the minister's ineffective record on certain issues, I have to wonder what, if any, new information he will provide about BSE relief efforts or provincial unease about the agricultural policy framework.

The Saskatchewan government has valid concerns about the minister's attempts to lump extraordinary circumstances, such as the beef crisis, in with the less severe situations that the APF was designed to address.

Saskatchewan has not signed on to the agricultural policy framework, yet with the aid in some cases tied to the APF our producers are left in limbo.

The uncertainty is making a terrible situation worse. I plead with the minister to make clear his intentions so that everyone can get back to the business of beef.

ORAL QUESTION PERIOD

• (1415)

[English]

MEMBER FOR LASALLE—ÉMARD

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, last week the new leader of the Liberal Party laid out some of his fiscal plans. He has been calling for new spending initiatives of undisclosed proportions. He also has called for debt reduction targets which, if we take them literally, would require \$62.5 billion in spending reductions.

What is the policy of the new leader of the Liberal Party? Is it massive spending increases or \$62.5 billion in spending cuts?

Some hon. members: Oh, oh.

The Speaker: The Leader of the Opposition will have to confine his questions to the government. Asking questions of people who are party leaders is very interesting but unfortunately they are not eligible to answer questions in the House unless they are ministers. Therefore he will have to direct his question to a minister. Perhaps in a supplementary question he will find the kind of answer for which he is looking.

Mr. Stephen Harper (Calgary Southwest, Canadian Alliance): Mr. Speaker, he finished by bragging about his new found power on the lawns of Parliament Hill.

However I will tell you this, Mr. Speaker. This man controls the governing party, he is leader of the governing party, he has a seat in the Commons and under our system of responsible government he should be here to answer questions.

This is unprecedented. The member is involved in drafting a new budget.

Therefore, I will ask the government this. Is the government committed to having its new leader come to the House of Commons and answer questions?

Oral Questions

Hon. David Collette (Minister of Transport, Lib.): Mr. Speaker, I do not want to give a lecture in civics to the hon. member on the floor of the House of Commons. He talks about responsible government. We have a responsible government sitting here led by a Prime Minister. When that changes and a new prime minister comes in, then he can direct questions to that new prime minister.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, he will not answer questions in the House, he will not answer them in committee, but apparently he can hold a press conference in the tourist information centre on Parliament Hill. He is responsible for the new budget, making policy statements that he will cut \$62.5 billion in spending.

I ask the minister this. Will the government at least agree to consult the member on the answers to these questions and report those answers back to the House of Commons?

Hon. David Collette (Minister of Transport, Lib.): Mr. Speaker, I quite understand the fact that the Leader of the Opposition cannot wait until we have a new prime minister in the House because he wants to put questions to that prime minister.

In the meantime I think he should do what he is paid to do by the taxpayers of Canada and that is put questions to the government that is actually in office.

* * *

AGRICULTURE

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, today the agriculture minister is holding meetings with his provincial counterparts. There is little expectation that the government and the minister will bring anything new and useful to the table.

What will the agriculture minister offer to the provinces other than blackmailing them into signing the agricultural policy framework?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I will repeat again, there are hundreds of millions of dollars that the federal government has available for the provinces. Some provinces have not even agreed to put their 40% with that, so their industry should be asking those provinces why they are not there to support them.

As well, last Friday I announced the payment to the farmers of the second \$600 million transitional fund. That will be there to help producers and that will go to all farmers across Canada whether they sign the implementation agreement or not.

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, the agriculture minister can do a lot of extra talking but the borders are still closed to all livestock in this country.

For years Canadian cattlemen have called for year round access to American feeder cattle. Uncertainty is the last thing that the cattle industry needs right now.

The minister needs to answer the important question for our farmers. When will his government allow year round access to American feeder cattle so that for once and for all we can get this border open?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I know that is an issue with the beef cattlemen. It is also an issue with the dairy industry which has concerns about that as well, and they are different from what they are for the beef industry. It is also an issue as far as health is concerned.

I have asked the Canadian Food Inspection Agency to do another review of the level of risk. That will be done as quickly as we possibly can to ensure that whatever action is taken we have the level of risk in reference to those specific diseases, bluetongue and anaplasmosis, as low as possible.

* * *

● (1420)

[Translation]

THE ENVIRONMENT

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, New Brunswick has given the green light to the construction of an incinerator at Belledune on the baie des Chaleurs, an incinerator in which soils contaminated with creosote and hydrocarbons will be burned. In addition to the risks for public health, both emissions and transportation of the contaminated waste are a danger to fish stocks.

Since the Fisheries Act indicates that it is forbidden to operate facilities or businesses that might lead to the deterioration, destruction or disturbance of fish habitat, is the minister prepared to enforce the law and impose a moratorium on construction of the Belledune incinerator?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, to my knowledge, the incinerator will have to operate according to emission standards. The standards set out in the act and regulations must be met.

If there are problems, we will intervene with Environment Canada and New Brunswick's environment department.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, there is a problem. The minister's answer surprises me somewhat.

When Quebec wanted to construct a power plant on the Toulouste River north of Baie-Comeau, Ottawa did not hesitate to use the Fisheries Act to block the project for six months, even though Quebec, unlike New Brunswick, had done its homework and even though freshwater fisheries are not within federal jurisdiction.

Since fishing in the baie des Chaleurs is clearly within the federal domain, what is the Minister of Fisheries and Oceans waiting for before enforcing the law and blocking construction of an incinerator at Belledune?

Is there one law for Quebec and another for New Brunswick? I would like to know that.

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the laws of Canada apply to all Canadians.

In the first proposal for Belledune, there was a plan to discharge water into the ocean. That required a study and an environmental assessment to see whether or not the discharges met the standards.

Oral Questions

In the proposal as it now stands, it is a closed system. Thus there is no discharge and no study is needed.

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, challenged by residents of the Gaspé and the Magdalen Islands, the federal Liberal MP, the minister's colleague, replied that he could not prevent the construction of a toxic waste incinerator in Belledune, New Brunswick. Yet, through the Fisheries Act, the federal government can intervene, and it already has in the past on the north shore of Quebec.

Does the Minister of Fisheries realize that under section 35 of the Fisheries Act, he can and must act as soon as possible? This is vital to the region.

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, under the Fisheries Act, the minister can intervene if there is any discharge or indication of discharge. In this case, there is none. Therefore an environmental assessment is not required.

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, there are indications of possible problems.

The government and the future Prime Minister are constantly talking about dealing directly with municipalities, about education or early childhood, all of which are provincial responsibilities. Protecting fish stocks is its responsibility.

Since the toxic waste incinerator project will have an impact on the fish and possibly on public health, will the federal government take its responsibilities and declare a moratorium immediately?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, according to information I have received so far, there is no impact on fish stocks. There is no discharge. Everything is being done according to standards. When I am provided with information to the contrary, I will act accordingly.

* * *

[English]

AGRICULTURE

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, the beef industry is losing \$11 million a day. That is over a total of \$1 billion since the border closed 124 days ago. Unbelievably, the Prime Minister today at the United Nations turned an occasion to build goodwill and trust into another insult to our biggest trading partner, the United States.

Has the Prime Minister requested a specific meeting with the President of the United States to address this ongoing crisis in the cattle industry? Has he made that request and if not, why not?

• (1425)

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, the Prime Minister has answered that question before. He has raised this issue with President Bush, and as my colleague, the Minister of Agriculture has said, every effort is being made to bring some normalcy to the situation.

However the Prime Minister did in his speech today talk about the inclusiveness, the democracy, the openness and shared opportunities for prosperity and how we can work together to fight terrorism. I would have hoped the hon. member would have focused on the

positive aspects and the Canadian values the Prime Minister outlined in his speech rather than ask once again about the Prime Minister's conversations with the President, which he has already answered.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, with his usual tact and impeccable timing, the Prime Minister has turned an occasion to address this situation head-on into another insult to our biggest trading partner; a slight on our biggest trading partner; a stick in the eye. This type of diplomacy will not help the Canadian cattle industry.

I ask this again. Has he taken the occasion to set up a specific meeting to speak with the U.S. President about opening the border or will he continue to slough this off and wait for it to resolve itself?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, it is hardly a slight to the United States when the Prime Minister goes to the United Nations and talks about expanding opportunities, sharing prosperity, reducing the growing disparity between rich and poor and promoting and encouraging economic security as a means of promoting global security.

All these things the Prime Minister said in his speech. These are noble sentiments that express the true worth of Canadians and they were expressed at the United Nations.

* * *

MEMBER FOR LASALLE—ÉMARD

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, that is a very interesting answer. Yesterday the Liberal Party elected its most conservative leader in history, a leader, by the way, who has yet to reveal which corporate donor bankrolled his campaign. Clearly, Mr. Democracy does not feel Liberal members deserve transparency before electing the next prime minister.

My question is for whoever over there thinks he or she knows what bank boy is up to. We do not know which bank contributed to the new leader's campaign.

Does anyone over there know what the new leader promised the banks? Does anyone over there know?

The Speaker: I think whether anyone knows is irrelevant. It is not a question that is within the administrative responsibility of the government.

Perhaps on her supplementary the hon. member will ask such a question.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, clearly the government does not want to answer these questions about which Canadians want to know.

To add to that, do we know that the Alliance is running scared about the hard right turn the Liberals just took? It strikes me that hunting season has now just begun on the Prime Minister's legacy.

We know that marriage and marijuana will probably be the first to go. What about some other popular legacy items? What about Kyoto? The new Liberal leader voted for marriage, but then he said that he would turn the clock back when he took power.

Again, is anyone over there willing to answer what the government stands for? Will the government tell us whether the coal baron will not do the same for Kyoto and abandon it? Who will answer?

The Speaker: I am not sure there is a question that has to do with the administrative responsibility of the government, unless it is asking what the current government policy is.

I am sure that if the hon. member wants some further elucidation on that point and that was the question, then there will be an answer. Otherwise we will move on.

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, if the hon. member, who is the House leader for the NDP, does not know about the government's positions on these key issues, then she is the one with the problem.

* * *

GOVERNMENT EXPENDITURES

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, according to the speech by the new leader of the Liberal Party, he is strongly in favour of both higher taxes and lower taxes, higher debt and lower debt, and higher spending and lower spending. Whatever people believe in he is with them all the way.

Will the finance minister be accepting the advice of his new boss that we spend \$62.5 billion more than we already have?

Hon. Maurizio Bevilacqua (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, I guess we judge people by their record. I think the record is quite a good one. We eliminated the deficit. Does the member remember that \$42 billion deficit? We cut taxes by \$100 billion. We are leading the G-7 in economic growth and job creation.

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, millions of Canadians who pay into EI would have something to say about his record.

I guess if we want answers on this issue we will have to put on our Tilley hats, grab our Minolta cameras and head out to the visitors centre so we can convene the House out there.

The new Liberal leader has a \$62.5 billion hole in his accounting. Will the finance minister be counselling the finance committee witnesses to go home, liquidate their assets and buy gold now that he has charted his vision for national bankruptcy?

• (1430)

Hon. Maurizio Bevilacqua (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, historically the finance committee has done excellent work on prebudget. I would of course recommend that all members of Parliament continue to participate and make the excellent contributions they have historically on a number of budgets.

If the hon. member does not want to participate that is his personal choice.

Oral Questions

[Translation]

AGRICULTURE

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, this morning the Quebec agriculture minister met with her federal counterpart concerning the addition of a second phase to the financial assistance program for companies affected by the mad cow crisis.

Can the Minister of Agriculture and Agri-Food tell us whether the federal government intends to add a second phase to the existing plan, as his Quebec counterpart is demanding?

[English]

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I have made it very clear that we have hundreds of millions of dollars available to assist farmers across the country, including beef farmers. We need to move that money and use that money first.

[Translation]

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, although there was not a single case of mad cow disease in Quebec, Quebec farmers have been victims of the problems experienced in Alberta. Quebec beef farmers have also been hit.

Will the minister acknowledge that they deserve assistance?

[English]

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I hope it is not the policy of this House to start pointing fingers at specific provinces where something happens. We are a country and the country is called Canada. In this case, the animal was in one province of this country.

The OIE, and no other country, has regionalized countries. When a reportable disease takes place in a country, unfortunately the whole country is recognized as having that. We have worked on that, but so has the whole country been recognized and, for the first time ever, had our markets opened up to us even though we did have one case.

* * *

TERRORISM

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, CSIS says that the Tamil Tigers are a terrorist organization. Yet the member for LaSalle—Émard raises funds for the Tamils and in turn they raise funds and delegates for his leadership bid, a convenient arrangement.

Is this why the Solicitor General refuses to add the Tamil Tigers to the terrorist entity list?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, it is amazing how far the members opposite will go with their misleading allegations.

Oral Questions

The number one priority for the Canadian government is always the protection of Canadians and the national security of Canadians. There is a process, which I have explained before to the members opposite. That process will be followed in terms of the listing of entities. It will be based on criminal and security intelligence information and politics will not enter the picture.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, Great Britain, the United States and Australia have all banned the Tamil Tigers as a terrorist organization. Why is the Solicitor General more concerned with the impact on the leaders' race in the Liberal Party than he is in doing what is right for this country?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Again, Mr. Speaker, I reject the allegations the member has made. We have outlined very clearly the process that is followed for the listing of entities under the Anti-terrorism Act. That is the process that will be followed. It will be based strictly on criminal and security intelligence information and that is the bottom line. That is what it will be based on and nothing else.

* * *

[Translation]

PHARMACEUTICAL INDUSTRY

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, prescription drugs cost far too much in Canada, and the ones most affected are seniors and the most vulnerable members of society.

Will the Minister of Health follow the suggestions by the Bloc Québécois on how to better administer the introduction of new drugs, thereby helping to reduce the ever-spiralling cost of drugs?

• (1435)

[English]

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, our drug approval process is under review. We have one of the safest drug approval systems in the world. We have one of the most cost effective drug approval systems in the world.

Let me remind the hon. member that the Patented Medicine Prices Review Board does an exemplary job in reviewing the prices of brand name drugs in this country.

[Translation]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, the promotional practices used by the drug companies to curry favour with health professionals and pharmacists cost a fortune. It might prove highly beneficial to limit drug prices and monitor such practices.

Does the minister plan to follow our recommendation and look into the possibility of providing a framework for the promotional practices of drug companies?

[English]

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, in fact we do not have authority or jurisdiction to regulate the practice of medicine, so if the hon. member is talking about those relationships between drug companies in this country and either doctors or pharmacists, those are matters that clearly are within the regulatory jurisdiction of provincial regulatory professional bodies.

VETERANS AFFAIRS

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, this House has been told many times that there is no money to give VIP benefits to veterans' widows.

A former constituency secretary of the Prime Minister now sits on the Veterans Review and Appeal Board: the salary, \$100,000 per year, and the expenses, \$160,000.

Could the Minister of Veterans Affairs explain to the House how this government can pay out \$160,000 in Ms. Tremblay's expenses but will not give widows \$200 a month so they can stay in their own homes?

Hon. Rey Pagtakhan (Minister of Veterans Affairs and Secretary of State (Science, Research and Development), Lib.): Mr. Speaker, members of the appeal board perform excellent duties for the country. They try to adjudicate complaints from veterans on the basis of disability claims. They travel the country to access the veterans, not to have the veterans travel to one particular office.

To the point the member made, that we have not provided services to the widows, in fact last May I announced that 10,000 widows would henceforth be eligible for the veterans independence program.

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, Joyce Carter is one of the widows to whom the minister and the government said they cannot afford to give the VIP benefit. Joyce says this: "If the government really wanted to look after the widows, it could".

This \$160,000 expense of Ms. Tremblay's is told many times by this government and in many other examples. How is the minister still going to tell us that there is no money for veterans' widows?

Hon. Rey Pagtakhan (Minister of Veterans Affairs and Secretary of State (Science, Research and Development), Lib.): Mr. Speaker, budgeting is not a one time deal in the life of a country. Budgeting is a yearly process in the life of the government of any country.

At that time, we were faced with six urgent needs on the part of veterans: the dependent children of deceased members of the armed forces, health care benefits to disabled veterans, and the allied and overseas veterans. Taking into context the whole six urgent needs, we allocated half of the available money for the veterans independence program.

* * *

FISHERIES

Mr. Joe McGuire (Egmont, Lib.): Mr. Speaker, last week the Minister of Fisheries and Oceans attended the annual meeting of the Northwest Atlantic Fisheries Organization, NAFO, where they came to a long term agreement for conservation for turbot.

A lot of times countries do not enforce those rules and they do not have their fishermen enforce those rules. Could the Minister of Fisheries and Oceans tell us what action Canada has taken recently to combat overfishing outside the 200 mile limit?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, over the past few days Canadian inspectors working with national defence boarded two Portuguese vessels fishing outside the 200 mile limit. Both vessels were issued citations for misreporting an illegal bycatch.

The first vessel, the *Santa Mafalda*, has been ordered back to Portugal for an inspection that will include two Canadian inspectors. The second vessel, the *Joanna Princesa*, has been ordered to Halifax for inspection.

Both of these responses represent positive steps taken by the Portuguese government. They also demonstrate Canada's commitment to work with its NAFO partners to combat illegal fishing in international waters.

* * *

• (1440)

VETERANS AFFAIRS

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, last week when asked why 28,000 widows were being denied access to the veterans independence program, the government stated that it did not have enough money in the budget for everything it wanted to do.

It did, however, have the budget for Veterans Review and Appeal Board member Ian Murray to spend more than \$52,000 on personal expenses.

Will the minister justify to the House why widows are being denied financial support when members of the board are spending tens of thousands of dollars on personal expenses?

Hon. Rey Pagtakhan (Minister of Veterans Affairs and Secretary of State (Science, Research and Development), Lib.): Mr. Speaker, let it not be misinterpreted that members of the appeal board are performing excellent duties for veterans of the country in trying to adjudicate their claims for disability benefits.

In terms of expenditures, of course they are spending on the basis of travel around the country. The members of the veterans appeal board travel about three weeks out of four, accessing veterans and hearing their complaints.

To the issue that we have not provided services to the widows of veterans, that we have done, although not to all of them. But to the best of our ability, we have been addressing other urgent needs of veterans as well.

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, the minister should know that this situation dishonours our veterans and everything they fought for. Widows of our nation's heroes have trouble meeting their daily needs. In the last fiscal year, the Veterans Review and Appeal Board spent over \$797,000 on personal expenses.

Veterans and their widows have borne the weight of our freedom on their backs for half a century. Could the minister explain to the

House how fancy dinners in Ottawa at the expense of these widows honour our veterans?

Hon. Rey Pagtakhan (Minister of Veterans Affairs and Secretary of State (Science, Research and Development), Lib.): Mr. Speaker, I think we have to realize that there is not only one program for any department. All components of a program have to be attended to and in any given budget year we have only so much to spend. What we have done is consult with veterans' organizations and their leadership, and we have agreed on a consensus: that the way to proceed last May was the way I proceeded and made the announcement of at that time.

* * *

AGRICULTURE

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, one mad cow equals 90,000 angry farmers, and today we can add several provincial agricultural ministers to the list, because the federal agriculture minister told his provincial counterparts earlier today that the BSE recovery program cannot be extended without running the risk of countervail.

How is it that the United States and the European Union can add additional programs to assist their farmers but every time it happens in this country the government cries countervail?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I do not think the hon. member understands very clearly many of the rules as far as the WTO is concerned. It depends on how one does it.

Clearly the beef industry has indicated to us that it does not want any action taken which might subject it to scrutiny by the United States under countervail or anti-dumping. The experience of that in the pork industry and the grains industry and some other industries has been very expensive in the past, and the provincial ministers, when we put the BSE recovery program in place, agreed at that time that when the borders started to open the program would end. They have known it since the beginning of the program.

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, farmers and agriculture ministers at the provincial level are frankly tired of national agricultural programs that never seem to work.

The BSE crisis is a case in point. Three Prairie provinces have all kicked in additional money over and above the 60-40 that this government always says has to be done, and incidentally, the federal government has not paid its share. The United States, more importantly, is aware of these provincial add-ons but is not taking any action because it understands the length and depth of the crisis that we have.

Again, how can the Minister of Agriculture justify the countervail bogeyman as an excuse once more?

Oral Questions

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, the federal government will pay its full share of the 60-40 BSE recovery program. I might suggest that if the hon. member really wanted the farmers in his province to benefit from the money that is there to help farmers across this country, he would go back home and convince the provincial minister in his own province that they sign on to the agricultural policy framework, because by not doing so they have not even committed their 40% to the programs and the money that is there for the farmers into the future.

* * *

• (1445)

FOREIGN AFFAIRS

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, credible information that organized crime groups had infiltrated immigration computers formed the basis of an RCMP investigation at the Canadian mission in Hong Kong.

The RCMP external review committee concluded that the RCMP failed to properly investigate these allegations of widespread corruption, providing testimony that suggests foreign affairs pressured the RCMP into curtailing the probe.

I ask the Minister of Foreign Affairs, did his department pressure the RCMP to drop its investigation?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, this issue has been answered, several times in fact, in the House. If there were reason to believe that a threat to a Canadian mission abroad existed, security and law enforcement agencies would take the proper action in consultation and working with the Department of Foreign Affairs.

The matter that the member speaks of is the external review committee. It is before the commissioner at the moment and the commissioner of the RCMP will be making a decision on that in the near future.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, that is not quite true. They have been avoiding this issue. A staff sergeant with the immigration and passport section testified that he was left with the impression that the Department of Foreign Affairs and International Trade "had pressured the force into curtailing the investigation".

Again for the Minister of Foreign Affairs, is he disputing this very serious allegation that his department influenced the RCMP?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, the member knows full well that if I or any other member of the government were to comment on this process, it in fact could jeopardize the right of the unbiased process for both the individual and the RCMP. Therefore, I cannot make a comment on the process, and the members opposite know that.

* * *

[Translation]

CUSTOMS AND REVENUE AGENCY

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, my question is for the Minister of National Revenue. A taxpayer from the Lanaudière area was surprised to discover 49 income tax files in his

mailbox, some belonging to residents of the same area, and some from other places in Canada. All of these files came from Revenue Canada.

In view of this catastrophe, will the minister launch an investigation to find out how such a bizarre incident could happen?

[English]

Hon. Elinor Caplan (Minister of National Revenue, Lib.): Mr. Speaker, I would like to thank the member for the question.

The information is as follows: last year that tax service office sent out over 700,000 pieces of mail. There was a mechanical error that caused this particular problem. The agency and I regret that. I want the member to know that every effort is made to ensure that our safeguards against information loss are state of the art. We are conducting an indepth review of our national systems.

We are also conducting a review of all TSOs and TC facilities to ensure that precautions are taken against break-ins, theft and unauthorized access.

[Translation]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I understand that apologies can be made to taxpayers, but it is too late for that when their income tax files get into their neighbour's mailbox.

With the team of public servants working in this agency, with all the facilities at her disposal, with all the procedures that can be established, can the minister be certain that never again, never ever, will such leaks occur, rather than excusing herself after the fact and saying that they will try to never do it again? We have the tools, the personnel, and the technology to do this.

[English]

Hon. Elinor Caplan (Minister of National Revenue, Lib.): Mr. Speaker, I wish that I could assure the member opposite that we would always be perfect. We subscribe to the theory of continuous improvements, and our people and our equipment are excellent. However, as I said, we are reviewing to ensure that our systems are as good as they can be, and when a mechanical error does happen, as happens very rarely, we apologize. I regret this particular situation very much.

* * *

IMMIGRATION

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, Canadians recently learned that several men arrested on suspicion of terrorist links entered Canada with student visas to attend the Ottawa Business College. It turns out that the school was a bogus operation. In spite of that, the Liberal government let people into Canada to attend this so-called school and gave it several thousands of dollars in HRDC grants.

Would the minister care to explain to Canadians why hundreds of fraudulent entrants were allowed into Canada through this loophole?

*Oral Questions***CUSTOMS AND REVENUE AGENCY**

•(1450)

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I am not sure I quite understand the question. Does she feel now that every student is a problem? Does she mean that international students do not have a place in Canada? We are doing what we have to do. We must remember that in that specific case, it was a person in Mexico who took care of the files. We must be very cautious when we are talking about international students. They are what we need in Canada. We believe they have a place here because they are truly an investment for the future of this country.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, Canada has a proud record of opportunity for students from around the world, but the Liberal record on national security is a different story.

The Ottawa Business College was only the tip of the iceberg. Canadian officials from embassies abroad have been sounding the alarm bell for quite a while about bogus schools operating in Canada. These operations rip off thousands of dollars from foreign students, and now it appears that some may be fronts for international operatives.

Why has the minister not gone after bogus schools and shut this loophole?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the member should listen to the answer to the first question and then see if a second question should be asked.

It is because of our people that we found out about that situation. Of course security is a priority for our government. We need international students and we believe they are truly an investment, not only for us, but for the country of origin because this is how bridges can be built. I believe that we should invest even more to have more international students in Canada.

* * *

*[Translation]***INTERNATIONAL COOPERATION**

Mr. Christian Jobin (Lévis-et-Chutes-de-la-Chaudière, Lib.): Mr. Speaker, the Minister for International Cooperation is currently attending the World Bank and International Monetary Fund annual meetings in Dubai, in the United Arab Emirates. She is also taking part in the Afghanistan Development Forum, where international support to this country is being discussed.

Could the parliamentary secretary to the minister responsible for CIDA tell the House what CIDA is doing to build a better future for the Afghan people?

Mr. André Harvey (Parliamentary Secretary to the Minister of International Cooperation, Lib.): Mr. Speaker, I want to thank my hon. colleague for his interest in the Afghan people, who are of major concern to the Canadian government.

I can assure him that in 2003-04, \$250 million will be invested in priorities identified by the Afghan government in sectors such as agriculture, humanitarian aid and security.

In closing, I want to pay tribute to the Afghan and multilateral NGOs helping the people of Afghanistan build a better future.

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, incredibly, the Customs and Revenue Agency sent one Quebecker the personal income tax records of 49 other taxpayers from all over Quebec. This is a serious violation of the agency's regulations and legislation, as well as the right to privacy.

Will the Minister of National Revenue demand an immediate investigation to identify the cause of this error, as well as take the necessary disciplinary actions?

[English]

Hon. Elinor Caplan (Minister of National Revenue, Lib.): Mr. Speaker, I can tell the member opposite that we know exactly what happened. In that tax service office last year, over 700,000 pieces of mail were sent out. In one case, due to a mechanical error, this situation occurred.

My understanding is that all of our national systems are being reviewed to ensure that they function properly. Mechanical error does happen from time to time. Further, we are looking at all of our tax service offices and our tax centres to ensure that proper precautions are taken in all of our—

The Speaker: The hon. member for Calgary Southeast.

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, the problem is that we hear stories of this kind of incompetence under this minister's administration all the time. She constantly blames her bureaucrats.

When is the minister going to step up to the plate and take responsibility for violating the privacy of Canadians and for undermining their confidence in the tax system? When are we going to see somebody, including the minister, held responsible for this kind of repeated incompetence?

•(1455)

Hon. Elinor Caplan (Minister of National Revenue, Lib.): Mr. Speaker, as I said, while we regret this mechanical problem that occurred in one out of 700,000 pieces of mail, we have taken appropriate action. Let me say again, we want all of the safeguards that we have placed to ensure that our information loss is minimized to be state of the art, and we are conducting an indepth review of all the national systems.

We are also conducting a national review of all TSO and TC facilities to ensure that precautions are taken against break-ins, theft and unauthorized access. We are doing that because service to the Canadian public is our priority.

Oral Questions

[Translation]

DIVORCE ACT

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, in February, the Secretary of State for the Status of Women promised to conduct an analysis to determine whether the changes to the Divorce Act in Bill C-22 would have a different impact on men than on women.

The Secretary of State for the Status of Women made this promise eight months ago. We want to know today whether this gender equality analysis has been concluded and when it will be referred to the committee that is studying this issue.

[English]

Hon. Jean Augustine (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, I thank the member for her interest in this area.

The analysis is usually done by the group or groups, and by the departments that are working with specific areas that pertain to women. At this point in time, there is no general analysis that has been done where one can stand and say “This is precisely how it is happening”. It is going issue by issue, and through committees.

* * *

[Translation]

MARINE INDUSTRY

Ms. Hélène Scherrer (Louis-Hébert, Lib.): Mr. Speaker, my question is for the Minister of Fisheries and Oceans.

Representatives from the marine industry in Canada, some 800 Canadian companies, submitted a proposal to the minister on August 26, 2002 for a long term agreement on the Coast Guard Cost Recovery Plan.

Users of the St. Lawrence River must foot half the national bill of \$35 million, and more than 80% of fishing harbour breakout costs. All this in an environment where trucking, a major competitor to shipping—

The Speaker: The hon. Minister of Fisheries and Oceans.

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I thank the member for her question. I met with members of the coalition who propose that marine services fees be eliminated. I indicated to them that I continue to review these points of view carefully in the context of the government's national policy and its fiscal targets.

I also mentioned to the members of the coalition that I still intend to consult my cabinet colleagues as to the future direction of marine services fees. I am still pleased with the partnership between my department and the coalition.

* * *

CANADIAN HERITAGE

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, after the painful repercussions caused by the cuts to the Canadian Television fund on TV production, the Minister of Canadian Heritage is repeating the offence by cutting the Canada magazine fund from \$32.6 million to \$16 million.

Does the minister realize that she is now doing the same thing to magazines that she did to television, and does she realize that, with these new measures, free magazines will no longer be eligible for assistance and will therefore be doomed to certain extinction?

Ms. Carole-Marie Allard (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.): Mr. Speaker, indeed the Canada magazine fund assists paid-circulation magazines, and from now on the bulk of the assistance will go to cultural and literary magazines, publications with lower circulation, and those serving the ethnocultural communities, but these will all involve paid subscriptions.

* * *

[English]

VETERANS AFFAIRS

Mr. Gary Schellenberger (Perth—Middlesex, PC): Mr. Speaker, the Minister of Veterans Affairs is treating widows as a budget item.

Mr. Murray spent one and a half times the budget of the average Canadian family for food. He spent more on hotel costs per month than most Canadians pay in rent. The reality is that there are thousands of widows who do not qualify for the VIP and the minister is doing nothing about it.

Hon. Rey Pagtakhan (Minister of Veterans Affairs and Secretary of State (Science, Research and Development), Lib.): Mr. Speaker, how could the member say we are not doing anything when we just announced last May that we are extending the VIP to 10,000 widows?

In terms of the expenses of people on government business, we know that people serving the country also spend money on behalf of their offices and those expenses are within Treasury Board guidelines. We must accept that those are necessary expenses.

In fact, Mr. Speaker, in answer to earlier questions raised, the member is right, expenses are for travel, accommodation and for meals, with the vast majority for travel.

* * *

● (1500)

FINANCE

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, the last federal budget—the “hold my place while I run for leader budget”—is still being steadfastly cut to the tune of \$1 billion for programs serving Canadians. Whether it is pensions for veterans' widows, the tracking childhood cancer programs, the headstart program for off-reserve children or the Centre of Excellence for Children and Youth Centred Prairie Communities, important programs are being slashed by the government with no public debate.

Can whoever is in charge over there please tell us whose idea was this billion dollar's worth of pain? Will it continue under the Liberal messiah who supposedly supports children?

Hon. Maurizio Bevilacqua (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, the hon. member raises very important points. A point that is worth underlining is that after we achieved a surplus budget, 80% of our investment has been in the areas of health care, education, and research and development. This generates the type of wealth that will be redistributed to those in need. It is an effective way of creating a very effective economy.

* * *

PRESENCE IN GALLERY

The Speaker: I would like to draw the attention of hon. members to the presence in the gallery of a delegation from the China-Canada Legislative Association, led by their Vice-Chairman, Mr. Liu Zhen.

Some hon. members: Hear, hear.

[Translation]

The Speaker: I also wish to draw to the attention of hon. members the presence in the gallery of the Honourable Françoise Gauthier, Minister of Agriculture, Fisheries and Food for the Government of Quebec.

Some hon. members: Hear, hear.

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 14 petitions.

* * *

• (1505)

NUCLEAR AMENDMENT ACT, 2003

Mr. David Chatters (Athabasca, Canadian Alliance) moved for leave to introduce Bill C-449, an act to amend the Nuclear Energy Act and the Nuclear Safety and Control Act.

He said: Mr. Speaker, this is a fairly simple bill. It simply splits responsibility for Atomic Energy Canada Limited and the Canadian Nuclear Safety Commission into the responsibility of two ministers instead of one, because in my opinion there is clearly a conflict of interest to be both the marketer and the public safety supervisor of the nuclear industry. I am proposing to split that responsibility in two.

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

* * *

PETITIONS

CANADA POST

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, pursuant to Standing Order 36 I am pleased to present two petitions.

Routine Proceedings

The first petition requests Parliament to repeal section 13(5) of the Canada Post Corporation Act and extend collective bargaining rights to rural route mail couriers.

CHILD PORNOGRAPHY

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, the second petition calls on Parliament to ensure the outlawing of all material which promotes pedophilia or sado-masochistic activities involving children.

MARRIAGE

Mr. David Chatters (Athabasca, Canadian Alliance): Mr. Speaker, I have two petitions to present today.

The first one is from members of my constituency and asks Parliament to pass legislation to recognize the institution of marriage in federal law as being the lifelong union of one man and one woman to the exclusion of all others.

RELIGIOUS FREEDOM

Mr. David Chatters (Athabasca, Canadian Alliance): Mr. Speaker, the second petition is also from my constituents and asks Parliament to take all measures necessary to protect the rights of Canadians to freely share their religious and moral beliefs without fear of prosecution.

HOCKEY

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, I would like to present a petition on behalf of some of my constituents in Saskatoon—Rosetown—Biggar. They are asking that the Minister of National Revenue treat junior A hockey players in Saskatchewan equally to all other junior hockey players across Canada.

GUN CONTROL

Mr. Inky Mark (Dauphin—Swan River, PC): Mr. Speaker, I am pleased to rise on behalf of the people of Dauphin—Swan River to present two petitions today.

The first one is signed by over 3,000 petitioners and deals with the waste of taxpayers' money with regard to gun control Bill C-68. The petitioners request that Parliament move to freeze further spending on implementation or privatization of the national firearms registry and repeal Bill C-68 in its entirety.

STEM CELL RESEARCH

Mr. Inky Mark (Dauphin—Swan River, PC): Mr. Speaker, in the second petition, 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

* * *

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is it agreed?

Some hon. members: Agreed

*Government Orders***GOVERNMENT ORDERS***[English]***PARLIAMENT OF CANADA ACT**

The House resumed consideration of the motion that Bill C-34, an act to amend the Parliament of Canada Act (Ethics Commissioner and Senate Ethics Officer) and other acts in consequence, be read the third time and passed.

The Speaker: Before the House broke for question period, the hon. member for Ancaster—Dundas—Flamborough—Aldershot had the floor. There are 15 minutes remaining in the time allotted for his remarks.

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): If I may say so, Mr. Speaker, in 15 minutes in this place you could actually describe the entire Constitution, so I am very delighted to have that much time to dwell on a few points that I had commenced at the beginning before question period.

In my earlier remarks I was alluding to the fact that I was actually praising the legislation for having defined public office holders so there was no ambiguity that ministers of the Crown and their exempt staff were covered by this legislation, whereas we note that under the Access to Information Act and the Privacy Act there is ambiguity and they are not legislatively covered, although the government has taken steps to make sure that this type of information from that type of individual is available.

Having said that, I have to sound a negative note. I always regret to criticize a government bill in any way naturally, but I do note in this legislation that they have struck the ethics counsellor from schedule I in the Access to Information Act and the Privacy Act and they have not replaced the ethics commissioner in that schedule I.

Schedule I, Mr. Speaker, as you well know, defines what government institutions are governed by the Access to Information Act. The Access to Information Act guarantees that Canadians have a right to get certain operational information and transparency related information from these various government institutions that are listed under schedule I. So indeed it is a disappointment to see the ethics commissioner is not listed under schedule I even though the ethics counsellor, his predecessor, was.

I think the rationale is that this new ethics commissioner as described in Bill C-34 is to be seen in the same context as an officer of Parliament as the Information Commissioner as the Privacy Commissioner. Mr. Speaker, I do note that these other officers of Parliament are not under the Access to Information Act. I would suggest to you that what needs to happen is that all officers of Parliament have to come under the Access to Information Act. It should be done with alacrity, not just for the ethics commissioner but for the Privacy Commissioner, the Chief Electoral Officer, the Auditor General and the Information Commissioner.

An hon. member: Official languages.

Mr. John Bryden: And the Commissioner of Official Languages, as one of my colleagues pointed out.

There is another aspect of the bill that I find most fascinating and which I would also like to draw the attention of the House to. It goes

back to section 72.06 that describes public office holders. Basically what this section does is it deals with the reach of the ethics commissioner in probing and monitoring the conduct of public office holders. That has to be married in the bill with another section that gives the opportunity to members of Parliament to submit a request to the ethics commissioner to investigate public officer holders and those listed under section 72.06.

Well, lo and behold, as we look down through here we see minister of the Crown, various public servants, a lieutenant governor, officers and staff of the Senate and so forth. What we find is included in those individuals whose behaviour is to be monitored by the ethics commissioner is a judge who receives a salary under the Judges Act. I think this is an enormous forward step because we do know that the judiciary has been almost completely exempt from any kind of scrutiny, other than that done in camera essentially by the judicial council.

While we have anecdotal information from time to time that judges under the Judges Act may not be conducting themselves with the kind of probity and good behaviour that we would expect of any public office holder, as far as I know other than the judicial council there is no way to bring that type of behaviour to account. Indeed, Mr. Speaker, I have had complaints in my constituency office about the behaviour of judges before the court who, at least according to the people who have made the complaint, have not done due diligence on the files before them or have behaved in some manner that would ordinarily cast some, shall we say, concern about the conduct and the even-handedness or the competence, shall we say, with which these judges have been handling the cases before them.

● (1510)

The difficulty is that when we get a complaint like that from a constituent, under the law now there is nothing we can do about it, other than write to the judicial council and of course we never hear back. The joy of this legislation is that now that we have the judges under the purview of the ethics commissioner, a member of Parliament responding to a complaint from a constituent, or responding I would hope to several complaints from constituents because we would not want to make this a trivial thing, can actually take it to the ethics commissioner and ask him to investigate and report.

I would say that this is an enormous forward step because one of the unfortunate things particularly as we have debated other issues pertaining to the judiciary in the House in this last little while, the reality is that there has been little movement in a century toward modernizing the judiciary, making it transparent in the same way as other government institutions have been moving forward in that fashion.

Government Orders

Finally, I would like to emphasize for those who may be watching this debate that Bill C-34, while it does bring parliamentarians and members of the Senate under the purview of the ethics commissioner, it still leaves latitude to members of the House of Commons, and members of the Senate because there is the creation of a Senate ethics commissioner as well, but it does still give the power of members of the House and members of the other place the opportunity to draw up some kind of code of conduct that reflects adequately the way in which we want to be seen by the public and the way in which, even more importantly, we want to see ourselves.

I think it is important, at least at this stage, that we have legislation that respects the need for MPs and senators to be masters in their own houses and to set rules of behaviour. These rules of behaviour will be overseen by the ethics commissioner who will report to a committee of the House.

I think we still have the next step to go. That next step is to set some kind of series of benchmarks that the public can understand with respect to the behaviour of members of Parliament.

Finally, I should add that a very important aspect of the bill is the creation of a Senate ethics commissioner. The senators live in a slightly different world than elected representatives in the sense that they are appointed. The reality is if members of Parliament deport themselves in a manner that is reprehensible, the voters know exactly what to do with them and they can be voted out of office.

This is not the case for senators because they are of course appointed for life, up until the age of 75. Nevertheless it is very important that they have a set of rules that they can create themselves. Right now the rules that govern the behaviour of senators, particularly the possibility of a conflict of interest, are antiquated. They are in the Parliament of Canada Act. They need to be overhauled.

I am confident that when a Senate ethics commissioner is appointed, with the agreement of the Senate we will see a series of rules set up by my colleagues in the other place that will ensure that there will be great confidence in the integrity of the Senate and as much confidence in the integrity of the Senate as I like to think there is in members of the House.

• (1515)

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Mr. Speaker, I would like the member to address an article which appeared in the paper yesterday:

Not long after the present Liberal regime came to power promising a new era of high ethical standards in government, the auditor general of the day conducted a revealing survey of public service morality. It was not a pretty picture. Fully 22% of public servants surveyed, for instance, thought it would be perfectly appropriate to hand out a \$50,000 government contract to someone at the request of a superior or a minister [or a member of the House].... All of this led the auditor general to issue a stern message to the nation's political leaders. "Even the best codes of conduct or conflict of interest guidelines could not protect Canadians from a government that was not fundamentally honest".

I am wondering if the member can provide any insight from his side of the House as to why it has taken so long for us to get so little that was promised in the 1993 red book. A truly independent ethics commissioner was promised away back then.

The member will recall that we put that very motion. We took it right out of the red book, put it in a motion to the House and the Liberal government turned around and voted against it. Now we have an independent ethics commissioner in the bill that really is not truly independent as it was envisioned in the 1993 red book.

• (1520)

Mr. John Bryden: Mr. Speaker, I think the member will agree, however, that when it comes to the bureaucracy and the way they comport themselves, this really should be covered by the public service code of conduct.

The public service code of conduct, the House should know, thanks to the President of the Treasury Board, has been overhauled and has been implemented. I would agree that it is long overdue.

However this is not to take away from the member's point. It is extremely important that members of Parliament and senators be models for the public service. I might add that it is not just a matter of being a model. It is also very necessary to have high level transparency because it is very difficult to do the things that the member described, which essentially is to give out contracts as a form of favour, when that type of deed is going to become public knowledge.

We have a balance there. We must have the transparency that allows the deed to appear before the public, before the media, and we must have the model established by the members of Parliament and the government. I believe we are moving in that direction very strongly, not just because of this legislation, not just because of Bill C-34, but I refer the House to legislation we have already passed and that is the political financing bill.

What that did is that separated, as best we could, this time around at any rate, the receipt of money from corporations vis-à-vis the perception of those corporations that would be receiving favours.

That is the way we have to go. It is not so much what may be done wrong so much as how things are perceived. I really do believe that belatedly, absolutely belatedly, I would agree that it should have been done years ago. As someone who has been campaigning for opening up the Access to Information Act, this is of course very close to my heart.

However, in the last year or so, I think the government has moved significantly forward with legislation that improves accountability, that sets benchmarks of good behaviour. I hope Bill C-34 will pass the House within the next couple of months and I think we will all be the better for it.

Mr. David Chatters (Athabasca, Canadian Alliance): Mr. Speaker, it is always refreshing to hear the bubbling enthusiasm of the member's endorsement of a government initiative, no matter how thinly it is disguised as being genuine.

Government Orders

However I certainly agree with the member that we all would like to see public confidence in elected members of Parliament and appointed members of the Senate to be beyond reproach. However I do not know how the member can muster this kind of enthusiasm after the 10 year record of the government, when there were allegations against the Prime Minister and the golf course and the hotel loan; a defence minister resigning; a couple of solicitors general resigning; advertising contracts given to friends; and the list goes on and on. All of this is happening at the same time as the Prime Minister tells us that his current ethics counsellor would do the job and would restore the confidence of the Canadian public in the government and in elected members.

After all we have heard all day long in this debate, with everyone pointing out its shortcomings, what is it in Bill C-34 that gives the member that kind of enthusiasm in his support of the bill?

● (1525)

Mr. John Bryden: Mr. Speaker, simply put, the creation of a Senate ethics commissioner is an enormous step forward. As I said in my own remarks, it was an enormous step forward to bringing judges under the purview of an ethics commissioner.

Let me emphasize that it is so important to look forward and not to look back. Yes, it has been a long time coming. We should have done this years back but we do not condemn legislation because it did not come two, three or four years ago.

I remind the member that it was four years ago that I had before the House a bill to reform the Access to Information Act. I have to remind the member that he was one of the key members of the opposition who ensured that the bill would be defeated.

We have to be all on the same side on this issue. We want transparency. We want accountability. We want good behaviour. I hope the member this time around on this bill, especially as it is a government bill and not merely the bill of a backbench MP who is trying to bring transparency and accountability to all of government, while seeing that it is a good government bill I hope the member will support it.

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Mr. Speaker, my constituents have long desired ethics and honesty in government and I think I have been able to give it to them through my leadership by example with honest representation as an opposition MP. However the government certainly has not set a good example.

I am motivated by the hope of most Canadians that some day Canada will have an ethical political culture. Some day I hope that any parliamentarian who is tempted to behave wrongly will be quickly found out and denounced. That illusive hope is the backdrop to the bill before us today.

Historically, both the Liberal and Conservative governments of the past have been too easily tempted to break or bend the rules for what they thought was in their political interest or to their advantage. The long term record is that Canadians have been inadequately served by ethically challenged governments. In contrast to what the Canadian Alliance has emphasized, local accountability and grass-roots democracy, the Liberals: greased palm bureaucracy.

The recent revelations in the media of the dark inner workings of the Liberal Party are just the latest manifestation of its ethical deficit. The Liberals approach to the public service integrity office for whistleblowing is similar to the way they handled the ethics counsellor position. The promise had been made to create an ethics commissioner reporting directly to Parliament. The Prime Minister opted instead for a counsellor who reports directly to him, an act in itself that was not ethical. It took a series of scandals and ongoing pressure from our party to get some movement on that policy.

The way the current inadequate position operates, the ethics counsellor seems to go out of his way to try and interpret the rules as liberally, pardon the pun, as he possibly can. This is not any real surprise but is a continuation of the marginal usefulness of the ethics counsellor function under the current set up.

Patronage and special favour have been the boastful stock practices of every federal and provincial party that has ever taken office and, even to a very small degree, in regimes of such sanitary former premiers as W.A.C. Bennett of B.C. and E.C. Manning of Alberta.

Rule bending is considered more a Liberal trait or sin because such rewards for the faithful are very predictably given and could be counted upon without shame from Liberal governments. Mulroney rightly said to Turner in the 1993 TV election debate that he had an option not to deliver the long list of Liberal favours. Sadly, it did not take the new incoming Prime Minister long to stoop to the very same thing.

Parliamentary reformers always talk about open competition for posts with hiring choices made on merit, not on partisan standing, but the pleas have not diminished the practice, even for diplomatic posts where a neutral record might seem advantageous. We remember Mr. Gagliano.

The old line parties simply cannot seem to do without such rewards. Why should they? Patronage and favouritism have their roots in human nature and they have been evident in the governance of society since recorded history. It is so human to help one's relatives, friends and fellows in a common cause, and the practice is not confined to partisan politics.

No one has been making a big deal of it, but the Treasury Board policy, entitled "Values and Ethics Code for the Public Service", is supposed to be in the hands of every federal official, great and small. Treasury Board rules and guidelines fill the shelves but seem to be routinely ignored by the government.

Repeatedly over the years, acquaintances within the bureaucracy have told me that there is patronage in filling jobs and awarding promotions in the public service as the Prime Minister's Office sets the tone at the behest of ministers and insider MPs.

Government Orders

When participating in any decision making related to a staffing process, public servants should ensure that they do not grant preferential treatment or assistance to family or friends. When making decisions that will result in a financial reward to an external party, public servants should not grant preferential treatment or assistance to insiders or entities who were not selected purely on objective merit. The problem of awarding purchasing contracts only on merit in an ethical manner remains a big stumbling block for the government.

The scale of public service appointments and promotions runs into the tens of thousands each year, whereas the so-called political posts monitored by the ethics counsellor only numbered several thousand. Therefore we need a culture change for the whole public service as well as a new tone in the House of Commons.

● (1530)

The Prime Minister is leaving so, true to form, last week or so some 50 plum appointments were made. In this transition phase we will see a lot of this Liberal unfairness for some of the most cherished appointments, including, of course, the usual dumping ground of the Senate.

Liberal MPs, bagmen, and Prime Minister cronies salivate at the prospect of a Senate place where the pace is easy and without electoral risk until the age of 75. Despite this, there are some good people there who do good things, but it is how one gets there that is the big problem.

Long ago I lost my surprise at encountering MPs and party apparatchiks on Parliament Hill who dreamed of quietly pressing for a place in the red chamber. Most aspirants rank it ahead of all other gifts at the Prime Minister's command. Since Confederation, the Senate bonanza has been a prime lure into partisan activity, encouraging continuous party loyalty.

Our party, and certainly most of the folk in my constituency, abhor political partisan and bureaucratic patronage. Unfortunately, people, being people will be tempted. The real power in federal Ottawa is now wielded by a presidential kind of Prime Minister and a Supreme Court that, since the recent charter's advent, has superceded Parliament as the highest court in the land.

In view of this wrong trend, I hope Canadians will vote in the next election as much on the ethics question as much as other things. When we talk about ethics in a public office holder context, it is more than just appearing to be honest. The object of a code is to enhance public confidence in the integrity of public office holders and the decision making process of government. The rules should encourage experienced and competent persons to seek public office. The rules should facilitate interchange between the private and public sector, and establish clarity respecting conflict of interest for post-employment practices, applicable to all public office holders. The rules should minimize the possibility of conflicts arising between private interests and public duties of public office holders, and provide for the resolution of conflicts for the public interest should they arise.

Every public office holder should conform to the following principles. Public office holders should act with honesty and uphold the highest ethical standards so that public confidence and trust in

the integrity, objectivity and impartiality of government are conserved and enhanced.

Public office holders have an obligation to perform their official duties and arrange their private affairs in a manner that will bear the closest public scrutiny, an obligation that is not fully discharged by simply acting within the law. Public office holders, in fulfilling their official duties, should make decisions in the public interest with regard to the merits of each case without consideration for advantage to themselves or their political party.

Public office holders should not have private interests, other than those permitted pursuant to the code, that would be affected particularly or significantly by government actions in which they participate. On coming into office, public office holders should arrange their private affairs in a manner that will prevent real or apparent conflicts of interest from arising, but if such a conflict does arise between private interests and official duties, the conflict must be resolved in favour of the Canadian public interest.

Public office holders should not solicit or accept transfers of economic benefit, other than incidental gifts, customary hospitality or other benefits of nominal value, unless the transfer is pursuant to an enforceable contract or property right of the public office-holder.

Public office holders should not step out of their official roles to assist private entities or persons in their dealings with the government where this would result in preferential treatment to any person.

Public office holders should not knowingly take advantage or benefit from information that is obtained in the course of their official duties that is not generally available to the public. It is the so-called insider trading principle.

Public office holders should not directly or indirectly use or allow the use of government property of any kind, including property leased to the government for anything other than officially approved activities.

Finally, public office holders should not act after they leave public office in such a manner as to take improper advantage of their previous office.

We must look at these standards that I have outlined and then examine the Liberal record. The Liberals have all too often talked about ethical rules, but mostly for show. They have not had a deep commitment to transparency of activity that would naturally arise from a belief in self-control and ethical self-governance.

● (1535)

Sadly, it has taken years to get even this somewhat and inadequate bill entitled, an act to amend the Parliament of Canada Act (Ethics Commissioner and Senate Ethics Officers).

The Liberals promised back in the 1993 red book. However when we quoted from that book in the form a votable motion, incredibly the Liberals voted in the House against their own published red book policy.

Government Orders

That smiling Liberal fellow who was collecting leadership delegates this past week did that insincere flip back then by voting against the very policy that he wrote. Therefore, how can we trust anything that he may say in the future?

Briefly, the bill claims to amend the Parliament of Canada Act to provide for the appointment of a Senate ethics officer. It also requires the Senate ethics officer to perform the duties and functions assigned by the Senate regarding the conduct of its members. However the bill also amends the act to provide for the appointment of an ethics commissioner for the House of Commons. It provides for this commissioner to perform the duties and functions assigned by the House of Commons regarding the conduct of its members and to administer any ethical principles, rules or obligations established by the Prime Minister for public office holders.

The imperfections are already evident, as it is an independent Parliament as a whole that should establish the rules for self-governance, not the Prime Minister.

Bill C-34 talks about independent ethics commissioner but the term is misleading since the Prime Minister will make the choice and there will only be consultation with the leaders of the parties in the House with a confirming vote in the House.

As far as I can tell, there will be no standing committee examinations or official committee report to the House. Sadly, consultation with the other party leaders does not mandate that the Prime Minister must change his mind if they disagree. The operative word is only "consult", rather than "obtain approval".

The confirming vote in the House will undoubtedly be a vote in which all government MPs will be required, by their leader and party membership, to vote in favour of the Prime Minister's choice. The whip will be on.

The Senate ethics officer is appointed for an initial seven year term and is eligible for reappointment for one or more terms of up to seven years each. It is not clear to me if the senators themselves get to nominate, examine in committee and vote on their own House officer. They currently cannot even vote to select their own Speaker of their chamber.

The House of Commons ethics commissioner is appointed for an initial five year term and is eligible for reappointment for one or more terms of up to five years each. The House of Commons ethics commissioner will work under the general direction of a committee of the House of Commons, presumably the Standing Committee on Procedure and House Affairs.

This commissioner will perform the duties and functions assigned by the House of Commons for governing the conduct of its members when carrying out their duties and functions of the office as members of that House. This means that a separate code will be established and will become part of the standing orders which the commissioner will enforce.

The commissioner's supervision of cabinet ministers will be about the same as it is now. No news there. This is private, confidential advice to them and to the Prime Minister.

However, the new fact that an investigation of a minister can be triggered by a formal complaint by a member of Parliament or

senator is positive. The results of such investigations will be made public. Nevertheless, the public report, unfortunately, can be sanitized by removing information.

It is not sufficiently clear that a minister of the Crown, a minister of state or a parliamentary secretary can be held accountable under the same rules as those that apply to a regular member of Parliament. It may be assumed but it is not specifically clear in the bill.

In addition the ethics commissioner or his staff cannot be compelled to be a witness in an ordinary court about evidence that arises in the course of their duties. I support this though that this should serve for greater trust in the relationship when seeking advice from the commissioner.

Our party has had a longstanding blue book policy which states:

We will facilitate the appointment of an independent Ethics Counsellor by the House of Commons. The Ethics Counsellor will report directly to the House of Commons and be given the mandate to investigate, and where applicable, recommend prosecution for conflict-of-interest infractions by a member of Parliament and/or his/her staff.

That is the longstanding position of our party.

It is not clear if this bill meets that standard. Our caucus members always strive for a high standard of ethical conduct by both government and parliamentarians. It is this deluded Liberal version of ethics in this bill which we find difficult to support.

I just find it hard to understand why it has taken so long to get so little from the government, concerning ethics. The Liberals would try, as usual, to characterize us as being against a code of ethics, and we must remind that we object only to a Liberal, diluted interpretation.

● (1540)

We object to an ethics commissioner appointed by and answerable to the Prime Minister who will have jurisdiction over backbench and opposition MPs. That dynamic is an inappropriate blurring of the independence of Parliament from the government. Parliament is not the government. It is the special place where the government comes to obtain permission to tax and spend the people's money and get its legislation passed. The officers of the House of Commons, like for example the Auditor General, are not part of the government.

Certainly a basic flaw to this bill is that the Prime Minister will appoint the ethics commissioner without a meaningful role by rank and file members of Parliament. There is provision for consultation with party leaders but no requirement that the agreement be reached. The Prime Minister does not appoint the Speaker of the House and he should not really be involved with the commissioner's appointment or any of the officers of Parliament.

It brings to mind the flawed basis of how the Auditor General is appointed, as well as the other independent officers of Parliament, like the infamous Liberal insider Radwanski, the pugnacious former privacy commissioner. The independence of all House officers must start at the very beginning concerning how all of them are nominated, examined, confirmed and continue in tenure.

Government Orders

The bill does not apparently change the relationship of ministers with the ethics counsellor. He will administer the prime minister's code and will provide confidential advice to the prime minister and to ministers. If an investigation of a minister is requested by a senator or MP, the ethics counsellor is obliged to investigate but any public report arising from the investigation can be sanitized. The scandals that have plagued the Liberals will not likely be preventable or subject to much exposure under this form of legislation.

Some may say that half a loaf is better than none at all but I hope that the few MPs within the Liberal caucus who have had these kinds of matters on their minds for some time will speak up and support all parliamentarians who want a better bill. Canadians deserve a powerful and fully independent ethics commissioner. It actually may take the Canadian Alliance to deliver upon the red book promise which it copied from our blue book, the ideal that has been sought by parliamentarians for so many years. The country deserves and needs a truly independent ethics commissioner for Parliament.

To conclude, I move the following amendment:

That the motion be amended by deleting all the words after the word "That" and substituting the following therefor:

Bill C-24, An Act respecting the Parliament of Canada Act (Ethics Commissioner and Senate Ethics Officer) and other Acts in consequence, be not now read a third time but be referred back to the Standing Committee on Procedure and House Affairs for the purpose of reconsidering Clause 4 with the view to ensure that:

- (a) a standing or "an all party" committee of the House of Commons search for those persons who would be most suitably qualified and fit to hold the office of Ethics Commissioner; and
- (b) the said committee recommend to the House of Commons the name of a person to hold such office.

The Acting Speaker (Ms. Bakopanos): The amendment is in order. Questions and comments.

• (1545)

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Madam Speaker, in my remarks a little earlier I gave my own government a little too much credit, which will interest the member opposite who just spoke. I alluded to the fact that I thought the act governed judges under the Judges Act and that they would be under the purview of the ethics commissioner. In fact I misread the clause. The judges are exempt from this legislation and from the purview of the ethics commissioner, but I would say the reason I made the mistake is that it made so much logic to have judges under the scrutiny of the ethics commissioner.

I would ask the member opposite, would he join me in making representations to the Senate that it considers this particular clause and bring judges under the purview of the ethics commissioner? I remind the member that in Canada as opposed to the United States the judiciary is under Parliament. It is created by an act of Parliament. It is in my view fitting and proper for the behaviour of judges to be subject to the same type of scrutiny as the behaviour of the other high officials cited in this legislation.

I wonder if the member opposite would comment on what turns out in my mind to be an accidental but very good idea.

Mr. Paul Forseth: Madam Speaker, the Canadian system as we have inherited from the mother parliament at Westminster is quite unlike the American system where it has the three major segments of governments, and the courts are recognized as such. We do not have

that here. We could discuss that and could perhaps join hands in that spirit because I believe all parliamentarians when they come here have a desire to be honourable, are honest and respectfully desire to carry out their duties without favour. That is common for all MPs who come and go from this place.

However something happens somewhere in the inner regions of government when legislation is delivered or the administration of governance is given where we translate so-called public policy and the rubber hits the road, whether it is with contracts or appointments. We see the various complaints and sometimes the police investigations that follow.

It must be disturbing to members on all sides of the House when they see these inconsistencies, especially when they are not part of the government and backbench MPs, to find that this is so inconsistent with the hopes, dreams, aspirations and sense of self that they came to Parliament with, the ethics and honesty in representation.

I want to join with the member opposite in trying to provide an element of accountability.

I use the simple analogy perhaps when I talk to school children about limits. We have speed limit signs everywhere but if there never is enforcement of those speed limit signs, they very soon just become another piece of advertisement on the roadside. However because from time to time someone does get caught for speeding and has to pay a fine, the speed limit signs do have some meaning. It is the same thing with the Treasury Board guidelines and rules for ethics.

Now we are bringing in a new bill to improve the ethics of the House with a commissioner. It has to work but there has to be consequences. We have to know what the rules are. If the government is selling us short by trying to have something in name but not in substance, then we all have a concern about that.

The judiciary sometimes is in the same position. Its decisions are appealable. Because of cost factors and access to court in some respects, it is becoming more accountable, especially for the average citizen.

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Madam Speaker, if the hon. member goes over some of the scandals in the Liberal government over the last year, if the legislation had been in place, would it have prevented some of them? Would these scandals have been exposed under this new legislation?

• (1550)

Mr. Paul Forseth: Madam Speaker, I would say first that change begins with the recognition that a problem exists. What we have heard in general tone from 1993 that everything is fine, that all mandates are being fulfilled and that there is no problem.

There has been an element of denial and a stiff upper lip. I will quote the Auditor General who said:

Even the best codes of conduct or conflict-of-interest guidelines could not protect Canadians from a government that was not fundamentally honest.

Government Orders

I think this is what gives parliamentarians pause, especially on the Liberal backbench when they are somewhat sometimes embarrassed by revelations from the opposition, and that is our role here. They do not see themselves as part of that either and they are not in the government. Yet they wonder, when they have come to the House with all the best of intentions and when Parliament is supposed to be the oversight of government, why these things continue to happen. We have to look for an inner or deeper ideology.

What is common in the news media of course is that the deepest principles of the Liberal Party are the latest poll rather than deep values which instruct future government policy and legislation.

We have to look deeply at what it means to be a Liberal as far as the inner cabinet is concerned and how it has delivered administration to the country. We have to look at whether that meets the high ethical standards which are the average sentiment of members of Parliament who come here believing they are going to serve the country truthfully and honestly.

Mr. John Bryden: Madam Speaker, I am sensitive to the remarks the member made and there is a certain element of partisanship there. And this is a partisan place and there is nothing wrong with that.

I would still like to pursue the comment that I made earlier because I had not realized that this section was here. We are now at third reading and we can do very little to change the bill that is before us. But I point out to him that excluded from the purview of the ethics commissioner is a lieutenant-governor, officers and staff of the Senate, the House of Commons and the Library of Parliament. That latter is an echo of the exclusion that exists in the Access to Information Act. He will agree that there are many of us who feel that the Senate, the House of Commons and the Library of Parliament should be under the Access to Information Act and then coming back to the judiciary again.

To me, Madam Speaker, it is a no-brainer. It is a cliché, I am sorry, I take it back, Madam Speaker, it is a terrible cliché. But nevertheless, I do not see how a lieutenant-governor or the officers of the Library of Parliament or this House or the judiciary could be adversely affected because they had some kind of oversight from this place by an officer of Parliament on their standards of behaviour.

And I come back to the judiciary. We are all so damn afraid of saying anything about the judiciary as though judges were some kind of gods. They may be gods in their own mind but they are human. They do make mistakes and they can be in conflicts of interest. And as I said earlier, it is true that we hear in our constituency offices of judges who have problems and those judges are unreachable.

I would ask the member, should we not be considering deeply how we can get a mechanism going where we can extend the reach of good behaviour to these other areas that appear to be untouchable?

Mr. Paul Forseth: Madam Speaker, without undermining the independence of the judiciary, there are review mechanisms for removing senior judges and there is a kind of an old boy's network. I have been involved in the removing of judges at the provincial level because of alcohol problems and so on. It is often done privately through supervisory judges and so on. There are systems, but certainly it is something to look at and we do have the formal

procedure, of course, of bringing judges and their record before this House and that does exist.

However, as far as the general access to information, the leadership comes from the Prime Minister. Everything should be open unless the case could be made for national security reasons or traditional cabinet secrecy or whatever that something should be private. In fact, the Access to Information Act, if things were running correctly, should rarely ever have to be used because by policy, by the direction of the government and the Prime Minister, everything is on the public record and one would have to make the case in order to keep it private. That is how the public service should operate.

• (1555)

Mr. Ken Epp (Elk Island, Canadian Alliance): Madam Speaker, it is certainly true that we live in a time warp world. It is difficult for me to believe that at 10 o'clock I was at the Edmonton airport and now I am here rising to speak on this important bill.

Because of the fact that I could not get away earlier, I would like to thank all of my colleagues in my party for carrying the debate. I knew that things were in good hands even though I am supposed to be the chief critic on this particular issue.

The question of ethics is one that has permeated discussion about Parliament and our government for as long as I can remember. Long before I had any interest directly in politics, I remember there being charges and countercharges of scandals, misdoings and misbehaviour. As a matter of fact, it was a general conception in the minds of people about the misconduct of certain members of the previous government that gave the Liberals the government in 1993. Perhaps some of those perceptions were misplaced. According to the records now, when we look at the court decisions and the appeals that were made, it looks as if some of that was ill-founded and that is sort of a bright light.

Yet, it is true that as leaders in our country—right now 301 of us, soon to be 308 members of Parliament, and over 100 senators—Canadians deserve to receive from us a highly decent, ethical behaviour. The member for Edmonton North was here before 1993, but most of us arrived in 1993 and many of us have continued to be re-elected because we still stand for the same things.

Our message over those years has been that we want to contribute as much as we can to improving the ethical behaviour of parliamentarians, certainly of the government, that is, the Prime Minister and cabinet, and also of members in the other place, as well as bureaucrats and civil servants. Very frankly, it has been my observation that most people in those different categories that I have named do want to do what is right. I know I do.

Government Orders

I sat beside a young lady in the airplane today and we talked just briefly about this issue. She was surprised to find me in the economy section of the plane. I said that in 1993, when I was first elected, I pledged to the electors in the riding of Elk Island that I would spend the taxpayers' money as if it were my own. I made perhaps a rash statement. I had no idea I was going to gain 30 pounds on this job, but I made the rash statement that I would never spend \$1,000 of my own money to sit in front of the curtain. Now, of course, it is sometimes a little uncomfortable for the people who are right beside me and some people have encouraged me to get into the wider seats, but I have held my ground on it and I intend to continue to do so as long as that is physically possible.

I am going to do a little free advertising for WestJet. Last week I travelled with WestJet and saved the taxpayers well over \$1,000 just by going with WestJet instead of Air Canada. It was a perfectly fine flight with almost a new airplane, and a wonderful and exuberant staff happy in their work. It was really a joy to fly with WestJet. The only difficulty is that the scheduling is still a little thin because it is a smaller company, so to get the connections at exactly the time when it is most suitable is a difficulty, but I thought that if I could earn the taxpayers \$150 an hour, maybe I should consider doing that. Actually it would be quite a bit more than \$150, I just pulled that number off the top of my head.

•(1600)

It is something we should all have, first as a guiding principle so we will do what is right and what is fair to the taxpayers, voters, and citizens of our country irrespective of any rules or regulations or codes that are put our way and irrespective of people who are appointed, like an ethics commissioner or ethics counsellor, or ethics officer, as the position is referred to in the Senate.

I believe one should do what is right irrespective of whether or not there are regulations that say it and irrespective of whether or not there are people out there who are going to catch individuals if they do not do what is right.

Speaking of that, I had a very interesting interview with some of the media last week. They talked about the government operations and estimates committee, of which I am a part. One of the reporters asked me if I did not feel that this committee was feeling its oats; we got Radwanski and now we were going after the Governor General. I said no, they had it wrong. I could not speak for all the members of the committee, but I was greatly saddened by what we found when we investigated Mr. Radwanski's expense sheets.

It is so sad when people who should have the trust of Canadians breach that trust. I said that to the reporters. Of course they chose not to use that particular clip on television. When they interview someone for five or eight minutes, they get to choose the six seconds they use and that particular cut did not make it. However it is very critical. We should never, ever feel happy when we find somebody doing wrong. We should always feel sad and remorseful that that actually happens.

My whole perspective in working in the ethics portfolio over the last 10 years, first in the reform party and now Canadian Alliance, is that we need to do basically two things. First, we need to ensure that those who are ethically challenged, that is, they do not have a strong built-in moral compass, know what the rules are. Most of us rely on

our common sense, but every once in a while there is something that is a little marginal and people will ask if that is wrong and what is wrong with it? Let us spell it out then so that it is clear, so that an individual who is working on behalf of Canadians knows what is expected.

The second thing, and this is equally important, is that there ought to be a method of accountability. One of the great strengths of a democracy is that there is a continual chain of accountability.

I regret that I cannot use a board here. I was a teacher and an instructor for some 31 years and I like blackboards, chalkboards, whiteboards, overhead projectors, and nowadays, PowerPoint presentations and all these things. I like visual aids, so I will have to draw this in the air.

When I meet with students, as I guess all of us do frequently as members of Parliament, I like to draw a big circle on the board. I tell them this is how democracy ought to work. The electors elect the member of Parliament. Whoever gets the most seats forms the government and chooses the Prime Minister and the cabinet, indirectly of course. We have all the people in government who are responsible to the cabinet and then through the minister. That is called ministerial responsibility. It is a great responsibility that ministers have and, again, it is regrettable that in their departments things happen that ought not to happen.

•(1605)

I know the HRDC minister went through the wringer when she tried to correct errors that occurred in her department. She was responsible for those serious problems in her department even though she inherited them from a previous minister. However in our kind of government it is the ministers who bear the responsibility for the whole department.

The voters elect us and then we are accountable for the people we select to work for us and in our departments. In the end we make a bunch of rules and laws so that the very citizens who have elected us now become subject to those rules and laws. Therefore they cannot do whatever they want either.

I would like to indulge in a little aside here. I am concerned when our society loses the decency of good debate. I was at a pro-marriage rally yesterday and some of the young people who were there did not even like the fact that we were discussing it. I had a young lady standing next to me. I think if I had had a dB meter her screams in my ears would have been up over 100 decibels. It literally physically hurt. I asked her to please be quiet so that we could have the respect of listening to the person who was speaking. She would not stop. She looked right at me and she kept screaming in the loudest of her voice, "Stop preaching hate. Stop preaching hate".

Anyone who knows me knows that I do not have any hatred for anyone, including her, but she would not stop long enough for me to even express it. If we do not have those elements in our democracy, that mutual respect, that care for one another and certainly the honesty to deal with financial and other matters forthrightly and honestly, then our democracy is at risk and we will trade it for anarchy and a system of government that will be much less effective.

Government Orders

I would like to say that over the 10 years that I have been working here, those are the premises and the circle of accountability on which I have worked, that we are responsible to the taxpayers and the citizens, and they in turn are responsible to obey the rules and laws of the land.

In every area, because of the nature of people, we have to build in some checks and balances. There are rules. If people collect employment insurance and receive benefits to which they are not entitled, the rules require them to pay the money back. That is how it has to be.

I would venture to say that most people who find themselves in a position where they need to collect some of these benefits would do so honestly. They would do the paperwork correctly to the best of their knowledge. They are not interested in ripping off the system. However, for those few people in our society, and I suppose in the House of Commons, who do not have the standards that are accepted and expected, we need rules and we need enforcement.

One of my colleagues, in his earlier speech, said that if there was never any enforcement the rules become ineffective. I sort of think that is what has happened in Ontario with the speed laws. It is incredible how blatantly people break those rules and a whole bunch of other rules. However it certainly is true that rules have to be enforced in order to be meaningful, just because there is some proportion of our population that needs that restraint.

The ethics measure that the government is now promoting is, I believe, a response to that expectation. Unfortunately, it is a little too late and it is being done in a way that really causes me a lot of concern. The real authority of government is on the front benches of the government. The Prime Minister, whether we like it or not, has a virtual clear say on whatever he wishes to have a say. He appoints the members of the Senate. He appoints the judges. He appoints over 2,000 top level bureaucrats. He has a lot of influence and a lot of control.

● (1610)

As we all know, there have been a number of breaches of ethical behaviour on the part of different individuals, but all of them have involved those people who have the power to give a government contract.

I know that individual members of Parliament on a very small scale do the same. We rent office space, we hire staff and we buy certain amounts of equipment. We have room on a very small scale to fail the ethical tests. However, compared to the billions of dollars that fall under the responsibility of cabinet ministers, it really is minuscule.

What does Bill C-34 do? It sets out to establish an ethics commissioner for the House of Commons. I am distressed by the fact that the ethics commissioner would be appointed by the Prime Minister. The bill explicitly states that if there is a conflict between the rules as applied in our internal code of conduct for members of Parliament and the code that is set out by the Prime Minister for cabinet ministers, then the latter shall prevail. I have concerns about that.

Any investigations that we have called for have pretty well been stonewalled. I do not want to go into the list. I find it repugnant that

the number of different questions that have legitimately been asked by Canadians and, on their behalf, by the opposition and all the parties here, that those investigations lead nowhere or do not get off the ground.

Even the involvement of the Prime Minister and the fact that there was interference with the Business Development Bank, there was never any answer given to that. It was just dropped. We do not know the answer to that. Records were taken that were never accounted for. We need system of accountability.

This code and this commissioner will be consumed with, I believe too often, petty little complaints about individual members of Parliament, which often could be politically motivated. There is concern of what would happen during election time when there is no time to get out all the facts and defend oneself against a false charge. To have that commissioner appointed by the Prime Minister is an item of great concern to us in the official opposition.

I tried so hard in committee to persuade my colleagues, namely the Liberals who have the majority on that committee as elsewhere, that in order to make this work so that all members would have an absolute clear faith in the ability of the commissioner to do his or her job that there should be all party involvement in the selection of that commissioner. In their wisdom or, in my view, their lack of it, they decided to not go that route.

Instead, the legislation simply states that the Prime Minister will choose a name. It is required that he consult with the leaders of the parties but consultation is not defined. It could be just a phone call that says, "We have decided to appoint so and so as the ethics commissioner. What do you think?". There is nothing that says that if the opposition leader says, "We do not think that is a good person to choose" or if the opposition leader objects, the Prime Minister is under no obligation to change his mind and look for someone else.

We would like to see an all party committee that would make that selection. There would be agreement of all parties. There are people who have the confidence of all members in the House. All we have to do is find them. We need to make sure that the individual has a proven track record of absolutely non-partisan fairness. If that is left simply in the hands of the Prime Minister, in investigations involving cabinet ministers, the commissioner would still report to the Prime Minister.

● (1615)

We have not progressed at all on the problems that have plagued us. All we are doing is engaging in a little side activity which, unfortunately, from time to time will be used to deflect valid criticism from the government at a time when it should be held accountable.

I have much more to say but I am sure some members in the House will have some questions for me. I certainly urge members to support our amendment.

Government Orders

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Madam Speaker, I was impressed by my hon. colleague's good deliberation. He sits on the committee and has great knowledge about what is actually happening. He also has great insight into this issue. I respect his opinions as a member of Parliament on a number of issues. Having been here awhile he has a good discerning ability to understand what is going on.

This is an important piece of legislation which goes to the heart of democracy and would add some credibility to the House. At the end of the Prime Minister's legacy, it brings forward a promise that was broken to many Canadians. I wonder if the member could comment on the timing of this legislation.

When I see legislation coming forward at this time, I am concerned about why now and why at all. I am also concerned that the bill is being done half-heartedly. I wonder if my hon. colleague could give us some insight from his perspective on the timing of the legislation and its inability to address the problem.

Mr. Ken Epp: Madam Speaker, the answer to that first of all derives directly from the controversy which erupted with the then minister of public works and government services. It was a scandal in which contracts in Quebec were being let which obviously were not done properly. They were not properly tendered. Money was paid for work that was not done. That was subsequently documented and proven.

I think Canadian taxpayers have the right, in fact even the obligation, to rise up in protest and revolt when their hard-earned money is spent for some unknown reason in such a frivolous and unaccountable way. We have many taxpayers in this country who are struggling to make ends meet, yet they are obliged to pay their taxes month after month or every two weeks, whatever their pay schedule is, and they deserve to have full accountability.

When the minister was involved in giving money that for all intents and purposes could be said to be a straight funnelling of money to the Liberal Party the way it appeared, I think the government actually admitted that this is what happened. Otherwise, the behaviour of the government in sending the minister off to Denmark is really bizarre. He was a sitting member of Parliament. He was a cabinet minister. Why was he suddenly pulled out? Not only was he pulled out of cabinet, he was pulled out of Parliament and pulled out of the country. Why that urgency to get him way over there in Denmark? I think it was that the government did not want him easily available for investigation because when the facts became known it would be very damning to the government. That of course is a supposition we make, but we come to conclusions based on the behaviour of people. I have said the same thing about O.J. Simpson. His bizarre behaviour in that Ford Bronco is unexplainable if we assume he is innocent.

That is what happened. The government, taking quite a bit of flak on this issue, then decided, "Now is the time to make it look as if we are doing something". I really almost hesitate to draw this charge, but I cannot help but be suspicious that it is just a considerable amount of smoke and mirrors designed to give the perception to the public that this is a government that has a much higher standard of ethics than it actually has.

Now, that puts me into a little bit of a dilemma. Do I want ethics to be improved? The answer is yes, absolutely. There should be a code. The Prime Minister's code for cabinet ministers should be public. The inquiries with respect to complaints on that should be made public. If the person charged is guilty, Canadians have the right to know. If the person charged is shown to be innocent, Canadians have the right to see the evidence and the basis on which the conclusion of the evidence was reached. It is not sufficient for the Prime Minister to stand up in the House here on questions and simply say that nothing has ever been proven, because of the fact that the investigation has been stonewalled or whatever, but that is what happens. The investigation is not concluded and then in fact it is accurate to say there were never any charges that actually stood.

I believe that the timing is tied in with damage control for that specific instance to try to give the appearance of doing something tangible to improve ethical behaviour in government. Of course it is also leading up to the next election, which the Liberals will of course use. This is one thing that really frightens me. They have made such a mess of the bill that even though it uses the word ethics, it is way too weak, so we are obliged to not support it because it is all a façade. It does not go deep enough, it is not solid enough, and the commissioner is not independent. Unless those things are fixed, we have to vote against it.

I can just see these Liberals in the next federal election campaign saying, "We are the ethical ones. We brought in the ethics package. We have the ethics commissioner now, a 10 year old promise, and the Canadian Alliance voted against it". It is going to be a real challenge for us to communicate to Canadians that the reason we voted against it is due to the fact that it was not adequately handled.

• (1620)

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Madam Speaker, the member sits on the committee and has watched the bill evolve. I would like to know about the eligibility terms for reappointment and how they came upon the five year term for the House of Commons ethics commissioner and how it was that the term of the Senate ethics officer was seven years. I ask this as a point of information.

Mr. Ken Epp: Madam Speaker, that is actually fairly interesting. In committee, we had a good debate on this particular question of how long the appointment should be for and whether the person should be eligible for reappointment.

I think I actually had some influence on this decision. I will claim, as I have always done, that I personally do not believe in limitations on how long a person can serve in office or how many terms they are eligible for re-election; hence I feel the same about this particular position.

Government Orders

I believe there should be a review. In the case of members of Parliament, of course, there is an election from time to time and that is when we are accountable to our electors. I believe that the position of ethics commissioner should be reviewed, just as he is selected in the first instance, I would hope, by an all party committee and with approval of the House and a very strong majority, showing the approval of the person's work. Then, after a minimum amount of time, the person would go through that again. If that individual is doing a good job, we should not be disqualified from reappointing him or her simply because they have been doing a good job too long. I do not care whether it has been for two or three terms. If he or she is doing a good job and people trust that individual, then let us reappoint the person.

That is why the legislation states that the ethics commissioner will be appointed for five years. The committee came to the conclusion that a five year term is adequate to get everything in place and have a smoothly running organization to handle the portfolio, yet to have a re-accountability every five years without limitation says that if the person is doing a good job we can ask the individual to continue. If not, the all party committee would then be in a position to search for someone else.

With respect to the Senate, it has basically given us notice that it will not have any commoners telling it what to do. That is basically the executive summary of the message from the Senate. The Senate has said it does not want to have any part or parcel of either the ethics commissioner from the House of Commons or our own code of ethics. The senators say they will have their own. When the codes of ethics finally are written into the Standing Orders of both Houses, it really will be quite interesting to see what the differences are and which standards are perhaps a little more strenuous and more rigorous.

The Senate has chosen to have a Senate officer of ethics for a seven year term. I guess probably it is because the average age over there is a little longer, so seven years to them seems like five to us. That was a little bit of a joke there, Madam Speaker.

• (1625)

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Madam Speaker, it is a privilege and a pleasure to stand and speak on behalf of our party and the people of Yellowhead on Bill C-34. This is a very important piece of legislation that is long overdue, but there are a lot of problems with it.

We have to ask ourselves what the point of this legislation is and what it is all about. To do that, we have to define what a conflict of interest is. Quite simply, a conflict of interest occurs when an individual puts his own interest ahead of the interests of the public. This is especially true in a public trust situation like that which every member of this House is entrusted with.

The bill goes right to the heart of the Liberal government's integrity. The bill is not about damage control, which is honestly what the government is trying to do. The bill is not about openness or accountability, no matter how much the members from across the way have tried to make us believe that as we have listened to the debate here today.

Bill C-34 is only a half-baked measure. The bill is a response to Canadians losing confidence in their members of Parliament. We

saw that in the last election when 40% of the electorate refused to come out and vote. The electorate has lost a lot of confidence in the House.

There are obligations that all members of Parliament should take very seriously. What can members of Parliament do to freshen up the image of Parliament across Canada as the Canadian electorate looks at us? We must ask ourselves what makes the electorate say that politicians look so slippery and sleazy and why politicians are so low in popularity at the ballot box when individuals look at the credibility of politicians.

This is happening because of some of the things we see occurring and it happens when we see the government trying to bring in a piece of legislation to defend itself from some of the things we have seen.

It has certainly been an interesting response that we have had from the Liberal government. It is not that we are seeing a denial of wrongdoing or ministers sent off to the chopping block. There has been no apology to Canadians for the abuse of power entrusted to the government, which is what we should have seen. We have seen half measures in regard to what the Liberals promised Canadians back in 1993 in regard to how they would do things differently.

I listened with great interest to my colleagues across the way as the Liberal House leader commented on how he remembered the days when he was in opposition. I think many of us remember the days when the Liberals were in opposition and how they promised to do things differently once they came to power.

One thing the Liberals promised Canadians is that they would clean up this image, this idea of how we as politicians are to be more credible. This was penned by the then leader of the opposition, the member from Shawinigate, who promised Canadians that if elected he would appoint an independent ethics commissioner, one that reported directly to Parliament and not to the Prime Minister. This was a policy authored by that then prime minister in waiting, and by the member for LaSalle—Émard, and if members ask why I would mention him, it is that he is now the next prime minister in waiting.

However, once the trouble of an election was over, the Liberal government broke that promise with Canadians and appointed an ethics counsellor with limited powers, one who owed his career to the Prime Minister and one who reported secretly and directly to the Prime Minister. This is but one on a long list of broken promises, promises that were made to the Canadian people over the last 10 years.

The Liberals are, however, a government best known for wasting billions of dollars. They are best known for having expensive tastes in restaurants on the taxpayers' dime, for missing contracts, for contracts written on the backs of napkins and for the common practice of awarding untendered contracts to Liberal friends.

Why would they want a cabinet watchdog? We have to ask ourselves why the Liberals would not have honoured that promise. What is so difficult about it? Why the hedging? Why the delay of a decade? All of this really makes us sit back and wonder.

Government Orders

•(1630)

This ethical problem with the Liberal government came to a head in February 2001 when Parliament voted on a Canadian Alliance motion calling for Parliament to appoint an independent ethics counsellor. It was one of the first votes that I myself as the member for Yellowhead voted for in the House of Commons. It was a motion that was taken directly out of the 1993 red book that promised this to the people of Canada. Instead of embracing democracy and transparency, the Liberal government made the motion a confidence vote and forced Liberal backbenchers to toe the new party line. That was another abuse of democracy.

I am becoming more and more alarmed and more and more amazed at how dysfunctional the House of Commons has become. I have only been here a little over two years and am relatively a newcomer. I can say that the erosion over the last 30 years has come to the point where we cannot ignore it anymore. We have seen power shrink down into the Prime Minister's Office and the Press Gallery.

Members of Parliament must understand and discern that and be prepared to do something about it. Power must be taken out of the Prime Minister's hands and given back to the people of Canada. Members of Parliament must vote the will of the people who put them here because that ultimately is what democracy is all about. Democracy is about speaking on behalf of the people we represent. If we are not free to do that in the House of Commons, then we do not have democracy in this country.

Many of our forefathers fought in wars for the ability to differ on ideas and to debate those ideas and then to do what was in the best interests of all Canadians. Those are the fundamentals of democracy. If we are not prepared to fight for them in the House, then we have given democracy away and shame on us.

The people of Canada are rightfully judging us as individuals in the House of Commons who are not prepared to do what we say we are going to do, and not prepared to speak on their behalf as the Parliament of Canada. If Liberal MPs cannot support their own Liberal platform, that says a lot about the commitment, the promise and the ethics of the government.

While the Prime Minister was out of the country and did not vote in 2001, the prime minister in waiting, the former finance minister, was here and voted against his own election promise. He made this comment after the vote, "It never bothers me to vote with the government".

Is that so? Does he feel that way even when the government is voting against its own promises? What about voting for the promises it made? What about voting for what is in the best interests of Canadians? What about voting for democracy? What about voting for transparency? That does not inspire confidence in me when I think about the next prime minister of this country.

Bill C-34 is a miserable half measure for dealing with the questionable ethical actions of the government. No matter how often the Liberal government says it is setting a new ethical standard with Bill C-34, it does not make it true. The purpose of setting higher ethical standards is about climbing over the bar, not slithering under it. It is important for us to understand Liberal ideology. Canadians need to understand.

Since I have been here over the last two years I have seen the Liberal playbook. I am able to discern a bit how that playbook goes. I would like to lay out a few plays that I have seen happen.

Play number one, during an election, promise Canadians policies that are in the best interests of the country. Play number two, after the election, forget the promises that were made and do what is in the best interests of the Prime Minister and the Liberal Party. Play number three, ignore opposition proof of questionable ethics and integrity and if we pretend nothing is wrong, then Canadians will then also believe nothing is wrong. Play number four, if reporters ask too many questions, send a loyal cabinet minister to Denmark. Play number five, implement legislation with a catchy title that will not actually do anything. Make sure MPs get a call from the whip.

•(1635)

Bill C-34 breaks Liberal promises of an independent ethics commissioner by only allowing the parliamentary ratification of the Prime Minister's appointment. It is time to end the charade of the ethical watchdog who is hand-picked by the Prime Minister.

I do not believe in criticizing the government without explaining what could be better, what could be more positive, what Canadians have come to expect and should come to expect from a government that is ethical, a government that is truly voting and working in their best interests.

The proposed Liberal model simply calls for the majority approval of the Prime Minister's own appointment. There are provinces that have the same sort of ethics commissioner. They actually look for two-thirds of the vote but not from the Prime Minister's appointment but from the legislature's appointment.

The ethics watchdog will still owe his or her job to the Prime Minister under the bill. He or she will secretly report to the Prime Minister. A truly independent commissioner must have the approval of all opposition parties as well. That ethics commissioner is one who really is working in all of our best interests on behalf of Canadians. If the commissioner does not garner the support of all members of the House, he or she certainly will not garner the support of all Canadians. Ultimately that is what this is all about because we are entrusted to work on behalf of Canadians.

If Bill C-34 is the best that the Liberals can come up with, with a decade of miserable ministerial mishaps, then we should all be very disappointed. The government has thrown in the right catchwords, so we can call it an independent ethics commissioner. I think that is what it really wanted, to get the right wording in the bill, but the reality is until the commissioner reports directly to Parliament, the government is not fooling anyone.

Liberal backbenchers should be concerned that their leaders are willing to paint all Liberals with an ethically challenged brush. I do not believe that is true. Most members of Parliament are very ethical individuals, individuals who really do want to do what is right. Bill C-34 is a direct response to the government's inability to ensure cabinet lives up to the highest ethical standards. Instead of shedding light on the workings of cabinet ministers within departments and their business holdings, the Prime Minister has cast blame on all members of Parliament, who are included in Bill C-34.

Government Orders

Why would we not want to hold those who have the money, those who have the power to the highest ethical standards and in the most transparent way? Under the bill all opposition and Liberal backbenchers are held to a higher standard than the people who have the power and the money. To me, that just does not make any sense at all when thinking of it on first blush.

The cabinet ministers pick the programs. That is how government works. The Prime Minister approves those projects and the finance minister cuts the cheque. That is really how it works.

I certainly do not have a problem with the transparency of members of Parliament. I think that is fine. However Bill C-34 tries to address the problems of the questionable ethical decisions by cabinet by broadening the mandate to include all members of Parliament.

All members of Parliament should be concerned that the bill also does not turn into political intimidation. By ensuring that the ethics commissioner secretly reports to the Prime Minister, members of Parliament will be unable to defend themselves from unwarranted investigations.

Bill C-34 in my mind is a pathetic response to the ethical challenges facing the Liberal government. It is a half measure and it will do nothing to improve cabinet transparency. Bill C-34 will do nothing to restore the confidence in the government. It will do nothing to address the broken promises that the government has had over its history of the last decade.

• (1640)

Canadians deserve an independent ethics commissioner who reports directly to Parliament. They deserve nothing less. Until we are prepared to challenge the bill, correct it and be able to make it right on behalf of all Canadians, they will not trust us, nor should they, nor should they trust the government.

Mr. Ken Epp (Elk Island, Canadian Alliance): Madam Speaker, I appreciated the intervention by my colleague from Yellowhead. It is a beautiful riding, by the way. Members should visit it sometime. It includes the wonderful mountain town of Jasper and other places. It is a nice place to visit.

I would like to ask my colleague a question with respect to something he alluded to in his speech. He said that the emphasis of the bill seems to be going after backbenchers. That means presumably even backbenchers on the government side from time to time could be under investigation by the ethics commissioner. It is in the area of speculation, but I would like to know whether, in his opinion, the government would actually put one of its own members into such a position in order to deflect attention from perhaps a more pressing issue, maybe a cabinet minister or others where there is more at stake.

Mr. Rob Merrifield: Madam Speaker, I thank my hon. colleague who recognizes that Yellowhead is the most beautiful riding in all of Canada. I do not think there is much argument there. It is second to his, I am sure.

Nonetheless, the question is very serious and very clear. I do not have a direct answer to it in the sense of what kind of motive might be there to be able to question any member of Parliament, whether

they are backbenchers of the Liberal government or opposition members.

Absolutely, one of the things we have seen very clearly is that as soon as the government gets into trouble, it stirs up a hornet's nest someplace else to divert attention. That is the game of politics, we might say. This is a lever that could very easily be used in that way.

In seriousness, I do not think the bill should be used to play politics whatsoever. It should be fixed to deal with the lack of confidence that Canadians have in our parliamentary process and in parliamentarians. That is what this is all about. If it will not do that, then we have failed Canadians. We have not really done anything except continue to play the game, the charade.

We must work toward regaining the confidence and trust of Canadians and giving them the kind of democracy that they respect, that they deserve and that they want, which is to have their voices heard in this place, debated heartily and then voted on openly. Until we do that, we are going nowhere and the ethics commissioner and the bill will go down as an absolute joke as far as a piece of legislation that will address the problems is concerned.

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Madam Speaker, I enjoyed the message that the hon. member has given us this afternoon. If there was one thing that he thought was objectionable in the bill what would it be? If there was something he really objected to, what would be the one thing he would change first and foremost?

• (1645)

Mr. Rob Merrifield: Madam Speaker, I want to thank my hon. colleague for that question because there is one glaring thing. We could point to a number of things in the bill. First is how the commissioner gets there. If he is appointed by the Prime Minister, then nothing changes. The commissioner should be appointed by an all party committee. It should not just be the Prime Minister's appointee elected in the House. That individual should be chosen by the House initially.

But that is not the thing that bothers me the most. The hon. member asked me for the one that stands out. The one that stands out is the one about the cabinet, the ones with the power, the ones with the money, the ones who over the last decade have been implicated in many challenges on the ethical side of government and being able to say that they have mishandled their portfolios or mishandled Canadian money, something with which they are entrusted. Under this piece of legislation they are held to a lower standard than members of Parliament who have absolutely no power and very little ability for funding.

If we are saying to Canadians to trust us because we have a commissioner who will look after this, but by the way the ones with all the power and all the money we cannot touch, then we have missed the boat and we are just putting up a smokescreen. That is the most glaring part of the legislation that is wrong.

Mr. Ken Epp: Madam Speaker, I would like to add something to this. The legislation is quite explicit in that it says that if there is an inquiry or a hearing which involves a cabinet minister, it is not subject to the commissioner reporting to and being answerable to the committee that oversees his or her work.

Government Orders

For some reason, the government in drafting the legislation has chosen deliberately to exclude cabinet ministers. It is one of the greatest flaws in the legislation as my colleague has indicated. We have to address this.

To the Liberal members opposite, all those who are listening so carefully to this debate today, our amendment asks that the bill be sent back to the committee for a little more work on the appointment of the commissioner. I would urge them to support this so the whole package can be strengthened.

If they did this, if they were to make the necessary amendments and have opposition parties join with the government side in supporting the legislation, would that not send a strong message? Right now this is such weak legislation with so many flaws and loopholes in addressing the real questions, it is not worth supporting. They should give honest consideration to doing that. They will not be losers in it by having voted for something the opposition put forward because it will strengthen the legislation. Hence they themselves may even look better in the eyes of the electorate in the next 8 or 10 months, however long it is until we go back to the people again.

Would my colleague comment a little further on the fact that the government has deliberately chosen to exclude cabinet ministers from the process?

Mr. Rob Merrifield: Madam Speaker, this goes right to the heart of the issue. It is all about credibility. It is all about trying to enhance the credibility of the House and members of Parliament who serve in the House. We serve the people of Canada.

If we cannot hold individuals who have the power and the money to transparency, to openness and to be accountable for the decisions they are entrusted to make, then we really are doing nothing. This legislation misses the boat completely by exempting them. It really is a frustrating situation.

We must ask ourselves why would that be the case. What is the problem with that, unless there is something to hide? That is why Canadians look at the government and say that the rot is getting close to the top. With that we have to think about what can we do to remove the rot or fix the blemish.

I believe the legislation is an attempt to put a band-aid on something that will become very chronic, painful and an epidemic as we move forward into the 21st century if we are not prepared to stand in the House and fix it now. We have waited a decade, a decade too long, and it is a shameful legacy of the government.

• (1650)

Mrs. Lynne Yelich: Madam Speaker, would it not be better to scrap the whole idea of an ethics commissioner if we are not going to make the changes the member has recommended this afternoon to the parts of the legislation with which he does not agree. In reality we will be setting up a whole new department that will be very costly to taxpayers. If it is not independent and if it is not equated to the department of the Auditor General, then we will have quite a costly department at quite a cost to the taxpayers.

Would the member agree?

Mr. Rob Merrifield: Madam Speaker, we have an ethics counsellor right now. If we are not going to fix the problem of making the ethics counsellor's job or role more open, more transparent, more encompassing, then what is the point of changing it? We might as well leave it the way it is.

If the bill is about fixing it, then let us get it right and do what needs to be done to gain credibility for the House and members of Parliament and to hold all people to higher standards, specifically cabinet as it sets an example and a model for all of us.

[*Translation*]

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 Terrebonne—Blainville, employment insurance; and the hon. member for Acadie—Bathurst, The Environment.

[*English*]

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Madam Speaker, it is my pleasure to address Bill C-34, an act to amend the Parliament of Canada Act (Ethics Commissioner and Senate Ethics Officer) and other acts in consequence.

At the outset of my speech, I would like to explain the purpose of the bill as stated.

It has a twofold purpose. The first is to provide for the appointment of an ethics commissioner whose duties and functions would be assigned by the House of Commons regarding the conduct of its members and to administer any ethical principles, rules or obligations established by the prime minister for public officer holders.

The second purpose is to provide for the appointment of a Senate ethics officer whose duties and functions would be assigned by the Senate regarding the conduct of its members.

Of course I do not have to tell members this but I always like to remind the House that we on this side of the House would prefer to have a Senate which is fully elected and fully accountable to the people of Canada. We think it is time for the upper chamber to be elected, to be a fully democratic body, so both of our legislatures within our bicameral system are fully elected. Free elections should take place and I think we all realize and recognize that.

In terms of the ethics commissioner for the House of Commons, I want to make some substantive comments, particularly with regard to the consultation process that is apparently supposed to take place between the prime minister, after the prime minister designates such an individual, and the other opposition parties.

We should recognize that if we did have a genuine independent ethics commissioner, this could do a lot toward revitalizing the public support for such institutions as noble as the House of Commons. However we have to ensure then that the manner in which they are appointed, the manner in which they are selected, is above reproach and is unquestioned. Unfortunately, this bill fails to do so.

Government Orders

The bill does call for consultation between the prime minister and the various leaders of parties represented in the House, but the decision as to who shall be appointed is ultimately the prime minister's alone. This single-handedly bestows control onto the prime minister.

It was interesting to hear the government House leader this morning say that this was a process that an opposition member within the Canadian Alliance had suggested. Apparently that is not true.

What happened, and he should know this better than anyone, was there was no process set up for the government appointing people, and one such example was the Commissioner of Official Language. Our government House leader at the time, the member for Langley—Abbotsford, suggested a process such as this take place. That was not a legislative guidance. It was guidance for a committee and for Parliament as to how it should appoint people.

However the government House leader still failed to answer my direct question which was this. If the prime minister selects an individual and if the Leader of the Opposition disagrees with that selection, it does not matter because the prime minister in the situation now holds a majority. It does not matter if the Leader of the Opposition, or the leader of the NDP or the Bloc or the Conservative agrees because the prime minister ultimately controls the majority of the House of Commons, controls the majority of the members and can therefore, at his or her selection, deem who is the ethics commissioner.

This is a fundamental problem. We do need genuine consultation.

It is interesting that with the present ethics counsellor, members of the government side will insist that there was consultation. We heard this at the industry committee, when Howard Wilson was before our committee because the ethics commissioner reports to the industry committee, that Howard Wilson was appointed after consultations with the opposition leaders. I then asked Preston Manning, who was the opposition leader when Howard Wilson was appointed, if the Prime Minister ever called him and asked whether this was a good appointment. He said that the only call he got was a notification that Howard Wilson would be the ethics counsellor. Now if this is consultation, it is just not appropriate and it is not acceptable.

If there is to be genuine consultation, one possible suggestion I will make is we follow the B.C. model. A parliamentary committee would put forward names, the committee would then discuss these names and make a unanimous recommendation to Parliament as to who should be the ethics commissioner. That certainly seems to be a much better system than to have the prime minister designate who shall be the ethics commissioner.

• (1655)

A lot of people talk about clouds of scandals and corruption. I know members opposite will ask for examples to substantiate our claims. I do not want to go through a whole laundry list but I want to go through what happened at the industry committee with the current ethics counsellor because I think it really describes very well how the ethics counsellor's hands are tied right now. I do not know him that well personally. I do not know what kind of a person he is. I assume

he is an honourable gentleman. The fact is his hands are tied. He is not an independent ethics commissioner.

It was very interesting when he appeared before the industry committee. Three essential points were made from our side of the committee. This was when he was bringing in his new rules and regulations, arguing with some of what the government is doing in this bill today. I think it explains to people why there is this legislation before us today. The member for Macleod summarized the position to the ethics counsellor.

I will read it directly. He said, "Firstly, you and your office have no legislative or sanctioning authority or power". That is no authority provided by legislation to summon, whether it is a cabinet minister or a member of parliament to compel evidence. This really limits the power of the current ethics counsellor.

He went on to say, "Secondly, the Prime Minister would have broken these new guidelines if he had contacted the BDC today", under the guideline that were being proposed. I want to touch on that point later in my speech.

Then he said, "Thirdly, these guidelines", the guidelines that were being proposed, "do not address any of the ethical problems, the morass, that we've been involved in over the last two months or so". This was last year, so this would obviously be at that time period.

I will then go on to what the ethics counsellor was saying at that time with respect to the fact that the Prime Minister would have broken these guidelines that were being proposed if he had indeed contacted the head of the Business Development Bank, which he did in the Shawinigan case.

I quote a discussion between my colleague, the member for Renfrew—Nipissing—Pembroke and Mr. Wilson. The question from our member was:

I'd like to clarify this evolution of the guidelines that you're talking about. If the guidelines for the ministry and crown corporations had been in place, would the Prime Minister have violated these rules—the first rule, in fact—by making representations to the president of the Business Development Bank of Canada on behalf of the constituent?

This is obviously what happened in the Grand-Mère case.

The response from Mr. Howard Wilson was:

If they had been in place? They were not. No rules were in place, but there are now rules. Therefore, as the Prime Minister himself said the other day at his press conference, I will not make such a call.

The member, our colleague, pressed it further. She asked:

If the same incident were to occur today that occurred in the past with this crown corporation, would there be a breach of these guidelines?

Mr. Wilson responded:

There would be, yes. That's correct.

It is quite an admission from the ethics counsellor that had these guidelines been in place when he lobbied the head of the Business Development Bank, the Prime Minister himself would have broken the guidelines.

Government Orders

The whole issue points to the fact that the ethics counsellor realized he broke the guidelines. However even when we challenged the ethics counsellor and asked him how he would enforce it, he defended the Westminster system of Parliament and said that it should actually rest with Parliament, the Prime Minister and the whole view of responsible government, that he himself could not intervene in that and therefore he did not want to overrule it.

We asked him further if that ultimately left the whole question of impropriety or ethics within the view of the Prime Minister. He said yes, that was true. It did not leave it within Parliament or within an ethics counsellor such as himself or an ethics commissioner, it left it within the view of Prime Minister.

Then he admitted at the same hearings that in fact the Prime Minister would have broken these guidelines. Therefore, the person who broke these guidelines is now the one who will enforce all these guidelines and who will now appoint a so-called independent ethics commissioner, which in our view will not be independent because the necessary appointment process is not in place.

We see that as a fundamental problem and that is why we have proposed the amendment. We would hope that the government House leader would see the wisdom in returning the bill back to the committee so members, like the member for Elk Island, can further reform the bill to ensure there is an appointment process in place, similar to what happens in B.C., where it is generated from a parliamentary committee by unanimous consent and a name is submitted to parliament.

• (1700)

I suspect that if we could get a parliamentary committee to agree unanimously to a name, Parliament would certainly agree to that name.

That is our hope in putting forward the amendment and it really is incumbent upon all of us because all of us are considered politicians and public figures. Whether Liberal, Alliance or PC, there is a perception of politicians that is frankly not acceptable. If we look at the positions that mothers and fathers want their children to fulfill, politicians almost end up at the bottom of the list. That is not how it should be.

There are many fine men and women in Parliament and there are many fine men and women who should seek to sit in Parliament. It should be, as the Greeks described it many years ago, a place where people who are noble seek to serve. We need to reform our institutions and the perception of our institutions.

We need to do things like appointing an independent ethics commissioner so we can reassure the public that their interests are being looked after, that taxpayer dollars are being respected, and that they as citizens have parliamentarians of which they can be proud. In many cases they do so now, but this would certainly go to address a lot of the cynicism and apathy we currently have in Canada.

I call on government members opposite to seriously consider the amendment of returning the bill to committee so that we can rework it and truly have an independent ethics commissioner here in Canada.

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, I value the intervention that my colleague has made today especially because he sits on the industry committee which is the overseer committee that the ethics commissioner presently answers to. He made allusion to the fact that he did not know Mr. Wilson. I would probably put myself into that same classification even though I have been around longer and have probably had more direct contacts with Mr. Wilson.

I must share with the House that I often genuinely felt sorry for the man because I had, and to a degree still have, a lot of respect for the individual. I can say that honestly because even though we felt that there was a real shortcoming in the way some of the investigations were conducted, he honourably conducted himself as required by the Prime Minister. In that sense, he need not hang his head in shame.

As my colleague has indicated, under the present system, the ethics commissioner has his hands tied. He is appointed by the Prime Minister, he answers to the Prime Minister, and even though he may table a report to Parliament in all instances, it is not a requirement to fully divulge the issue that is at hand. This is a very serious flaw.

The thing that I am concerned about in Bill C-34 is that with respect to dealing with charges of conflict of interest of cabinet ministers, it appears to me that nothing has changed and that is regrettable. I have said before in my speech that, if a charge is laid and if in fact the person is guilty, the public has a right to know on what grounds the individual was found guilty and there ought to be penalties. If the individual having been charged is judged to be not guilty, then that person should be fully and totally exonerated. If that were to occur, then it almost would require public disclosure of the facts on which the conclusion was based in order that the public would fully trust the judgment that was been made.

I know there would be some cases where one could say that we were treading into grounds of personal privacy and that some things ought not to be disclosed. I do not know, but it seems to me that if I were a cabinet minister being unjustly charged and part of the investigation went into some of my personal affairs, I would gladly give permission for those personal affairs to be made public if it were to help clear my name. I made mention of that, for example, when we were dealing with the government credit cards being used by a cabinet minister. All these things were whited out and the reason given was that this was private.

I argued that if the individual put charges on a government card, it has moved out of the range of being called private. It is now public. I said at that time, and I would still say the same thing if it were to clear my name and show that everything was done properly. At the present time at least I would have no problem showing my private credit card statements. I have nothing there to hide if people want to know that I went to Pizza Hut. There is other evidence that supports that, too; there is just nothing there to hide.

We need to carefully rethink how important all these privacy issues are and whether or not the ethics counsellor, now the ethics commissioner, should make all of the hearings public and that the amount of stuff that is withheld due to privacy considerations be minimized. I would like to hear my colleague's comments on that.

Government Orders

●(1705)

Mr. James Rajotte: Mr. Speaker, I want to thank my colleague for his comments. He has been our leader on all of these ethics issues and is an excellent example of a member of Parliament with integrity.

I appreciate his comments about Mr. Wilson. I frankly felt the same way. There were a few members in committee who went after him and I thought it was inappropriate. He is in a difficult position.

I want to read further from the committee evidence because it highlights how difficult a position Mr. Wilson was in. This is from the industry committee of June 13, 2002. I went through what powers the ethics counsellor had and I think it is really instructive:

With regard to allegations against cabinet ministers, do you not have the legislative power to subpoena witnesses?

The response was:

No, I do not.

My other question was:

If someone does not want to produce evidence, you do not have the legislative power?

The answer was:

That is correct.

Another question was:

—do you have the legislative power to compel evidence?

Mr. Wilson's response was:

I think you have to appreciate, sir, that this is a code and not a piece of legislation. It sets up the principles under which ministers conduct themselves, and some rules pertaining to disclosure.

I went on to question:

So if you determined that an infraction was committed by a certain cabinet minister, you would provide that advice to the Prime Minister, but it's basically up to the Prime Minister himself as to whether or not he decides to follow through on that infraction and dismiss that person from cabinet.

Mr. Wilson stated:

That is exactly correct. It's his responsibility.

He went on to state:

I have insisted that my role is that of a counsellor who provides advice to the Prime Minister and administers the Conflict of Interest Code.

That shows the difficult the position Mr. Wilson was in. He was appointed and he was under the purview of the Prime Minister. Then he had to report any ethical infractions, in his view, to the Prime Minister who then, as he admitted himself, would have broken the new guidelines that were being proposed.

It just sets up a system frankly where a person who is judging conflict of interest is almost put in a conflict of interest himself and his hands are tied. We do not want that situation repeated which is why we want the bill changed. It is to have a better appointment process.

In terms of Bill C-34 and cabinet ministers, and whether or not they would want to have full transparency and airing of views, I fully agree with the member. I would think that it would be Liberal members of Parliament, who have a high standard themselves, who would be the people calling loudest for transparency, openness and

reform. If there is one bad apple in a bunch, if a cabinet minister is bad, it impacts on the entire cabinet. It has a reflection on the entire cabinet. We would think that the rest of cabinet would stand up and say that this is impacting on their ability to do their job and impacting on their perception by the Canadian public. They would want it stopped along with a full airing of the investigation and the facts. Therefore, it seems to me that it should be government members themselves who should be the strongest proponents of transparency.

I strongly encourage those members opposite to vote for the amendment, to send the bill back to committee so that we can have a good process at appointing a truly independent ethics commissioner.

●(1710)

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, I enjoyed listening to the member who is on the industry committee. I too have wondered what it must be like to be under the scrutiny that the ethics commissioner must be under. What would be an ideal way in which to appoint an ethics commissioner? The member mentioned the B.C. model as being a good one. Could he mention briefly what he would see in the federal realm?

Mr. James Rajotte: I think the B.C. model is one that should be seriously considered. That is where we would have a parliamentary committee made up of members from all parties. Members could submit names to the committee. It would consider those names. Then there would be a unanimous recommendation from the committee or a consensus from the committee to submit a name to Parliament for full approval. That would certainly be a much better way than what is proposed in Bill C-34.

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, I am very pleased to rise today on behalf of the constituents of Surrey Central to participate in the debate on Bill C-34, an act to amend the Parliament of Canada Act (Ethics Commissioner and Senate Ethics Officer) and other acts in consequence.

I enjoyed the eloquent speech by my hon. colleague before me. Even the *Q* and *A* showed how much the official opposition is interested in raising the bar and restoring honesty, integrity and confidence in the government and in politicians.

I want to talk about integrity in government. The infamous 1993 Liberal red book has a chapter entitled "Governing with Integrity". The Liberals used that chapter, opportunistically, to get elected to the House and form the government. The chapter talks about integrity, confidence and honesty, but since coming to power the Liberals have been governing with hypocrisy. The government has been consumed by ethical controversy, patronage scandals and even allegations of fraud. Cabinet ministers have been demoted or forced to resign.

The Prime Minister himself was caught up in a controversy over his handling of personal investments in Shawinigan. The Prime Minister maintained that pressuring the president of the crown corporation, over whom he has the power of appointment, to give a loan to a friend in no way violated ethical guidelines. The rest of us, perhaps with the exception of the member for Cardigan, know better.

Government Orders

The current ethics counsellor has no independence or investigative powers, is completely controlled by the Prime Minister and reports in private and in confidence to the Prime Minister, not to Parliament, about conflicts involving the Prime Minister and his cabinet ministers. The lapdog counsellor simply rubber stamps almost everything the Liberals do as ethical.

The proposed new ethics commissioner will not be as independent as he or she should be. We are also getting an independent ethics officer to oversee the conduct of senators in the other House. The Prime Minister retains the power to appoint both of them but each choice must be ratified by a vote in the respective chamber.

The Commons commissioner will be appointed for a five year renewable term and the Senate commissioner or officer for a seven year renewable term. The new commissioners, or officers, will not be truly independent if only a majority vote by a majority government is required to ratify the appointment made by its leader, the Prime Minister. We believe the opposition's approval should be mandatory.

Later on I will talk about some of the provincial jurisdictions and how they have resolved this appointment.

The Prime Minister probably hopes that this bill will end accusations that the current ethics counsellor is simply the Prime Minister's lapdog and cannot be trusted to objectively investigate potential breaches. He probably also hopes that now, by finally carrying through with the party's decade-old promise, the Canadian electorate will overlook the ethics malaise that has afflicted the Liberals. Perhaps he is introducing the legislation to distract Canadians from the systemic corruption on the Liberal front benches as well as in the Liberal Party. We know 13 investigations are currently going on. Perhaps he is introducing this legislation to fool Canadians, that the promise he made 10 years ago, and after a horrible record in the government, will be forgotten by Canadians when the time comes to vote.

• (1715)

Yes, the Prime Minister's ethics package is primarily a public relations exercise. The Liberals want to be able to go into next spring's election saying that they have done something about it. It is all a whitewash and it will not work.

We have to consider why we need an ethics commissioner in the first place. It is because we cannot trust the government to police its own members for it does not have any ethical standards. If the Liberals had proposed the bill after their election in 1993 could the scandals and corruption of the last decade been avoided?

Would the bill have prevented the questionable contracting activities of former public works minister Alfonso Gagliano? Would it have prevented his successor from accepting personal favours from a departmental contractor?

Would the bill have prevented the former defence minister from giving an untendered contract to his girlfriend or the former solicitor general from lobbying his own officials to award millions in grants to a college led by his own brother?

Would the bill have prevented the Liberals from ignoring the Auditor General's charge that they had mis-stated the government's financial position by \$800 million in 1996 and \$2.5 billion in 1997?

When I was a member of the public accounts committee I remember that the Auditor General refused to sign the government's books simply because the government had paid for a foundation that was not even in existence on the day the government's books closed. If this were done in private business people would be put in jail.

Would the bill have prevented the government from interfering with the Somalia inquiry when its efforts to get to the bottom of document destruction at National Defence threatened to expose people at the top?

Would the bill have prevented the government from attempting to obstruct the Krever inquiry into the tainted blood scandal when it threatened to expose culpability on the part of the Liberals at high levels?

Would the bill have prevented the systematic misuse of taxpayer dollars for partisan purposes in the billion dollar boondoggle at HRDC?

Let us consider a member of the current cabinet, the industry minister. I do not want to be personal but let us look at his record. As justice minister he indicated that the gun registry would cost \$119 million and would collect \$117 million in fees. The Auditor General told us that the justice department failed to provide sufficient information to Parliament, or probably misled Parliament, to allow it to effectively scrutinize the Canadian firearms program.

As early as November 1996, the justice department was aware that its earlier cost profiles were widely inaccurate. As justice minister he also bungled the Airbus inquiry. As health minister he mismanaged the hepatitis C, tainted blood, Cipro and cigarette smuggling files. Despite all these failures, he continues to sit happily in cabinet in the front row. That is how low Liberal ethic standards have fallen. Is it any wonder that the Canadian public is losing faith in their politicians? Those are the root causes of why Canadians are losing faith in their politicians.

Back in 1992, when testifying before a parliamentary committee considering proposed ethics rules for members of Parliament and senators, the member for LaSalle—Émard, the unofficial prime minister elect, supported a fully independent, fully empowered ethics watchdog, and I quote, "to provide the public with the assurance that individual transactions which might be in conflict have been handled in a fair and legitimate manner".

After 1992 here he is, the former finance minister and the prime minister in waiting, saying that he has a special privilege for his blind trust. I call that the blind trust for the public but not for him. It has become a see-through blind trust for him. We know a conflict of interest is there. How he made that statement and how we find out goes afterward.

Government Orders

• (1720)

The member for LaSalle—Émard, of course, was the co-author of the infamous Liberal red book, the red book that promised an independent ethics counsellor who would be appointed after consultation with the leaders of all parties, not only appointed by the Prime Minister, but in consultation with the leaders of all parties, and who would report, not to the Prime Minister in confidence or in private, but to Parliament.

Two years ago the former finance minister, along with the rest of the Liberal caucus, voted against a Canadian Alliance motion to establish an independent ethics counsellor who would report to Parliament. It is the height of hypocrisy for members who asked for an independent ethics commissioner or counsellor to then get elected and thereafter vote against such a motion.

The prime minister elect now claims that strong, independently enforced ethics rules will discourage people like him from becoming politicians. What a difference a decade can make. He more than happily relied on the Prime Minister's ethics lapdog to clear him of past conflicts involving Canada Steamship Lines. Even though the former finance minister has given up control of Canada Steamship Lines to his sons or family members, he still has to exclude himself from cabinet talks relating to shipping and the St. Lawrence Seaway and so forth because family control still represents a potential for conflict of interest. I see something wrong with this picture that I have shown.

The ethics commissioner will determine the precise issues from which the member for LaSalle—Émard must step away. However he would not report to Parliament on that since he only reports, in confidence and in private, to the Prime Minister. The integrity of the new commissioner hinges on total, not partial, independence. The precursor to having an efficient independent ethics commissioner is that the ethics commissioner would not report to the person who appoints the ethics commissioner. By extension, the integrity of the former finance minister's divestment requires that it be overseen by a truly independent commissioner, not a subordinate.

The following is how the Liberals operate. They get into cabinet. They have tremendous influence over how tax dollars are spent and grants are doled out. They take full advantage of it. The Prime Minister has always said that MPs, in cabinet or out, should fight for as much largesse as possible for their ridings. He has demonstrated that by examples. Shawinigan now has a wonderful water fountain in the middle of a river, a high priced national gallery art exhibit and \$1.6 million in federal funding for a horse show, and so on.

Conflicts of interest are integral to this Liberal regime. Taxpayers do not want ministers lobbying or bullying officials, or agencies answering to them.

Ministers should be working, not only for Liberal friends but for all Canadians all of the time. Government officials and institutions must be absolutely free to act in the interests of the public at large and not the cabinet ministers nor their Liberal friends.

In 1996 the Supreme Court of Canada set out a principled government ethics standard, writing that:

...given the heavy trust and responsibility taken on by the holding of a public office or employ, it is appropriate that government officials are correspondingly held to codes of conduct which, for an ordinary person, would be quite severe.

It is not necessary for a corrupt practice to take place in order for the appearance of integrity to be harmed.

This is one time that the Liberals have failed to heed the words of the Supreme Court.

• (1725)

Until the resignation of the former minister of national defence, nobody had been forced to resign. Does that mean the Prime Minister actually dealt with the problems that would lead to resignations? Absolutely not; it just meant his standard was that no one ever had to resign. He has a code of conduct that is completely different from that of past Canadian prime ministers, one that is an historic low. If ministers engage in misconduct or gross incompetence or outrageous statements, they are backed to the hilt by the Prime Minister. All of this of course just generates cynicism. After talking about ethics and opportunistically getting elected on this issue, the Liberals have turned around and done nothing about it. It is a shame.

Bill C-34 is flawed. This is a government that believes in half measures. That is what we are debating today: a half measure full of loopholes. With Bill C-34, the Liberals have ensured that a new ethics watchdog for ministers will be an unaccountable, government controlled lap dog.

The ethics commissioner will not be completely independent. He or she will be appointed by the prime minister and will report privately and in confidence to the prime minister. This appointee will simply be rubber-stamped by the majority government; there will not be a free vote in the House, as we know from the record. There should be an ethical system of high standards in place to appoint, select or choose an ethics commissioner.

In British Columbia, for example, an ethics commissioner is chosen by an all party committee which makes a recommendation to the premier, who must then obtain two-thirds of the votes in the legislature to confirm the appointment. A similar process also exists in Alberta, but a two-thirds majority is not required there; all parties are consulted and there is a free vote on it.

This commissioner will continue to be a confidential adviser to the prime minister and that is not what the mandate should be. The prime minister can continue to maintain secrecy by having an ethics commissioner who will report only to him. Bill C-34 is just a damage control exercise, just a cover-up to cover up the horrible record of the Liberal government in the past decade.

Government Orders

We know that members of Parliament, their spouses or backbenchers are not the source of government scandals. We know what the source of government scandals is and we know who is responsible for all these mishaps. This is where a watchdog is required. We do not have any objection to it not being for everyone, but at least that is where the focus should be. I believe that the ethics commissioner should be totally neutral politically. He or she should not have any incentive to serve government members or cabinet members. We know that presently the term is renewable, but who renews that term? It is the prime minister who will renew that term, so in whose interests will the commissioner serve? The prime minister's, naturally. That is wrong and it is unethical. I believe the ethics commissioner should be ethically appointed, not unethically appointed.

• (1730)

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, let me say in responding to the speech given by my colleague from British Columbia that I always appreciate his speeches. He is a great speech maker. We have heard many of his talks in the House and he has a lot of insight into many different issues.

On the issue of the ethics commissioner, the appointment process and the jobs and duties of both the ethics commissioner and the ethics officer for the Senate, it seems to me that the government is, to use an old phrase, barking up the wrong tree.

My colleague alluded to that in his speech, but I would like to enlarge on it. To my knowledge there has not been a single case in the last 10 years of a member of Parliament actually being called on the carpet because of misspending. That is because the only money the member of Parliament has control over, of course, is basically the office budget and travel expenses. I think we have good checks and balances with a good financial officer in the House of Commons who keeps us honest in this regard. Everything is done well.

There has been no reason for Canadians to judge Parliament or government based on backbench and opposition members of Parliament and yet the government seems to be consumed with setting up, at considerable expense, the office of the ethics commissioner. Then it goes a step further and says, "But the ethics commissioner will not be dealing directly on issues with respect to cabinet problems in the same way". There is a whole different set of rules and basically it is exactly the same as what we have now, with the ethics counsellor investigating on request and basically reporting to the Prime Minister.

I would like to ask my colleague what he thinks about that kind of scheme and why he thinks the government is so interested in solving a problem that actually does not exist.

• (1735)

Mr. Gurmant Grewal: Mr. Speaker, I greatly appreciate the remarks of the hon. member, who happens to be our critic on ethics. He has shown a high standard of ethics himself, sitting in the House and participating in the debates so vigorously all the time. I want to compliment him for the hard work he does in delivering so many speeches, particularly so passionately all the time and the amount of knowledge on various issues.

All of us, and I am sure even the members on the backbenches of the Liberal government, are disappointed by this decade of

ministerial mishaps. I have spoken personally to many members on the government side. They are disappointed with the scandals and corruption that have haunted the Liberals again and again.

When the Prime Minister appoints a lap dog where the motivation is that the interests of his government will be served, that is absolutely wrong. It sets the bar very low, by any standard, for the ethical standards of the government. I think that is wrong. The member has rightly pointed out that the ethics commissioner should be completely independent and should report to Parliament rather than the prime minister. I think this exercise is wrong.

As has been stated already in the debate, the official opposition is not against the appointment of the ethics commissioner, but we are against the Liberal version of ethics. We are opposed to that. The ethics commissioner should be truly independent if we want the commissioner's role to be a meaningful one.

If the Liberals want to fool the Canadian public and just appoint one, then I think this serves the purpose for the government members to do whatever they want to do and to fool the public that there is an ethics commissioner or counsellor or whatever. It is very disappointing. I am highly disappointed that 10 years ago the members on the government side, as members of the opposition, jumped up and down and demanded that the ethics commissioner should be independent and report to Parliament, but when they came to power and had the full opportunity, not only did they not appoint an independent ethics commissioner but they voted shamelessly against a motion of the official opposition to appoint an independent commissioner. That is really shameful. It is a disgrace in this House.

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, I enjoyed the hon. member's speech. He talked about British Columbia and how it chooses its ethics commissioner through a committee.

I just wanted to know if you wanted to expand on—

The Deputy Speaker: Order. I just want to remind the House that it is imperative that our interventions be made through the Chair. This exchange might be on a friendlier side, but sometimes, believe you me, it can be very useful and most helpful if we do it through the Chair. This practice is always good.

Mrs. Lynne Yelich: Mr. Speaker, my apologies. I wonder if the member would care to expand on the committee and on the way the ethics commissioner is chosen in British Columbia. Has he seen a clear example that has worked very well? Does he think it would be a good model for us to use in this Parliament?

• (1740)

Mr. Gurmant Grewal: Mr. Speaker, I appreciate that thought by the member about having a similar practice here. The practice in British Columbia, where I am from, is that the ethics commissioner is chosen by an all party committee, which makes a recommendation to the premier who then must obtain a two-thirds confirming vote by the legislature. That is how the appointment is made. I think it is a very good idea. At least the prime minister's interference would not be there.

Government Orders

But again, that is not the only component of the appointment. There is also the role and to whom he reports. The way he reports, where he reports and what kind of reporting the ethics commissioner does are also important issues. I highly appreciate the thought of the member that the practice could also be used here. Maybe the procedure and House affairs committee could look into that and could make similar recommendations to the Prime Minister. As well, there is the procedure of having a free vote in the House whereby the appointment, the suggestion or selection can be endorsed by a free vote in Parliament. I think that is a very good idea.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, today a number of speakers have raised the issue of a vote of Parliament being not just a simple majority but a two-thirds majority to ratify the appointment of a new ethics commissioner. It strikes me, and I would be interested if the member could comment on it, that this might set us up in a situation where about one-third of the House of Commons would be put in a position where it would determine who the privacy commissioner would be.

Would the reverse also be true? If thirty-three and a third plus one did not want it, which could be in fact two opposition parties getting together simply to frustrate an appointment, would there be a situation where it would be extremely difficult to fill a position? It might in fact be fraught with a conflict on behalf of even those members or those parties deciding that they wanted to frustrate an appointment.

It does work the other way; this is the difficulty we have. Maybe the member could comment. Is it that the minority of this place in fact should determine what the decisions of this place should be?

Mr. Gurmant Grewal: Mr. Speaker, I appreciate the comment. I would like to respond that the members on this side only gave an example. The practice in the British Columbia legislature is that a two-thirds majority is required.

Of course, since it is coming from a Liberal member, I am sure he would feel that there should be a free vote in Parliament on the issue. We should not get stuck on two-thirds or the remaining one-third.

Ideally, it would be appropriate to have unanimous consent in the House to have an ethics commissioner who would be completely independent, but members know that it is not possible. We have to set it somewhere. Maybe if there is a free vote I would not be stuck on whether it should be one-third or two-thirds. I am simply saying that the practice followed in British Columbia is an example. But as for this House, a free vote will do.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I had the opportunity to follow a substantial amount of the debate today and I wanted to comment on a number of themes that have been raised.

First of all, I will declare that I support Bill C-34. It moves us in important directions to the extent that is possible given some of the pragmatic difficulties that members may have raised. There is no simple solution to finding the perfect candidate that is acceptable to all and even after that, if the decisions were not acceptable or not viewed to be acceptable, there would be some sort of allegations of bias, et cetera. This is a very difficult position to fill for both the Senate and the House.

Following up on this last dialogue with regard to the appointment process and whether there is an election, the members will know that under the act this is an order in council appointment. The position of the ethics commissioner is the equivalent to the level of a deputy minister. It is not an officer of Parliament. It is not an appointment of Parliament the same way that the Auditor General would be or the privacy commissioner or the information commissioner or the official languages commissioner. It raises the question about whether or not this position is in fact properly positioned in terms of the authority and the responsibility that the House would like to see.

As members will know, officers of Parliament are very independent. They have their own offices and, as we know from the Auditor General's office, have the mandate to discharge certain responsibilities. As we learned from the issue of the case of the former privacy commissioner, Mr. Radwanski, even Mr. Radwanski could not be removed from office by Parliament without a vote of Parliament. It is a whole different situation.

I raise the question about whether or not some members are saying that this position in fact should be an officer. Is that what it is going to take for that position to have the respect of the House?

Members should recall that when we vote on an officer of Parliament, the appointment of the Auditor General or the appointment of a new privacy commissioner when we have that interim position filled, under our rules always has been a straight vote of Parliament. If we are going to start having a special voting arrangement for the ethics commissioner, should that not also apply to the officers of Parliament? There should be some consistency in terms of the importance that we place on it. Maybe the question should be, why is this position not an officer of Parliament? I am not sure of the answer. I hope that we might be able to get the answer to that.

The other aspect as I saw throughout the debate has to do with who is covered and why. In having an ethics commissioner together with a code of conduct for members of Parliament is going to certainly enhance the transparency and the accountability of all members of Parliament and that is important. I think everybody agrees with the principle that it is important that we do whatever we can to build the confidence of the Canadian public in the profession of being a member of Parliament.

If we discuss this in a more frank sense, and many members have raised this, the issue or the risk area has never been members of Parliament at large. Members of Parliament have a budget to conduct their work, probably about 75% of which is the cost of employees and a very small amount is actually discretionary once all of the office bills, the rental of equipment and all the other things are paid. We have very little discretionary money. Effectively the influence that we would have is certainly not related to our ability to deliver grants or funding for any program that we have sole responsibility for. We do not.

• (1745)

Historically, the interest has been mostly related to the cabinet. Based on the debate that has gone on today, it is even further than that. Many of the examples that have been raised by members have to do with the Prime Minister's position itself and the ethics of the activity of a sitting Prime Minister.

Government Orders

It is very interesting that probably the genesis of the need for this kind of bill has less to do with members of Parliament at large and more to do with the cabinet and indeed the Prime Minister's Office.

The question then has to be asked, have we created in the bill a position which is going to squarely hit the target? I am not so sure that members are convinced that we have done all we could within the bill in terms of crafting the position of the ethics commissioner.

There is no question that members of Parliament would be under the umbrella of the responsibilities this person would have under our code of ethics, et cetera, and accessible and certainly transparent with regard to Parliament. The cabinet I am not so sure.

I know that in 1994 when I first came to Parliament the whole issue of the appointment of an ethics counsellor, not a commissioner but an ethics counsellor, and having that person report directly to Parliament was problematic. It was raised by the designate himself, Mr. Wilson. Mr. Wilson raised the whole issue about how could he discharge the responsibilities of his position and still protect the confidentiality of cabinet and those matters that would in fact be subject to cabinet confidentiality. It leaves a gaping hole.

That does not mean that everything a cabinet minister does is subject to cabinet confidentiality. In fact many of their actions and their programs are all very transparent and subject to the scrutiny of all, not only parliamentarians but the Canadian public at large. The question does become, how do we get at those items, how do we have that accountability, that ethical scrutiny, of those matters which fall under cabinet confidentiality?

To put an even finer point on it, the issue comes down to the person who is in the Prime Minister's Office. This is the most senior person in our political democratic system in Parliament. It is the Prime Minister.

That ethical scrutiny does not happen when someone raises an allegation. It happens each and every day, every time the Prime Minister speaks, every time the Prime Minister makes a decision. It happens every time there is an order in council, i.e., a decision of the cabinet, who sit at the pleasure of the Prime Minister and therefore, effectively it is the Prime Minister making the statement and it is attributable to him or her.

It is a very interesting question about whether or not the intent and the motivation of members who have raised some of the allegations in the House today are really trying to pass judgment on the ethical activity of a sitting Prime Minister.

That happens daily. The scrutiny is here in this place every day during question period. The scrutiny is in observing and participating in all of the things that happen in this place, whether it be in international affairs or another subject.

Certain cases have come up. Let me preface this part by saying that throughout the debate there has been some suggestion, and certainly allegations and innuendo in specific cases like Alfonso Gagliano and the sponsorship programs and the HRDC boondoggles. Floating around there also has been this insinuation of corruption and illegality.

This causes me some concern because in this place, when there are statements made to suggest that there is corruption in government,

that is a reflection within the public's eyes, not just of the people who happen to be sitting on this side of the House but of the entire House.

• (1750)

One of the challenges we have had for many years is how to raise the level of this position in terms of public perception. We cannot just throw out the language and allow people to draw a conclusion that the government is corrupt or that a minister is corrupt. That is an illegal act. It constitutes a matter which under the law would be illegal.

Earlier a member was taken to task on whether there was one example of an illegality. There was not. There was nothing forthcoming. There certainly have been allegations and innuendo and we have to accept that.

Let me deal forthrightly with the situation of Mr. Gagliano who is now an ambassador. I was his parliamentary secretary. I was there during the period of Groupaction and the other companies, the sponsorship programs, the reports and paying for things that were not there. I had first-hand knowledge of what was transpiring and what was coming out. It was one of those situations where it was very difficult for a minister to defend himself because most of it was allegations which were plausible but were not yet dealt with by a jurisdictional authority.

The current Minister of Public Works and Government Services came in. I think the House will agree that he has been very forthright in terms of dealing with those allegations and how important it was that if there were payments that should not have been made, all attempts would be made to recover the money and that if there were any allegations of wrongdoing, they would be referred to the proper authorities. Those things have now happened to some extent and continue to unfold, even though it was over a year ago that this actually broke.

The public accounts committee has looked into this. The Auditor General in her review indicated that some employees broke virtually every rule in the book. The question now becomes, if there are department personnel who did not discharge their responsibilities, to what extent is a sitting minister of that department responsible for their failure to perform and in fact their performing in a way that breaks the basic rules of the House or of Parliament and the Financial Administration Act specifically?

Ministers have to take the flak, but the allegations do not relate now to either the current minister, the previous minister, or in fact the minister prior to that, who was Mr. Gagliano. Mr. Gagliano has not been implicated in these in any fashion. In this place because the opposition role is to try to embarrass the government, it is easy to talk about Mr. Gagliano and Groupaction and say, "Look at this paying for reports that we did not get". However, there is no evidence whatsoever that has come out that Mr. Gagliano was a party to that.

Government Orders

Members will know that this action is still proceeding, but we have been operating in this place and the allegations and innuendoes have been made on the basis of guilty until proven innocent. Whatever happened to the presumption of honesty? How low do we have to go to compromise our reputations to smear everybody in this place simply for cheap political points? When does that stop? When do we start realizing that when matters go, whether it be to the RCMP or to the Auditor General, that those people are in those positions to discharge their responsibilities to get the answers that we need to know.

Once members get all the information, I do not know how many people are going to have to rise in this place and apologize for jumping the gun, for accusing or for presuming guilty until proven innocent. I think that we really have to be careful on this.

● (1755)

On Bill C-34, we need to have an ethics commissioner, yes. I am not so convinced we need a person to scrutinize ordinary members of Parliament. We all know cabinet probably has the highest risk position of being in situations where a potential conflict or an ethical breach might occur. Quite frankly we are all the ethics commissioner when it comes to the prime minister, as is every Canadian because they express themselves when they see things.

Mr. Wilson has made some pronouncements on certain things. There is nothing to say that opposition members have to accept his words, but he is a man of honour and integrity. Some members may not think so. I do. I know that under this act, Parliament, all parties, will have to be consulted on this. Parliament will have a vote and nominees will be appointed through order in council, subject to receiving the ratification by the House.

For me though, the question is whether it will be sufficient to have this person simply occupy a role that is equivalent to deputy minister. Maybe it should be the same level as an officer of Parliament. Is that important enough? I think it might be. I had not really thought about whether there were good reasons why it should not be, other than the fact that I do not know how one bridges this problem with having confidentiality. I am not even sure if maybe there should be two: one for cabinet and one for all other MPs or cabinet members acting in a capacity of an MP as opposed to acting in their role as a cabinet minister.

These things have been certainly discussed and thought out. We have come forward with a bill at this point. Members probably are not very convinced that it will satisfy everybody's wish list, even right down to whether two-thirds of the people have to support a nominee for it to be ratified. Are we going to a U.S. style, where people who are appointed to positions of responsibility somehow have to stand a test of scrutiny? Probably in this place one-third of the members of Parliament would be against anything the government brought forward. That is part of the parliamentary process. That is part of democracy. Disruption and delay is part of democracy. We do not do that with the appointments of Supreme Court justices.

I raise these questions, some of them rhetorical. We are at third reading. This is not where changes are made. In fact there are opportunities to recommit back to the committee, if the House feels strongly about it, or to accept this as a starting point and then

consider, as we do with all pieces of legislation, whether we have squarely hit the target.

However I want to caution members, as we think about things like opening up the process so the public can also lay allegations against members of Parliament, that we risk breaching our parliamentary privileges and maybe raise more disruption and cynicism about our roles, if we are open to receive all allegations. I raise those maybe rhetorical-type questions for the consideration of the House.

● (1800)

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I listened very carefully to the speech by the member for Mississauga South. I appreciate his intervention in the debate but I want to suggest to him that if he is concerned about the tone of the debate and if he is concerned about the focus not only in this place but in the media and among the public at large about wrongdoings, maladministration and allegations of less than ethical behaviour, then he needs to look no further than the benches around him, the benches of the government of the day.

It is absolutely clear and we all know that when there is one rotten apple, it spoils the whole barrel of apples. That is an issue with which we have to deal. That is why we are trying to have a serious debate on the proposed legislation, Bill C-34.

The member ought to recognize that parliamentarians have not always been able to pursue allegations to their fullest satisfaction. If we look at the public accounts experience with respect to Group-action and the sponsorship ads, if that process had been carried out to everyone's satisfaction, why were there minority reports from all the opposition parties? Why did opposition members raise concerns about being shut down, about being unable to call appropriate witnesses? Why was the concept that was clearly alive and well, the money for nothing contracts concept, not allowed full debate and discussion? That is an important issue.

The other has to do with the actions of the government in handling other allegations of corruption, other allegations of wrongdoing, for example with respect to the recent charges of high ranking officials in the Department of Health surrounding Sagkeeng Solvent Abuse Centre. It causes all of us concern when individuals are accused and are facing charges but are allowed to continue working within government, in this case within the public works department. Why for example was it so easy for Paul Cochrane, the ADM facing these serious charges, to leave the Department of Health and get a job in public works where there is direct involvement with Health Canada?

All those issues make us really wonder what the government is all about and why it is trying to hide from Parliament's scrutiny of the full extent of these allegations.

First, does the member not recognize that the actions of his own government contribute to the very problem about which he is concerned? Second, would it not have helped in the case of this proposed legislation for members on the Liberal side to have supported the idea of a different percentage in terms of the appointment of the new commissioner so that all of us would feel confident about the new ethics commissioner and none of us would feel that this person would be a lap dog for the PMO or in the hands of the Liberal Party or anything less than independent?

Government Orders

• (1805)

Mr. Paul Szabo: Mr. Speaker, I have already commented in my speech about the two-thirds, so let me just deal with the first part.

“One rotten apple, look at your own benches, Groupaction, blah, blah, we didn't get a chance to speak”. This is precisely what I talked about in my speech.

I am sorry that the member did not hear all of it. I do not know why. However this matter is not over yet. The member said that they did not get a chance to talk. It is hard to talk when we do not yet have the Auditor General's report on the whole issue. It is pretty hard to talk when we do not know what the disposition of all the referrals to the RCMP are.

One rotten apple, this member is referring to Alfonso Gagliano. That is what she is saying. She is wrong in making that allegation because there is absolutely no reference in any documentation whatsoever to the hon. gentleman.

I think that the member ought to stop playing games. This is what the opposition does, but I think we have to speak up—

Ms. Judy Wasylcia-Leis: Mr. Speaker, I rise on a point of order. I just want you to know that when I made the reference to rotten apples, I was not thinking of one individual. I was not referencing anyone. I was making a general statement about what all these allegations lead to in terms of this place.

I would ask the member to withdraw those comments and to be clear about what I said.

The Deputy Speaker: I think what we have is a difference of opinion on certain facts, a dispute of the facts. However, clearly and respectfully to the member it is not a point of order based on any rules or precedents of the House. We will return to the hon. member for Mississauga South.

Mr. Paul Szabo: Mr. Speaker, I do not judge anyone who is the subject of an allegation. I know the Auditor General has undertaken a full review and there will be a complete report not only on Groupaction, which she mentioned specifically, but on all the sponsorship files.

As the current Minister of Public Works and Government Services has clearly stated to the House and has in fact done, matters have been referred where there are any allegations of wrongdoing. In addition initiatives have been taken to recover moneys that were overpaid. If there were administrative problems, corrective action has been taken. That is responsible action, and that is exactly what has happened.

I have nothing personal against the member but her comments have pre-judged everybody in this place because she was unable to give one example of an illegal act that anybody in cabinet or a member of Parliament have been accused of, never mind being convicted. I believe the presumption of honesty and the premise of innocent until proven guilty have to be respected in this place.

• (1810)

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, I would like to comment also on this presumption of guilt and innocence. It is a dilemma we face in our whole justice system. In a

sense when we look at allegations of wrongdoing or presumed wrongdoing, we are basically saying that we are suspicious.

A robbery took place not long ago in one of the towns in my riding. The person was identified by the owner of the place and he reported it to the police. The police went to the guy's house and arrested him. Are we assuming that he is guilty? No we are not. However we are saying that he is the number one suspect because he is known in the community and he has been recognized by the owner so therefore he is on the carpet. This is how the system works. It looks as if the guy is being judged guilty but at that stage the process is triggered to ferret out the truth. When an allegation is made against a person, we are saying we want to have an investigation.

I was very distressed on a number of occasions over the last number of years where we needed to have the light of truth. On one occasion involving the Prime Minister, the Prime Minister said that he would not ask the RCMP to investigate himself, and he has the ultimate authority to do that. The opposition put forward a motion asking that there be an independent investigation, and on command from the party whip over there all those members over there said that they did not want a public investigation. Therefore the light was never shed. It stays in the darkness and the suspicions remain.

I simply say to the hon. member that we should not presume guilt. However when an allegation is made and if in fact there is guilt, that guilt ought to be exposed because that is how the people of Canada will regain their trust in the process of government. If the person is innocent, only a full public inquiry, with the evidence being made public, will totally and properly exonerate an innocent person.

Mr. Paul Szabo: Mr. Speaker, with regard to the debate that we have had today as it relates to the sponsorship issue, matters are going on. This matter is not over until all that information is here. If it is determined that there is some involvement other than the bureaucracy who have been identified so far, that may very well come to pass. Parliamentary committees have that right.

With regard to the Prime Minister in the matter to which I think the member is referring, substantial disclosures were made. If there had been any allegations of wrongdoing or whatever, charges could have been laid by anybody if they felt they had sufficient evidence. It is not up to Parliament to go out on fishing expeditions and witch hunts to try to prove a case, whether it is only simply allegations. Allegations are a very dangerous matter. The House has to be very careful not to slip into that thing that somehow every allegation has to be subject to a public inquiry. We have to use our best judgment in dealing with these matters, understanding that there are other jurisdictions with that responsibility and authority.

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, I am pleased to contribute to this debate on Bill C-34. As we are aware from speeches in the House both today and earlier, there are many who have great concerns about the current state of ethics in government and how the current government proposes to address these concerns in the current legislation.

Let us remember first and foremost that we are privileged to be a multi-party democracy where there is a parliamentary opposition. The opposition serves as the conscience of government, acting in a way to curb unethical behaviours as well as to advance political perspectives other than those favoured by the government.

Government Orders

We see how important an opposition is to the workings of government when we reflect on comparable circumstances in single party states. The fact is that no matter how concerned the government of a single party state may be for the welfare of its people, corruption is far greater and far more institutionalized than is found in a multi-party democracy such as Canada's. That is due in no small part to the role of the opposition in bringing government unethical behaviours to public light and in seeking that justice be done concerning unethical behaviours.

Some might argue that ethical breaches in our current government are best addressed through public awareness, through the actions of the opposition and the actions of our Canadian investigative media. These people would argue that an ethics commissioner is not necessary or is acceptable in whatever flawed form is proposed. The fact is, while there is an active opposition in Canada and a degree of quality investigative coverage by media, both need the assistance of an independent oversight body in order to best curtail government ethical wrongdoing and to bring the wrongdoers to justice.

Let us remember that a majority government must effectively be shamed into acting against its own transgressions. If we have a government with no sense of shame, and I believe that to be the case with our current federal government, raising issues of ethical malfeasance in the House of Commons becomes little more than today's news. The government becomes too accustomed to simply shrugging off matters and assuming that gaps in public memory will ultimately save it from being at the mercy of enraged electors. Since when have we seen the current government act independently or as motivated by opposition criticisms to fundamentally change the cronyism that seems to be so readily associated with abuses of power?

This leads us to a point of debate on the legislation before us. Regrettably, Canadians need an ethics commissioner. I say "regrettably" because one would like to think that those who hold such esteemed elected public office would shirk from being associated with any actions that in any way could be called into question ethically. Unfortunately, political leadership can be visionary and charismatic or it can lead by example into an ethical cesspool. When one reflects on the Prime Minister's reactions to so many ethical concerns raised about his behaviour with public funds in matters associated with his own riding, when one sees an attitude of virtual indifference on his part to how his behaviour would appear to any reasonable person, then one can see why there is so much ethical abuse at other levels of government.

If the leader is using his position in an unethical manner, subordinates use that as a cue to what is acceptable behaviour on their own part. Let us remember that in the disgrace of Enron in the United States, as well as that of WorldCom, what was noted in both cases was a culture of deceit extending from the most senior levels downward. I would hate to think that our current government, from a leadership perspective, may be viewed as demonstrating an Enron-like culture, but there is no escaping the analogy in my view and to my regret.

We live in a world that is very different in terms of ethical concerns from the world of even a decade ago. Even a decade ago there was still some belief that conscience and deeply held beliefs would guard from corruption those in senior positions in politics,

business and the professions. In terms of the professions such as law and accounting, we placed our confidence in their self-regulatory regimes. Accountants regulated accountants. Lawyers regulated lawyers.

• (1815)

The idea was that the accountants were in the best position to assess and discipline the breaches of ethics of other accountants. Yet what the accountants had and what the lawyers generally still have is something approaching the ethics commissioner being proposed under Bill C-34, an oversight body that is not independent in fact or in appearance. It is only after the Enron scandal and its related impact in Canada that public accountants have realized that their self-regulatory model was inadequate. They are now instead in the process of supporting the creation of a totally independent oversight regime, independent in fact and appearance, something the current federal government could use a few lessons from in my view.

Under Bill C-34, what the Liberals have suggested is the creation of an ethics overseer who really is not independent at all. As proposed, the ethics commissioner would be appointed by the prime minister and that choice would be ratified by a vote in the House of Commons by a majority government.

It is true that the prime minister would have to consult the leaders of the other political parties, but the scope of that consultation has not been defined. Essentially, the prime minister could say to other party leaders, "This is who I have chosen. What do you think?", and then simply ignore any feedback he receives.

The ethics commissioner would be responsible for investigating misconduct of MPs from all parties. It is therefore absolutely mandatory that the commissioner be totally neutral from a political perspective. The appointment process outlined in the bill sets the foundation for just the opposite circumstance: an individual who could be biased in favour of the ruling party that chose him or her for the job.

All parties should approve the appointment so that the commissioner may be viewed as being truly independent in fact and appearance. Otherwise, the government majority will prevail in hand-picking its so-called independent watchdog and skewing any possible perception of fairness.

I am also concerned about the appearance and presence of accountability within this system. Some time ago I sent a survey to every household in my riding. One of the questions asked constituents to rank several issues in terms of their importance. The number one issue was not health care, it was not taxes nor was it defence. The overwhelming majority of respondents identified government accountability as the most important issue facing our country today.

Government Orders

That is where I am coming from in making my points today. The Canadian people continue to yearn for a government that remains consistently committed to the highest standards of ethical behaviour, from the leadership downwards. The Canadian people continue to be disappointed in governments that once in power seem to forget the hope for change that brought them to power in the first place. Those who continue to believe in ethics in government may be viewed as demonstrating the triumph of optimism over experience. Since there is little cause for optimism in the context of the behaviour of the current government, one can only hope to see changes as matters evolve on Canada's political landscape over the next year.

Observations include the following. The bill is part of the Prime Minister's ethics initiative first announced in May 2002. It is often the case with this government that it uses the right words, but the meanings are shifted in such a way that the results are confusing.

The term "independent ethics commissioner" is misleading. Since the prime minister will make the choice, there will be consultation with the leaders of the parties in the House and there will be a confirming vote in the House. This sounds good, but we must consider that consultation with the leaders does not mandate that the prime minister may change his mind if they disagree, and the confirming vote in the House will undoubtedly be a vote in which all Liberals will vote in favour of the prime minister's choice.

The Senate ethics officer is appointed for an initial seven year term and is eligible for reappointment. The House of Commons commissioner's term will be an initial five year term and the commissioner is eligible for reappointment. The House of Commons ethics commissioner will work under the general direction of a committee of the House of Commons, presumably the committee on procedure and House affairs.

● (1820)

The ethics commissioner will perform duties and functions assigned in the House of Commons for governing the conduct of its members when carrying out the duties and functions of their office as members of that House. This means that a separate code will be established and will become part of the standing orders. It is this code that the commissioner will enforce.

The commissioner's supervision of cabinet ministers will be about the same as now. There is private, confidential advice to them and to the Prime Minister.

The fact that an investigation of a minister can be triggered by a formal complaint from a member of Parliament or a senator is positive, as is the fact that the results of such an investigation will be made public.

It is not satisfactorily clear that a minister of the crown, a minister of state or a parliamentary secretary can be held accountable under the same rules as those applying to ordinary members of Parliament. This is assumed but it is not specific.

We are in favour of a high standard of ethical conduct by government and parliamentarians. It is the Liberal version of ethics to which we are opposed. The Liberals, undoubtedly, will try to characterize us as being against a code of ethics if we do not vote for this bill. However we must emphasize over and over again that we object to this interpretation.

We object to the fact that an ethics commissioner appointed by and answerable to the prime minister will have jurisdiction over backbench and opposition MPs. Our primary objection is that the ethics commissioner will be appointed by the prime minister without a meaningful role by rank and file members of Parliament. The bill contains a provision for consultation with party leaders but no requirement.

The bill does not change the relationship between public office holders and the ethics commissioner. He or she will continue to administer the prime minister's code and provide confidential advice to the prime minister and to the ministers. If an investigation of a minister is requested by a senator or an MP, the ethics commissioner would be obliged to investigate it but any public report arising from this investigation could be suitably sanitized by withholding any information considered confidential.

Scandals have plagued the Liberal government and this will probably not be preventable or subject to exposure under this legislation.

Coming back to my point, the Canadian people do yearn and continue to yearn for a government that remains consistently committed to the highest standards of ethical behaviours from the leadership downward. The Canadian people continue to be disappointed in governments that once in power seem to forget the hope for change that brought them to power in the first place.

Those who continue to believe in ethics in government may be viewed as demonstrating that triumph of optimism over experience. Since there is little cause for optimism in the context of the behaviours of the current government, one can only hope to see changes as matters evolve on Canada's political landscape over the next year.

● (1825)

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, I thank my colleague from Blackstrap in Saskatchewan, that wonderful province in which I was born and grew up. It is a delight to have her here in the House of Commons representing the prairie people. In many ways I think we have quite a different attitude out on the prairies from what we see in Liberal country here in Ottawa.

I fondly remember the years when I was growing up in Saskatchewan where we actually trusted people and had politicians who we respected. They were held in high esteem because they worked hard and were selfless. They served the people. They were not in it for themselves. Unfortunately, over the last number of years we have in Ottawa a growing culture of suspicion and people who are in it for themselves.

I know my colleague will not have much time but I would like her to respond to a simple question. Does she have any confidence at all that the Liberal government, by implementing this series of procedures, including the appointment of an ethics commissioner, will actually fix the problems that have occurred in the cabinet of this government?

Adjournment Debate

Mrs. Lynne Yelich: Mr. Speaker, I do not have any confidence whatsoever, and after I heard a couple of comments from the other side, I have even less confidence than I had when the debate began. I really do not have any confidence, in answer to my colleague's question.

ADJOURNMENT PROCEEDINGS

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

• (1830)

[Translation]

EMPLOYMENT INSURANCE

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, last week I asked a question of the Secretary of State for the Status of Women. She did not answer, but her colleague, the Minister of Human Resources Development did, and, as usual, praised the current employment insurance system. According to her, it allows more women to be eligible for employment insurance. She even had the gall to tell the House, and I quote:

We also find that more women are working and, in fact, as a result of the increased jobs in our strong economy, women are working and bringing home employment wages to help support themselves and their families.

This summer, a report from the Canadian Labour Congress informed us that women are among those most heavily penalized by employment insurance policies.

Furthermore, a report from Status of Women Canada last March confirmed that restrictions in the employment insurance program affecting people returning to the work force had a disproportionate impact on women, in particular, on those who wished to take advantage of parental benefits, and self-employed women, whose numbers are increasing but who are still excluded from the program.

That is why I am asking my question of the Secretary of State for the Status of Women again, this evening, in the hope that this time she will answer it herself, for one thing, and for another, that she will tell us clearly what she has done so far to improve the gloomy situation revealed by her department's report.

[English]

Mr. Alan Tonks (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, I am very pleased to answer the question on behalf of the hon. Secretary of State.

Overall the EI system is working and it is there for whom it is intended. My remarks will give a good indication of the extent to which it is working.

The 2002 monitoring and assessment report found that 88% of paid employees would have been eligible to collect EI if they had lost their jobs or quit with just cause.

EI coverage for women is high. Coverage for men, which is 96%, and for women, which is 95%, working full time is nearly identical. Among part time workers, coverage for women, which is 55%, is actually higher than for men, which is 41%.

Almost 900,000 women accessed the EI program in 2001. About 72% of special benefit claimants were women. Over two-thirds of family supplement recipients were women.

Switching to an hours based system in 1996, changes to the re-entrance provision and the clawback, and doubling maternity and parental benefits from six months to one year have particularly benefited women.

In December 2000 entrance requirements for special benefits were reduced from 700 hours to 600 hours benefiting again many more women. This resulted in approximately 18,000 new special benefit claims in 2001-02 as compared to the preceding year.

Since January 2001 parents have the flexibility they need to stay home with their babies for up to one year. Early evidence shows that Canadians are taking advantage of this enhanced support.

We are pleased that our efforts to improve support to working Canadian parents are making a difference. More than 200,000 Canadians accessed maternity and parental benefits in 2001-02, an increase of 17.7% for parental benefits and 9.9% for maternity benefits.

The best way to help women is to provide them with opportunities to participate in a positive manner in the Canadian economy and it is working. More and more women are finding and keeping jobs. In fact the hon. member may need only look at the economic record of the government to see that conditions have improved for Canadian workers, both men and women.

Since 1996 we have created 2.2 million new jobs, an increase of 16.1%. Six hundred and sixty-two thousand jobs have been created for women since 1996, an increase of 14.2%.

The unemployment rate for adult women was 6.4% in August, lower than the national average which was 8%.

According to StatsCan, labour force attachment is now 67.5%, close to the highest level in 12 years. Labour force attachment for adult women is now 60.7%.

These figures show that the system is working and is in fact promoting a higher economic confidence among Canadians.

• (1835)

[Translation]

Ms. Diane Bourgeois: Mr. Speaker, with all due respect to my colleague who is answering on behalf of the Secretary of State for the Status of Women—I said at the outset that she still is not here to answer me—I would point out that it was a matter of women returning to the workforce and women who are self-employed.

Coverage for women who work full time may be higher than for men, but most women work part time. What happens to them and to women who are self-employed? My question remains unanswered.

Furthermore, I do not think any gender equality analysis has been done on this issue.

[English]

Mr. Alan Tonks: Mr. Speaker, with great respect, the member may look to the Prime Minister's task force on women entrepreneurs.

If the member is concerned with respect to the number and the statistics related to those women who are embarking on their own employment in an entrepreneurial way, those statistics may mirror the statistics I have given, that women in fact are above the norm, even those returning to the workforce. They are helped and supplemented by the improvements that have been made to the EI benefits that I have outlined in my remarks.

[Translation]

THE ENVIRONMENT

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, last week I asked a question of the Minister of the Environment concerning an incinerator in the Belledune area of northeastern New Brunswick. His answer was as follows:

Mr. Speaker, for the federal government to intervene under the environmental assessment legislation there has to be federal involvement, which is called a trigger, for the legislation to take effect. As I understand it, in this particular instance there is no such trigger. Therefore, it will be left to the province of New Brunswick to handle this particular instance.

Since then, I have looked into the various laws and authority is given to the minister under section 48(1) of the Canada Environmental Protection Act.

I also looked at the Canada Port Authority Environmental Assessment Regulations, which read:

Every screening of a project shall include a consideration of the following factors:
(a) the environmental effects of the project that have been or will be carried out, including the environmental effects of malfunctions or accidents that may occur in connection with the project and any cumulative environmental effects that are likely to result from the project in combination with other projects or activities

The regulations go on to say, if public concerns warrant.

The Fisheries Act, section 34(1), reads as follows:

"water frequented by fish" means Canadian fisheries waters.
"fish habitat" means spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes;
"deposit" means any discharging, spraying, releasing, spilling, leaking, seeping, pouring, emitting, emptying, throwing, dumping or placing;

There are numerous laws under which the Minister of the Environment or the Minister of Fisheries and Oceans can intervene. Today, representatives of the New Brunswick Fishers Union issued a press release as follows:

● (1840)

[English]

"The maritime fishermen are only getting involved in the fight to stop the construction of a toxic waste incinerator in Belledune. They are worried because the Baie des Chaleur is in the waters of the federal responsibility. The fishermen are now worried about it. The community is worried about it. Today we had the leader of the Bloc Québécois raising the question of what was happening in the baie

Adjournment Debate

des Chaleurs in the northeast of New Brunswick and the Gaspé coast".

[Translation]

We had questions on this raised today. The community is involved. Today as well I met with the provincial government and the only data they have looked at came from the company itself.

What I want to know this evening is whether the federal government is going to get involved in this matter, yes or no, or are they just going to wash their hands completely of their federal responsibilities for the federal waters of Chaleur Bay, and for the people of Gaspé and northwestern New Brunswick?

The only thing the public wants is an independent study, not rejection of the project but merely an independent study. They want to know whether the federal government is going to intervene in this matter or not.

[English]

Mr. Alan Tonks (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, I welcome the opportunity to explain to the House and to the hon. member why the Canadian Environmental Assessment Act does not provide the Minister of the Environment with the authority to intervene in the Bennett environmental incinerator application and project that is proposed for Belledune, New Brunswick.

The proposal, as members are aware, is to construct and operate on lands owned by the Belledune Port Authority, an incinerator for the destruction of soils and solid materials contaminated by creosote and hydrocarbons.

Bennett submitted an application under the New Brunswick environmental assessment process for environmental assessment approval. The Department of the Environment participated on the technical review committee and provided advice to New Brunswick during the provincial environmental assessment process.

Bennett next applied for an authorization to construct and on September 9, 2003, the Government of New Brunswick granted a conditional authorization. Prior to full commercial operation of the facility the company must obtain an authorization to operate the facility from the New Brunswick government. That is the process and that is the law.

The member opposite wishes the Minister of the Environment to intervene in this process and require an environmental assessment pursuant to the Canadian Environmental Assessment Act and its regulations.

The act applies to projects, as set out in section 5 of the act, which are subject to specific federal decisions. Officials in the Canadian Environmental Assessment Agency have investigated the applicability of the act in this case and advised the minister that there are no federal decisions required with respect to this project which would require an assessment under that act. Agency officials have also reviewed the applicability of the act in a transboundary context that the member has raised.

Adjournment Debate

The legislation clearly states that when there is another federal act or regulation that applies to a project, the transboundary provision cannot be used. The Bennett incinerator project requires a permit from the Department of the Environment for the import of dangerous goods and hazardous waste under provisions of the Canadian Environmental Protection Act.

This permit is not listed in the law list regulations and thus is not a trigger for the act. As the permit is required under another federal act and regulation, the transboundary provisions under the Canadian Environmental Assessment Act cannot be applied to this project. As a consequence, the Minister of the Environment does not have the authority under section 46 of the act to refer the project to a review panel or a mediator.

In summary, there are no Canadian Environmental Assessment Act section 5 decisions in relation to this project and furthermore, as there is a decision required under another act of Parliament, the Minister of the Environment has no jurisdiction under section 46. The Government of Canada, therefore, has no authority to require an environmental assessment of this project.

• (1845)

[*Translation*]

Mr. Yvon Godin: Mr. Speaker, I do not agree with my hon. colleague. The Fisheries Act stipulates that this constitutes emissions. The federal government is responsible for protecting waters and fish habitats. No member of this House can deny this. If they do, it would be in order to avoid accepting responsibility.

When Kirkland Lake fought the construction of an incinerator by Bennett Environmental, it did so under section 48(1) of the Environment Act.

In this case, it can build in three different locations, respect the fishery and not expect any problems or a disaster to occur. That is all

the residents are asking for under this legislation. If the public intervenes and has concerns, the government cannot tell me that it is not able to take action and say, "There will be an assessment and an independent study".

When I asked the provincial government this question this morning—

The Deputy Speaker: Order, please. I am sorry to interrupt the hon. member, but his time is up.

The hon. Parliamentary Secretary to Minister of the Environment.

[*English*]

Mr. Alan Tonks: Mr. Speaker, I appreciate the sensitivity that has been raised by the member, but I would like to say that, in addition to the comments that I have outlined, under the Canadian Environmental Protection Act anyone wanting to import hazardous waste into Canada is required to obtain a permit from Environment Canada. As such, the department can ensure that Canada is notified of any proposed shipment, prior informed consent is obtained, and the shipment is tracked to its destination.

It is under those provisions that, once the facility is operational, the operators must ensure potential discharges to the environment do not contravene federal statutes such as the Fisheries Act. Environment Canada takes a role in ensuring compliance promotion and enforcement of specific provisions of the Fisheries Act, for example. That is the manner in which the trigger, if it could be called a trigger, would work. That is the law.

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24.

(The House adjourned at 6:47 p.m.)

CONTENTS

Monday, September 22, 2003

Business of the House			
The Speaker	7597	South Pole Rescue	
		Mr. Tonks	7620
		Élaine Allard	
		Mr. Lanctôt	7620
		Homelessness	
		Mr. Peschisolido	7621
		South Pole Rescue	
		Mr. Hill (MacLeod)	7621
		World Peace Day	
		Mr. Lastewka	7621
		Agriculture	
		Mr. Mark	7621
		Employment Insurance	
		Ms. Picard	7621
		The United Nations	
		Ms. Leung	7621
		Health	
		Ms. Davies	7622
		Fisheries	
		Mr. Murphy	7622
		Agriculture	
		Mrs. Yelich	7622
		ORAL QUESTION PERIOD	
		Member for LaSalle—Émard	
		Mr. Harper	7622
		Mr. Harper	7622
		Mr. Collenette	7623
		Mr. Harper	7623
		Mr. Collenette	7623
		Agriculture	
		Mrs. Skelton	7623
		Mr. Vanclief	7623
		Mrs. Skelton	7623
		Mr. Vanclief	7623
		The Environment	
		Mr. Duceppe	7623
		Mr. Thibault	7623
		Mr. Duceppe	7623
		Mr. Thibault	7623
		Mr. Roy	7624
		Mr. Thibault	7624
		Mr. Roy	7624
		Mr. Thibault	7624
		Agriculture	
		Mr. MacKay	7624
		Mr. Collenette	7624
		Mr. MacKay	7624
Business of the House			
The Acting Speaker (Mr. Bélair)	7605		
		GOVERNMENT ORDERS	
		Parliament of Canada Act	
Mr. Boudria	7605		
Bill C-34. Third reading	7605		
Mr. Rajotte	7606		
Ms. Wasylcia-Leis	7607		
Mr. Duncan	7607		
Mr. Guimond	7609		
Mr. Casey	7611		
Mr. Pallister	7613		
Mr. Szabo	7613		
Mr. Merrifield	7614		
Ms. Wasylcia-Leis	7614		
Mr. Szabo	7617		
Mr. Pallister	7618		
Mr. Bryden	7618		
		STATEMENTS BY MEMBERS	
		The Environment	
Ms. Thibeault	7619		
		Highways	
Mr. Strahl	7619		
		Canadian Forces	
Mr. Jobin	7619		
		Margaret Atwood	
Ms. Bulte	7620		
		Agriculture	
Mr. St-Julien	7620		
		National Sex Offender Registry	
Mr. Cadman	7620		

Mr. Collenette	7624
Member for LaSalle—Émard	
Ms. Davies	7624
Mr. Collenette	7625
Government Expenditures	
Mr. Solberg	7625
Mr. Bevilacqua (Vaughan—King—Aurora)	7625
Mr. Solberg	7625
Mr. Bevilacqua (Vaughan—King—Aurora)	7625
Agriculture	
Ms. Picard	7625
Mr. Vanclief	7625
Ms. Picard	7625
Mr. Vanclief	7625
Terrorism	
Mr. Sorenson	7625
Mr. Easter	7625
Mr. Sorenson	7626
Mr. Easter	7626
Pharmaceutical Industry	
Mr. Ménard	7626
Ms. McLellan	7626
Mr. Ménard	7626
Ms. McLellan	7626
Veterans Affairs	
Mr. Bailey	7626
Mr. Pagtakhan	7626
Mr. Bailey	7626
Mr. Pagtakhan	7626
Fisheries	
Mr. McGuire	7626
Mr. Thibault	7627
Veterans Affairs	
Mr. Keddy	7627
Mr. Pagtakhan	7627
Mr. Keddy	7627
Mr. Pagtakhan	7627
Agriculture	
Mr. Proctor	7627
Mr. Vanclief	7627
Mr. Proctor	7627
Mr. Vanclief	7628
Foreign Affairs	
Mr. Thompson (Wild Rose)	7628
Mr. Easter	7628
Mr. Thompson (Wild Rose)	7628
Mr. Easter	7628
Customs and Revenue Agency	
Mr. Gauthier	7628
Ms. Caplan	7628
Mr. Gauthier	7628
Ms. Caplan	7628

Immigration	
Mrs. Ablonczy	7628
Mr. Coderre	7629
Mrs. Ablonczy	7629
Mr. Coderre	7629
International Cooperation	
Mr. Jobin	7629
Mr. Harvey	7629
Customs and Revenue Agency	
Mr. Kenney	7629
Ms. Caplan	7629
Mr. Kenney	7629
Ms. Caplan	7629
Divorce Act	
Ms. Bourgeois	7630
Ms. Augustine (Etobicoke—Lakeshore)	7630
Marine Industry	
Ms. Scherrer	7630
Mr. Thibault	7630
Canadian Heritage	
Ms. Gagnon (Québec)	7630
Ms. Allard	7630
Veterans Affairs	
Mr. Schellenberger	7630
Mr. Pagtakhan	7630
Finance	
Ms. Wasylcia-Leis	7630
Mr. Bevilacqua (Vaughan—King—Aurora)	7631
Presence in Gallery	
The Speaker	7631

ROUTINE PROCEEDINGS

Government Response to Petitions	
Mr. Regan	7631
Nuclear Amendment Act, 2003	
Mr. Chatters	7631
Bill C-449. Introduction and first reading	7631
(Motions deemed adopted, bill read the first time and printed)	7631
Petitions	
Canada Post	
Mr. Cadman	7631
Child Pornography	
Mr. Cadman	7631
Marriage	
Mr. Chatters	7631
Religious Freedom	
Mr. Chatters	7631
Hockey	
Mrs. Skelton	7631
Gun Control	
Mr. Mark	7631

Stem Cell Research	
Mr. Mark	7631
Questions on the Order Paper	
Mr. Regan	7631

GOVERNMENT ORDERS

Parliament of Canada Act	
Bill C-34. Third reading	7632
Mr. Bryden	7632
Mr. Forseth	7633
Mr. Chatters	7633
Mr. Forseth	7634
Amendment	7637
Mr. Bryden	7637
Mrs. Yelich	7637
Mr. Epp	7638
Mr. Merrifield	7641
Mrs. Yelich	7641
Mr. Merrifield	7642
Mr. Epp	7644

Mrs. Yelich	7644
Mr. Rajotte	7645
Mr. Epp	7647
Mrs. Yelich	7648
Mr. Grewal	7648
Mr. Epp	7651
Mrs. Yelich	7651
Mr. Szabo	7652
Ms. Wasylcia-Leis	7654
Mr. Epp	7655
Mrs. Yelich	7655
Mr. Epp	7657

ADJOURNMENT PROCEEDINGS

Employment Insurance	
Ms. Bourgeois	7658
Mr. Tonks	7658
The Environment	
Mr. Godin	7659
Mr. Tonks	7659

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:

Publishing and Depository Services

PWGSC, Ottawa, ON K1A 0S5

Internet: <http://publications.gc.ca>

1-800-635-7943 or Local 613-941-5995

En cas de non-livraison,

retourner cette COUVERTURE SEULEMENT à :

Les Éditions et Services de dépôt

TPSGC, Ottawa (Ontario) K1A 0S5

Internet: <http://publications.gc.ca>

1-800-635-7943 ou appel local (613) 941-5995

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

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

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

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

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

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

Additional copies may be obtained from Publishing and Depository Services, PWGSC, Ottawa, ON K1A 0S5

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

On peut obtenir des copies supplémentaires en écrivant à : Les Éditions et Services de dépôt, TPSGC, Ottawa (Ontario) K1A 0S5

**On peut obtenir la version française de cette publication en écrivant à : Les Éditions et Services de dépôt
TPSGC, Ottawa (Ontario) K1A 0S5**