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(HANSARD)

Monday, October 6, 2003

—

Speaker: The Honourable Peter Milliken

CONTENTS

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

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HOUSE OF COMMONS

Monday, October 6, 2003

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1105)

[*English*]

INCOME TAX ACT

The House resumed from May 27 consideration of the motion that Bill C-325, an act to amend the Income Tax Act (deduction for volunteer emergency service), be read the second time and referred to a committee.

Mr. Deepak Obhrai (Calgary East, Canadian Alliance): Mr. Speaker, I would like to commend my colleague from Lethbridge who has brought forward this private member's bill, Bill C-325, an act to amend the Income Tax Act (deduction for volunteer emergency service).

For my good friend, my colleague from Lethbridge, whose riding encompasses a lot of rural areas, this is extremely important. Volunteers are extremely important in rural areas as they man emergency services and are providing the quality of life and that valuable service which otherwise would be extremely costly for Canadian taxpayers. These individuals are volunteers in our rural communities who are manning emergency services. My colleague and everybody who lives in rural Canada recognize the importance of these individuals to their well-being and safety.

My colleague introduced Bill C-325 because, first, he feels there is a need to recognize these people and he actually wants to recognize the importance of the volunteer men and women in emergency services and our dependency on their services. Second, he wants to attract and retain volunteers in a time in which they are increasingly difficult to recruit. Third, he wants to compensate these courageous individuals for their efforts in providing a safe environment for people in rural Canada.

Let us talk about these three points in detail. Let us talk about the importance of volunteer men and women in emergency services. As I said in my earlier remarks, emergency services are very costly services to provide in small rural communities. These individuals who have dedicated their time and training and who work in

emergency services, which we all know adds an element of danger to their lives as well, are unsung heroes in their communities.

It is time for us to recognize them. It is time for us to stop, look and see what they are doing. Volunteerism is a very important factor in Canada. This afternoon, in an S.O. 31, I also will speak about volunteers in Canada. Canada is considered the number one country in the world because of volunteers. Volunteers span the whole country from east to west; every community has its volunteers. It is very important that we as public policy makers recognize that those who volunteer their time for the betterment of others should receive recognition and our thanks. We recognize their contributions and this is a very small way of recognizing their contributions.

All we are asking is that the workers be allowed to deduct \$3,000 from their taxable incomes from any source. It would help them in many aspects. It would help them in regard to recognition. It would be a small token of appreciation from Canada. It would be a little extra money for their services so that they would feel important, because they are important, and they would recognize that we have not forgotten them.

It is important for us to recognize our volunteers. Volunteerism is the essence of Canadian society. It is the stronghold and foundation of our society. It is what brings us the quality of life such that we are recognized around the globe as the number one country in the world.

In these difficult times we must also look at retaining volunteers. There are pressures of time at their work and for their children. All these things put extra pressure on people, who find that they now have less free time on their hands in which to volunteer.

• (1110)

Therefore, the first thing they will drop is volunteerism, because at the end of the day nobody wants to be burnt out. Those of us who come in daily contact with volunteers know that many of them are already burnt out, but they keep on working for that quality of life.

We must ensure that we do not lose this vital component of our society in Canada, volunteerism, and the best way to do that is to ensure that volunteers feel important, feel that they are part of society and feel recognized. Giving them a tax deduction is an aspect of letting them know that they are a very vital part of the community.

Private Members' Business

As we have stated, emergency services are considered essential services. Our laws ensure that people in emergency services are always available to provide those very needed services and safety features. So it is with volunteers too. We must make sure that is recognized. We must work to ensure that volunteers are available, because if they are not, then what do we do? Would it mean that these services would be reduced? That is not an acceptable option. Otherwise it would be a very expensive situation for us. A \$3,000 tax deduction is not a very big sum of money. It would be a very small token of appreciation for these people.

Third, these are courageous people who have families and other work. They take time off from their work and their families to perform these services as well. They would welcome this reward, which would recognize those who volunteer their time and would make sure that those who live in rural communities or anywhere else have that level of comfort in knowing that emergency services are available in times of difficult situations.

Giving tax benefits is one of the small ways in which we can recognize those who provide services for society. We as politicians have given tax deductions, and generous tax deductions as a matter of fact, to those who contribute to political parties because we recognize the importance of political parties to the democratic system of our country. Hence, we have a system where we recognize quite generously those who donate to political parties. I do not see anything wrong with it. As a matter of fact, developing the system through Bill C-24, which is coming out, where the taxpayer now will foot the bill, is a recognition of the value of democracy in our country.

Here is one of the essential elements, providing volunteers, a vital service, at no cost to the taxpayer. So the recognition of a tax deduction of \$3,000 would go a long way. We all know that to get a tax deduction based on one's income, it starts from 18% and goes up. It is not a very generous amount that would cost the Government of Canada a lot of money. The alternative is more expensive.

Therefore, I do not see why we would have difficulty in agreeing to the bill. It is not a big sum of money. It is not going to impact the finance minister's books. As a matter of fact, the government wastes more money on other things like the HRDC boondoggle and the gun registry. They have spent more money wasting it on those things, so why can we not recognize the people who really count, who make our country number one, with this small token of appreciation?

It is my pleasure to support my colleague's bill recognizing these individuals.

• (1115)

[*Translation*]

The Acting Speaker (Mr. Bélair): Before we continue, I would like to inform the hon. member for Drummond that the members of the New Democratic Party have not yet spoken to this motion. I have no choice but to give them the floor at this time. The hon. member for Drummond will be next.

The hon. member for Sackville—Musquodoboit Valley—Eastern Shore.

[*English*]

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, you caught me just a touch off guard, but I do thank you for the recognition.

First, on behalf of my family and my constituents of Sackville—Musquodoboit Valley—Eastern Shore, we want to recognize the two fallen soldiers, who in reality are our greatest volunteers. Those people who volunteer for our armed services and put their lives on the line for us show true valour and earn our enduring recognition. Coming from Holland, where my parents were liberated by the sacrifices of the Canadian military, let me say that we forever shall remember them.

In regard to the bill of my colleague from Alberta, I fully support his initiative. As has been stated in many other debates, if it were not for volunteers in this country we would be a lot worse off than we are now. I came here from Halifax this morning after seeing the devastation done by hurricane Juan. Although we have emergency services and work crews doing the very best they can, if it were not for the volunteer efforts of people from the Red Cross and many others, we certainly could not get the job done, especially for seniors or people who are having a very difficult time without the services of water and electricity. For that, they should be congratulated.

That is why this bill is very fitting. We need to ensure that people who volunteer are recognized not only with awards or plaques, and not with platitudes, but with a small remuneration.

Many friends of mine are members of the Lions Club. On their own time, many of them from Sheet Harbour drive people into the city to see their doctors and for various appointments. It is a good hour's drive. This costs them a great deal of money. We believe that a small remuneration through the tax system would greatly offset this. Also, it would encourage volunteers, because we know that these volunteers will just put that money right back in again.

It falls in line with three of my own private members' bills. One we are going to debate tomorrow is on fees for amateur sports, whereby people who register for amateur sports, either for themselves or their children, should be able to claim that sport registration fee. It should be similar to a charity tax donation. As we know, if people are physically active and if they remain competitive, either in sports or in individual concerns, they will reduce the costs to our health care system along the way, and a healthy nation is a prosperous nation.

Private Members' Business

As well, I have Bill C-207, not yet up for debate, which states that volunteers who give 250 hours of their time or more a year should be able to claim a \$1,000 tax deduction. The bill we are currently debating offers up to \$3,000. I would love to see that. I would have loved to raise the amount in my own bill, but the reason I left it at \$1,000 was to make it more palatable for the government. In opposition, we MPs constantly lobby and we throw what we call softballs over to the government, saying, "Here is an idea. Why not run with it and make it happen?" As my colleague from Alberta knows, in the end people do not care who comes up with an idea as long as it is initiated and helps them. That is why the hon. member from Alberta should be congratulated for this bill.

We have another bill as well, Bill C-296, also on the Income Tax Act, through which people who volunteer in certain organizations such as the Lions Club, for example, or the Kiwanis club or the Rotary Club et cetera, would be allowed to have the dues paid to be part of that club completely tax deductible. For example, a Lions Club member in my riding who pays an annual fee of \$50 a year should be able to claim that amount as a tax deduction. Those who volunteer their time should not be financially penalized for volunteering. This would be just another small recognition from the government and members of Parliament of the great efforts of volunteers in our country, let alone our greatest volunteers, of course, those who join our armed forces.

The purpose of the bill is not just about the \$3,000 the member is proposing. He is talking about the actual recognition and the value that we place on volunteerism in this country. I remember the debates last year; in Nova Scotia alone we estimate that volunteer efforts produce about \$2 billion for our GDP. When volunteer efforts are calculated in a monetary sense, that is the value to Nova Scotia. That is incredible.

• (1120)

Coming from the maritimes, we are very proud of the tradition of volunteerism. I know many people who are members of the Lion's Club, the Knights of Columbus and the local legion. In Eastern Passage we are proud to say that we have the Buffalo Club. There are not many of those associations throughout the country but it is an organization that does a lot of good by raising and distributing funds throughout communities to those who are most in need.

We saw the value of community efforts and volunteerism when governments, such as the government of Mike Harris, started cutting back on programs that Canadians and Ontarians value. When governments cut back on those programs people have to rely upon the efforts of volunteer groups.

I can recall the shame that I felt many years ago when the minister of health at that time, Jamie Muir, in the province of Nova Scotia, cut back on a program that covered the costs of people who drove their children, whether they were diabetic or whatever, from Parrsboro, for example, to the IWK hospital in Halifax to keep appointments. If the child had an appointment the parents could claim a certain mileage. For example, if it were 400 kilometres return they could claim that as an expense. The provincial government seriously thought about cancelling that program.

I will never forget the comment by Mr. Muir, attributed to him in a quote, who said that maybe those people could rely on the good

graces and services of the Lion's Club. In other words, the government no longer would be there for people and they would have to try a service club, the volunteers. I thought that was completely uncalled for but at least Mr. Muir was honest.

What happens when governments cut programs, be it municipal, provincial or federal, is that people who rely on those services have to then fall upon service agencies like the United Way, the Lion's Club, the Kinsmen Clubs and others.

I know my hon. colleague from Yukon is well-known throughout the Yukon for his many volunteer efforts, unselfishly I may add. I have many friends in Yukon who are very proud of their member of Parliament for the relentless effort that he gives to volunteers. He will walk down the street and help out, do anything at all, without asking anything for himself. That is the kind of people we have throughout the country from Yukon to Nova Scotia to Newfoundland to B.C.

Volunteerism is really the backbone of a society. It is who we are. Offering volunteers a small \$3,000 remuneration through the tax system would be a small way of saying "right on, good, and let us carry on". Many people think it is not enough, and I know the government treasury has certain limits, but this is something I think everyone would support. It is something that we in the NDP are proud to support.

• (1125)

[*Translation*]

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, as I do each time I am called upon to speak to a bill, I have taken the time to consult my constituents about the impact of passing Bill C-325. I also took a few moments to reread what has already been said in this House concerning the bill introduced by the hon. member for Lethbridge.

Essentially, the purpose of this bill is to grant an income tax deduction of \$3,000 to anyone who performs over 200 hours of volunteer service with an emergency organization. The deduction would be granted to a volunteer on providing proof of the number of hours given to the community.

Rereading the speeches, I was surprised to see that the Parliamentary Secretary to the Minister of Health missed the point by mixing up all kinds of volunteerism. I would like to remind him that the bill addresses volunteer emergency service.

I made a brief list of the organizations found in my riding: volunteer firefighters, St. John Ambulance and the Service d'intervention d'urgence du Centre-du-Québec, or SIUCQ.

Private Members' Business

In each of these, volunteers not only give their time, but must take training to be able to act effectively in tragic circumstances. Once they complete basic training, volunteers must take part in a continuing education program in order to stay abreast of the latest intervention methods. Our communities cannot do without the presence of these specially trained emergency volunteers. They are all important; from the first aider to the volunteer ambulance driver, these people should be better recognized.

Thus, rather than being a payment, the tax deduction of \$3,000 should be thought of as an incentive to aid recruitment. I do not think that passage of Bill C-325 would cause a huge rush to join these organizations. Bill C-325 is simply a small, tangible recognition of the many services rendered.

Here I am referring to St. John Ambulance volunteers. In this House, I often tell my hon. colleagues about activities going on in my riding. And St. John Ambulance volunteers are almost always involved. These volunteers go to sporting and cultural events alike, in order to help anyone who might get injured during the show. They would certainly appreciate the recognition provided for in this bill. Let us not lose sight of the tremendous work that they do. The St. John Ambulance attendants are needed by the people of Drummondville and all the communities in Quebec where they work.

Gratien Gagnon, assistant regional commissioner—region 4—for St. John Ambulance, told me that out of the twenty or so members in his organization, seven exceed 200 hours of volunteer work a year. For Mr. Gagnon, calculating the hours is not a chore, since St. John Ambulance already keeps track of these hours and publishes them in its annual report.

During a discussion, he said that the bill could be a good incentive for recruitment, provided that it does not involve more red tape for claiming hours worked. Mr. Gagnon did not hesitate to tell me that one thing is certain: this type of work is not really recognized. Organizations provide compensation, but in the end it is just so much paper.

I also inquired asked questions of the emergency response service known as the Service d'intervention d'urgence du Centre-du-Québec. Again, it is the same thing. There is a register of hours worked. Each volunteer is required to indicate his or her hours of attendance in writing. He or she must also sign the register upon arriving and departing the local chapter of the agency and any training activity. The presence of an agency such as the SIUCQ is a major asset for my region.

• (1130)

Although the various tragic events in our community are far from pleasant memories, whether the mini-tornado that hit part of Grantham Ouest in 1999 or the search for the lady with Alzheimer's reported missing in the summer of 2002, the 70 volunteers of the SIUCQ have always played a very important role.

During the four-day search for this lady, the Centre-du-Québec emergency response services coordinated the volunteers. This is the mandate it has been given by the Drummondville public safety office. One would have to have seen them at work to have a clear idea of just what a great contribution they made to the search efforts.

In crisis situations like these, as we saw during the ice storm when the whole area was without power, these volunteers, who are also trained first aiders, helped affected individuals and families, as well as helping restore order after the storm.

In addition to the hours these volunteers spend searching for people, they are constantly involved in skills upgrading in order to take full advantage of the equipment made available to them.

Since by its very nature, disaster is rarely predictable, emergency service volunteers need to be readily reached. For this they need pagers, and the volunteers end up paying for these themselves, because their organizations lack the funds for this. As a result, I feel it is totally appropriate for the government to compensate these volunteers in order to support all they do.

Emergency response volunteers make a vital contribution to the quality of life of hundreds of residents in small communities who would otherwise not have access to fire or ambulance services or to search and rescue.

These services are essential to the safety of the community as a whole. We must not forget, either, that volunteers providing such services often do so at risk of life or limb.

I therefore wish to take this opportunity to draw attention to the work of the committed volunteers in my riding and to again tell them how much I admire them. As a result of that admiration, I support this bill unconditionally, since its purpose is to make a special tax deduction available to people providing these services, which I consider very important.

[English]

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, it is with pleasure that I speak to Bill C-325. I strongly support any measure to improve conditions of emergency service volunteers across Canada, particularly in rural Atlantic Canada.

I think many people from larger urban centres do not realize the degree to which emergency services in rural Atlantic Canadian communities are overwhelmingly provided by volunteers. They risk their lives and are subject to significant injury. They take time from their careers and their families to go out and potentially make the ultimate sacrifice in trying to protect us, whether it is in search and rescue operations, or in first response paramedic services, which many of our rural fire departments are now providing, or in simple fire protection.

Private Members' Business

There has been a tremendous increase in the burden placed on our rural volunteer fire departments and emergency service volunteer organizations in recent years. If we were to ever consider the cost to government, federal, provincial and municipal, of trying to provide adequate emergency services to rural and small town communities, we would find that providing a federal tax benefit, either a tax credit or a tax deduction, would seem to be a pittance compared to the actual cost of government run infrastructure to provide emergency services, or fire protection, or search and rescue or first response services to rural communities.

I live in a community called Cheverie in Hants county, Nova Scotia. This is the community in which I grew up. We benefit from the local fire protection of the Summerville volunteer fire department, as well as the Walton volunteer fire department. In many cases, when there is a fire, we see volunteer fire departments work together to deal with the situation. The level of emergency services that we enjoy in that small community or the protection we have against disaster there is extraordinary, and the services are all provided by volunteers .

The fact is it has expanded beyond simple fire protection, to the extent that if something were to happen to a member of my family or myself from a health perspective, a medical emergency, the first people to the scene in all likelihood would be the first response team of the Summerville fire department. They are well trained but they are still volunteers.

The idea of finding ways through the tax system to encourage volunteerism in our emergency services makes so much sense. I know one argument I heard during other debates in the House by members opposite, even in the debate about a motion that I presented to the House in 2000 to provide a tax credit for emergency service volunteers, was that if we provided a tax credit or tax advantage for volunteers in the emergency services, then we would have to do it for volunteers in youth recreation, sports, the Boy Scouts or Girl Guides or whatever.

Emergency service volunteers are by definition different from any other sort of volunteer. When we talk about emergency service volunteers, we talk about people who risk their lives to protect us from things whether it be our house burning down or a medical emergency, or to protect us during a search and rescue. It is during these life and death situations that these volunteers take time from their lives, their families and careers. It is an extraordinary commitment that goes well beyond ordinary volunteerism, frankly.

• (1135)

I have some excerpts from the 2002 annual report of the Windsor, Nova Scotia, volunteer fire department. It states:

We have been responding to unprecedented numbers of Mutual Aid calls over the past few years and indications are that this situation will continue into the foreseeable future...most of these responses occur during what are working hours for the majority of our volunteer firefighters, which makes it difficult for us to continue to muster up the people we need for an adequate response...on the other hand, we recognize the fact that we too require assistance on a more regular basis than we once did, as we are much more conscious of our obligation to keep our station adequately staffed during times when we are out on calls.

Based on the annual report of the Windsor fire department in Windsor, Nova Scotia, there are more and more calls for volunteer firefighters and those calls are happening during working hours. It is

not just the firefighters themselves who are making a contribution. Their employers are also making a contribution indirectly by providing that level of career and work flexibility to enable volunteer firefighters to provide that level of protection.

With regard to the issue of finding enough local volunteer firefighters for the proposed South West Hants fire station, the Windsor fire chief cited a lack of funding and acknowledged that:

We have seen very few people in the area express an interest in becoming firefighters.

It is becoming harder to find emergency service volunteers. If we consider the sacrifice to careers, time with families, the risk of life and the dollar cost of being a volunteer, whether it is the cost for equipment or the cost for fuel and car expenses to travel to the emergencies, we ask a tremendous amount of our emergency service volunteers. If we were to consider the cost of providing this sort of infrastructure through a cooperative level of government, whether federal, provincial or municipal, without the involvement of volunteers, it would be basically impossible to afford the kind of protection that is taken for granted in a lot of rural communities.

I know a lot of people from urban Canada who, when they visit me in rural Nova Scotia, find it almost unfathomable that basic fire protection is provided by volunteers, but it is. We have to find a way to recognize the incredible contribution that our emergency service volunteers, our firefighters and first response paramedics, make on a day to day basis with a benefit through the tax system. Year in and year out these individuals are there to protect us.

I agree with the hon. member for Elk Island and his suggestion that it would be better to have a tax credit than a tax deduction. It probably would be simpler and it would provide a more direct benefit. The gross amount could be reduced to reflect the difference in terms of the actual tax benefit of a tax credit compared to a tax deduction.

I support Bill C-325 in terms of what it is trying to accomplish. I urge all members of the House to take a very positive step and recognize in a meaningful way the extraordinary commitment and contributions that emergency service volunteers provide across Canada. This type of legislation, whether it be a tax credit or a deduction, has been debated for many years in this place.

I have been here since 1997 and we have had these sorts of debates on various private members' motions, including my own. We have debated them ad nauseam. We have discussed this at finance committee as well as in the House during prebudget discussions. It is time for a multi-partisan response to the crisis that exists across Canada of the growing demands on our emergency service volunteers and the diminishing number of Canadians who have the time or the willingness to risk life and limb, to spend their own money, to sacrifice their career time and their time with their family to protect the rest of us.

• (1140)

The right thing for us to do would be to support this sort of tax deduction or tax credit and to move forward with a firm commitment to making Canadian communities safer while recognizing the extraordinary commitment of our emergency service volunteers.

Private Members' Business

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, I am pleased to speak to Bill C-325 to amend the Income Tax Act to allow emergency workers to deduct \$3,000 from their taxable income from any source.

This is a very good bill and the timing of this debate is very interesting from a personal standpoint. There are many stories out there but last week Ottawa hosted the World Extrication Championships. These are in categories called limited, unlimited, and rapid-ex. This is for emergency workers, most usually associated with a fire department, who attend the scene of accidents and remove people from cars. They basically have to be able to tear the car apart to get the people out and get them out safely, all in a timely basis.

There were 29 teams from around the world. For the first time ever this event was held in North America and because it was in Canada, Canada had quite a few teams. There were teams from Mississauga, Burlington, Scugog, Port Hope, Sooke in British Columbia, Halifax and Cumberland, British Columbia which is in my riding.

This is a rather interesting story, because Cumberland is a small community of about 2,500 people, all volunteer. This team went up against teams from all over the world, many of them from large communities and who are fully paid personnel, from Australia, the U.K., the U.S. and Spain. In many ways Cumberland is a large exception.

We have heard other people speak today about how important volunteer emergency workers are within our rural communities. For example, it takes 30 volunteers to run the fire department in Cumberland. Cumberland is located very close to the North Island Highway. Historically a lot of accidents happen on the North Island Highway.

The Cumberland volunteer fire department is quite the story. They have become very specialized. A group within those 30 individuals has become very specialized at auto extrication; that is, taking people out of cars and getting them the paramedic assistance they need in a big hurry. They have saved a lot of lives.

I call the specialty individuals the junkyard dogs because they practise in the local junkyard, and they do that to the point where they have become world-class. I want to congratulate Ken, the team captain, as well as Glen, Sean, Mike and Bob. This dedicated group has previously won the western Canada championship. Last fall they went to the world championships in Prague. They are great ambassadors for Canada.

This costs money out of their pockets. It took a total community effort. Members can imagine how expensive that is and how difficult that is for a community of 2,500 people. The province gave some assistance. Their member of Parliament gave them some assistance. There was a request to the senior minister from British Columbia for some small assistance. I did not receive a response to the letter I sent making that request, and that still sticks in my craw.

• (1145)

However, these individuals are fantastic emissaries for the country. They are proud Canadians. Members cannot imagine how proud I was to be with the Cumberland extrication team on Saturday

at the Brookstreet Hotel in Kanata. This was the wrap-up awards dinner that was held after a week of contest events. I was a proud Canadian, and so were they.

Then they announced the first of the 12 team awards in the four categories for first, second and third place. Cumberland placed third in the limited category at the world championships. This is an all-volunteer force in a little community. No other Canadian team won an award. This was an amazing result. I can only say how proud I am and how proud we all can be.

What does this mean? It means another fundraising effort in order to be able to go to the world's in Plymouth, England, next year. Can the Cumberland team attend? The team is not sure. It costs the individuals out of pocket expenses to attend these championships every time. Four of the five individuals on the team are forest industry workers. We know how difficult it has been to maintain continuous employment over the last period of time because of the softwood lumber dispute. The captain of the team holds down two jobs to make ends meet.

Would this bill make a difference? Yes, it would. Cumberland only exemplifies what happens in many other communities. Not only do the individuals make sacrifices, but their families do also. They make sacrifices financially and this takes these individuals away from their families.

These are volunteer emergency workers, the very people who run toward trouble rather than away from it. These are people the population at large absolutely require to make our society work properly.

I wholeheartedly endorse the intent, the mechanics, and the specifics of Bill C-325. I congratulate the member for Lethbridge for his very good initiative.

• (1150)

Mrs. Marlene Jennings (Parliamentary Secretary to the Solicitor General of Canada, Lib.): Mr. Speaker, I welcome the opportunity to debate the bill which has been sponsored by the hon. member for Lethbridge.

As everyone in the House is aware, the bill proposes a \$3,000 tax deduction for emergency service volunteers. The proposed deduction would be claimed against income from all sources. More specifically, it would apply to those who have given more than 200 hours of volunteer service over the year.

I understand and appreciate the hon. member's intention. Canada's emergency service volunteers provide invaluable services. I share his interest in finding ways to recognize their contribution. However, as parliamentarians we are obligated to all Canadians. On this point, I fear that the hon. member's proposition may go too far. While it is very generous toward emergency service volunteers, it may be perceived as being unfair to other taxpayers who are also volunteers.

If there is a principle upon which our tax system is based, it is that of fairness. Under this general tenet of fairness, a basic principle is that people with comparable incomes should pay comparable amounts of tax. The income tax rule should take into account all sources of income, including the person's earnings from employment, the return on their corporate stocks if they have them, other investments if they have them, and even their government benefits.

I would also go a step further. This income should be counted not only if it is paid in cash, but also if it takes other forms, such as in kind employment benefits. That principle applies for instance when a taxpayer receives an employer provided vehicle, awards or subsidized loans. Under the fairness principle of our tax system, the employee who benefits must declare it and there are taxes to be paid on that.

We must also be mindful of the impact of giving special treatment to income that is paid to emergency service volunteers. I understand that it feels good to be generous to some groups, but we must guard against being perceived as being unfair to other groups.

In this regard, the Income Tax Act provides a reasonable degree of recognition for the important role of emergency service volunteers. These individuals as of now can receive up to \$1,000 in financial recognition from a public authority without having to pay any tax. Before 1998 this exemption was targeted at volunteer firefighters and it was limited to \$500 annually.

This special provision is fair and reasonable. If a public authority finds reason to provide a small amount to compensate its emergency service volunteers because of the costs they incur in providing their services, the rules essentially say that the government will not diminish the value of this compensation by taxing it. The rules also relieve public authorities of the burden of having to prepare tax information slips for modest amounts they pay to our emergency service volunteers.

I fear that the hon. member's bill would be much more burdensome for volunteer organizations and the volunteers themselves. I do not state that as a fact, but it is an issue that needs to be looked at.

In order to fairly administer this proposal it would require public authorities to count the hours of service provided by each volunteer so that the volunteer, the public authority and the Canada Customs and Revenue Agency all know when the eligibility criterion, that is the 200 hours of service, has been surpassed. This could be a burden that could be significant when we consider that there are more than 400,000 emergency service volunteers in Canada.

However, the hon. member's proposal goes much further. It goes beyond just providing recognition to emergency service volunteers and easing administration for public authorities. The proposed \$3,000 deduction is a significant amount of money. It would allow emergency service volunteers to receive the equivalent to what would be Ontario's minimum wage of three months pay. In my view this would be difficult to justify to other Canadians who work at low wage jobs.

• (1155)

The House should look at whether emergency service volunteers expect or need financial recognition for their service. Statistics

Private Members' Business

Canada has done an interesting survey that finds that most Canadians do not appear to expect financial assistance or incentives as a reward for their volunteering. The respondents were more likely to say that they volunteered because they wanted to help a cause in which they believed, they wanted to put their skills and experience to work, or they had been personally affected by the cause that the organization supported.

Seven out of ten Canadians cite time limitations and not financial cost as a reason for not volunteering or not volunteering more.

I recognize that emergency service volunteers want to be recognized for what they do, but given the facts that have been raised by other members that Canada has the highest rate of volunteerism, and many forms of volunteerism, I am concerned about the fact that we are asking the House to put a value on one type of volunteerism as opposed to others.

Our whole fiscal policy as it relates to volunteerism should be looked at and that, in discussion with all Canadians, there should be a weight put on the different types of volunteerism rather than doing it piecemeal.

I only have to think of the 1998 ice storm in Quebec. It was not just in the rural areas that we had volunteers performing emergency services. When I think of my riding, which was the riding on the island of Montreal which was most affected by the ice storm, I think of literally the hundreds of constituents who gave of their time, 10 hours, 15 hours, 18 hours, 20 hours for up to 10 days at a time. We must look at the overall picture in order to determine how our fiscal policy should deal with volunteerism.

Emergency service volunteerism is one piece of that. I would hate to see us move in a piecemeal way, in a way that would cause other volunteers who perform other needed services to the community feel that their contributions were not seen as being as valued, as wanted, or as needed as those provided by emergency service volunteers.

I think this is an interesting idea. However, I think that it may be somewhat premature. We should be looking at our entire fiscal policy as it relates to volunteers in general. We should debate and discuss how we can better recognize not just with awards but with financial recognition if Canadians think that is required and needed, and then weight it.

When I think of people who give up many hours of their time in the urban centres working sometimes in conditions that are not as perilous perhaps on the face of it as emergency service volunteers in the rural areas but possibly perilous in the sense that they may be working with people who suffer from infectious diseases, I think that we need to have that debate. However, the bill is too limiting and therefore I would hesitate to support it. I would like to see a broad discussion and debate on the entire issue.

I wish to thank the member for Lethbridge for raising this issue and allowing us to have at least part of that debate.

• (1200)

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, I thank all members who have spoken to the bill over the last period of time.

Privilege

The member opposite and the other Liberal member who spoke earlier said that there were 400,000 volunteers in this sector. There are not. I have confirmed this with the volunteer organizations across Canada. In firefighting and emergency responders there are 100,000.

We are not trying to say that one volunteer is more important than another volunteer. Hopefully, because of the comments that the member opposite just made, she will vote in favour of sending this to committee so this whole issue can be looked at, which is what I am asking. The bill needs to go to committee so we can have a look at the issue.

On the other issue of record keeping, it is already being done by the municipalities. Based on the 100,000 volunteers in the emergency responder sector, that is a \$4 billion to \$5 billion contribution that they make on a voluntary basis to this country for the safety of Canadians. I think a small recognition of that is in order.

I would like to thank a couple of people, John McKee and Ted Brown, who helped me work through this. They were a tremendous asset to me.

The thing that came out in the letters that I received from fire departments and emergency responder groups all across the country was that they needed help attracting and retaining people because it was getting harder and harder to do that. They wanted some recognition.

One of the issues is that a lot of volunteers do not get paid at all, which is why I am asking that they receive a credit or a deduction on the moneys they earn at any income level. It would help in their global income.

When it is -30°, three in the morning and a call comes in, these volunteers jump out of bed to go out and risk their lives to assist their fellow Canadians. This puts them in a special class. However this is certainly not to take away from all the other volunteers. My own wife is involved now with Interfaith Food Bank and Picture Butte in our home town and puts in a lot of hours. A lot of people do. We need those people and certainly we support that.

The volunteer emergency responders, firefighters, EMTs and search and rescue personnel are involved in many other ways in their communities. They do great work. Muscular dystrophy, for example, is one the fire departments have taken on. I know that in our community if there is a \$10,000 or \$20,000 shortfall for a project, no matter what it is, people can go to the volunteer fire departments and ask them to help raise money. They go out of their way to help and spend countless hours outside of their duties as firefighters to help the community.

Let us get the bill to committee. I want everybody in the House to vote for this to do that so we can look at the issues that have been raised. If there are some concerns, amendments and recommendations let us have a look at that. I am completely willing to be open in that aspect and make it as workable as possible for as many as possible in the country.

We must remember that these are the people who rush in when all others are rushing out. They are a special breed. I know that. I was involved as a volunteer firefighter for 18 years. To be able to serve one's community in this way is special, but it takes hundreds of

hours to stay trained, ready and safe. It takes hundreds of hours of investment in each person's time to respond in a way that protects Canadians who are our neighbours and friends.

Hopefully, when this comes to a vote on Wednesday, we will support it in the House to be able to send it to committee so it gets another full and open airing. I believe there is merit in what we are trying to do here today. I believe there is merit and value in our volunteers who contribute to the safety of all Canadians. Without them, we could not have the society that we do.

We must all remember that we are talking about people who, on a voluntary basis, risk their lives for their fellow Canadians. These are the people who rush in when all others are rushing out. They are special and they need some special attention.

● (1205)

[*Translation*]

The Acting Speaker (Mr. Bélair): It being 12:07 p.m., the period provided for the debate has expired.

[*English*]

The question is on the motion. 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.

Some hon. members: Nay.

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

And more than five members having risen:

The Acting Speaker (Mr. Bélair): Accordingly, the recorded division will be held on Wednesday, October 8, at the beginning of private members' business.

* * *

PRIVILEGE

BILL C-13

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, my question of privilege relates to Bill C-13, an act respecting assisted human reproductive technologies and related research, which is the order of the day. I rise now because I believe a matter has occurred that impinges on the rights and privileges of all members of Parliament.

Government Orders

Last Friday I rose in the House to ask unanimous consent of the House for a reprint of Bill C-13, which would reflect the significant changes that were made during report stage last April. We have not had a reprint of the bill. In fact, if members were to ask for a copy of Bill C-13 today, they would receive the bill that came out of committee with only committee amendments reflected and it would be dated December 12, 2002.

I sponsored about 54 amendments at report stage and I believe as many as 100 amendments were proposed at report stage. During the debate at report stage a number of those amendments were carried on voice vote and did not require a recorded division. During the votes for other report stage motions, for which deferred recorded divisions were requested, there were over 20 amendments on very significant matters which were adopted by the House. For example, there was one amendment with regard to surrogacy for profit in certain cases.

I believe this is a matter of privilege because members of Parliament, for the first time since April 10, were asked on Friday and again today to appear in the House for the final debate on Bill C-13. The House leader moved a motion that the question be now put, which means no other amendments can be made. Now is the time that final speeches must be given.

However members could not possibly go back and look at report stage motions in isolation and understand what they mean. They have to be in the context of the clause to which they relate. It is a complex bill which is why the House decided to split it after significant debate.

Therefore I believe the issue of privilege is that members do not have the information in front of them in a form that permits them to make reasoned debate at third reading concurrence on Bill C-13. I believe this also relates to the hon. members in the other place, as well as to the Canadian public, to understand exactly what is being debated, what are the elements and what is there or not there. Not only can we not debate it but we are being asked to vote on it.

I ask for a reprint of the bill that reflects the numerous and significant changes that have been made. It is available. It only has to be adjusted on the first page. I am told by the Table that it would not show the information that is normally associated with a concurrence motion. It would simply be whited out or blacked out. It is available and I believe members should have that in order to do a proper job as members of Parliament.

● (1210)

The Acting Speaker (Mr. Bélair): The member raises some very serious points. On the same question of privilege, the hon. member for Yellowhead.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, we have argued long and hard in the House. I think April 10 was the last time we actually debated this bill in the House. However we really were arguing long and hard about some of the complexities of the legislation. We fought in committee. It was a unique piece of legislation because it went to committee prior to going to first reading in the House and on to second reading and committee work for the second time. We worked on it at the committee stage. We had the best witnesses from across Canada and around the world. It is very complex legislation. We actually recommended that it be split because it follows two trains of thought:

one on the scientific and the other on building families and assisting individuals to reproduce because they have difficulties doing so.

From our perspective, because of the complexity of the legislation, now that we are through committee stage, where we put forward over 100 amendments and at report stage where we asked that 66 or more amendments be considered, we need to know what is before us. I think we spent two or three hours one evening voting on some complex amendments, some of which were passed. However, now that we are at the third reading stage with something similar to time allocation being called, we need to understand exactly what it is we are debating here. It is important we have the opportunity to read exactly what we are here to debate at third reading.

It is absolutely imperative that we do that and I ask the Speaker to consider it.

The Acting Speaker (Mr. Bélair): I will take the question under advisement. The Speaker will look at the arguments and will bring in his ruling. In the meantime, the House will now proceed to orders of the day.

GOVERNMENT ORDERS

[English]

ASSISTED HUMAN REPRODUCTION ACT

The House resumed from October 3 consideration of the motion that Bill C-13, an act respecting assisted human reproduction, be read the third time and passed, and of the motion that the question be now put.

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, often I begin my speeches by saying that I am honoured and pleased to stand in the House to debate an important issue but this time I have to say that I am not very pleased to be debating this bill under these circumstances.

I think it is absolutely deplorable that the Liberal government would, in the face of a large amount of controversy and a lot of details that still have to be worked out, take steps to stop the debate on this bill and to force a vote, which is, in effect, what it is doing.

Having moved the motion "that the question be now put" precludes any further amendments. That is atrocious. Here we have a matter of life and death in the highest possible terms in the meaning of life and the Liberals are flippant about it. I hesitate to say that but they are very inadequate in the way they are doing this.

I heard my colleagues talk about splitting the bill. I do not know why the Liberal government would not do that. Why not deal expeditiously with items which are urgent? Even as we speak a debate is taking place at the United Nations on human cloning. There are some motions being debated, one of them being that all human cloning be banned. That is my position. I think it is an affront to the dignity of humanity and certainly of individuals to say "well, we will just make another one of you".

Government Orders

Experimentation in human cloning should be totally banned. I know others disagree with that. Why can we not have a debate on it? Meanwhile, we see that Canada's position at the United Nations is ambiguous at best. We seem to be saying, "well you know, we do not really know about human cloning. Maybe it is okay for therapeutic purposes".

Can anyone Imagine bringing into being a new human life to create spare parts for someone else? Since when have we had in our society the way of thinking that one human life is dispensable in order to provide for the life of another?

The dilemma arises from false assumptions. There are those who claim that the unborn child is not a human. I would simply ask, if it is not human, then what is it? It is not a monkey. It is not a cow or a pig. It is human and yet they say that this unborn child is not human. We have the dilemma in Canadian law that we can be fined or jailed for destroying the egg of a whooping crane which is a protected species and yet we have no such legislation protecting the uncompleted embryo of a human.

Is a human not worth as much as a bird? That is the dilemma. Why government members would just simply bulldoze through and say that they are doing it, they do not care, makes me almost conclude that there is such a moral deficiency over on the government side that they do not have a handle on it.

The bill should have been split so that those very necessary prohibitions could have been dealt with expeditiously. We then could have spent more time getting the other part and doing it right.

I remember one of my colleagues at the college where I taught had a little plaque on his bulletin board which said, "if you don't have time to do it right, when will you find time to do it again?" That is what we are dealing with here. For some reason time is running out, arbitrarily, and we are not doing it right. How can we ever find time to fix it up and do it again?

•(1215)

One of the primary dilemmas is that this is an unprincipled government. Hence, this very important bill, Bill C-13, expresses no principles in the preamble or elsewhere.

I would have liked to have seen in the preamble an overriding principle. It should have said somewhere in there that in Canada there is a profound respect for human life. This is absent in Bill C-13. The government does not even have the moral fortitude to put in the bill, which deals with life and death, a guiding principle that says we have respect for human life.

Sometime I will ask you, Mr. Speaker, whether you are a father and a grandfather and all those good things. I am and it is wonderful. My wife and I have three wonderful children. We have two in-laws that have married into the family. My wife Betty and I now have five beautiful grandchildren. They are the best, our grandchildren in Regina, Dallas, Kayla and I am thinking of Noah, my little six year old grandson. What a neat little guy. I could not even take him for a motorbike ride yesterday because I had to leave to come here. He was somewhat disappointed, but I will do it next time. And there is little Hannah and little Mica, who is only six months old. What a beautiful little baby.

When we look at these little children we cannot help but say that somehow in a profound way humanity and the divine have come together in the fact that we have the capacity to produce new life. And here Bill C-13 talks of cloning and all sorts of other procedures even, if necessary, taking the life of children before they are born.

I always say that the conclusions we reach are a function of two things. They are a function of our initial proposition or assumption and the function of our thought process or analysis as we go along. Those are the two things which determine our conclusions.

If we conclude that the unborn is not human, then no matter what kind of reasoning we use, we are going to come to a conclusion which does not respect human life. I do not care how it is cut. That is the assumption that is made and in my view it is a false assumption.

I remember reading a report of a researcher who was helping infertile couples. He was talking about beginning the life cycle in a Petri dish. The egg is put in the Petri dish right out in the open. It is not inside the woman's body. The male element is added and all of a sudden, the cells start dividing and that document said explicitly that life has begun, that cell division has begun.

I know the debate today is not about where does life begin, but that was a secular non-religious person saying that life had just begun at the moment of conception. Yet this country is ready with that Liberal government over there to deny that very important scientific fact and somehow dull our senses and our ethical standards to the point where just about anything goes.

I reiterate that we need to have in this type of a bill that underlying principle that says we have a profound and a deep respect for human life. We should have in Bill C-13 a provision that when ethics and science collide, ethics should prevail. How can we call ourselves good people if we allow some scientific ability to override our ethical standards? I like the phrase, and I do not know who said it, but it is something along the lines that just because we can do something does not mean that we should do something.

•(1220)

I contend that in this bill, as in all of our considerations on these topics, we ought to say that ethical standards and measures take pre-eminence over simply a scientific ability to do things.

I could go on for another two hours. I would like to ask for unanimous consent for me to have another five minutes.

The Acting Speaker (Mr. Bélair): Is there unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

Government Orders

[*Translation*]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, Bill C-13 is extremely important because we have already had this debate when it appeared as Bill C-56. My colleague, the hon. member for Drummond, was a visionary and had in the mid-1990s suggested that parliamentarians should consider such legislation. She introduced a private member's bill that sought to prohibit human cloning for reproductive and therapeutic purposes.

I am extremely saddened—I do not know if it shows; I remain calm at all times—by what is happening here today. When we left for our ridings in June, I asked the Minister of Health to ensure that the Bloc Québécois could support this legislation. We are not being politically correct with regard to this legislation. We are not debating abortion in terms of pro-life or pro-choice. This is not what we are doing; we will have other opportunities to do so.

We agree that the Criminal Code which is a federal responsibility must contain provisions prohibiting various practices on humans that, for ethical reasons and humanist reasons are unacceptable. We are talking about cloning, transgenesis, gender selection and the possibility of playing with prenatal diagnoses, in short, any and all considerations that we agree need to be federally legislated.

The problem is that this legislation contains a proposal to establish a regulatory agency responsible for implementing any regulations. This regulatory agency and the regulations, established under Bill C-13, would be incompatible with about a dozen provincial laws.

We must not forget the starting point, which is that one out of five couples in Canada experiences some degree of infertility. This is the premise. Obviously, some people, like Louise Vandelac, a UQAM researcher, say that this legislation should focus more on preventing endocrine disruptors in the environment, which cause infertility in humans.

If we look at the bottom line, we can see that the problem with the future regulatory agency is that it will not take into account a number of laws duly passed by the Quebec National Assembly.

If Bill C-13 is passed, it should be divided into two bills. In fact, upon our return in January, with its usual the sense of responsibility, the Bloc Québécois asked for that specifically. All my colleagues in the Bloc Québécois would have been only too happy to vote in favour of a bill focussing exclusively on prohibited activities. I am sure that our colleagues from the Canadian Alliance, the NDP and the Progressive Conservative Party would have too.

This bill would have the federal government regulate the provision of services in private clinics and hospitals. Under section 112 of the Quebec Act respecting health services and social services, the Quebec Minister of Health and Social Services is responsible for determining which facilities will provide artificial insemination services and other forms of medically assisted reproduction services.

So, if the bill, and subsequently the related regulations, were passed, this would mean that the federal government could then override the right of the Quebec Minister of Health and Social Services and the National Assembly to establish the conditions under which health professionals will provide medically assisted reproduction services.

● (1225)

Bill C-13 is incompatible with the Quebec Civil Code, the act respecting health services and social services, the act respecting the protection of personal information, the act respecting medical laboratories, the charter of human rights and freedoms, the medical code of ethics, the guidelines of the Quebec health research fund, and the ministerial action plan for research ethics and scientific integrity.

On Saturday morning, I met with the Fédération québécoise de planification des naissances. This Quebec group knows Bill C-13 well, and has been interested in issues having to do with planned parenthood for many years. The political attaché to Mr. Couillard, Quebec's health and social services minister, was also present.

We seemed to be reading the bill the same way. I know that the Government of Quebec has not yet announced its final position on this issue. It will do that soon. But the Government of Quebec—which is not a sovereigntist government, we know—was very worried about the precedent that might be created.

I explained matters to the researchers, the feminist groups and the federation. There are groups in Quebec who have been waiting for such a bill for 15 years. One of the people at the meeting was Louise Vandelac, a researcher who had worked with the Baird Commission. She withdrew from that commission, as did the wife of the hon. member for Calgary Centre. We know that these people went as far as the Federal Court to protest some of the activities of the Baird commission.

And yet, the political attaché to the minister of health and social services was aware, as are the members from Quebec—those from the Bloc Québécois anyway, but perhaps not the Liberal members from Quebec—that if this bill is adopted, we will be creating a precedent allowing a regulatory agency to intervene directly in establishing and regulating services provided in hospitals and private clinics.

If, as Bloc Québécois members, we pass Bill C-13, since we do acknowledge the need for legislation on banned practices—so much so that the member for Drummond introduced a bill on it as far back as 1995—this means the federal government is going to conclude that it has leeway to get involved in early child education and palliative care. It will take advantage of this precedent, unfortunately, to interfere in health and social services, beyond the limits of its jurisdiction.

Government Orders

We have worked very hard on this issue. There is nothing partisan about it. People with fertility problems who want to have a child go through a lot of turmoil. We have received all kinds of testimonials, and I could talk about them for hours. So I asked the federal health minister: "Why did the federal government not split the bill?" I went on to say "If you are convinced you are not *ultra petita*, not outside your area of jurisdiction, why do you not table a letter from the Quebec minister of health, and one signed by yourself as federal health minister, acknowledging that, regardless of what agency, and what regulations are adopted by the Government of Quebec, this will be the law applicable to Quebec.

Equivalency will be acknowledged right from the start. It is possible that there could be an equivalency agreement in the bill. This must, however, be evaluated by federal officials, and what guarantee do we have that everything done by the Government of Quebec, which had provisions in its civil code as far back as 1994, will be acknowledged?. What guarantee do we have that any agency and legislation created subsequently by the National Assembly will be recognized?

I say again to the minister, if we get that letter, that guarantee, we will vote in favour of this bill at third reading. If we do not, however, believe me, we will not keep quiet and allow jurisdictions to be trampled over in this way.

•(1230)

Given the urgency of the situation and the fact that I, as a Bloc member, have followed this issue from the start in the Standing Committee on Health, could you, Mr. Speaker, find out whether, in the spirit of camaraderie that ought to exist in this Chamber, and given the importance of the issue, I might not have an additional 15 minutes to complete my speech? I would see that as a sign of true camaraderie.

The Acting Speaker (Mr. Bélair): Is there unanimous consent from the House to allow the member for Hochelaga—Maisonneuve an additional 15 minutes?

Some hon. members: Agreed.

An hon. member: No.

The Acting Speaker (Mr. Bélair): Since there is no unanimous consent, the debate shall continue.

Some hon. members: Oh, oh.

The Acting Speaker (Mr. Bélair): Order.

The hon. member for Notre-Dame-de-Grâce—Lachine.

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, I was among those who said no because I wanted to be sure to have enough time to speak.

•(1235)

[English]

I want to address Bill C-13, or reproductive technologies. This is the first time I have spoken on this issue. I have listened to, either in the House or while watching the debates live on television, or I have read the transcripts of just about everyone who has spoken to the issue in this House. I find that there has been a lot of misinformation

that has been given about what Bill C-13 would do and what it would not do. I would like to just give a few pieces of information.

There are those who claim that Bill C-13 would not ban human cloning. This is incorrect. The legislation indeed would ban human cloning. The member for Mississauga South, who put forward a motion at report stage which was adopted, stated, when he spoke in support of his motion, that it would extend the prohibition of human cloning to include all types of human cloning. The House listened and adopted the motion that was put forward by the member and the legislation would ban all forms of human cloning.

In fact, Dr. Patricia Baird, the former head of the royal commission has stated, "Based on an incorrect understanding of the science, some have suggested that the bill doesn't ban cloning, but in fact on careful reading it clearly does". Those are her words not mine.

She was quoted as saying that, in the *Ottawa Citizen* on March 27.

The issue as to whether or not the bill would permit the implanting of human reproductive materials into non-human life forms as well has been raised. It has been suggested in this House by numerous of my colleagues that the biomedical definition of chimera involves the implantation of reproductive materials from a human into an animal or from an animal into a human and that Bill C-13 would permit the implanting of human reproductive material into non-human life forms.

As is the case with any piece of legislation, a definition must be read within the context of the scope of that legislation. The scope of Bill C-13 is the human embryo and as such, the definition of chimera would be limited to those combinations that involve a human embryo. The definition used in Bill C-13 is scientifically accurate and has been reviewed and stated to be scientifically accurate by some of Canada's leading researchers.

Another claim that has been made in this House by members who oppose Bill C-13 is that there are less than 10 embryos available in Canada that would meet research quality requirements and that the number of surplus embryos is not expected to increase since medical technology has improved. Comparatively they claim, the U.K. has destroyed 40,000 human embryos without any positive research results. Those claims are incorrect.

In fact the number of embryos available for research purposes in Canada and their potential quality are unknown. Why are they unknown? Because the fertility clinics and the human reproductive technologies are not regulated at this time. Therefore, the government and from one clinic to another have no way of knowing how many embryos there are or the quality of the state or condition in which they are. We have no way of knowing.

The regulatory regime which would be established under Bill C-13 would lead to an accurate understanding of the number of embryos in storage and the number of embryos potentially available for research, and would control the type of research projects that could be undertaken.

Government Orders

●(1240)

Concerning the 40,000 human embryos that U.K. supposedly has destroyed without any positive research results, I cannot state how many embryos have been destroyed in the U.K. What I can say is the U.K. is one of the world leaders in the area embryonic research and significant advances in reproductive medicine has been made available by its research. In fact in vitro fertilization was first successfully carried in the U.K. in 1978. As of August 2002, there were 28 licensed projects in the U.K. involving the in vitro embryo, the majority of them focusing on improving infertility treatments.

For example, in the U.K. as we speak projects are underway to improve the maturation of embryos in vitro, to increase implantation rates as well as studies into improving egg freezing techniques. I believe that the claim that there have been no positive research results is inaccurate.

Another claim that has been made in the House by some members to justify their opposition to Bill C-13 is that the conflict of interest provisions are so weak they would allow biotech and pharmaceutical companies to be represented on the board of the agency that would approve and license research projects.

I would encourage those members to go back and read Bill C-13. The government's amendment to Bill C-13, which now constitutes paragraph 26(9), sets solid requirements for all prospective and serving members of the board. No board member may hold a licence or be an applicant for a licence or be a director, officer, shareholder or partner of a licensee or applicant for a licence. These requirements could not be more stringent or more appropriate.

It is however not the intention of Bill C-13 to exclude people from the board who have relevant experience, such as doctors, scientists, nurses, ethicists, counsellors et cetera. If we were to exclude these people we would be undermining the credibility of the board.

Paragraph 26(9) sets out solid conflict of interest requirements and the conflict of interest provision is in addition to the stringent conflict of interest and post-employment code principles, already binding all governor in council appointees.

Another claim that has been made in the House by opponents to Bill C-13 is that significant clauses of the bill have been qualified by phrases such as "per the regulations" and therefore members of the House who oppose Bill C-13 are saying that MPs are being asked to vote on a bill without knowing the full intent and that they will not be permitted to approve regulations.

First, all members of Parliament have oversight capacity over regulations. In addition, the House in conjunction with the other house, has a Joint Standing Committee on Scrutiny of Regulations that only scrutinizes regulations. However that does not preclude any standing committee of the House to scrutinize regulations.

Second, the act provides for parliamentary oversight of the regulations that would occur at the time of *Canada Gazette Part I*. It also calls for a review by Parliament after three years which would allow MPs to review again the appropriateness of the bill's provisions and associate regulations.

Finally, I can obviously not go through everything but I want to point out one thing. Bill C-13 prohibits commercial surrogacy on the

grounds that it treats children as objects. It also treats the reproductive capacity of women and reproduction in general as economic activities.

Subclause 12(3) introduced at report stage and adopted by the majority of members of Parliament provides for the reimbursement of lost income for a surrogate mother which in no way contradicts the non-commercialization scheme. A surrogate mother may only be compensated for loss of income during pregnancy if she has a medical certificate stating that continuing to work may pose a risk to her health or to that of the developing fetus. It already exists in workmen's compensation in Quebec.

●(1245)

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, following the debate in the House is one thing, but it has also been interesting to follow the debate in the news.

Over the weekend I happened to notice that one of the members, who is not noted for his religious outbursts or anything to do with his faith, was questioned about the fact that because he was opposed to Bill C-13, he must be a member of the so-called God squad. He said that he was not a member of the God squad but that he was opposed and he listed the reasons why.

Where did this almost blasphemous term, the God squad, come from? It comes about as a result of the fact that there are people in the House who have a strong sense of their faith, their identity in terms of their relationship with a Supreme Being. Therefore, I would claim the privilege of being a member of the God squad.

The God squad is a group of people, if indeed it exists, who say there is an absolute standard in this world. There is an absolute standard of how I relate to my family and to people in my community. There is an absolute standard with which I came into politics and I did not check that absolute standard at the door when I walked in here. That, very simply, is a part of the problem, a part of the cynicism that seems to be developing around the bill.

We are concerned about the bill, not just because of what is contained in the bill but because of the way in which the Liberal government has conducted itself and is continuing to conduct itself outside of this chamber, not only in Canada, but outside of our great nation, in the world.

The member for Notre-Dame-de-Grâce—Lachine who just spoke made the point that in her vision, although people in the House have said there is not a ban on human cloning, there was a ban on human cloning contained in Bill C-13. Let us leave that for scholars and lawyers to decide. However at the same time, the Liberal government is attempting to ram the bill through the House of Commons, it is taking quite a significantly different position at the United Nations.

Government Orders

An international convention to ban human cloning is being debated at the United Nations. One resolution, backed by the U.S. and several countries, calls for a comprehensive ban on all human cloning, reproductive and therapeutic. That would be consistent with Bill C-13, which would prohibit the creation of a human clone by any technique. However there is another resolution currently before the UN which calls only for a ban on reproductive cloning. Strangely, Canada is supporting this resolution.

I and the Canadian Alliance oppose human cloning as an affront to human dignity, individuality and rights. We have repeatedly spoken out against human cloning, urging the federal government to bring in legislation to stave off the potential threat of cloning research in Canada. Therefore, we find it suspicious that Canada's position at the UN suggests our government may have a hidden agenda in the support of therapeutic cloning. Why the double standard? Why the one standard when the government is attempting to get the bill through the chamber, and the other standard at the United Nations where it is in support of therapeutic cloning? Understandably, we are suspicious.

There is nothing more precious in this world than human life. It is the very breath that we breathe. It is the way that we manage to interact with each other. It is not an overstatement obviously to say that without life there is nothing. When it comes to a bill of this magnitude, to try to enact legislation of this type in a vacuum of ethics, morality and, I suggest, of religious standards is folly of the first order.

• (1250)

It has been interesting that as this bill has been before the House and before us as members of Parliament, it has perhaps made me even more aware of some of the standards that are held within our civilized societies. I notice that on soap operas coming to us from France, Australia and England, or even on our own soap operas, there is always conflict between people. That is what makes a soap opera. There is always back-stabbing between people, but the minute that one person's life is threatened, suddenly the plot thickens and that becomes the key issue.

Indeed, the reality is that without life there is nothing. Therefore, our concern about this bill is in part what is in the bill, the imperfections that are in the bill, but of equal or perhaps even greater importance, our concern, my concern, is what the ultimate objective is of the government and where it is going.

I started by talking about the almost blasphemous term the God squad. When I make these statements, I am thinking not just in terms of the most dominant faith in Canada, which at this point is Christianity, I am also thinking of the Muslims. I am thinking of the Sikhs. I am thinking of the Hindus. I am thinking of people who follow the teachings of Confucius, the Buddhists. I am thinking of all people of faith who have an absolute standard that is a reality in their lives, because for many Canadians, countless millions of Canadians, they have within their lives, at their very soul, at their very core, a belief in human life.

It defies logic to understand why the government would not have split this bill into the two obvious parts.

There are many procedures currently in place in Canada whereby human life is enhanced, that through adult stem cell research. We know of many advancements in being able to do away with or at least slow the spread of Parkinson's. We know of many advancements where there has been the removal of stem cells from an individual and those stem cells have been treated and put back into the same individual, so that there is absolutely no need for all the drugs that are necessary when a foreign body is put into a human being.

One of the most exciting parts of being alive and being a human being is the ability to be able to think, to conceive ideas, to be able to bring science to many of the tragic situations that face human beings in terms of their health. This bill, in terms of adult stem cell research, is going in the correct direction. What I am concerned about, and what many are concerned about, is the absolute lack of sensitivity, the absolute lack of understanding, when it comes to stem cell research other than adult stem cell research.

The distinctive of a civilized society is the respect of human life. That is why we find it so confusing within all of our civilized societies throughout the world when we are confronted with people who will not only take their own lives but in so doing will end up becoming suicide bombers and taking other people's lives. This is a value that is at the core of who we are in a civilized society.

This bill as it presently stands is wrong and we will do everything we can do to see that it is defeated.

• (1255)

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, I must admit some temerity in wading into this debate given that this is a fairly complex issue, which a committee has studied for a great deal of time.

Around here one likes to focus on the issues that are of greatest concern to Canadians and focus on those issues exclusively. This is an issue that in fact has attracted the attention of many Canadians, but in some respects this is an intensely difficult debate.

One of the issues that has been raised is the concern that Health Canada corrected one error in the definition of human clone but still does not ban all known forms and techniques of human cloning. I do not know how many times I have heard it repeated here in this chamber and elsewhere that the bill in fact bans human cloning, and I am prepared to believe the drafters of this legislation who think that this in fact is true. Let us get down to the bill's definition of human clone:

"human clone" means an embryo that, as a result of the manipulation of human reproductive material or an in vitro embryo, contains a diploid set of chromosomes obtained from a single—living or deceased—human being, fetus or embryo.

The issue here is "single". It is well within the realm of current science to deal with that issue of single; in fact, human clones could be created from more than one. So it seems on the face of it a relatively minor issue, but on the other hand, for those who wish to defeat the intention and the spirit of the bill, minor amendments on single would in fact have addressed this issue. It is somewhat disappointing that we are not dealing with this.

The second issue that arises is with respect to the biomedical definition of chimera, which involves the implantation of reproductive material from a human into an animal or from an animal into a human. But in the definition section of the bill, it seems to only go one way. In the bill, chimera means:

(a) an embryo into which a cell of any non-human life form has been introduced;—

It is only going from human into non-human when in fact it could be the reverse if a cell is taken from an animal and introduced into a human. Why is that definition of chimera not included in the bill? If life is produced, whatever that life may be with the mix of animal and human, what is that life? What will that life mean to us as Canadians and as a society? That is more than just mildly troubling and again one is hard pressed to know why that issue has not been addressed.

Some have claimed that there are less than 10 embryos available in Canada that would meet research quality requirements. The number of surplus embryos is not expected to increase since medical technology has improved. I suppose the issue then is, what is the big fuss about?

Comparatively, the United Kingdom has destroyed something in the order of 40,000 human embryos without any positive research result. I suppose that at one level this should not be disturbing, but on another level it does seem to be a casual regard for the sanctity of human life, which I think has been a theme that has certainly emanated through my office as people concern themselves with the bill. They are not quite clear in their minds about what is wrong, but they are clear that something is wrong.

●(1300)

Then, the conflict of interest provisions in the bill are somewhat weak. If ever there was an area where we should be concerned about conflict of interest between what biotechnical and pharmaceutical companies can do, this is one area, but they are to be represented on the board of the agency. I must be candid here. I am really of two minds. Obviously we want to hear from the leading biotech firms and the pharmaceutical companies, but the funding of research by these companies, their presence on the board and their engagement in the licensing process create an obvious conflict of interest because quite clearly the industry has a unique interest in this concern.

I think we can remember that recently Dr. Nancy Olivieri was doing some research that did not line up with the sponsor's hope for the research. I am simplifying this somewhat, but her research was leading her away from the efficacy and direction that the pharmaceutical company wanted her to go in. It wanted the pill or the medicine it was producing to go in a certain direction and she got into a huge ethical storm as to, in effect, who was paying for the research. If the research was being paid for by a particular company, then it wanted a particular result.

This will inevitably be worked into the decisions to approve and license research projects which may arise by virtue of the fact that these companies will be represented quite well on the board. The checks and balances one would like to see come out of that obvious ethical dilemma do not appear to be in the bill.

Government Orders

The other area that has arisen has to do with the reference over the course of the bill to “as per the regulations”. I heard a previous member say that we do have a scrutiny committee. It is a joint committee and it does do good work, but the problem is that the horse is somewhat out of the barn by the time the scrutiny committee might get to it as per the regulations. There are apparently 28 areas in which regulations must be developed and they will not be known for at least 18 months until after the bill is passed, so we are being asked to enter into something of a blind vote.

Again, at one level, I have some sympathy on that point. A lot of these regulations are, at this stage of science and law, unknowable, but on the other hand this is an enormously significant area of intrusion into human life. Yet we in the chamber will on 28 separate instances be asked simply, “Trust us”.

We had this issue as well in the terrorism debate a few years ago. We worked in a sunset clause and we worked in some review clauses and things of that nature. We are told that the bill actually has not actually been used up to now; possibly that is a good result. I would like to think it is. On the other hand, it does put MPs in a very awkward position of saying that we will hold our noses and vote for this, but we really do not know what we are voting on because in at least 28 areas we are not going to know what the regulations are until at least 18 months after the bill passes. Again, these are the kinds of things that make MPs concerned.

Yet on the other hand we have an overall issue where we ask the question: If we do not get this, do we get anything at all, and do we want to leave the field entirely unregulated? We have a significant constituency saying this bill is seriously flawed, but it is substantially better than nothing at all. It is a bit of a shame that some of the committee recommendations have not found their way into the amendments and regulations so that members could have somewhat more comfort that their colleagues have exhausted the protections that should be available in the bill.

This is not a bill that one would vote for with any great enthusiasm. On the other hand, it is certainly a heck of an improvement over the current situation.

●(1305)

Mr. Stockwell Day (Okanagan—Coquihalla, Canadian Alliance): Mr. Speaker, in looking at this legislation we are coming up against a number of legislative roadblocks that we encounter when we deal with legislation from the government. We hear concerns from the public and then we propose and find ways because of suggestions from the public on how to get around these roadblocks. However the government seems to ignore them.

We cannot play politics on something as important as cloning and embryonic and non-embryonic stem cell research. We must stick with the principles and look at the possibilities in order to address the possible roadblocks.

Government Orders

Clearly, something must be done in this whole area of reproductive technologies because it is advancing so rapidly upon us. It is somewhat pleasing to see that we do have members of Parliament from all sides of the House who are in agreement on ways to get around some of the dilemmas, not the least of which are the moral dilemmas.

We propose through our health critic, the member for Yellowhead, a way to take some legislative suggestions and break them into two areas or two bills, and look at addressing each of the two areas in a way in which we can make progress. We are talking about making progress, on behalf of Canadians with health needs, that has the potential of being met because of some of the exciting dimensions that are available to us in this area of technology. It can be done in a way that averts some of the technological dilemmas but moral dilemmas as well.

Our member for Yellowhead proposed that a bill come forward that is broken into two areas, one in which reproductive technologies could be covered as in the former Bill C-56 that members will recall, and another in which we would regulate the human embryo research and all of the implications with that.

A reproductive technology bill could cover such compelling issues as the prohibition on cloning which is very important. A number of countries have put a ban on cloning. What are we going to do about commercial surrogacy? What are we going to do about the question of the buying and selling of human gametes? What are we going to do about gender selection, germ line alteration and the creation of animal-human hybrids? What about the regulation of fertility clinics and the creation of a regulatory agency to observe all of these? That could all be dealt with under one bill and then a separate bill could look at regulating human embryo research.

I want to use an example of how, with discussion in this House and obviously drawing upon the incredible medical technology resource people that Canada has to offer, we put forward some suggestions. And it was important to do so. The issue of cloning, especially when it is being advanced for the purpose of meeting the health needs of people who are afflicted many times with disease, presents that very moral dilemma, as does the issue of stem cell research.

Many Canadians, myself included, believe it is simply wrong to create life for the purpose of destroying it because some part of that newly created life will go to help what might even be someone's significant health care problem.

There is a way of avoiding the whole dilemma and still getting the benefits of what this technology has to offer. The government must be clear and say that it will not proceed with and will not allow things to progress in the area of embryonic stem cell research. That is the type of research which would require the growing of embryos for the purpose of destroying them and rationalizing that it was for future health needs.

Many members, including myself, and millions of Canadians believe it is simply wrong to create life for the purpose of destroying it. How does one avoid that? The area of non-embryonic stem cell research is already making great gains.

●(1310)

As Canadians we are proud to see some of the breakthroughs that have been made in that particular area. In June 2003 Canadian scientists discovered that non-embryonic stem cells can trigger regeneration of severely damaged organs in animals. In this case, Canadian scientists injected bone marrow stem cells into diabetic mice which were cured or back to normal within 7 to 14 days.

We see that this can hold out great possibilities in terms of human health. We have other situations. Recently, Dr. Michael Rudnicki at the Ottawa Health Research Institute published a groundbreaking study showing how a population of adult stem cells or non-embryonic stem cells in muscle tissue contributed to muscle regeneration.

We have seen in the prestigious scientific journal called *Cell* that uncovered molecular signals that direct these non-embryonic stem cells could actually direct these cells to form new muscle.

We had a situation in September 2002 where a Montreal woman who was newly diagnosed with leukemia received a stem cell transplant from the umbilical cord of her new infant daughter. These are non-embryonic stem cells and seven months after the transplant, the woman was in full remission and considered cured.

Instructive on this particular point are the comments from Dr. Abdullah Daar of the University of Toronto Joint Centre for Bioethics. He said:

Should adult stem cells ever prove to be as good as [embryonic] cells, then why would anybody want to bother with embryonic stem cells?

These are the questions being put by the very leaders in technology in the field itself. Alan Bernstein who is president of the CIHR said:

Aside from the ethical issues, if one could take one's own adult... stem cells from bone marrow and use them to cure Parkinson's disease, you wouldn't have to worry about [immune] rejection problems. So this would be just a huge advance.

Immune rejection problems are very significant when it comes to dealing with and the exploration of treatment of embryonic stem cells.

Science itself is offering a way out of this cul-de-sac of debate, this moral dilemma in which the government continues to circle. Simply approve and move ahead with the area of non-embryonic stem cell research and regulate out the possibility of embryonic stem cell research.

When we look at Bill C-13, the government seems to be saying one thing in the House but says something totally different at the United Nations. We have a concern with that. The former minister of health stated in Geneva at meetings of the World Health Organization that "cloning for the replication of human individuals is ethically unacceptable and contrary to human dignity and integrity".

He was condemning cloning. We happen to agree with that. But representatives of the government say different things at the United Nations when they discuss this and it is not reflective of what the government is saying to Canadians.

Government Orders

The bill also allows for “grandfathering”, if I can use that term in this debate, allowing scientists, who engage in such activity before the bill takes effect, to avoid licensing requirements and prosecution provisions? As a government, it cannot say it is opposed to something and in fact condemn something, as the former minister of health said, and then allow for it to happen. These contradictions cause us great concern.

We would like to see consistency on behalf of the government as it relates to Bill C-13. We would like to see if the former minister's statement is in fact the position of the government—“that it is ethically unacceptable and contrary to human dignity and integrity” to allow cloning to happen. Members of our party and I happen to agree with that as do many members of Parliament.

The government should bring forward the consistency of that statement into this legislation and into the regulatory process that follows. We should not allow for the door to be opened so that a violation of that clear principle of preservation of life can happen. If the government is serious about it, it should state it clearly and bring forward legislation that is consistent, and inform our delegates at the United Nations to speak in a like manner as well.

● (1315)

Mr. Julian Reed (Halton, Lib.): Mr. Speaker, it is obvious that Bill C-13 has engendered a lot of thoughtful debate in the House and a lot of careful consideration regardless on which side of the issue one ends up coming down on.

The bill has probably exposed some of the elements that could be improved. My colleague from Mississauga South has looked at it very closely and done a tremendous amount of work. He should be commended for his efforts.

The question of human cloning is one of the fundamental underlying concerns in the bill. His concern is that the bill does not ban all known forms of human cloning. That in itself presents something of a dilemma because as medicine progresses and the practice of medicine evolves over years and generations, what is unknown now will probably be known 20, 30 or 50 years hence.

I will repeat a story involving a fairly close relative of mine who was attending university in Toronto and was rooming with another young man. They were both studying medicine at the time. At that time two very prominent doctors were researching diabetes and how this scourge could be treated. One was Dr. Macleod and the other Dr. Banting.

My cousin and his friend were both looking for summer jobs. They decided that they would try and obtain work with these researchers. They flipped a coin and my cousin went to work with Dr. Macleod and Charlie Best went with Dr. Banting. At that time no one knew and no one had a breakthrough on how to deal with the scourge of diabetes. I am sure debate raged about what one should do and should not do in terms of research and in terms of developing the techniques that would look after that disease.

A part of Bill C-13 addresses not just human cloning, but the question of developing a fetus in the very early stages. In the process of human reproduction there are sometimes leftovers that are not

used. The argument that has been put forward by researchers and so on is that it would be appropriate and practical to use these things in their research. The people who are opposed have taken the position that these are undeveloped human embryos and, therefore, should not be tampered with.

● (1320)

My colleague from Mississauga South has pointed out that the United Kingdom at one point destroyed about 40,000 human embryos without any positive research results. I am wondering, when we are considering the use of embryos, whether we should simply say that there are not enough of them that appear at any given time to do positive research on, or whether we should press ahead into the unknown. The other side of the argument has to do with the potential that stem cell research has to cure disease.

I very often think of my late mother who succumbed to Parkinson's disease. I wonder, if it was 15 or 20 years hence whether the stem cell research would not be able to provide something to arrest, cure or prevent the progress of Parkinson's disease. However the decisions are made, we should not close the door on any of these things.

I am totally opposed to human cloning. That is a given. I think virtually everyone in this chamber regardless of their party affiliation would share that point of view.

I ask that we proceed with great care on the bill so as not to inhibit medical advancement in the future. Let us look at the bill, let us look at its weaknesses and flaws. If the bill can be improved, it is our responsibility to improve it. Whatever we do, whatever conclusions we come to however, we should not inhibit human progress in this regard.

Mr. Art Hanger (Calgary Northeast, Canadian Alliance): Mr. Speaker, I am very pleased to rise today on Bill C-13.

It has been interesting to follow some of the headlines as they appear on the debate on this issue.

There is no question that politics are being played out here when it comes Bill C-13. We can see it bounce back and forth not just between the opposition and government parties but between members within the government party and also between members within the opposition parties in the House.

There was one particular headline in a newspaper a few days ago which read “Vote on human cloning bill delayed: Bill C-13 'God squad' MP stages filibuster, debate stalls”. That is a very interesting headline. Obviously a member of the Liberal Party is considered to be part of what is called the God squad, or so it has been tagged. All of those who are opposing the proposed legislation might be tagged the same. I do not find that so unsettling. In fact, I would be proud to wear that as a badge if that applied to me by taking that position.

Government Orders

There have been other very strong members of Parliament. I will talk about one by the name of William Wilberforce in the great country of England in the United Kingdom. He was actually tagged the same way. He was a Christian MP who stood up against slavery. For years he fought that fight again wanting to better the lot of those who were enslaved in that country. As a result of his efforts, he and four or five other MPs were categorized as such. Because they believed in God, because they felt that there should be a stronger commitment on the part of legislators to better the position of others in society, they were tagged as such by their colleagues, the media and the opposition. They stood for something that would allow others to live in a better way and that is the tag that was placed on them.

For decades Mr. Wilberforce fought that egregious legislation to change it, to ban slavery completely and it spread throughout the free world.

Here we have another kind of legislation. It is an intrusion into human life. A whole series of unknowns are attached to this particular endeavour, that is human cloning. The House has faced the issue now for a period of time. Its intention is to set the ground rules for cloning, embryonic research and reproductive technologies. That is the bill. There are a lot of unknowns in it and it deals with human life.

The bill bans all human cloning, both reproductive, which would allow a cloned embryo to be implanted in a woman's womb and grown to a full person; and therapeutic, which would allow a cloned embryo to be used for research and medical purposes. That is the bill that is being advanced here.

For the most part the House should be applauded for that piece of legislation. However we cannot talk out of both sides of our mouths and expect to gain credibility or acceptance on one side if we are saying something different. That is what in fact is happening here.

• (1325)

Canada is preparing to work against some of the other countries whose efforts are to ban all forms of cloning. Belgium put forward a motion at the United Nations international convention dealing with this. Canada will support a competing resolution to what the government is even attempting to pass here in the House. How can the government do both? Explain that to me and explain that to the public. Who is to be trusted? It is inconsistent.

That is part of the politics of this particular legislation. Forty countries worldwide would like to see a total ban on reproductive and therapeutic technologies, cloning, yet Canada is now speaking out of both sides of her mouth. That would have to fall back on the shoulders of the government.

How does it play out further? The government would like to see an end to this debate. Our party has suggested that there be a moratorium or a cessation of debate until further research and information comes to light, but that is not the action the government is taking. In fact, as soon as this debate dies today, there will be no other mechanism to continue debate.

We are debating a motion introduced by the government House leader that the question be now put. This motion is known as the previous question. On page 556 of Marleau and Montpetit, the

previous question is described as "at best an unpredictable method of curtailing debate". We on this side cannot hoist it. Once we stop talking about it today, in other words, once the situation develops where no other member rises to speak to it in the House, that is it. We cannot extend it.

That is the method available to the government to curtail the debate. The previous question, time allocation and closure are all means, so this is a form of time allocation. Personally, the fact that the government would curtail debate by using this procedure is embarrassing.

Just for the record, the government has invoked closure and time allocation 82 times. There have been 73 time allocation motions and nine closure motions. If we factor in the number of times the previous question has been used, the number jumps to close to 100. The government has curtailed the action of debate in the House 100 times.

On one of the most important pieces of legislation which we are debating right now it has decided to use time allocation. It is disgusting.

Regarding the politics of Bill C-13, some of the opposition members have decided to support the government. One of the parties, of course the New Democrats, opposed the bill because it did not ensure gender parity on the board. The board is another issue altogether and we could speak for quite awhile on the lack of accountability on the board, or the weakness of the board which could in fact be overridden by the Minister of Health. We could speak for a long time to that issue alone.

The NDP has decided to side with the government and support the bill now, all because of one very weak argument. The government has assured the NDP with a written promise that gender parity on the board will be certain. How weak can that party get? Is that the NDP's sole argument on a matter as important as this one?

• (1330)

I think we should be re-examining the whole process of debate if that is as weak as the NDP is in its arguments to support a bill that is as serious as this one.

Our party has chosen not to support this legislation, for good cause, and I support the member for Mississauga South in his endeavour to bring all the issues to light.

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.): Mr. Speaker, the debate has been going on in this House since April 4. By the comments that are coming across from the opposition, I think people are getting the impression that once the bill is passed everything is going to happen immediately. Nothing could be further from the truth. Also, the impression is being left in the minds of the listening public that this was a kind of impulsive act. Nothing could be further from the truth.

The royal commission in 1993 gave us instructions and gave us direction. We followed those instructions and recommendations. After many years of intensive research work done by people behind the scenes, a draft bill was presented to the health committee, of which I am a member. I attended every meeting and I know exactly what happened in those meetings.

Government Orders

A draft bill was presented in 2001. There were 34 recommendations that came from the committee. Bill C-13, then called Bill C-56, emerged on May 9, 2002. There were over 100 amendments dealt with by the committee at that stage. Those amendments clearly indicated, not only from the government side but also from the side of the opposition, that a tremendous amount of thought and dedication was devoted to Bill C-13 and the concepts contained therein.

Then it came back at the report stage with 84 more amendments. Those amendments were not identical to the first batch, again indicating that controversy was raging and that we wanted more clarification and improvements within the bill. That was done and since April 4 we have been debating this issue.

I am presenting that information simply because I want the listening public to realize that there was a tremendous amount of energy, not only from people within the House of Commons, people who work for the House of Commons, but from people all across this country and in other countries in the world who have communicated with the health committee, through telehealth and document after document giving us information, perceptions and scientific evidence over all these years.

• (1335)

Mr. Deepak Obhrai (Calgary East, Canadian Alliance): Mr. Speaker, this is the second time I have risen to speak to Bill C-13 because of the very strong and serious concerns we have.

This is an area of uncharted waters and the bill can have very serious ethical and moral complications. Therefore, it is very necessary, before we pass the bill, to take a step back, look at it very carefully and then decide as a society what exactly we want to do.

My colleagues on this side of the House and a number of members on the government side as well have stated their objections to the bill. This issue affects everybody. We cannot take it lightly. As I said the last time I spoke to the bill, we have some very serious concerns because we see loopholes in the bill of which individuals could take advantage and which could start us off in a direction that later on we may regret.

Let me talk about what Bill C-13 is about. It is about human cloning. It is about reproductive technology. These are the issues now before the Canadian Parliament. A commission has looked into this, with the former prime minister's wife as one of the commissioners. Our former leader, Mr. Preston Manning, spent a huge amount of time studying this topic. Because of the concerns that have arisen with the bill and the loopholes that exist, members on all sides of the House of Commons, from all parties, are expressing serious concern.

As I mentioned, there are loopholes. They give us an uneasy feeling. I do not understand why we cannot have very tight controls on this until we are positive and we know in which direction we are going with research. Why would the government not put those controls in place? We do not know.

Even with what is happening at the United Nations, what the government is trying to do, we do not know. An international convention to ban human cloning is being debated at the United Nations right now. One resolution, which is backed by the U.S. and

several other countries, calls for a comprehensive ban on all human cloning, reproductive and therapeutic. That would be consistent with what the government is trying to do with Bill C-13, which would prohibit the creation of human cloning by any technique. That is fair enough, but there is another resolution out there, which calls for a ban on only reproductive cloning. Strangely enough, the government is supporting that resolution.

On one hand the government is supporting a resolution that calls for a complete ban on cloning, but on the other hand it is supporting another resolution that says the ban is only for reproductive cloning. Why this double standard? What is the government trying to say? We just do not seem to understand the direction the government is taking.

As my colleague who spoke before me said, the government is now trying to ram through the bill because I guess the Prime Minister wants to leave a legacy. It is on his agenda and he wants to do it, but it may have serious implications in the future. We wonder why we cannot debate the bill. Why can the bill not go back to the committee? Why can all these loopholes we have indicated not be tightened? Why can it not be explained to us exactly what the government's agenda is? We seem to be getting conflicting reports.

For example, in May 2001 the former minister of health supported an international convention to prevent human cloning. The resolution said no more human cloning and everybody agreed with that. Speaking in Geneva at the meeting of the WHO, the former minister gave his support for a resolution condemning cloning as "ethically unacceptable and contrary to human dignity".

• (1340)

We have conflicting messages coming from the government. It does not know in which direction it wants to go or what it wants to do. Therefore, Canadians are a little wary. We are wary of the bill. Where is the bill going? It becomes even more disturbing to us with the loophole I have mentioned.

Is it on the government's agenda to allow therapeutic cloning to go ahead? If it is on the government's agenda, then it should say that so Canadians can know exactly what the government means. What does the government want with the bill? Why create a bill that has loopholes? Why go to the UN with two different positions? Nobody knows where Canada stands on this issue. We have to wonder what the government's hidden agenda is. Even the government members who are opposing this legislation do not seem to know where their government is headed on this issue.

As I have said, human cloning, being a new technology, goes against all ethical and moral teachings in society. We of course do know that stem cells have a very strong research value. We also know that stem cell research is needed because of its very good therapeutic advantages. But those are adult stem cells.

Government Orders

It is time for us to take a step back and say we should not have human cloning but we should go ahead with adult stem cell research. That way, we will know precisely where we are going and when we go into these uncharted waters we will know in which direction we are going. Why would we try to navigate uncharted waters and find ourselves beached in an area where we never wanted to go?

We have all heard of the lady in Paris who said her group had attempted to clone the first human being, but we now know that story was not true. That lady in Paris said her group had done the first human cloning. I am certainly glad it did not happen. Of course we all know the story of Dolly the sheep. Do we really need to go that way?

I can say without a doubt that Canadians do not accept human cloning in any capacity. The majority does not. We do not want to go into that area. Since we do not, we need to stand up and say in the clearest terms that we will not accept any bill that has the potential, as Bill C-13 does, for loopholes that can lead us in that direction.

In conclusion, my party will not agree with Bill C-13 because of our reservations.

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, it is good to get up to speak on Bill C-13 again. I have been up numerous times on the bill and I do not believe the government has listened very well to some of our concerns. As the debate goes on I am hopeful, as these issues are brought up time and again, that some of it will sink in and that some of the things we are pushing for will come to pass.

One of the most controversial things is the whole issue of embryonic stem cell research. Through my experience with office with emails, letters and phone calls, this is one of the most controversial aspects of the bill. People are very concerned about the use of embryonic cells because there has been very little science put forward to say that there is any benefit to using them or that any big steps have been made to improve human life by this type of research. Most of the benefits have been made through adult stem cell research, which is a totally different issue.

The thing I suppose that people key on is the fact that we are creating a life to be used in research and once one extracts cells from an embryo to use in research, the embryo and that form of life is destroyed. The specific creation of embryos to be used in research is the issue.

What has been said is that any embryos that are created through in vitro fertilization and that are left over may be used in research. It does not take too big of a step to then realize that of course, if there is a marketplace developed and a value put on these embryos, enough will be produced that there will be leftovers and they will be used in research. That is the problem many people have.

We had news today about the UN convention on human cloning and that the government may be changing its mind on the complete ban of human cloning to which it has agreed. It is something we have certainly pushed for all throughout the debate on reproductive technology. It looks now through the UN that there may be a shift in the government's policy.

We need to ensure that Canadians are aware that the government is considering doing something along these lines and this debate

needs to take place. Canadians need to have input into the debate. They need to understand fully what the government is doing. Is it saying one thing in Canada, then it is going to the UN and saying something else? This is critical to the support that some people have offered to the bill. I think if it becomes clear that the government is going to change its position on human cloning, there will be a large shift in how people feel about Bill C-13 and many more people will oppose it. We have to be cognizant that the government is looking at a possible shift in that position and ensure that Canadians are aware of it.

Getting back to the stem cell research aspect of Bill C-13, if a body is put in place to oversee the operations of this entire industry and if it us up that body to define and apply the law which will be created if the bill passes, then it is up to us to ensure, and we have seen this in other cases of law, that as law makers we make it absolutely clear what the intention of the bill is.

Words like "all necessary steps" or "all necessary issues" need to be handled. We cannot leave any kind of weasel words in a bill such as this that could be interpreted in a way that was not intended by us as parliamentarians when it was put together.

I think that it is necessary to make sure that some of the clarification is there and that if the embryos that are created for in vitro fertilization are allowed to be used in research, that there has to be very strict rules put on those clinics to make sure that the number of embryos that are created do not suddenly multiple or swell in numbers so that there is an assured supply to researchers and particularly if there is a value put on those and it becomes a marketplace situation where they are bought and sold and bid on in the industry.

•(1345)

I would like to see greater clarity around the provisions on embryonic research described in subclause 40(2). The clause as currently worded states:

A licence authorizing the use of an in vitro embryo for the purpose of research may be issued only if the Agency is satisfied that the use is necessary for the purpose of the proposed research.

What are they going to base their decision on whether it is necessary? More than likely on the request coming from the researcher and based on little else. If the agency is structured properly so there is enough variance of opinion on the board and if it looks at all of the issues and ensures the letter of the law is followed, that would possibly help. However there is no guarantee that that would happen.

Therefore, the word necessary in "satisfied that the use is necessary for purpose of the proposed research" brings us back into the debate on whether we need embryonic stem cells when we could use adult stem cells. From all indications that we have been able to find, adult stem cells have brought forward the most development. There have been some tremendous advances on some of the most terrible diseases that afflict humans. However, that advancement has not been through embryonic research, it has been through adult stem cell research.

Government Orders

We need to apply the three year ban for which our party has been asking, an absolute prohibition on any embryonic research. Emphasis should be put on the adult stem cell research until it is clearly demonstrated that no further advancements can be made using them. That should be the only time we should consider creating life to use in research.

The other issues we have talked about at length.

On the whole issue of banning cloning, I remember going to a meeting on Parliament Hill with Preston Manning, who was leading the file on this at the time. He brought together some of the greatest minds in Canada and North America to discuss the whole idea of cloning, what good that would bring to the medical profession, the mapping of the human genome and some things that many of us do not completely comprehend or could even possibly scratch the surface to understand. The impression I got from these people was that a great deal of caution needed to be taken when we were dealing with the issue.

It has become an issue that many Canadians have become engaged in, many for moral and ethical reasons and many for the way they have been raised and taught over the years in their homes and in their churches.

We do not think placing a three year moratorium is asking an lot. It would give us a three year window where we could and should put emphasis on adult stem cells, supporting that area of research and seeing how far the advances can go when all our concentration is put in that area. Then if it does not become clear that adult stem cells meet the needs, we could reconsider. I personally believe that is where the advancements have been and where they will continue to be. There would be enough forward movement working with those cells that the necessity to create life to use it in research will not be there.

It is good to rise again to put another comment forward on the bill. I hope members on the government side is listening. I do not believe at this point in time that most of them are, but I hope as the debate goes forward more and more will sink in and they will see the light and vote against Bill C-13.

• (1350)

[*Translation*]

Mr. Eugène Bellemare (Ottawa—Orléans, Lib.): Mr. Speaker, thank you for allowing me to comment on Bill C-13, An Act respecting assisted human reproduction. I have a few concerns about this bill. I will read from a text that will help illustrate my concerns.

[*English*]

Initially, the concern was the ethics of destroying human embryos to harvest stem cells for research, but as time passed many other weaknesses of the bill were discovered. I would want the House to consider the following.

Despite the fact that Health Canada has already corrected one error in the definition of "human clone", the bill still does not ban all known forms and techniques of human cloning.

The bill would permit the implanting of human reproductive material into non-human life forms. The biomedical definition of "chimera" involves the implantation of reproductive material from a

human into an animal or from an animal into a human. However, the definition in the bill only refers to the latter.

The conflict of interest provisions are so weak that they would allow biotech and pharmaceutical companies to be represented on a board of the agency that would approve and license research projects.

Significant clauses of the bill have been qualified by phrases such as "as per the regulations". There are 28 areas in which regulations must be developed and these will not be known until at least 18 months after the bill is passed. Effectively, MPs are being asked to vote on a bill without knowing the full intent. Furthermore, MPs will not be permitted to approve the regulations.

The Royal Commission on Reproductive Technologies and the health committee both recommended that paid surrogacy be prohibited. The bill would permit a surrogate to be reimbursed for lost employment income if that person obtained a doctor's certificate.

The bill ignores women's health issues by not establishing reasonable limits on the amount of drugs used on them or on the number of ova that can be harvested or embryos that can be implanted.

The bill would prohibit the purchase or sale of human reproductive material, but Health Canada has not explained how researchers would get embryos from for profit fertility clinics without paying compensation.

The bill would not establish uniform disclosure or informed consent practices to be used by all fertility clinics. Such disclosure would protect the interests of the infertile.

The health committee urged that the bill state what constituted necessary research. Specifically, it recommended that research on human embryos be permitted only if it could be demonstrated there was no other biological material that could be used to achieve the same research objectives. The bill rejects the recommendation and delegates the decision to the federal agency.

The health committee made 36 recommendations on the draft bill. Its report received no response and most of its key recommendations were not reflected in Bill C-13.

The health committee heard from over 200 witnesses and received over 400 written submissions. As a result of its work, the committee passed three substantive amendments to the bill. At report stage, all three amendments were reversed to the effect that the work of the health committee was virtually ignored.

There are many more deficiencies in areas such as patentability, adoption of embryos and the use of fetus parts, but the examples noted paint a clear picture of a bill that needs to be fixed or defeated.

S. O. 31

STATEMENTS BY MEMBERS

• (1355)

[*English*]

BREAST CANCER RESEARCH

Mrs. Judi Longfield (Whitby—Ajax, Lib.): Mr. Speaker, I am pleased to inform the House and all Canadians that October is Breast Cancer Awareness Month.

Yesterday, across Canada, over 160,000 Canadians took part in the CIBC Run for the Cure, raising an unprecedented \$17 million for breast cancer research.

Breast cancer is a major health problem for women in Canada. It is estimated that over 21,000 new breast cancer cases will be diagnosed this year and 5,300 women will die from this disease.

The federal government is concerned about the physical and emotional impact this disease has on Canadians and has a longstanding commitment to the Canadian breast cancer initiative which focuses on: prevention; early detection; surveillance and monitoring; enhanced quality approaches to breast cancer diagnosis, treatment and care; community capacity building; and research.

We are continuing to reduce the number of new cases of breast cancer, to improve the quality of life for those affected by the disease and to decrease the number of deaths it causes.

I encourage my fellow members of Parliament and all Canadians to support breast cancer awareness.

* * *

OGDEN HOUSE SENIORS ASSOCIATION

Mr. Deepak Obhrai (Calgary East, Canadian Alliance): Mr. Speaker, the Ogden House Seniors Association has approximately 175 active volunteers. These volunteers help run the many programs that secure the mental, physical, emotional and social well-being of the seniors in the community. Its programs include physical activities, games, shared meals, crafts, assistance with lawn care and snow removal, and visitation for those seniors who are isolated. Volunteers pick up and return library books for those who are unable to do it themselves. These services allow seniors to stay in their homes when they might otherwise not have been able to do so.

I would like to thank the volunteers of the Ogden House Seniors Association and commend them on their efforts. Their hard work and dedication is an example for all of us.

* * *

• (1400)

NATIONAL PARKS

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.): Mr. Speaker, last week the Prime Minister was in British Columbia to sign an agreement establishing the Gulf Islands National Park Reserve. The Prime Minister also outlined the plan to work with Premier Campbell on creating two national marine conservation areas and a new national park in the south Okanagan.

These achievements mark 35 years worth of activism and continued commitment by the Prime Minister to protecting Canada's environment.

The government has an ambitious plan to increase our national parks system by over 50%, adding over 100,000 square kilometres to the existing network. This is a long term process involving stakeholder consultations with individuals, with the provinces and with first nations representatives.

On behalf of all Canadians, I welcome the addition of this park to preserve our valuable natural and ecological heritage. I congratulate our Prime Minister.

* * *

DAN SNYDER

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, our hearts go out today to my constituents, Graham and Luanne Snyder of Elmira, Ontario, on the tragic loss of their son Dan. He died Sunday night from injuries received in a car crash one week ago.

Dan Snyder was a forward in the National Hockey League with the Atlanta Thrashers.

As winner of the Turner Cup of the International Hockey League and the Calder Cup of the American Hockey League, Dan was a talented young man who lived his boyhood dream of playing in the National Hockey League. He had a rewarding career in hockey ahead of him.

I want Dan's mother and father, brother Jeremy and sister Erika to know that they are in the thoughts and prayers of every member of the House and all Canadians.

* * *

GOVERNMENT ASSISTANCE

Mr. Geoff Regan (Halifax West, Lib.): Mr. Speaker, last week Nova Scotia was battered by hurricane Juan, the worst storm to hit Canada in my lifetime.

Many communities were decimated. Fishing villages from Indian Harbour to Peggy's Cove and from East Dover to Herring Cove were pummelled by high winds and huge waves.

These communities have relied on the sea for their sustenance for hundreds of years. The people are rugged, hard-working and fiercely proud. They were forced to watch that same sea destroy much of what they had built. They need their government's help. Their hour of need is now.

Lobster season opens in seven short weeks. Wharves and sheds must be repaired or replaced. Traps have been washed away and new ones are needed.

I implore the Government of Canada to provide relief now, not years from now. These proud Canadians need a hand.

JUSTICE

Mr. Art Hanger (Calgary Northeast, Canadian Alliance): Mr. Speaker, this week the sleepy, quiet bedroom community of Okotoks, Alberta will grow just a bit, not because of new families moving in to take advantage of the safety and family spirit in that community, but because three convicted pedophiles will be released almost simultaneously into that small town. The residents, undoubtedly, are shocked and in disbelief but it is true.

It is also true that since pedophiles can never be cured the residents have a real reason for their fear. Pedophiles never get better and never stop being a risk.

Equally scary is a Liberal government that does not care. In fact, the government is much more interested in the rights of pedophiles than the rights of children to be safe from pedophiles.

This week, Okotoks residents will be meeting in protest. I am sorry to tell them that their protest will fall on deaf ears because in Canada the only people the Liberal government is willing to listen to are those folks like John Robin Sharpe and Karl Toft, pedophiles in their own right.

* * *

[Translation]

2003 CANADA WINTER GAMES

Mr. Jeannot Castonguay (Madawaska—Restigouche, Lib.): Mr. Speaker, I am very pleased to rise today to announce the results of an economic impact study of the 2003 Canada Winter Games that were held in Bathurst-Campbellton, New Brunswick.

The figures, compiled by the Canadian Sport Tourism Alliance, are impressive. Economic activity to the tune of \$70.4 million was generated in New Brunswick, including \$57.6 million for the Bathurst-Campbellton region alone.

This activity created 1,000 jobs in the province, mostly around Bathurst-Campbellton. Apart from the 3,200 participants in the games, some 5,100 visitors drawn to the event flooded into the region.

The economic impact exceeded all expectations and is a true testament to the benefits of the Canada Games movement.

The Government of Canada is a proud sponsor of the Canada Games, which, in addition to promoting the sport development of our athletes, stimulates economic growth in our communities. I am convinced that the major economic impact of the Canada Games will continue to be felt in the Bathurst-Campbellton region for a long time.

Long live the Canada Games.

* * *

•(1405)

WOMEN'S HISTORY MONTH

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, October is Women's History Month. It is an opportunity to acknowledge the contribution made by women to history and our society.

S. O. 31

All too often, historians ignore the important contribution of women to the advancement of our society. Many women stand out, In 1639, Marie Guyart de l'Incarnation opened an Ursuline convent school for girls in Quebec City. In 1705, Agathe de Saint-Père founded the first textile mill in the country, thereby becoming a very prosperous merchant. In 1893, Joséphine Marchand-Dandurand founded Quebec's first women's magazine, *Le coin du feu*. In 1900, Dorimène Roy Desjardins, along with her husband Alphonse, co-founded the Mouvement des Caisses Populaires Desjardins.

We must not forget Mesdames Casgrain, Payette, Roback and Monet-Chartrand who, along with many others, made significant contributions that shaped Quebec society.

During Women's History Month, the Bloc Québécois joins me in paying tribute to these women.

* * *

[English]

ROBBIE BEERENFENGER

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, it is with great sadness and respect that I pay tribute to one of our fallen soldiers, Corporal Robbie Beerenfenger, who lost his life while working on Canada's behalf to bring peace to a very troubled part of the world.

Born in Ottawa in 1974, Corporal Beerenfenger began his military career after graduating from high school. In 1997 he came to the 1st Battalion of the Royal Canadian Regiment and was employed in Bravo Company, and then in the Mortar Platoon and Reconnaissance Platoon. Still with the 1st Battalion, he deployed for Operation Kinetic in Kosovo in 1999-2000. Most recently, he was attached to Para Company, 3rd Battalion Group, for Operation Athena in Afghanistan.

A dedicated and professional soldier, Corporal Beerenfenger was, just as important, a husband and a father.

On behalf of my colleagues and the community of Ottawa—Vanier, I wish to extend my deepest sympathy to Corporal Beerenfenger's wife Christina and their three young children, Mathew, Kristopher and Madison.

* * *

TECHNOLOGY PARTNERSHIPS CANADA

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Mr. Speaker, Technology Partnerships Canada is a massive subsidy program that offers less and less accountability.

Despite being billed as a job creation program, TPC no longer distinguishes between jobs created and jobs maintained. In fact, in some cases taxpayers are paying millions to create two or three jobs. According to its own figures, a \$1.25 million contribution to Messier-Dowty Inc. of Ajax will create two jobs at a cost of \$625,000 per job.

In addition, it cost Industry Canada more money to administer TPC last year than it actually collected in repayments. In fact, TPC has collected less than 1.3% of the money it is owed under its so-called strategic investments.

S. O. 31

We do not blame the companies applying for these grants. We fault the government for its corporate welfare policies and its complete failure to properly account for taxpayer dollars.

It is time for the Liberal government to put an end to corporate welfare in Canada.

* * *

WORLD HABITAT DAY

Mr. Walt Lastewka (St. Catharines, Lib.): Mr. Speaker, the United Nations has designated the first Monday in October as World Habitat Day, a day to reflect on our communities and their importance in our lives.

This year's theme, "Water and Sanitation for Cities", reminds us of the urgency to improve human settlements, especially for those individuals living without adequate water, proper sanitation and basic services.

We recognize the key role that good housing plays in the quality of life of Canadians and in the health of both large and small communities. In building strong communities and addressing the housing challenges faced by our citizens, we must have strong and enduring partnerships.

Canada will be hosting the third UN-Habitat World Urban Forum in 2006 in Vancouver. We will play a lead role in consultation UN-Habitat and the international community developing a substantive program and in designing this event. Canada Mortgage and Housing Corporation and Western Economic Diversification will lead the government's preparations for the forum.

I encourage members and all Canadians to join the United Nations in observing World Habitat Day this October 6, 2003.

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CANADIAN FORCES

Mr. Gary Schellenberger (Perth—Middlesex, PC): Mr. Speaker, yesterday it was my sombre responsibility to represent the Progressive Conservative Party of Canada, our leader and my constituents from Perth—Middlesex as a delegation assembled at Canadian Forces Base Trenton to formally receive our fallen soldiers who recently were killed in action in Afghanistan.

It was one of the most difficult tasks I have undertaken as an MP, one I hope never to repeat.

The ceremony was one that no Prime Minister or Minister of National Defence would wish to attend. I could sense extreme sorrow in both.

Instead of allowing this tragedy to divide Canadians, it is my sincere hope we may come together during these trying times and unite in our conviction to actively prosecute the war on terrorism, and support our military and their families.

The families of those Canadian soldiers lost and wounded fill my thoughts and the fate of Canadians still abroad, acting in defence of Canadian values, dominates my prayers.

• (1410)

[*Translation*]

ROBERT BOURASSA

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, former Quebec premier Robert Bourassa died seven years ago. The day after the failure of the Meech Lake accord in June 1990, he made a solemn and historic statement:

English Canada must understand in a very clear manner that whatever is said or done, Quebec is today and for all times a distinct society, free, capable of assuming its destiny and its development.

In Vancouver on March 2, 1996, the Minister of Intergovernmental Affairs made his first speech as minister. In it, he stated that formal recognition of Quebec's status as a distinct society was a crucial step towards reconciliation in Canada.

Are we to believe that the Minister of Intergovernmental Affairs feels that the recent and extremely centralist turn taken by Canadian federalism bears any resemblance to Robert Bourassa's notion of federalism, which is based on Canada's formal recognition of Quebec as a distinct society or to what the minister himself stated in his speech in Vancouver?

This is hard to believe now.

* * *

[*English*]

WOMEN'S HISTORY MONTH

Ms. Judy Sgro (York West, Lib.): Mr. Speaker, October is Women's History Month when many women will be recognized for the ways they have helped shape Canadian society. I am proud to stand in the House today to celebrate Dr. Emily Howard Jennings Stowe for her contribution in the field of medicine.

Dr. Stowe began her career as a teacher in Ontario and at the age of 23 became Ontario's first female school principal. After her husband's death and with three children to support, Emily pursued a career in medicine.

Barred from medical school in Canada because she was a woman, she trained in the U.S.A. and returned to Canada in 1867 to practice medicine. She became the first practising woman doctor in Canada and went on to crusade for women's suffrage and the rights of women.

Dr. Stowe co-founded the Toronto Women's Medical College ensuring women had equal opportunities in the medical profession.

Today there are over 11,000 female practitioners in Canada, some of whom are members of this House. This figure represents 30% of the nation's total. Women continue to make their mark in the medical field.

* * *

FOREIGN AFFAIRS

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, one year and 10 days after being illegally detained, interrogated and then deported to Syria by the U.S., Canadian citizen Maher Arar has been released and will be reunited today with his family.

Oral Questions

New Democrats are deeply relieved about his release, no one more so than the member from Halifax who worked tirelessly with Maher's wife, Monia Mazigh, and his family for his release. The support of the community and groups like Amnesty International were critical to keeping up the pressure for his release.

Maher Arar and Canadians deserve answers to tough questions that remain. Why did the U.S. detain him and deport him to Syria despite his Canadian passport? Why has Canada not registered more strongly its objections to the U.S.'s illegal treatment of this Canadian citizen? What role, if any, did our Canadian security agency play in his detention and deportation from the U.S.?

The NDP will continue to demand answers to these questions and affirm our commitment to speak out against the abuse of Canadian citizens' rights.

* * *

FIRE PREVENTION WEEK

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, October 5-11 is Fire Prevention Week. This year's theme is, "When Fire Strikes—Get Out and Stay Out".

Because fires can grow and spread so quickly, every second can mean the difference between life and death. Advance planning, which includes smoke alarms, sprinklers, extinguishers and an exit plan, can help families escape a fire quickly and safely.

Residential fires are responsible for 73% of all fire deaths and children and the elderly are the most vulnerable. Fires kill eight people each week and injure many more.

I urge Canadians to contact their local fire department for more information or help with a fire prevention plan.

During this Fire Prevention Week I ask this House to join me in sending this simple message: When fire strikes, every second matters: get out and stay out.

* * *

•(1415)

PAUL ST. PIERRE

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Mr. Speaker, 80 years ago on October 14, one of America's greatest gifts to Canada was born in Chicago. He was given the name Paul by his parents Napoleon and Pearl St. Pierre. He will celebrate his 80th birthday on Saturday with family, admirers, and the old ink-stained wretches he calls his friends.

Paul St. Pierre served British Columbia from 1968 to 1972 as the member of Parliament for Coast Chilcotin. It was Paul who wrote the book entitled *Tell Me a Good Lie*. I mention this because he said he came from a riding where all the fish averaged 16 inches. When the laughter subsided, he added, "That is between the eyes".

Paul St. Pierre has brought us laughter and comfort. He knows and writes about the Province of British Columbia like the native son he has become.

On behalf of all of us, I want to tell Paul St. Pierre that it is not just British Columbia that is proud to call him one of its own; it is also all of Canada.

ORAL QUESTION PERIOD

[English]

NATIONAL DEFENCE

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I want to follow up on the loss of Canadian military personnel in Afghanistan.

Canada was warned by an American commander over a year ago that the Iltis offered no protection against landmines. So bad was it that the Americans offered to supply their own armoured vehicles and Canadians were instructed not to patrol in the Iltis.

My question for the minister is very simple. Why has the government failed to supply Canadian troops with proper armoured vehicles?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, to paraphrase Major General Leslie, "You cannot win the hearts and minds of the Afghan people as you speed by in an armoured vehicle".

This can-do attitude of reaching out to hearts and minds and helping people is deeply in the spirit of the Canadian Forces. That is no coincidence because this attitude of helping people is deeply embedded in Canada as a nation.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I will try this quotation, "You can't reach the hearts and minds of the Afghan people through dead soldiers".

Major General Leslie said something else. He also said that amongst professionals we do not hide our mistakes. Commanders and soldiers are saying that the Iltis is not designed for patrols of this nature. It is an administrative vehicle. It is unfit for the job and has been referred to as an albatross, and as junk.

Will the minister at least admit to the House that the lack of sufficient armoured vehicles for our troops is a mistake?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, we have top of the range LAV IIIs, light armoured vehicles.

I will say, as others have, that the Iltis is at the end of its life. It will be replaced as soon as possible by a Volkswagen vehicle. This new vehicle was chosen by the U.S. Marine Corps, France, the Netherlands, and by many other countries.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, this vehicle was at the end of its life a decade ago and the government has known it for quite a while.

Oral Questions

In 1993 the government was told the Iltis should be replaced because it posed a safety problem. The government refused and instead cut the defence budget. A decade later our military is burdened with decaying, unsafe and antiquated equipment of all kinds of which the Iltis is only one example.

When will the government stop unnecessarily putting the lives of Canadian servicemen and servicewomen at risk?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, there is no one who wants first rate, world class equipment for the Canadian Forces more than I.

With the budget increase of \$800 million last year, I have added \$160 million to the capital budget. This means that in coming years we will have more money and we will be better equipped to buy that first rate, world class equipment which our members of the Canadian Forces deserve.

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, 10 years later the government is still trying to decide what its top priority is.

The world has changed since the first decision to replace the aging Iltis jeeps. The Americans have realized that in this new war on terror the old tactics of traditional armies fighting it out in the open have been replaced with cowardly mine and rocket attacks on vulnerable convoys. In the face of this new reality, our troops need the best protection available.

Given this, will the government reassess its decision for the Iltis replacement and consider the immediate purchase of additional armoured vehicles?

• (1420)

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, I just responded that the new vehicle has also been acquired by the United States Marine Corps and a host of other allies. It is an appropriate vehicle.

I would also point out to the hon. member that we have radar and unmanned aerial vehicles.

I have made it my top priority to ensure that the army in Afghanistan is very well equipped. One of my very top priorities, as I will make clear in coming days, will be the re-equipping of the army in general.

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, let us be very clear about this because lives are in danger. The new vehicle is still unarmoured.

In 2002 while Canadian troops were serving in Afghanistan under American command, Canadian Forces on the ground were provided with U.S. Humvees.

Under the procurement process to replace the fleet of Iltis jeeps, AM General, the makers of the Humvee, dropped out after the government insisted it pay a \$10 million performance bond. This despite the fact that Canada's elite counterterrorism force was already using its vehicles.

With the withdrawal of three bids from potential suppliers, does it not indicate a serious problem with the tendering process?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, the commanders in the field have a menu of choices, such as armoured vehicles or jeeps, and we have many patrols on foot.

What we do not need is play soldiers from the opposition benches giving unsolicited advice, from thousands of miles away, to our very capable professional soldiers on the ground.

* * *

[Translation]

CANADIAN GRAND PRIX

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, for weeks, the Bloc Québécois has been asking Ottawa to do its part to save the Canadian Grand Prix in Montreal and the related \$80 million in economic benefits, but the government is not budging. Normand Legault is only talking about a small government contribution of \$5 million, while the private sector would do the bulk of the work and pick up the lion's share of the tab.

In this context, just 10 days before the final schedule is published, has the Minister of Justice, who opposes all federal financial contributions, no matter how small, finally changed his mind so that the Grand Prix can be held in Montreal in 2004—without tobacco advertising?

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, if there is one political party that truly wants the Canadian Grand Prix to take place in Montreal next year, it is undoubtedly the Liberal Party. If there are members of Parliament working hard to keep the Grand Prix in Montreal, with its economic benefits for Quebec and Canada, they are members of the Liberal caucus.

That said, we have stated our position very clearly with regard to the legislation. The idea of racing without brand names has been raised at various times. That said, let Mr. Legault show us his financial plans, and we will see then what position the Government of Canada will take, since, I repeat, it wants to keep—

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

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in order to keep it, we must act. According to Normand Legault, on Grand Prix tickets alone the federal government pockets \$10 million in taxes each year, enough to supply the \$5 million being requested, while still making a profit and maintaining the \$80 million in economic benefits for Montreal and all of Quebec.

In order to save the Canadian Grand Prix in Montreal, what is the Minister of Justice waiting for before contributing financially and reaping a benefit for his government, for Montreal and for all of Quebec? It is all very well to be favour of it, but a little money needs to be put on the table.

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, once again, I would like to remind the House that the first time we were faced with delaying application of section 24 of the act, the section on sponsorships, it was the hon. members on this side of the House, the Liberal members, who succeeded in getting this delay, because of our basic faith in this event, which has benefits not only for Quebec, but for all of Canada.

Oral Questions

[English]

Let Mr. Legault go ahead with his discussions, and let us see what kind of financial structure there could be. I would like to point out that no stakeholder has yet made a commitment. The Government of Quebec and the City of Montreal are examining the financial structure, and after that we shall see what our plan of action will be.

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, I repeat: in tax revenues on tickets alone, the Canadian Grand Prix in Montreal is generating \$10 million a year for the federal government.

Does the minister not believe that these figures are justification enough for the federal government to contribute financially to keeping the Canadian Grand Prix in Montreal? Instead of talking about leadership, should the minister not become more actively involved and take concrete action? The Montreal area would be much better off.

• (1425)

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I think that we are saying essentially the same thing in terms of leadership and action. On this side of the House, we are showing leadership and action; we are taking it one step at a time.

I know that last week Mr. Legault met with the various players in the world of Formula 1 racing. He should be coming back with a position concerning the future of the Canadian Grand Prix in Montreal as well as the financing structure. No players have yet taken a position in the context of this new structure, because the details of this structure are not known yet.

Let us start with this first step. Let us see what the structure will be and then determine what position the Government of Canada should take to ensure that the Canadian Grand Prix stays in Montreal.

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, there are but a few days left to save the Grand Prix. The solution is on the table; it will cost the federal government very little, because the necessary funding could very well be provided by reallocating from within existing spending, and this will be for two years only.

Will the minister sit on his hands and do nothing or will he reconsider and provide \$5 million to save the Grand Prix? There are only a few days left. That is very little time. Time is of the essence. This minister must take action for Montreal.

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the reality is that in the past, when efforts were initially made to save the Canadian Grand Prix in Montreal, it was members of the Liberal Party of Canada who, through their initiative and forcefulness, succeeded in having the legislation changed.

Once again, I would like to thank our colleagues from the Liberal Party who work day in and day out at networking and promoting cooperation with the City of Montreal, and the Government of Quebec as well, to develop a good strategy so that the Montreal Grand Prix can continue. We are waiting to see what proposal—

The Speaker: The hon. member for Pictou—Antigonish—Guysborough.

NATIONAL DEFENCE

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, in 2002, prior to sending more Canadian troops to Afghanistan, the American commander in Kandahar, Colonel Wiercinski, refused to allow Canadian troops to patrol outside the base unless they were in American armoured Humvee vehicles.

My specific question is for the Minister of National Defence. Prior to the present deployment, did the minister know that the Americans considered the Ilitis vehicle dangerous and capable of putting Canadian soldiers' lives at risk and if he knew that, why did he not get them proper equipment?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, apart from the fact that the Kandahar operation is entirely different from the Kabul operation, I have already spoken to the perhaps unique attitude reflected in General Leslie's comments of Canadians, that we want to reach the hearts and minds of Afghans. We want to reach the people. Therefore, our commanders in the field do not go out exclusively in armoured vehicles. They have many foot patrols and they have many patrols in jeeps, depending on the risk. This reflects an ongoing desire on the part of all Canadians to help the people of Afghanistan and to communicate with them.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): My sentiments, Mr. Speaker too, but that was not my question. My question was, did the minister know that the Americans had expressed concern about the vehicles?

The minister stated earlier, "If we put people in harm's way, we have to give our people proper equipment. It is as simple as that". The Department of National Defence knew in 2002 that the equipment it was procuring was not adequate. Is the minister telling Canadians that although his department was aware, he was not aware, or is he saying it did not tell him?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, the new vehicle that we are procuring, the Mercedes vehicle, is adequate. It is considered adequate by the U.S. marine corps. It is considered adequate by France, Germany and Holland. It is a top rate vehicle that we are acquiring.

The hon. member is right. I have said repeatedly that this is my top priority. I have instructed General Leslie to let me know directly any time he is not getting the right equipment. He has not done so because we are all seized of this issue in the defence department.

*Oral Questions***HEALTH**

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, on Friday we asked if the Liberals would keep their promise and invest \$2 billion in medicare. We were basically told no since the promise was conditional on economic growth. We have heard this Liberal trick before, like the 1993 red book promise that tied child care spaces to economic growth. The growth came, but the spaces sure as heck did not.

Why does the finance minister have money to abolish the capital tax for banks, but no money for medicare as promised? Where is that money?

• (1430)

Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.): Mr. Speaker, I know the NDP loves to spend, but the member really should be more responsible in describing the commitment that was made.

I have said this repeatedly in the House. The commitment was that we would review the stated fiscal situation of the government in the month of January 2004. This is what the health accord said. If it appeared that we would have a surplus in excess of the normal contingency reserve, then up to \$2 billion would be made available to the provinces in addition to the other \$34.8 billion for health care funding.

* * *

GOVERNMENT ASSISTANCE

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, we are talking about a Liberal promise that was made but was not delivered on.

Let us talk about the incoming prime minister, the one who is on a cross-country disaster tour, a prime minister in every way except for being accountable. There has been no photo op in Toronto for SARS. There has been no prairie photo op for mad cow. Two prime ministers, two disasters, but still no help.

I am sure the finance minister would not want us to think that all his new boss is up to are photo ops across the country. We would like to hear him leap to his defence.

Has the incoming prime minister raised with him the need to help with SARS and mad—

The Speaker: I am afraid there was no question that was in order in that one so we will move on to the hon. member for Calgary—Nose Hill.

* * *

CITIZENSHIP AND IMMIGRATION

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, the immigration minister promised to hold an open debate about biometric ID cards but information is leaking out that paints quite a different picture. Let us guess who will not be at the minister's biometrics forum. That would be the leading world expert in the use of fingerprints and iris scans, who is also Ontario's Information and Privacy Commissioner. She is not allowed to attend, even when she asked to.

It is clear that the minister wants to force national ID cards on Canada. Is the forum not really just a PR exercise?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I do not think so because the member for Calgary—Nose Hill will be there.

First of all the national Privacy Commissioner will be there. The privacy commissioner from Quebec will be there. The former privacy commissioner from British Columbia will be there. Because I accepted, the national Privacy Commissioner asked if we could have one representative from the province, and guess what. The deputy privacy commissioner from Ontario will be there.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, let us look at what open debate means with the minister.

First he pays O.J. Simpson's lawyer \$36,000 to open the forum with a stirring speech in favour of ID cards. This is followed by the minister himself, the one pushing the whole idea. Next comes a spokesperson for the industry that stands to make billions if this thing goes through.

Is this forum not really about giving the minister a public excuse to impose ID cards on Canadians?

[*Translation*]

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, there seems to be a great deal of interest in this forum, which makes me very proud, as it is an extremely important debate.

Last week the deputy prime minister met with Secretary Ridge and biometrics were indeed discussed. This debate is essential to our society, and internationally as well. Most certainly, having more than 120 experts representing all aspects of the issue will ensure that we will be able to address the issue of document integrity and how we can maintain an open Canadian border.

The question is not whether or not to have an identity card. We wish to determine whether there is an increasing need for biometrics in this country.

* * *

THE ENVIRONMENT

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, this past weekend, the people of Gaspé and New Brunswick held a major demonstration demanding a moratorium on the Belledune project.

Section 35 of the Fisheries Act provides the federal government with the means to impose the necessary moratorium on this. Why is it refusing to do what everyone in our area wants? Why is it being so stubborn?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, once again the hon. member is asking me to misuse federal powers to interfere in areas of provincial jurisdiction. We on this side of the House find that totally unacceptable.

Airborne emissions are the responsibility of the province and of the Department of the Environment, not Fisheries and Oceans.

Oral Questions

●(1435)

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, environmental assessments are the responsibility of Quebec and New Brunswick, but the federal level can impose a moratorium on this project under the Fisheries Act.

If he is so certain, can the Minister of Fisheries and Oceans state without the shadow of a doubt that the Belledune project represents no danger whatsoever to fish? Can he make that commitment officially, from his seat? I challenge him to do so.

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the minister or the department can tell the hon. member that, if ever any specific information were to come to light indicating harmful effects, we would take the necessary steps.

* * *

[English]

CANADA-U.S. BORDER

Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance): Mr. Speaker, the Canadian Alliance has learned that as of today, the immigration minister will not be staffing the Thousand Islands Bridge border crossing from midnight to 8 o'clock in the morning. This means there will be no immigration officer on duty from Lacolle, Quebec to Niagara Falls for eight hours to screen travellers who require secondary screening for immigration purposes.

Can the minister explain how this will enhance security for Canadians?

[Translation]

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I will take note of the question and get back to the hon. member.

Clearly, in terms of immigration, our role is to work with the various agencies so as to ensure security. I will investigate further and give her a response shortly.

[English]

Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance): Mr. Speaker, we understand that the United States was not even informed that Canada would not have immigration officers in place from midnight to 8 o'clock. The United States has actually increased its immigration officers at this point of entry, while Canada has decreased its officers.

Will the minister assure Canadians that any individual with immigration concerns will not be allowed into Canada until the individual has been put through a secondary screening?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I can assure the hon. member that we are working closely with the Canada Customs and Revenue Agency and all the other agencies to make sure we send a clear message that security is a priority for us.

Regarding the specific question, I will get back to the hon. member with the answer.

[Translation]

FORMER PRIVACY COMMISSIONER

Mr. Robert Lanctôt (Châteauguay, BQ): Mr. Speaker, the government House leader stated that George Radwanski was not the only one who benefited from an extension of his accommodation allowance so as to maintain two principal residences longer than one year.

Could the government House leader tell us the names of the other individuals who benefited from the same treatment as George Radwanski? We want the list.

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, as this concerns personal information, the hon. members certainly do not expect us to provide in the House the names of those individuals with a particular salary or allowance, any more than the spending budgets of members are made public in detail in the House.

I indicated that a certain number of senior officials had received similar allowances and even, in some cases, for much longer. In short, I want to tell the hon. member that the individual in question was entitled to a third year and that, at the same time—

The Speaker: The hon. member for Châteauguay.

Mr. Robert Lanctôt (Châteauguay, BQ): Mr. Speaker, that is an interesting but incomplete answer. We need the names only. Names are in the public domain.

The government House leader keeps saying that there is nothing unusual about the allowance George Radwanski received. However, his colleague from the Treasury Board said on the weekend that tighter controls were needed.

Are we to conclude that, if the government House leader refuses to answer, it is because he wants to hide something or is even trying to protect someone?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the hon. member can let his imagination run wild this afternoon in the House. However, his imagination bears no connection to reality. I clearly stated that this case had not set a precedent. This allowance had been granted, for similar or even longer periods, to other individuals. This benefit was extended for a third year, and the individual was informed that this was the last year. This did not set a precedent.

* * *

●(1440)

[English]

ROYAL CANADIAN MOUNTED POLICE

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, nearly two months ago I wrote to the Solicitor General asking for an immediate response regarding the proposed closure of the RCMP forensic labs. To date, the Solicitor General has failed to respond to those questions.

Oral Questions

I ask him again today, will the Solicitor General stand today and confirm that the RCMP forensic labs in Edmonton, Regina and Halifax are scheduled for closure?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, the RCMP is always looking at ways to improve the system, to have quicker turnaround on DNA testing. We are in fact doing that through the forensic labs.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, the Solicitor General refuses to answer the question.

There is a massive backlog within the RCMP forensic labs. Police are being hampered in their investigations. Court proceedings are being stalled. Justice is not being served. Why? Because the Liberal government has failed to properly resource these crucial police services.

Again I ask the Solicitor General, how can he possibly justify the cutbacks or the closure of these forensic units?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, it is not unusual for the member opposite to have his facts wrong.

The facts are that in 1999-2000, DNA turnaround time was greater than 365 days and currently, DNA turnaround time is 55 days. I would say that is a substantial improvement and we are looking to improve it more.

* * *

NATIONAL DEFENCE

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, my question is for the Minister of National Defence. We have learned recently that Canada has offered to assume overall command of the next rotation of the ISAF mission in Afghanistan. We have also learned that NATO agrees a Canadian commander would be the ideal choice given the size of Canada's commitment.

Could the Minister of National Defence tell us today if a specific flag officer has been identified for that important mission?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, I thank the member for that excellent question. I am very pleased to announce today the appointment of Lieutenant-General Rick Hillier as commander of the International Security Assistance Force in Afghanistan, beginning early next year.

General Hillier, who is a very able and experienced officer, will command the entire NATO force, which includes nearly 6,000 international troops from 31 countries. This is a very good moment for Canada and a very good moment for the Canadian Forces.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, the Minister of National Defence on February 27 said, "In a democracy, the army does not decide where to deploy the army. The government, the elected government, makes that decision, and I think that if things go wrong then that responsibility will come back to the government and I accept that responsibility".

Whose responsibility was it that Canadian soldiers were using jeeps that the minister knew were dangerous?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, I am glad the hon. member understands that quote. It is

politics 101 that in a democracy it is the government that decides where to deploy the army and not the other way around.

That having been said, the government receives military advice from the army, and this government has not acted, at least not while I have been defence minister, without appropriate and positive military advice from the Canadian Forces.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, let us be clear about this, then. Is the minister saying that it was his officials who said, "Send our troops out in dangerous jeeps"? Is he blaming the officials?

He talks about hearts and minds. This is about life and death. Why did the minister, when he was warned that these jeeps were dangerous, not send better vehicles? Why did he put Canadian lives at risk?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, as I have said before, the military in Afghanistan has a menu of choice and they use that menu depending on the risk and the situation, whether it is patrols by foot, patrols by jeep or patrols by armoured vehicles. As I have said before, they do not need opposition members from thousands of miles away to play soldiers and give unsolicited military advice to our commanders on the field.

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● (1445)

CITIZENSHIP AND IMMIGRATION

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, this week political observers are witnessing a rare and wondrous thing: the genesis of a boondoggle. These catastrophic events occur when a minister ignores all public opinion and ignores all the leading experts and plows ahead anyway with a bad idea: in this case, the \$5 billion biometric national ID card.

The Minister of Citizenship and Immigration cannot seem to explain why this state interference into our privacy rights is warranted, so will he simply today tell us that he will scrap this disastrous idea before it blows into a full-blown boondoggle that would make the gun registry seem like a good deal?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I do not know what he is talking about but I know one thing and that is that we will have a debate in this country. I believe that when we look at public opinion we should take a look at the polls because the polls are pretty clear. If I were following the polls, he would be disappointed.

That debate is so important because internationally every country on this planet is having that debate right now. The International Civil Aviation Organization is working on international standards. There is the relationship between Canada and the United States, at the transport level and at every level, regarding the use of biometrics, so we believe that even before taking any decision we should talk about it.

AGRICULTURE

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, this year's initial prices for wheat, durum and barley have been set by cabinet and are well below last year's. In fact, they are well below the prices that were recommended by the Canadian Wheat Board directors.

Farmers are already suffering from the mad cow fallout, including an inadequate and inequitable recovery program. Why does the government add insult to injury by offering initial prices on board grains that are well below farmers' production costs?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, the initial payment at August 1 of every year is set in relation to the level of world prices at the time. As the crop year unfolds and as the marketing season progresses, if the market conditions improve then it is possible for the Canadian Wheat Board to recommend increases, which the government ultimately responds to.

Recommendations have been made by the Canadian Wheat Board and they will be given very careful attention, bearing in mind the needs of farmers and the fiscal responsibility of the government.

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ROYAL CANADIAN MOUNTED POLICE

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, the Regina RCMP forensic lab is in my riding. Prior cuts and closures in the lab have reportedly resulted in 110 Regina families being relocated to Ottawa at a cost of \$8 million.

The Liberal minister from Regina has not been able to stop it.

I ask the Solicitor General, how many more families will be forced out of Regina and how much more money will it cost his crime fighting budget?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, I think—

Some hon. members: Oh, oh.

The Speaker: Order. The question was asked of the Solicitor General, who has risen to respond, but there is so much noise we cannot hear his response. I know that sometimes other conversations are helpful and useful to hon. members, but during question period it is helpful to listen to the person recognized by the Chair. The Solicitor General is that person at the moment.

Hon. Wayne Easter: Mr. Speaker, I did answer this question previously. As I indicated, the RCMP is always looking to improve the situation relative to the forensic labs, but this does give me a little more time to lay a few more facts on the table.

There are really 683 cases in the entire country presently being worked on. Of those 683 cases, approximately 615 are in the analytical process. That is far short of the numbers being talked about by the opposition party. We are having better turnaround times.

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, because of the lack of funding and the

Oral Questions

cutback in personnel, numbers of RCMP forensic experts have moved to the United States. More are anticipated to follow suit if the Solicitor General continues with this closure, slash or cutback, whatever it is, of the forensic lab in Regina, which is being turned into office space.

How can the Solicitor General justify the loss of some of the most important crime fighters in Canada and the loss of an eight year old facility to equip them?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, maybe the hon. member did not hear me previously. I talked about improvements to the system and that is what we are doing. We are improving the system. We are getting better turnaround times than in the past and we will continue to work at improving the system and bringing in greater efficiencies. Just last week, in fact, we announced a fairly major milestone in terms of DNA, and that was the one-thousandth match.

* * *

● (1450)

[Translation]

EMPLOYMENT INSURANCE

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, on Saturday, the member for Jonquière and I met with people from the Syndicat des employés d'Abitibi-Consol, a division of the Port-Alfred plant, who are victims of a temporary shutdown and are having a hard time coping with the employment insurance waiting period. These workers are among the victims of the softwood lumber crisis, since their company is directly affected by these woodlands operations.

My question is for the government. The government reacted swiftly for the Toronto workers who were victims of the SARS crisis. Why, then, is it refusing to do the same for the workers in my region who are victims of the softwood lumber crisis?

Ms. Diane St-Jacques (Parliamentary Secretary to the Minister of Human Resources Development, Lib.): Mr. Speaker, we are always very concerned when there are massive layoffs. Naturally, our goal is to help the affected employees re-enter the labour force.

We have introduced major changes to the employment insurance plan in response to the problems that these workers are faced with. Moreover, the small weeks initiative has become a permanent feature in employment insurance, and we recently increased the small week threshold to \$225.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, during the SARS crisis in Toronto, the Minister of Human Resources Development, who is from Toronto, decided within days to help the workers who were affected by the crisis, and good for them.

However, the victims of the softwood lumber crisis in Saguenay—Lac-Saint-Jean and all the regions of Quebec would like to receive the same treatment. They are depending on the government. What is the government waiting for?

Oral Questions

Ms. Diane St-Jacques (Parliamentary Secretary to the Minister of Human Resources Development, Lib.): Mr. Speaker, we waived the waiting period for people infected with SARS in order to support efforts to control the epidemic. Rest assured that the government is aware of the needs of seasonal workers and of whatever difficulties they may be going through.

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[English]

HEALTH

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, an international convention on human cloning is being debated at the United Nations. Many countries want to see a comprehensive ban on human cloning, both therapeutic and reproductive.

In fact, the government's Bill C-13 calls for prohibitions on both reproductive and therapeutic cloning, but our negotiators at the United Nations are seeking prohibitions on reproductive cloning alone. Why the double standard?

Hon. Anne McLellan (Minister of Health, Lib.): In fact, Mr. Speaker, there is no double standard. Let me be absolutely clear that the hon. member is right, that in Bill C-13, which I would ask this House to pass with alacrity, we ban all forms of human cloning. However, achieving a broad international consensus to ban all forms of cloning may not be possible at this time.

But it is clear that the international community is ready to pass a ban on human reproductive cloning. I would suggest that Canada is supporting this effort. We should all support this effort because not taking that step at this time may mean having no convention at all.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, in January the minister said when it comes to therapeutic cloning, "not at this time", but she would not rule it out in the future.

Creating human life for the purpose of harvesting spare parts is deplorable, yet Canada's position at the United Nations amounts to support for an attack on human dignity. Why would we have one position at home and another one abroad?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, as far as I am concerned, the only attack on human dignity is perhaps the antics of the opposition in relation to their delay in passing Bill C-13, which in fact speaks to human dignity for families, for men and women in this country who would like to have families and cannot.

Let me reassure everyone in this House that Bill C-13 bans all forms of human cloning for any purpose, howsoever done. Let me also indicate to the House that we believe it is much better to ban reproductive cloning in the international community than to have no—

The Speaker: The hon. member for Peterborough.

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FISHERIES AND OCEANS

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, my question is for the Minister of Fisheries and Oceans. Smith

Ennismore Lakefield Township in my riding has been negotiating with Fisheries and Oceans for years about a dock.

This summer the dock had to be closed, seriously interrupting a tourist season already hard hit by SARS and West Nile. Could the minister assure the House that this dock will be open next summer?

● (1455)

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I would like to thank the member for his hard and diligent work on this file and his cooperation with us. My department is actively negotiating with the township. We hope to be able to resolve this matter in this fiscal year so that it can be returned to workable condition and contribute to the economy of his community.

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PUBLIC SERVICE

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Mr. Speaker, my question is for the President of the Treasury Board. The minister said public servants should change their mentality about concealing information, but the government has had 10 years to make things transparent. Instead, it has spent 10 years making it more secret. The access to information office is backlogged with requests.

Why did it take getting caught for the minister to look at changing the rules?

Hon. Lucienne Robillard (President of the Treasury Board, Lib.): Mr. Speaker, everyone knows that modernizing management practices is an ongoing exercise. I think that when we look at the last 10 years there have been a lot of successes, and if we look at the citizen satisfaction level right now, I have to say it is increasing every day. Having said that, I am not saying that there is no place for improvement. There is always place for improvement in our system. We will do so.

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Citizen satisfaction, Mr. Speaker. Treasury Board has a lot of rules and guidelines on the shelf, but there is one rule over there that seems to be missing and that is transparency and the public's right to know.

The access to information office is overworked because government is too secret. Even the Auditor General says we do not need more rules; we just need transparency. When is the Treasury Board going to create proper transparency in government, just putting it all on the Internet for every single taxpayer to read it?

Hon. Lucienne Robillard (President of the Treasury Board, Lib.): Yes, Mr. Speaker, we need greater transparency. No one argues with that.

However if people look at the recent developments we have had I think they should be satisfied with what we have done.

Right now we are working with parliamentarians to improve the reporting mechanisms to Parliament on the plans and priorities of each department and the results they have achieved.

On the estimates process I can tell the House that we are committed to having greater transparency.

[Translation]

IDENTITY CARD

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, the Minister of Citizenship and Immigration claims not to have made up his mind about the future identity card. He says he wants to hear from as many people as possible, to have the widest range of opinions before making a final decision.

How can the Minister of Citizenship and Immigration reconcile what he said with the fact that he has once again stacked a conference on biometrics by refusing to hear those experts who oppose his plan for an identity card?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I wonder how the word used by the hon. member will be translated.

Quite the contrary, we made sure that all aspects will be covered and that those on both sides of the issue can be well represented. I know for instance that the Quebec Privacy commissioner will be in attendance. Experts will come and enlighten us so that we can make an informed decision.

* * *

LA FRANCOPHONIE

Mr. Raymond Simard (Saint Boniface, Lib.): Mr. Speaker, Canada is host this week to the deputy head of the Agence internationale de la francophonie. Could the Secretary of State to Latin America, Africa and the Francophonie tell this House what role Canada plays within the Francophonie?

Hon. Denis Paradis (Secretary of State (Francophonie), Lib.): Mr. Speaker, Canada is proud to be a major partner in the international Francophonie.

The International Organization of the Francophonie has 54 member states as well as two observer governments: the Government of Quebec and the Government of New Brunswick. It deals with various issues such as language and culture and issues relating to Canadian values, namely democracy, human rights and good governance.

This is an exceptional opportunity for Canada to showcase itself on the international scene.

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[English]

FISHERIES AND OCEANS

Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.): Mr. Speaker, the Liberals insist on undermining equality by enforcing an illegal race based fishing scheme on the west coast.

This segregationist approach is consistent with hate-monger David Ahenakew and it ignores court rulings which state that Indian-only fishery regulations are discriminatory.

The government's internal polling shows that Canadians oppose special race based privileges for Indians.

Oral Questions

Why is the minister imposing an Indian-only fishing scheme in spite of public opinion and court rulings which declare these programs racist?

● (1500)

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, obviously the member is confused. I understand he does not have the benefit of a lot of research assistants.

What he does not understand is that the government, as do all other members of the House, wants all Canadians to have reasonable access to all resources, and that includes all races.

What the member would recognize is the exclusion of races.

* * *

[Translation]

CINAR

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, the government House leader is avoiding replying to a very simple question we have been asking him for a week now, regarding the CINAR case.

We know that there has been an investigation of CINAR. The heritage minister has even given us the telephone number of the RCMP so that we can give them information.

We know there has been an investigation. What interests us is whether the RCMP has given its investigation report to the Solicitor General to pass on to the Minister of Justice so that the latter can take action. Has the RCMP made a report or not?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, as I indicated clearly last Friday, the government does not comment on whether or not there was an investigation, let alone whether or not a report was submitted, since we have not said whether or not there was an investigation.

The government's position has not changed on this since Friday.

* * *

[English]

FOREIGN AFFAIRS

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I have a question for the Solicitor General, and it is the fifth time I have asked the question. I would like to have a really straight answer. I will ask it very simply.

Did any agency of the Government of Canada, RCMP, CSIS or any agency or department give any agency in the United States any information about Maher Arar before, during or after he was detained in New York?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, again along the lines of previous answers I have given, I will have to keep it as simple as I can for the member.

Points of Order

The facts are that the RCMP was not involved in the decision made by United States authorities to deport Mr. Arar and it did not at any time suggest to the United States authorities that Mr. Arar should be deported to Syria. Those are the simple facts and that is the answer.

* * *

PRESENCE IN GALLERY

The Speaker: I draw to the attention of hon. members the presence in the gallery of Mr. Sergei Ivanov, the Defence Minister of the Russian Federation.

Some hon. members: Hear, hear.

[*Translation*]

The Speaker: I draw the attention of hon. members to the presence in the gallery of Roger Dehaybe, General Administrator of the Intergovernmental Agency of La Francophonie.

Some hon. members: Hear, hear.

[*English*]

The Speaker: The Chair has notice of a point of order from the Minister of National Defence.

* * *

POINTS OF ORDER

NATIONAL DEFENCE

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, I would like to clarify that the vehicle that will replace the Ittis jeep is the Mercedes G wagon.

ORAL QUESTION PERIOD

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, earlier in question period you ruled me out of order for asking the finance minister a question about commitments that might have been made by the member for LaSalle—Émard.

I wanted to raise this with you, Mr. Speaker, to get a better understanding as to where it is you see a boundary or a line because clearly other members in the House have been raising questions about the de facto prime minister with the finance minister and the Prime Minister and they have not been ruled out of order.

As far as I can see from Marleau and Montpetit, as long as my question was within the realm of the administrative responsibility of the minister in question, which I believe it was, then I am not clear on why it was ruled out of order. Maybe you could clarify that because I actually do want to understand what the issue or concern is from your point of view.

The Speaker: The question I heard, although I did not hear the last few words of it, was had the Minister of Finance had a discussion with the member for LaSalle—Émard concerning some proposed government policy that the member for LaSalle—Émard might want when he was prime minister.

It seemed to me that was beyond the administrative competence of the government. His responsibility and who he talks to maybe the subject of one question, but whether he had spoken with that

member in particular did not strike me as something that had to do with the administrative responsibility of the government.

I will look at the question again and if I think otherwise I will certainly inform the hon. member and will allow the question. However, from what I heard, it sounded out of order to me because it sounded as though it was soliciting an opinion of somebody who was not a member of the government in respect of a government policy.

• (1505)

OFFICE OF THE PRIVACY COMMISSIONER

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am pleased to provide further information on the point of order raised in the House on October 2 by the hon. member for St. Albert.

The member noted that the Auditor General's report on the Office of the Privacy Commissioner suggested that the office exceeded its authorized parliamentary expenditure for 2002-03 appropriations by a sum of \$234,000 in unpaid liabilities and that the office had submitted inaccurate information in that respect, or so the allegation goes.

I would like to advise the House that the office in question had decided, so I am informed, not to accrue certain payables, including those for performance pay and salary, but to record the expenditures in fiscal year 2003-04 rather than record these expenditures in fiscal year 2002-03 as required by the Financial Administration Act and the Treasury Board policy on payables at year end.

Upon being alerted by the Office of the Auditor General that expenditures had not been recorded accurately, the Office of the Privacy Commissioner, with direction from the Treasury Board Secretariat, processed an accounting entry to record the expenditures properly in the year 2002-03.

This item is now being handled under a well-established process which I will now describe.

The Financial Administration Act and the Treasury Board policies set out a clear authorization process for dealing with such expenditures.

Members will no doubt know that section 37.1 of the Financial Administration Act require that:

—a debt incurred by Her Majesty...and any amount due or owing under a contract, contribution or other similar arrangement entered into before the end of the fiscal year that remains unpaid at the end of the fiscal year, shall be recorded as a charge against the appropriation to which it relates.

Furthermore, the Treasury Board policy on payables at the end of the year states:

It is the policy of the Government of Canada to record liabilities to outside organizations and individuals incurred up to and including March 31st...and to charge them to existing appropriations...even when the appropriation has been, or will be over-expended.

Therefore, the \$234,000 will be recorded in the public accounts for 2002-03 since that is the year when the expenses were incurred.

Routine Proceedings

This will result in reporting in the Public Accounts 2002-03 an overexpenditure on that vote, in this case Vote 45 of the Office of the Privacy Commissioner, by approximately \$234,000, which is the amount that I was describing a moment ago.

Section 37.1 of the Financial Administration Act authorizes the payment of these overexpenditures through a well-established process for handling this kind of situation.

This section requires that when, and I quote:

—a payment is made that results in an expenditure that is in excess of an appropriation,

(a) the amount by which the expenditure exceeds the balance then remaining in the appropriation constitutes a first charge against the next appropriation of the immediately subsequent fiscal year;

Under the Treasury Board policy on payables at year end, it states:

Where the limit of an appropriation is overexpended...a reserved allotment for the amount of the excess must be established against the equivalent appropriation in the following fiscal year.

Otherwise there would be no mechanism for paying it.

Through the reserved allotment, Treasury Board controls the discharge of the overexpenditure.

• (1510)

In conclusion, Parliament, through the Financial Administration Act, anticipated payments in excess of appropriations, as they sometimes occur and in such special cases, and established in that act the means by which such special expenditures can be authorized and charged against the appropriation of the next year.

The expenditure in question is being dealt with in the proper way. If the Table or you, Mr. Speaker, need to have access to the documentation, the actual pages of the existing Treasury Board policy and the Financial Administration Act, I will gladly arrange for the officials to make those available to Mr. Speaker to render his decision should those be necessary. However I believe the explanation that I gave was quite clear and that most members will have understood it full well and will be more than satisfied.

The Speaker: I thank the hon. government House leader for his assistance on this matter and will continue to take the matter under advisement after that fine exposition on the law and practice in relation to this very technical and important matter.

ROUTINE PROCEEDINGS

[English]

COMMISSIONER OF OFFICIAL LANGUAGES

The Speaker: I have the honour to lay upon the table, in both official languages, the annual report of the Commissioner of Official Languages covering the period from April 1, 2002 to March 31, 2003.

[Translation]

Pursuant to Standing Order 108(3)(f), this report is deemed to have been permanently referred to the Standing Committee on Official Languages.

[English]

HERITAGE LIGHTHOUSE PROTECTION ACT

Mr. Gerald Keddy (South Shore, PC) moved that Bill S-7, an act to protect heritage lighthouses, be read the first time.

(Motion agreed to and bill read the first time)

* * *

PETITIONS

AGRICULTURE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I rise to present another petition on behalf of farmers and others who were hard hit by the BSE crisis, particularly in Ontario. The petitioners point out that the Canadian beef cattle, dairy goat and sheep industries are in a state of crisis due to BSE. The whole industry is in a state of crisis. They point out that the aid package to the industry is inadequate because it does not deal with the disastrously low prices and the imminent collapse of key sectors of the rural economy.

They call upon Parliament to open the American border to Canadian cattle now and as soon as possible develop a long term solution, an economic relief, that is fair and reflects the importance of these industries in Canada.

• (1515)

LABELLING OF FOOD PRODUCTS

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have a second petitions from citizens who are concerned about acrylamides in our diet. The petitioners point out that acrylamides are very dangerous toxic substances known to cause cancer in mice. They are formed from sugars, most often glucose and amino acid, at high temperature, above 180° Celsius. They point out that potatoes and grains contain these precursors in huge amounts and that the concentration in fries exceeds by 600-fold or 700-fold those allowed in drinking water in the United States.

They call upon Parliament to legislate that all labels on such processed foods be required to show the concentration of acrylamides.

MARRIAGE

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, I present a petition on behalf of the constituents of my riding of Saskatoon—Rosetown—Biggar. Basically the petitioners are asking Parliament to defend the traditional definition of marriage.

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Mr. Speaker, I have two petitions to present today. The first is from residents of Kamloops, Thompson and Highland Valleys. The petitioners ask Parliament to pass legislation to recognize the institution of marriage in federal law as being a lifelong union of one man and one woman to the exclusion of all others.

Government Orders

FOOD AND DRUGS ACT

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Mr. Speaker, the second petition is signed by the constituents of Kamloops, Thompson and Highland Valleys. The petitioners call upon Parliament to provide Canadians with greater access to non-drug preventive and medicinal options as well as information about these options and to sanction the personal choices of Canadians by clarifying the current vague definitions of food and drugs in the outdated 1927/1952 Food and Drugs Act.

CHILD PORNOGRAPHY

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, I have four petitions which I am presenting on behalf of the member for Victoria.

The first two petitions are with respect to child pornography. The petitioners call upon Parliament to protect our children by taking all necessary steps to ensure that all materials which promote or glorify pedophilia or sado-masochistic activities involving children are outlawed.

FALUN GONG

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, the next petition I wish to present is with respect to Falun Gong. The petitioners are asking the Canadian Parliament to initiate a resolution at the United Nations Commission on Human Rights calling on the Chinese government to stop persecuting Falun Gong practitioners and to free all Falun Gong practitioners imprisoned in China.

NATIONAL DEFENCE

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, the final petition is with respect to the U.S. missile defence program.

The petitioners call upon Parliament to declare that Canada objects to the national missile defence program of the United States, and that the government play a leadership role in banning nuclear weapons and missile flight tests.

MARRIAGE

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, I am pleased to present a petition which calls upon 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.

Mr. Gary Schellenberger (Perth—Middlesex, PC): Mr. Speaker, I rise today to present a petition on behalf of concerned citizens of my constituency of Perth—Middlesex regarding marriage.

The petitioners call upon Parliament to recognize marriage in federal law as being the lifelong union between one man and one woman to the exclusion of all others.

* * *

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 that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[Translation]

LIBRARY AND ARCHIVES OF CANADA ACT

Hon. Andy Mitchell (for the Minister of Canadian Heritage) moved that Bill C-36, an act to establish the Library and Archives of Canada, to amend the Copyright Act and to amend certain Acts in consequence, be read the third time and passed.

Ms. Carole-Marie Allard (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.): Mr. Speaker, I am extremely pleased to take part in this debate on Bill C-36, an act to establish the Library and Archives of Canada.

With this debate, this legislation will take an important step toward our ultimate goal of establishing the Library and Archives of Canada. This legislation was initiated four years ago with the tabling of the English report, and the appointment of Roch Carrier as National Librarian and Ian Wilson as National Archivist.

In 1999, the publication of the report entitled “The Role of the National Archives of Canada and the National Library of Canada” was a clear turning point for these two great institutions.

At the time, the Minister of Canadian Heritage asked Professor John English to consult the stakeholders on several key issues, notably the structure of these two institutions and how they could help Canada become a leader on information highway, which is constantly evolving.

At the same time, the professor was also asked to study ways to better preserve our country's collective memory and improve our access to it.

Extensive consultations were conducted to gather input from the staff of both organizations, as well as from archivists, librarians, academics, departmental representatives and many other stakeholders. Following these, Mr. English made recommendations to make these two institutions work better.

Several of these recommendations dealt with the management of Canadian documentary heritage in the digital age and how to make this heritage available to Canadians. The enormous potential of the Internet was another topic that pervaded the consultations.

In his report, Mr. English also identified several areas where the two institutions already share services. He recommended that this cooperation be expanded to include the management of internal documents, computer systems, cultural programming and other areas.

In their presentations before the Standing Committee on Canadian Heritage, the national archivist and the national librarian told us they had both read the English report before being appointed and had discussed it. As Roch Carrier said, and I quote:

Government Orders

—we saw that there were many opportunities for us to work together.

For various historical reasons, there were some rather puzzling divisions. For instance, Ian is entrusted with cartoons, or caricatures in newspapers; but I am entrusted with newspapers. I am entrusted with voices; Ian is entrusted with the images that go with the voices, etc.

Mr. Carrier added that his counterpart and he agreed that the situation did not make sense and that it would make sense to gather together the great wealth with which they are entrusted.

This joint decision marks one more step toward a brighter future, through the establishment of a new knowledge institute in Canada, bringing together two major organizations and combining their strengths under a new mandate that reflects the new digital reality and provides them with the tools required to meet the needs of a country in this 21st century.

Thanks to the commitment of these two men and the efforts of the men and women who work at the National Library and at the National Archives, a synergy was created. These two institutions have worked together on various projects and reinforced the existing bond between them. They already share several administrative functions such as finance, human resources, some facilities, security and information and preservation services.

The directors did all they could in the current context. Nonetheless, they quickly realized that a merger was the logical next step.

• (1520)

Combining these two institutions could provide us with enormous potential. Following this initiative, Bill C-36 was presented in the House in May, 2003. Then, in June, just before the House adjourned for the summer, the Standing Committee on Canadian Heritage reviewed the bill.

The committee heard from a large number of witnesses, who talked about numerous elements of the bill, and an exhaustive discussion ensued, as could be expected. One of the most interesting things to note is that although every witness wanted to express an opinion, everyone was unanimous and enthusiastic about the idea of contributing to the merger and creation of Library and Archives Canada.

All the witnesses—library science or archival specialists, a large number of users and historians, and even potential contributors or authors—talked about how much Canadians, including themselves, would benefit from this new knowledge institute.

Together we have improved this bill nicely. We have introduced the necessary changes to allow Library and Archives Canada to rest on a solid and modern foundation.

What will this new cultural institute look like? Will it be a veritable treasure of Canadian knowledge and history; a new guardian of our cultural heritage?

I believe the answer is yes. In fact, we are currently witnessing something a lot greater than a simple merger. Our objective is not to save money by using the same letterhead, but rather to create a new agency that is more dynamic and effective, with a greater influence and the ability to respond to Canadians' new needs.

I will give a few examples. By combining the specialized skills of librarians and archivists, it will be possible to ensure integrated access to the collections.

• (1525)

[*English*]

By combining the collections, it will be possible to create seamless access to the holdings. For example, a person looking for information on the sinking of the *Empress of Ireland* would have access not only to published accounts in books and newspapers like we might get if we just went to the library, but also to photographs, manuscripts, and a host of other forms of documentary materials through a single point of access.

With the combined resources and expertise of nearly 1,000 employees of the National Library and the National Archives, the new institution will be better positioned to manage the millions of items in its collection, and meet the evolving and ever increasing information needs of Canadians.

The combined specialized skills of librarians and archivists will allow Canada to be at the forefront of information sciences through, for example, the development in the field of metadata and provide the Government of Canada with the centre of leadership and expertise of information management.

[*Translation*]

As you are no doubt aware, the collections of these two institutions are truly impressive. No one should be surprised by this, given the broad scope of their respective mandates.

The National Archives were founded in 1872. The mission of the institution, now well past its hundredth birthday, is to preserve the collective memory of the nation and the Canadian government, to help protect rights, and to enhance the sense of national identity.

The National Archives preserve millions of documents of all kinds: films, maps, diaries, treaties, works of art, government documents, photographs, and sound recordings.

As for the National Library, it was created in 1953. Its role is to acquire, conserve and promote documents comprising Canada's publishing heritage. I would like to quote Roch Carrier's excellent vision of these two entities. He said:

In the National Library and the National Archives of Canada, no documents are lost. We have a system for identifying documents and for retracing them. We also have a great responsibility to the nation to safeguard these documents, because if we lose documents today, then in 50 years or 300 years, no one will be able to access them.

By combining collections and personnel, Library and Archives Canada will be able to provide a whole wealth of information, thousands of items of information to millions of Canadians in every part of this country.

Technological progress will enable this new entity to work with institutions all over Canada and elsewhere. This new institution will reap the benefit of the partnerships already in place with other archives and a network of 21,000 public libraries across Canada.

Government Orders

Some of these partnerships may also be strengthened. The bill will assign to Library and Archives Canada the role of facilitating cooperation among the various intervenors involved in promoting and preserving Canada's documentary heritage.

One important objective of this new institution will be to work in conjunction with other library and archives services throughout Canada to put into place strategies to facilitate the identification and preservation of Canada's documentary heritage on a variety of supports. This documentary heritage will also have to reflect the Canadian reality in all its diversity and complexity.

Speaking of preservation, the government has also set aside \$15 million in the 2003 budget for urgent short term storage requirements and for studies on the best way of preserving its collection in the long term. This solution is a key component of the preservation and promotion of the Canadian documentary heritage.

Bill C-36 also includes amendments to the Copyright Act. That subject was of interest to a number of witnesses who appeared before the committee. I would like to reiterate why these amendments are necessary. First of all, because Bill C-36 will create a new, modern institution, with the ability to play a leading role in the digital universe.

For example, the bill changes the requirement for legal deposit in the case of books, and clarifies that electronic publications are covered as well. In addition, the head of the new institution will have new powers to periodically sample Internet sites of importance to Canada.

This only refers to Internet sites accessible to the public without restriction and solely for the purpose of preservation for future generations of Canadians. Nevertheless, since electronic publications and Internet sites are ephemeral in nature, they can change rapidly and often. Library and Archives Canada will archive them on durable media, in one copy.

For greater legislative clarity, we therefore propose an exception to the Copyright Act similar to that which already exists for the archiving of broadcast works.

• (1530)

I would like to point out that this exception will apply only to the new institution, Library and Archives Canada, and that it will be used strictly for preservation purposes, with access to these works being limited to on-site consultation.

[*English*]

At the same time, Bill C-36 contains other amendments to the Copyright Act that would facilitate the work of this new cultural institution. The proposed bill will amend section 30.21 of the Copyright Act to remove the conditions that archival institutions must meet to make single copies of unpublished works. Such copies are used for the purpose of research and private study.

Section 30.21 currently states that a copy of an unpublished work deposited before September 1, 1999, can only be made if the archive is unable to locate the copyright owner. It also states that records must be kept of all copies made under this section. This adds quite a burden to our archival facilities and reduces the access that

Canadians have to these documents. The archival community would like to see this condition lifted.

To achieve a balance between users and copyright holders, the bill also includes an extension of the term of protection accorded to unpublished works of Canadian authors who died before 1949 to be extended until 2017. This would allow the heirs of an author of such a work an opportunity to publish the previously unpublished work.

[*Translation*]

The solution proposed in the Library and Archives of Canada Act would be to eliminate these two conditions. These amendments represent another concrete example of the government's commitment to giving this new institution the mandate, the powers and the tools it needs to achieve its goals.

I want to share an anecdote told by Roch Carrier to illustrate the Internet's true potential. During his presentation to the committee, Mr. Carrier talked about the music department at the National Library of Canada which, in the past, has welcomed 300 researchers per year. Now available on line, this service is provided to more than 100,000 visitors per month. That is a huge difference, is it not?

This shows how truly important access to our documentary heritage is. Thanks to Bill C-36, this new institution will have the means necessary to provide on line services, like the Canadian Genealogy Centre and the future Virtual Reference Canada. This will allow Canadians to discover their rich documentary heritage.

In closing, I simply want to say that Bill C-36 is helping us to build something for present and future generations, who will benefit from it. The bill's preamble eloquently summarizes the noble purpose of this new institution as a source of knowledge. It also ensures that Canada's documentary heritage will be preserved for the benefit of present and future generations; that Canada be served by an institution that is a source of enduring knowledge accessible to all; that this institution facilitate in Canada cooperation among the communities involved in the acquisition, preservation and diffusion of knowledge; and that this institution serve as the continuing memory of the Government of Canada and its institutions. I have no doubt that the Library and Archives of Canada will be one of the most important institutions of our society.

For these reasons and many others, I encourage all the hon. members to join me in supporting Bill C-36.

• (1535)

[*English*]

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, I would hope that the parliamentary secretary would recall that she and I had a conversation in June where she said that the heritage minister and she were in favour of dropping the so-called Mickey Mouse amendment which is clause 21 of Bill C-36. This amendment was put into the bill and has absolutely nothing to do with the archives or the library.

Government Orders

I recognize the distinction the parliamentary secretary has made in her speech today that in clause 26, section 30.5 of the Copyright Act is being amended and so on and so forth. I understand there was a requirement in Bill C-36 for there to be a revision or amendments to the Copyright Act. We understand that.

I would hope that she would confirm that at that time, she told me and she also told my colleague, the member for Fraser Valley, who is responsible for the bill, that the government was going to see that the offending clause, the problem clause, clause 21 was removed from the bill. What happened was the member for Parkdale—High Park and others came to the committee and made sure that the clause stayed in.

If the parliamentary secretary, the heritage minister and the heritage department were prepared to remove that from consideration in committee, and recognizing that she was not responsible for what happened in committee except that she was incapable of following through on the commitment that she made, why was the government unwilling to accept the amendment of my colleague from Fraser Valley at report stage to follow through on what she committed to me and to the member for Fraser Valley that the offending clause, clause 21, be removed from the bill?

[*Translation*]

Ms. Carole-Marie Allard: Mr. Speaker, I fully understand my colleague's comment and question.

As a parliamentarian in this House and member of the Standing Committee on Canadian Heritage, he will certainly not be surprised that, when a standing committee of this House is sitting, it is sovereign in its decisions. Although as parliamentary secretary I can work out an agreement, the fact remains that when the committee reconvenes, it can very well change it and do what it wants.

When the decision was made that day, the committee, as a sovereign entity, decided to reinstate the provisions. Unfortunately, my colleague was not there. I explained to the committee members that my wish was to certainly not include them. Nonetheless, the committee being sovereign and not bound to the Department of Canadian Heritage, it can make any decision it wants when it is sitting.

My colleague will certainly understand that that is what happened that day. The members present decided to bring back the provisions. That is why, at report stage, we had to consider the bill as it had been adopted in committee.

• (1540)

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I am extremely surprised by the answer from the Parliamentary Secretary to the Minister of Heritage.

I can imagine what happened. She promised her colleagues on the government side and the member for Verdun—Saint-Henri—Saint-Paul—Pointe Saint-Charles it would be withdrawn. Everyone agreed.

I do not know what happened. When I returned in September, I was very surprised to see that everything to do with copyright had been put back in the bill.

I do not know who she was representing when she made those promises, but the Bloc Québécois was sure this was not included in the bill. That is why we did not move any amendments during the work of the committee to remove these clauses.

I would like her to be more clear. This happened after the byelection. The new members had never sat on the Standing Committee on Heritage. An entire group of Liberal members arrived and sat on the Standing Committee on Heritage. Are they the ones who decided to have these clauses put back in?

Ms. Carole-Marie Allard: Mr. Speaker, the hon. member has some nerve asking me that question, given that she was at committee that morning but she suddenly stormed out. Had she stayed, she would understand how things went during that meeting. I encourage her to read the transcript of that particular meeting.

Also, as a committed parliamentarian, she will no doubt understand that a parliamentary committee is free to make any decision it wants in a meeting.

Finally, I find it unfortunate that she stormed out that day because otherwise she would understand what happened.

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, earlier I had an opportunity to discuss with the member for Ottawa—Vanier the matter being asked about. The member is quite concerned about the appearance of those two clauses in the bill after there apparently was an agreement that they would not be there. They are now in the bill.

The member was so upset and he was hoping that maybe there would be a motion for recommittal to have the bill sent right back to committee to reconsider exactly what happened. That motion is not being made because, as most members would understand, it would likely kill the bill, which I do not think is helpful to the legislative process.

I think it is incumbent upon the parliamentary secretary, who in her own speech said that she was in favour of removing those two clauses, to say how this can be resolved and what in fact is the essence of the disagreement.

[*Translation*]

Ms. Carole-Marie Allard: Mr. Speaker, I thank my hon. colleague for his question. He will no doubt understand that parliamentary committees are master of their own proceedings. They can make any decision they want.

The day in question, the committee sat and decided—contrary to my wishes, I humbly admit—to reinstate the clauses concerning the Copyright Act for the simple reason that, when we passed the Copyright Act in 1997, the transitional period provided for was too short.

At the time, it was decided that the people in the industry, all those concerned, would get together to try and find a solution to this problem of the transitional period being too short. That is why the clauses were reinstated.

Government Orders

I want to tell my hon. colleague, who is speaking on behalf of another member, that if he understands the role of the standing committees of this house, he will no doubt understand how colleagues came in that day with the firm intention of having the clauses in question approved. Being the master of its proceedings, the committee voted. Following the vote, the clauses were approved. I only abided by the wishes of the committee. That is how this situation came to be.

• (1545)

[*English*]

Mr. Jim Abbott: Mr. Speaker, I would like to ask the parliamentary secretary, is it not true for example, on Bill C-13 which the House has been grappling with, that the minister came to this place and overturned the work of the committee? Is that not true?

If that is true and knowing that she and the parliamentary secretary on her behalf made that commitment to the official opposition and other members of the opposition and obviously other members of her party, why would the heritage minister and the parliamentary secretary not be prepared to follow through on the commitment that she made?

[*Translation*]

The Acting Speaker (Mr. Bélair): The hon. parliamentary secretary has 40 seconds left for a reply.

Ms. Carole-Marie Allard: Mr. Speaker, my hon. colleague is referring to another situation. I cannot comment on things I am not aware of. Thus, I will refrain from answering, because I do not know what happened during consideration of Bill C-13.

[*English*]

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, I want to state at the outset that the parliamentary secretary is an hon. member of this House and any of my comments should not be inferred as to suggest otherwise. That having been said, I find a tremendous difficulty in that the entire House of Commons, whether it is in this chamber or in committee, works on negotiation between members. When that negotiation happens, there is an assumption on the part of both parties I am sure that once the persons negotiating arrive at an agreement, the agreement will be fulfilled. Clearly that has not happened in this instance.

What has happened is that the committee was overtaken by the member for Parkdale—High Park and others who are concerned about seeing that this particular omnibus provision was included in the bill. This was totally outside any agreement that had been made by us at that time.

We should be focusing as well on when the committee hearings actually took place. The Speaker might not be aware that the committee hearings actually took place after the House rose for the summer recess. When those committee hearings took place, the understanding on the part of the Bloc member, on the part of the Conservatives and certainly on the part of the official opposition was that the agreement that had been entered into by the parliamentary secretary on behalf of the heritage member and on behalf of the department officials was that those clauses would be removed.

There is goodwill that exists around the body of this bill and what this bill is actually about. There is goodwill that exists on wanting to get on with modernizing the library and bringing forward a proper archival situation in Canada. Because of that goodwill and because of the value of this bill, we did not see any reason to be worried about what would be happening at committee.

As I said directly to the parliamentary secretary, I understand that the events at committee ended up overtaking her and overtaking the commitment that she had made. To be very generous, I might even suspect that the member for Parkdale—High Park might not have been aware that this commitment had been made. Let us make that assumption, but that does not absolve the parliamentary secretary or the Minister of Canadian Heritage from the fact that a commitment had been made to members of her party, to members of the official opposition, indeed to all members of the House who were concerned about this bill.

This is scandalous behaviour. It ends up undermining the ability of us to do business. It means that all the suspicions and the worry about what the real meaning is of ministers and all the paranoia that there frequently is around the parliamentary process end up coming into reality.

The reality is that the heritage minister and her spokesperson, the parliamentary secretary, have not been prepared to follow through on a solemn commitment that was made in this chamber. Let me be very clear and totally transparent. This means that there will be a question in the minds of all parliamentarians when they receive a commitment from a parliamentary secretary on behalf of a heritage minister as to whether they actually have the intent to follow through.

We were dealing with Bill C-13 earlier today in the House. The health minister came to this House and overturned the work of the committee on Bill C-13. This is very common. It is an unfortunate happenstance because parliamentary committees should be independent. Parliamentary committees should be able to make changes to government legislation. But it is very common that ministers will come to this place after those changes have been made by committee and will overturn the changes. That is the reason I raised the example of Bill C-13.

• (1550)

We could go down a whole list of legislation where this has happened. Therefore, with the greatest respect, I say to the hon. parliamentary secretary that it is simply not genuine to say that the committee is master of its own destiny and therefore she and the heritage minister are incapable of making the change. I am sorry but that does not fly. That is simply not a valid argument.

I suggest what has happened is the heritage minister with her own leadership aspirations has taken her eye off her legislation, which is in front of the House now, and has basically left the parliamentary secretary hanging out to dry. Once again, on the issue of copyright law, the heritage minister has walked away from her responsibility and we have bad law. This was an omnibus bill that should never have been an omnibus bill.

Government Orders

Clause 21 should never have been included in the bill, as I said in my question to the parliamentary secretary. I have the Copyright Act in my hand right now. I understand the copyright law. It was very clear that there had to be changes in the Copyright Act for Bill C-36 to go forward. That is simple and very straightforward. What was not needed was Clause 21. Clause 21 in this bill is the opening up of copyright legislation.

She will know, as a member of the Standing Committee on Canadian Heritage, that starting next week the standing committee will be briefed by parliamentary officials on a review of the Copyright Act. We will be briefed on Tuesday and again Thursday.

There is a whole situation around copyright law that desperately needs changes and I will address couple of them in half a second. The parliamentary secretary knows that. I do not know what went on behind the scenes. I do not know how in the world we ended up with clause 21 being surreptitiously put into the bill. It basically takes a current issue, a vital and important issue to certain copyright holders and advances it ahead of other people who are very concerned about clauses and provisions in the Copyright Act.

I draw to the House's attention subsection 30.8(8) and subsection 30.9(6) of the Copyright Act. This is the basis of me saying once again that the heritage minister has done a bad, totally inadequate, flawed job of copyright revision. By allowing these changes in Bill C-36, by surreptitiously putting them into Bill C-36, by falling back behind the rubric that committees are masters of their own destiny, once again she has done a totally inadequate job. When the new Prime Minister takes over, it will be very surprising to see if she manages to maintain her position as Minister of Canadian Heritage because she has absolutely dropped the ball on this issue as with many others.

In the case of sections 30.8 and 30.9 of the Copyright Act, the relevance here is that the actual provisions that had to be changed in Bill C-36 are in proposed section 30.5. We are talking about things that also need changing and we are very close: 30.5 versus 30.8 and 30.9.

What desperately needs changing is what was inserted into the bill back when we were in committee work in 1997. At that time we were looking at ephemeral recordings. That is when a radio station ends up making a recording for absolutely no reason other than a technical ability to more easily bring programming to air. There are exceptions all the way through in sections 30.8 and 30.9 that would permit the radio stations to do a job in a very efficient way.

● (1555)

As a result of the inclusion in section 30.8 of subsection (8), tens if not hundreds of people are losing their jobs or have lost their jobs this year as a result of this clause. The reality is subsection (8) stops the radio stations from either doing things efficiently in a modern, technological way or by doing them efficiently in a modern, technological way and having an unfair compensation go to the creators.

What it is all about is very straightforward. Nowadays just about all music comes to the radio stations in a digital format. It can come to the radio stations in a digital format on a CD or it can come to the radio stations in a digital format on some form of broad band. When

that digital format is actually at the radio station, then a decision has to be made.

For example, on a CD there might be 12, 15, 18, 20 cuts or songs. What the radio station would decide is whether it would play cut number two, number seven or number nine. It does not need the rest of the CD. When the station does its programming, it simply lifts selections two, seven and nine from the CD and puts them onto a hard drive. When a particular song is played on air, it is in a different format and, as a consequence, it is automatically on the air.

As I have explained many times to the House, my daughter is married to a musician. I understand copyright. He is a composer. I understand why copyright exists and my daughter and my four grandchildren are supported in no small part by virtue of the fact that copyright law exists. I am in favour of copyright law. When value is exchanged, when the music is played, then my son-in-law and all other composers and authors and artists should be properly compensated. That is fine.

What goes on with so-called ephemeral recordings is it simply changes the format technically behind the scenes, possibly at a totally different location, and when it changes the format as a result of clause (8), a copyright fee is payable. The artists, the composers, the authors are not entitled to be paid simply because of a technological change.

The heritage minister is prepared to change the copyright law in clause 21 for specific copyright owners and holders or people who could receive value because of copyright law. However she is not prepared to protect the hundreds of people in the radio and recording industries who have ended up losing their jobs in the last year to 18 months.

The parliamentary secretary knows that. I believe her predecessor was with us when we were on the tour to take a look at this, among many other issues. We were in a radio station in downtown Montreal. We went through and saw what actually transpired. Does anyone know what it was? It was the push of a button. With that push of button there was no sound, no music, no playing and no value exchanged. There was simply the transfer of digital information at light speed from one format to another format and, as a result of that, there was a copyright payable. There are other problems within the copyright law at which we desperately need to be look.

Why did we end up with subsection (8) and subsection (9)? In 1997 the then parliamentary secretary, Guy Arseneault was negotiating with the Bloc Quebecois and at that point there were no collectives that could actually collect any copyright fee. The Bloc Quebecois critic, in negotiating with Mr. Arseneault, the parliamentary secretary, had those clauses included.

● (1600)

I hollered in a loud voice at that time. The recording industry and broadcasters could see this train coming into the station and we tried to make as big a deal of it as we possibly could, and good on the Bloc Quebecois.

Government Orders

What happened was this. Gaston Leroux, who was the critic for the Bloc Québécois, knew there was a collective coming in Quebec and because he knew that, he wanted to wipe out the ability of the ephemeral rights exclusion and he got his way. Why? Because the parliamentary secretary of the day, acting on behalf of the then heritage minister, the current heritage minister, was prepared to negotiate that into this law, and it is bad law. Why? Because the heritage minister had made up her mind that Bill C-32 would be through Parliament, out of committee by Christmas and there was a deadline. That was a roadblock by the Bloc Québécois.

This is fine. That is part of parliamentary procedure but it does not mean that we have to live with bad law that was created by the heritage minister who was simply trying to get the bill through Parliament.

Once again, we have a situation where this heritage minister, in Bill C-36, has gone ahead and made changes yet once again to copyright law that really should not have been made. I am really not sure what her motivation is nor will I try to guess. The fact is the heritage committee is now seized with the responsibility under legislation, which came to us through Bill C-32, to come to the House with a report on the shortcomings and the strengths of the copyright law and from that point to come forward with laws on a new copyright bill. There is no excuse for the fact that we are in that process and for the fact that this, which I believe is an erroneous part of Bill C-32 to begin with, is now part of Bill C-36.

There are other parts of copyright law that also require changing. For example, the so-called blank tape levy, again one to which I absolutely was opposed, is proving to become even more of a problem than what I have just explained about ephemeral right. Under the guise of ensuring that the artists would end up being properly compensated, the heritage minister brought into Bill C-32 the so-called blank tape levy, which is to presume that everyone in Canada is guilty of recording illegally and therefore we will extract a levy on all blank tapes.

First, that goes against anything I understand about law in Canada. Every Canadian is innocent until proven guilty. Under the blank tape levy we are saying that everybody is guilty, whether they record a sermon in church, or a speech, or something in a classroom, and they must pay a levy on that.

The interpretation by the copyright board has been that it is on the amount of information recorded, not on the length of the tape. The original idea that was floated, and I did not believe it for a second, was it only would be 25¢ a tape and that was really no big deal. In fact it has been substantially more than 25¢ a tape. Now that we have new technology and new recordings like the MP3s and others that have a tremendous capacity to absorb music, the cost of that new technology has gone through the roof.

• (1605)

It will mean for Canadian retailers, for people with whom I am familiar, that some people will quickly go across from southwestern Ontario to Buffalo or to Niagara Falls, New York. I am familiar with people in British Columbia who will easily go across to Spokane.

What it basically means is that an MP3 or another recording device that is available in constant Canadian dollars down there for

\$200 will be retailing in Canada for \$400 or \$600 simply because of this so-called blank tape levy.

The problem with Bill C-36 is not its intent, but the fact that the heritage minister chose to make this an omnibus bill, thereby being caught in changing unnecessary parts of the Copyright Act and as a consequence acting in a totally unfair way with other copyright holders.

I say, shame on the minister for putting the parliamentary secretary into the position that she did, in asking the parliamentary secretary to give my colleague and I, and others a solemn undertaking that the clause would be removed. Shame on her for not removing it when it came back here at report stage.

[*Translation*]

Ms. Carole-Marie Allard (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.): Mr. Speaker, my eminent colleague, who is a member of the Standing Committee on Heritage Canada, has informed us that he was there in 1997 and therefore he participated in consideration and passage of the new Copyright Act. He will certainly be able to tell the House today what position he takes on the transition period.

What happened with the Copyright Act is that, previously, unpublished works were protected for an indefinite period. That was very frustrating for historians and researchers, who always had to ask for permission before using anything at all. That is the reason copyright on unpublished works was limited to 50 years.

We found ourselves with the situation that unpublished works by authors who died after 1948 were protected until December 31, 2048. In contrast, if the author died before 1948, protection for his or her unpublished works would expire on December 31, 2003.

The hon. member agrees, does he not, that action was needed to make this transition period more even-handed with regard to authors who died before 1948 and those who died after 1948? There was an urgent need for action. That is why we have included sections 20 and 21 in the act merging the National Archives and National Library.

• (1610)

[*English*]

Mr. Jim Abbott: Mr. Speaker, with greatest respect to the parliamentary secretary, if that were the case then why did she make the commitment to me and other members of the House that the clause would be removed? If it were that urgent, why did she, on behalf of the heritage minister and the heritage department, undertake that they would be removing the clause?

This clause, I will admit, is an essential clause to be looked at in its own way and its own right. Many of the issues relative to the 50 years were brought up in committee, but I know she will agree, and that the chair of the heritage committee will agree, that it was the most contentious part of any of the committee testimony we had.

Government Orders

I do not believe that there was a clear decision at that particular point. So therefore, if we were to do something on that legislation, it should be separate. If it were essential because of the 2003 deadline, a bill should be brought in, in a frontal and straightforward way, in an “in your face” way to Parliament and parliamentarians so that we could deal with the bill.

But, I ask the question again. She has said this was something that was essential to be there. If it was essential to be there, why did she agree to remove it in June?

[*Translation*]

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I want to congratulate my hon. colleague from the Canadian Alliance. I was not in the House in 1997, when Gaston Leroux was the Bloc critic during the review of the Copyright Act.

However, I was there when the parliamentary secretary made a commitment to the opposition parties, resulting in an amicable agreement. We agreed to withdraw clauses 21, 22 and 23 from the bill, because we were told that witnesses would talk about copyright before the Standing Committee on Canadian Heritage.

I was there, and what my hon. colleague from the Canadian Alliance is saying is true. Consequently, I want to ask him the following question: since the minister, through the parliamentary secretary, did not respect her commitment, should this government not withdraw this legislation and send it back to committee for in-depth consideration and the exclusion of clauses 21 to 23?

[*English*]

Mr. Jim Abbott: Mr. Speaker, in response to my colleague from the Bloc, it seems to me that would be the most honourable thing for the heritage minister to undertake at this particular point in time.

She did make a commitment, and we received that commitment in good faith from the parliamentary secretary for whom I have the utmost respect. She is an honourable member of Parliament, and I have the utmost respect for her, but that does not change the fact that the heritage minister was unwilling to follow through on the commitment that she asked the parliamentary secretary to make.

The honourable thing for the heritage minister to do would be to send the bill back now to the heritage committee so that clauses 21 and 22 could be handled in the most appropriate way. I understand that there is a time constraint; I understand December 2003. I understand those things.

The problem has been created by the heritage minister who has been distracted with her leadership campaign. She has no idea of what is going on in her own department.

Bill C-36 should go back to the heritage committee. Although we all have distinctly different points of view, there is goodwill on the committee. We work well together under the leadership of our chair. I am sure we could resolve this. Surely there must be an honourable way to do this rather than having this legislation forced through in a very shabby way.

• (1615)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the member referred to the committee as the master of its own work. He was quite correct in identifying that with regard to a bill such as Bill

C-13 where, after 200 witnesses and 400 submissions, the committee came up with only three amendments to the bill, and each one of those was reversed at report stage by the government because it was not in agreement with them.

The parliamentary secretary's position is always tentative, and members have argued from time to time that parliamentary secretaries should not even be on committees because they are almost serving two masters.

Could the member advise the House whether the issue about the deal has resolved itself to the extent that there is a consensus within committee?

Mr. Jim Abbott: Mr. Speaker, I am limited in what I can say in terms of the consensus that may or may not be in committee. I cannot say nor would I want to commit other committee members to what might be the case.

For both the member for Fraser Valley and myself, this has been a bitter disappointment, not because of the clause, honestly, as much as the issue we are debating today.

It has been a bitter pill to swallow in terms of the fact that the heritage minister has left the parliamentary secretary hanging having made these commitments. It means that a bit of the goodwill that there has to be in Parliament has been chipped away by the incompetence and the lack of attention by the heritage minister.

We have enough of a time trying to get along when we have such distinct differences of opinion, and more is the shame of it when we are faced with a situation of receiving a commitment on behalf of the Minister of Canadian Heritage and then having her waltz on that commitment.

[*Translation*]

The Acting Speaker (Mr. Bélair): I want to inform the parliamentary secretary that she has one and a half minutes, so she will want to be brief.

Ms. Carole-Marie Allard: Mr. Speaker, I simply want to ask my colleague if he believes that the process we have undertaken to reform the Copyright Act gives us the latitude to review the provisions in question. Given that this process is just starting, does he not feel that he will have an opportunity to rectify this situation should there be a different outcome?

[*English*]

Mr. Jim Abbott: Mr. Speaker, because of the machinations of the federal Liberal Party and the fact that the member for LaSalle—Émard has not assumed his role that he has gained as the Prime Minister of Canada, we are in a situation where we will undoubtedly be going into an election commencing April 4.

We will be going through the entire summer without Parliament sitting. It will only be a year from now where we will be able to really get down to brass tacks and do something.

Again, more is the shame of it because there are so many people who are negatively impacted and have an interest in the Copyright Act, as just one of many things that the government is responsible for, who are being pushed off by the way that the federal Liberals are choosing to do their leadership in the way that they are doing it.

Government Orders

The member for LaSalle—Émard will select his own heritage minister. At that time we will have an idea of what changes may or may not be possible. Again, as I say, that is a year from now.

[*Translation*]

The Acting Speaker (Mr. Bélair): Before resuming debate, it is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Saskatoon—Humboldt, Fisheries; the hon. member for Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, Gasoline Prices.

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, I am pleased to speak to this bill, which puts into concrete terms the government's idea to merge the National Library and the National Archives.

We in the Bloc Québécois are opposed to this idea, because it is part of this government's centralist mind set and its propagandist obsession. The wider mandate of the new institution runs counter to the historical neutrality of the National Library and the National Archives.

The Bloc Québécois demands that any reference to the interpretation of the history of Canada be removed from the mandate of the Library and Archives of Canada. This is part of a Trudeau-style nation-building effort and, as I said, seeks to instill a sense of belonging based on a single version of the history of Canada.

The purpose of Bill C-36 is not only to merge two totally different institutions—with two different missions—but also to transform the history of Canada into a veritable propaganda tool. For these reasons, the Bloc Québécois opposes Bill C-36.

Speaking of propaganda, I would like to speak out against an initiative by the people in this government that happened a few weeks ago. The Minister of Citizenship and Immigration provided all federal MPs with copies of a document prepared for Citizenship Week, which was October 13 to 19, 2003.

The document, entitled "Planting the Seeds Activity Kit", was sent to teachers of human and social sciences for grades 4 to 6, ages 9 to 12. Another, made up of four course outlines and complementary activity kits for grades 7 to 10, is called "Cultivate Your Commitment to Canada" and is intended for students in social studies, history, civics and citizenship classes.

Notwithstanding the avowed motives of the minister and the pedagogical quality of the documents, it is of concern to us to see the federal Liberal government interfering directly and unashamedly in an area that belongs exclusively to Quebec and the provinces: primary and secondary education.

The federal government's determination to ignore Quebec's prerogatives in this area is of great concern to me, as a parliamentarian and also as a citizen. The contemporary history of many states is replete with examples of government strategies aimed at controlling education. It would be naive to think that this is not evidence of an obvious desire to minimize, if not totally deny, any desire for a Quebec identity.

That said, the federal government's idea of interpreting history as it sees fit creates fears for the worst.

Let us look at the scope of this bill more closely.

It creates one single entity: the Library and Archives of Canada, resulting from the merger of the National Library and the National Archives of Canada.

Consequently, the government is establishing a new agency whose head is called the Librarian and Archivist of Canada.

The most serious concern about the mandate this agency will have is this idea of interpreting Canadian history. This is the core, the key element of this bill. Let us not forget that interpreting Canadian history was one of the key messages of the government when the bill was tabled in the spring. Can the words library and archives be easily confused?

I consulted reference books to get a better feel for the meaning of these two words. According to the *Petit Robert*, library means a room or building containing a collection of books for consultation.

● (1620)

It also means an organization with various services, including a reading or consultation room.

The *Petit Larousse* states, under library: room or establishment, public or private, where a collection of books, printed material, manuscripts, is kept, consulted or loaned.

As for the word archives, the *Petit Robert* give the following definition: a collection of old documents, put together and filed for historical purposes.

According to the *Petit Larousse*, it is a collection of documents relating to history belonging to a corporation or administration. Reference is also made to hospital archives, which are described as all documents pertaining to patients. The word also means the place where such documents are stored.

Finally, the archivist is the person who maintains the archives, a specialist in the conservation, filing, and study of archives, historical documents.

When we are aware of the difference between archives and library, it is difficult to understand why the government would want to have everything in the same place.

My hon. colleague from Joliette gave an example of the kind of documents that could be kept in one place but not in the other. Documents pertaining to cadastre record properties with buildings on them or under cultivation, with the names of owners. Clearly this type of record has its place in archives, but not in a library.

Other countries have understood this distinction and maintain it. Among them are France, Germany, Belgium and our neighbour to the south, the United States. These countries make a distinction between the archives and a library network. The institutions each have their own existence and administration.

Can you tell me why there is a wish to merge the National Archives and National Library here, when many countries such as France and the United States are doing things the way we do right now, with two distinct institutions? There is some intent behind this that is not very admirable, in my opinion.

Government Orders

I warn the government against trying to merge these two bodies, because it will cause great confusion about the mission of each of them, and about the administration.

Until now, no one has answered our questions about why they want this merger. Is there one member who can answer the question? Perhaps the parliamentary secretary, during questions and comments, will be able to find the time to answer me and explain why they want to merge these two entities, when in other countries this is not being done? That includes countries with solid reputations, such as France, Germany, Belgium and the United States.

Is it a question of saving money? If so, I would like to know how much.

I am afraid, though, that there is some trickery, some propaganda strategy. The grand new mission for Library and Archives Canada will be nothing other than a way for the federal government to satisfy its appetite for more visibility. Its hidden agenda is to use this new organization to promote its vision of Canada, its own vision of Canadian culture and history.

For a good forty years, the federal government, led by the Liberals, has been trying to rewrite history in its own way. We are particularly sensitive to this.

• (1625)

My hon. colleague from Trois-Rivières recently wrote:

For the past 40 years, the federal government has been refining its vocabulary and clarifying concepts. For the past 40 years, the central issue in this debate is Quebec's current and future status. Some, such as myself, promote the idea of a sovereign Quebec in charge of its destiny. We are sovereignists. The other side promotes the idea of a Quebec with permanent status as a Canadian province, along with the other nine provinces and three territories.

Why not call these people provincialists instead of the more noble term federalists, a concept that has no place in this debate, since it implies the distribution of and respect for the powers of all members of a federation and a federal government, and for their power relationship.

Here, clearly, are two doctrines concerning the potential and scope of Quebec and its people.

On the one hand, the provincialists in both Ottawa and Quebec City want Quebec confined to provincial status and therefore diminished, and its government kept it under Ottawa's thumb and therefore inferior. The provincialists see Quebec merely as a Canadian province equal to all the other provinces, whose collective influence ends at the Canadian border.

On the other hand, the sovereignists see Quebec as master of its own destiny and a participant in important international debates, enriched by its francophone and Latin differences. They see a Quebec that is open to the world and contributing to it as a developed country.

But back to the debate, we in the Bloc Québécois believe, along with the people in my riding, that there is indeed a Quebec nation, one with its own culture. We are far from the definition given by the Minister of Canadian Heritage, to whom Quebec culture is nothing more than a regional dimension of what is termed Canadian culture.

This is the context within which we must approach this bill. It is the vehicle of the famous concept of "nation building". That is the reason behind the notion to integrate, by merging the two entities, a centre for the interpretation of history.

This government has its own way of rereading historical events and of deforming reality. The Minister of Canadian Heritage gave as her definition of the Fête nationale du Québec that it was the holiday of all French Canadians. Nothing could be more wrong. When we go

back in history, French Canadian was the term applied to the residents of Lower Canada, the Quebec of today. From a religious feast day, we have moved on to a civic holiday, one that is more inclusive and reflects the contribution of all the cultural communities to the life of Quebec.

The minister's comments provoked anger and indignation on the part of Acadians. June 24 is the national holiday for Quebec and Québécois. Acadians have their own national holiday on August 15. It is this type of conclusion and distortion of history that may result from this bill as it stands.

When the bill was introduced in the spring, the Minister of Canadian Heritage indicated in a press release that "the purpose of the bill is to give Canadians greater access to their history and culture".

There are a thousand and one ways to interpret the history of Canada. Based on what a nation such as Quebec experienced, perception of events may differ.

I believe that Library and Archives Canada is not entitled to use its own interpretation of the history of Canada in order to promote and try to convince the public of the historical value of this version. The mission of Library and Archives Canada is to make historical information available, not to create its own version and distribute it across Canada as propaganda.

• (1630)

Asking the newly formed Library and Archives Canada to interpret history so that it is better understood by Canadians shows a great deal of arrogance by the federal government.

In conclusion, the Bloc Québécois believes that the broadened mission of the new institute only fuels the propaganda for Canadian unity. The new mission goes against the principle of neutrality that the Library and Archives Canada always sought. The government is trying to impose its own view of Canadian history. The Bloc Québécois will do everything it can to maintain the exceptional reputation that Library and Archives Canada always had.

The Bloc Québécois is against broadening the Library and Archives Canada mission and the interpretation of Canada's history as proposed by clause 6 or clause 8.1(e) and (i). It is designed for nation building à la Trudeau and to foster a sense of belonging to a single version of the history of Canada; a version that would effectively deny the aspirations of the Quebec nation and its great ability for achievement. For these reasons, the Bloc Québécois will vote against this bill.

• (1635)

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I want to congratulate my colleague from Drummond.

I listened to her speech with satisfaction and with an open mind. I think that she has conveyed to us in her speech what the reality of the National Library and the National Archives should be in Canada.

Government Orders

Throughout her speech, she wondered why this government is doing the opposite of what all other industrialized countries are doing. Why is it so far away from what the reality should be? As our colleague, the member for Drummond, has shown us, being an archivist is not the same as being a librarian. These are two totally different roles.

I would like to ask my colleague about the fact that we have not heard too many questions, in this debate, about the prerogatives of the Librarian and Archivist that will be appointed and the advisory council that will be established under this bill.

How will that council be established? There are no specific guidelines in this bill. Who will appoint these people? Could my colleague elaborate on that? We have seen what is happening right now in Canada with regard to partisan appointments. One just has to refer to the questions asked by the Bloc Québécois on the Radwanski issue.

I would like my colleague to enlighten us on this aspect, which she did not address in her speech. Surely she wanted me to ask her questions on this subject.

Ms. Pauline Picard: Mr. Speaker, I thank the hon. member for Jonquière for her kind words. I am glad she appreciated my speech. That is my viewpoint on this bill.

In reply to her question, in the bill the Librarian and Archivist is mentioned in sections 4, 5, 8, 9 and 11. This branch of the public service is presided over by the Minister of Canadian Heritage but under the direction of the Librarian and Archivist. The chief administrative officer is called the Librarian and Archivist of Canada and holds office during pleasure of the governor in council.

We insist that the appointment of the Librarian and Archivist be non-partisan. Why? Because the Librarian and Archivist has additional power and can intervene and demand the transfer of documents from the Canadian government or from other libraries, if he believes they are at risk of serious damage or destruction.

Will the Librarian and Archivist of Canada have the right to repatriate any documents he believes to be at risk? Who will be responsible for evaluating the documents? Perhaps the Librarian and Archivist of Canada should not have full power in this matter, to prevent abuse. We have recently seen appointments like that of the Privacy Commissioner where public funds have been misused. In fact, he did more than misuse them; it has become quite a scandal. These appointments are not always transparent. Friends and associates are given such rewards for contributing to campaign funds. And after that, anything goes.

We must avoid this kind of abuse. In this respect, the federal government has had some rough scrapes lately with the sponsorship scandal, first, and now the Privacy Commissioner. One might think that in other institutions where this kind of appointment has been made, there may not be as much transparency as there should be. Every week there is something new. So today it is only normal to demand more transparency and to insist on administrators who are not hand-picked by the minister. The regulations and procedures must be much more transparent and clear, in order to avoid this kind of abuse.

● (1640)

Ms. Jocelyne Girard-Bujold: Mr. Speaker, since no one is interested in what the hon. member has been saying from the very beginning, I would like her to tell us about the advisory council, which will be made up of individuals whose identity is unknown. Will these be archivists or librarians? This is not specified in the bill. Everything is vague, unclear. Also, how will these individuals be appointed? We have to bear in mind that the members of this advisory council will be advising the deputy head.

I would like my colleague to tell us if she has seen any standards, guidelines or what not in this bill? Will these appointments be approved by the Standing Committee on Canadian Heritage? Will they be approved by this House?

I would like her to tell us if she has seen anything like that in this bill, because I certainly did not. I ask that my colleague enlighten me.

Ms. Pauline Picard: Mr. Speaker, my colleague is correct. Section 6 of the bill refers to the "establishment of an advisory council" whose members are to be appointed by the Minister of Canadian Heritage.

I explained the same thing earlier with regard to the librarian and archivist responsible for overseeing the merger of these institutions into the Library and Archives of Canada.

They are trying to hide something from us, because we are being told, "No, there will not be a scandal, because an advisory council will be appointed". But the members of this famous advisory council will be appointed by the current Minister of Canadian Heritage. Once again, this minister could decide to appoint party or personal friends.

There are no regulations or procedures, absolutely nothing to prove that these appointments will be done properly or ensure the appointment of competent individuals to oversee the activities of this institution.

It is unacceptable that the current Minister of Canadian Heritage will select the members of this council. In addition, this council has a mandate to promote history and heritage. There is a clear lack of neutrality. Since, in addition to this, the council members will be appointed by the minister, how can we convince the public of this council's independence?

The institutions under the new Library and Archives of Canada are being politicized, since the current Minister of Canadian Heritage has the power to appoint anyone she wants to this council, including her friends.

The Bloc Québécois believes that there is no point to creating an advisory council responsible for promoting Canadian history, since this contradicts the historic mandate of the Library and Archives of Canada.

Government Orders

The Bloc Québécois demands that the federal government change the appointment process, should it fail to scrap this council entirely and give this mandate to an independent board. This is not the first time that the Bloc Québécois has called for the creation of an independent board to ensure that party friends and partisanship have no place. If the public is sick of politicians and politics, it has good reason; it is because of these kinds of appointments, the dilapidation of public funds and petty politics.

• (1645)

[English]

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, I intended to speak briefly on this and talk about the insertion of clause 21 and the effect it has on the legislation, but after listening to my friend from Drummond who raised a number of very interesting topics, I probably will comment on them briefly also.

First, in relation to the answer she gave to the member for Jonquière, let me say that I agree with her fully. If there is going to be a board appointed, certainly it has to be a qualified, independent board. Too often we have seen people appointed to boards and agencies because of who they are rather than what they can do or what they can represent; if one is a friend of a minister or whatever, one gets an appointment. That is not the way it should be unless the people are qualified. That is the name of the political game: people like to appoint friends. That is okay if the friends are qualified. Nobody will argue if that is the case, so let us look forward to who will be represented on the board, if we ever get that far.

However, the bill before us, Bill C-36, is a bill that would integrate the National Library and the National Archives of Canada. Both are separate now but would be brought under one entity to be known as the Library and Archives of Canada.

Originally a lot of people looked at this and said it probably makes sense. However, in analyzing what is really happening here, a number of concerns or doubts are raised. The member for Drummond really laid on the table the concerns that a number of people in different parts of the country face, especially in the older parts of the country.

Having said that, before I get into that aspect of the discussion let me say on clause 21 that what has happened here is something we do not see too often. There is an old saying that there is honour among thieves, and I guess that usually there is honour among politicians. When an agreement is negotiated, as was mentioned earlier today by one of the Alliance members, we expect people to live up to that agreement. The heritage committee basically agreed to take out clause 21. Everyone else seemed relatively happy with the remaining legislation, so they were very surprised that a meeting was called which conveniently happened at a time when the majority of the people there were not only Liberals but Liberals with vested interests, and we saw the clause put in.

This is the interesting question to ask in relation to all of this: Who was pressuring whom to have that clause put back into the bill? Unfortunately it seems completely and utterly out of place; there is no reason for it except that somebody for somebody's own interest wanted the insertion, and some members, being pressured, tried to make sure it was done. It had to go in somewhere so I guess the only piece of legislation that was coming in the near future anywhere near

the type that could incorporate such a clause was this piece of legislation.

The clause itself basically states that for unpublished works the law limited the rights of the author's estate to 50 years after his or her death, plus a six year window for the estate to either publish or communicate an intention to do so. It seems pretty reasonable. That was before 1997. An estate had perpetual copyright for posthumous unpublished writings.

• (1650)

The new bill adds between 14 and 34 years of copyright for unpublished works, but only for those authors who died between January 1, 1930 and January 1, 1949. When one starts setting parameters, one raises suspicions. Of course it is called the Lucy Maud Montgomery clause, simply because the estate is pushing for this recognition and Ms. Montgomery, of course, died in 1942.

There are a couple of interesting comments from well known people in the literary and historical field. Mr. Donald LePan, president of Broadview Press, is on record as saying that these copyright provisions in Bill C-36 represent, in his words:

...one of the several significant threats on the current horizon for the public domain. Copyright restrictions in Canada are already more stringent than they need be. It is crucial that we resist further incursions into the public domain.

Therefore, why would such a clause be inserted in a bill such as this? The question is, who will benefit from the provisions of Bill C-36? It is often claimed that authors as a whole benefit from extending copyright provisions. In practice, however, it is typically only a handful of the best known and most enduringly successful writers whose heirs benefit from such provisions in any significant financial way. Very few people, or the estates of very few people, would benefit from such a clause being inserted in the bill. Unfortunately, it puts a bad taste on the piece of legislation and how all of this transpired.

Having said that, we will deal with that when the time comes to vote. Maybe between now and the time we do vote on the bill there will be some method to deal with this, even though nobody made an amendment to the bill simply because a guarantee was given at the committee level that this clause would be taken out. Perhaps the minister, in her wisdom, or the parliamentary secretary who today seems to slam the door shut on any further changes, will find some mechanism to deal with this unfortunate intrusion into the bill.

But even in regard to the bill itself, when we start to look carefully at it, I think we have to ask a number of questions that were raised, especially by the member for Drummond. She talked about interpreting Canada's history and she expressed a major concern about the interpretation of the history of her own province. As we know, Quebec is not just an ordinary province. It is one of the major sections of the country and has a unique history, that of the early days of Canadian history, the days of settlement, long before the west was discovered and before anyone heard the expression "go west, young man," which I think is probably an American expression. I visited one of the old forts in Saskatchewan. I was taken there because it is an historic site. It is 150 or 200 years old. To the people who took us there, it was extremely historic.

Government Orders

I come from a province which was settled by the Norse in the year 1000. We celebrated the millennium of Newfoundland and Labrador only three years ago. In the western world from a European settlement perspective, Newfoundland and Labrador is by far the oldest, settled part of the new world. When it came to a permanent, established settlement, in 1497 John Cabot landed in Newfoundland and shortly afterward we had an influx of European fishermen. In fact, when Jacques Cartier sailed up the St. Lawrence River, he visited a little community in Newfoundland, Renews, and took on water. That happens to be my hometown, where I still live. John Denis, who visited in 1502, I believe, just five years after Cabot, wintered his boats in that same harbour.

● (1655)

Newfoundland and Labrador being the gateway into America, not only was it the first point of landing from a settlement perspective. Let us look at recorded settlement. Because of the way in which the British and the French operated, recorded settlement was only created or historically noted when a king or queen would send out somebody to establish a formal settlement, and then we would say that the first settlement in Quebec, the first settlement in Newfoundland, the first settlement in Nova Scotia, et cetera, was a certain place, but that is not the case.

Long before any established settlement was formally recognized by the king or the queen, we had many settlements all around our coast because people went there to fish. They left some of the big ships. They jumped ship and they settled in the little communities. Even though they were not allowed to, they came and stayed and the communities grew. We had significant community growth in eastern Canada long before the days of these formal settlements. History books say that John Guy established the first settlement in Newfoundland in 1610 with the colony at Cupids, but we had people living in parts of Newfoundland and a number of families in communities 110 years before that.

We have to be very much aware of our history or we can lose it. I mentioned earlier that Quebec is unique. It certainly is, because it was the French and the English who really founded this country. We could argue who did the most exploring or whatever, and people could make arguments for both sides, but they played a tremendous role in the development of this country. The two founding nations set up the eastern part of the country in particular, but not only did they establish and settle there, they moved westward. They moved down into the United States. North America generally benefited from the establishment of solid settlements by these two great founding nations.

The development of settlements in this country and the work that was done by these French and English pioneers should not just be lost by lumping together today's sort of perspective of Canada. It is not that way. Certainly from a Newfoundland and Labrador perspective, we cannot forget our part because our province also is unique. When we talk about lumping the history of Canada into one avenue, one of the concerns is that we wonder sometimes how much of the real history is going to be lost. We did not become part of Canada until 1949. Long before that, the Province of Newfoundland, as it was called, made a significant contribution to the North American scene, and not only to the North American scene but to the international scene. Whether it was in trade or in representing our

country generally and our hemisphere in the first and second world wars, we were there as a country.

I believe that Newfoundland is the only country in the world that ever gave up its own independence freely. We wonder sometimes if we did the right thing or not; however, there is always the second time around.

We cannot in any way, through the establishment or the integration of any of our agencies, lose the true perspective of Canadian history, whether it be the Province of Quebec with its uniqueness, as I have mentioned, or whether it be the Province of Newfoundland and Labrador with its uniqueness in culture and history.

● (1700)

We must ensure that these things are properly recognized. We cannot overlook the involvement of the provinces in all this. We cannot lose control of our own perspective. People have a way of changing things to suit themselves, which is always a concern. History as written should be history as created. We do not see a lot of that. We see too many convenient interpretations of Canadian history.

We do have concerns with the legislation. We have particular concerns with regard to the games that are being played to insert clause 21. This might be a good time to take our time in dealing with the legislation and to fully analyze and debate how the history of our great country is being and will be recorded and preserved.

As individual players are we getting a fair share and a fair shake? Are we being recognized for our contributions and, more specifically, are the provinces and our founding fathers being accurately recognized for their contributions to our country?

[*Translation*]

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, it was with a great deal of interest that I listened to my colleague from the Progressive Conservative Party, the member for South Shore.

I am very happy that the member also talked about what the member from the Canadian Alliance addressed at the beginning of his speech; in other words, the agreement that was reached between the Minister of Heritage—represented by the parliamentary secretary—and the opposition parties that clauses 21 to 23 should be withdrawn because they do not belong in this bill.

The Progressive Conservative Party, through its new member on the Standing Committee on Heritage—this was his first experience—did not see it that way.

I attended the committee meetings after the House adjourned and I heard that the agreement had fallen through. I saw to what extent this government was not very proactive and disregarded the opposition parties. I agree with my Conservative colleague that this government cannot be trusted.

As he said, his province freely joined the Canadian Constitution in the 1940s. Perhaps there will be another opportunity to do the reverse. One never knows.

Government Orders

I share his concerns with respect to this idea of interpreting history. History changes, but it can also be interpreted by adversaries who have a first-hand knowledge of the situation, wherever they stand on the political spectrum.

As for his interpretation, I do not know whether the Progressive Conservative Party will vote in favour of the bill. His party was very vague, saying it would decide when it comes time to vote. I call on members to listen to the Bloc Québécois, which will have many questions about this. I am very happy that he listened attentively to my colleague, the member for Drummond.

Mr. Loyola Hearn: Mr. Speaker, I thank the member for her question.

[*English*]

I will make my position quite clear. Unless we see changes to the bill as it is presently constructed, I will not be supporting it. I will not speak for anybody else at this stage but I know the new critic on the committee has expressed concerns about the games that were played.

What happened here concerns me. A year or so ago I spent some time on the heritage committee. Unfortunately, due to my workload I no longer could be on that committee. However it is a very good and important committee and, I must say, is chaired by one of the most competent and able persons in this establishment, an individual who not only does a very good job but knows what he is doing.

I know a chair has no real control over how people vote and if the troops are sent in to get something rammed through or to make changes we cannot do a thing about it. That is democracy. I suppose we can blame a lot of things on democracy but that is the way it works.

I am not sure what the member's position is on all this. We may be missing something here and we might hear about it before it is all over but I agree with the questioner. Yes, we have concerns about the way this was done.

We also have concerns about the overall recording of Canadian history. As I said before, maybe this will open the door to some real discussion on who we are, where we came from and what we have done, but more specifically, what we can do.

I believe that one of the things happening in the country is a real lack of pride in who we are. During the summer I set up a youth forum to talk about youth concerns. One of the biggest concerns of course was the cost of education and the fact that it was impossible for some people who live in rural areas and whose parents are not well off, et cetera, to be able to pay the horrific cost of getting an education. That is unfortunate because society has to pick up the bill for the rest of their lives instead of them being contributing members.

They listed another major concern facing youth and listed some things they would like to see changed. One of the top five concerns was the lack of history in their schools about their own province and the history of Canada generally.

In our school system, in some cases, for a period of years there was little or no Canadian history or perhaps a smattering of it at a lower grade where they really did not understand the big picture. All these young people said that after spending years in school and

learning about the unification of Germany, and other things because they had studied European and Asian history, and about the cradle of civilization, that they knew very little about their own place. They said that they graduate from school trying to be active participants in their province and their country but nobody even told them how a community council works. That is sad.

Perhaps through discussions like this we might start getting back to what really matters in life and instead of just teaching people how to make a living, we will teach them how to live and what it is all about.

● (1705)

[*Translation*]

Ms. Jocelyne Girard-Bujold: Mr. Speaker, I would like to ask a question of my colleague in connection with his response.

Do you think, under Bill C-36, that this new entity will have guidelines allowing each province to retain its own entity? As the Bloc Québécois always says, and as you have acknowledged, Quebec is a distinct society. In giving this new structure the mandate to interpret history in general, do you think that your province of Alberta, or Manitoba, or any of the provinces of Canada will have their place and protection for their history in their image, that is to say not interpreted according to the vision of this new entity within the mandate it has been given?

● (1710)

[*English*]

Mr. Loyola Hearn: Mr. Speaker, to me that is one of the most important questions that has ever been asked in this honoured establishment.

One of the things that has really concerned me in working here over the last three to three and a half years is the apparent lack of consultation and co-operation with the provinces. We hear about the First Ministers meetings where they meet somewhere, sit around the table and fight over health care funding. I know these things are important, and health care certainly is the biggest issue in the country and has been for some time and undoubtedly will be, but I have seen in my own province a complete lack of close co-operation and affiliation between the provincial government and the federal government.

I do not want to be critical when I say that. I know because I have been there. Ministers get caught up in their own domain and provincial governments get caught up in their own domain but there are certain things which we have to do collectively. When we look at building a country we need to know where we came from in order to know where we are going to go. We also need to ensure that we recognize the uniqueness of our country, the similarities, the strengths and whatever, but we also need to recognize the differences.

We are not all alike. We are not 10 equal provinces. In the sense of equality from the federal government, I can understand that in relation to how we are treated we are equal, but we are all different in our own respects: in the way we were settled, the longevity of the settlements, the type of people we are, and the type of work we did which affects the character of the individuals.

Government Orders

I have not seen any attempt between the federal and provincial governments to mould together these great strengths that we have that would give us pride in ourselves at the provincial level and across the country. I think that is what is wrong. That is why we are having some of the problems we are having in the country today. Maybe this is a start. Maybe we can get some debate going.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I am very pleased to have the opportunity to speak to Bill C-36. I want to indicate at the outset that I will be the first member on the opposition benches to speak in favour of Bill C-36.

I want to express the support of all of my colleagues in the New Democratic Party for the bill. It is not unequivocal support. It is not enthusiastic support. It is support based on the need to proceed with the long overdue provisions outlined in Bill C-36, weighing of course the need to do further study and consultation against the need to resolve a very problematic area in terms of Canadian heritage.

I speak also on behalf of my colleague, the member for Dartmouth, the critic in our caucus for culture and heritage. I want to reflect for a moment on her hard work as critic in this very important area and as a hardworking member of the Standing Committee on Canadian Heritage.

We are all absorbing the news today that the member for Dartmouth may not run again in the next election. She may return to working as a playwright. That is something we can understand and appreciate, especially given the number of excellent and wonderful works written by the member for Dartmouth. At the same time we have to express our regrets and disappointment at losing a member of such calibre. I know I speak for colleagues on all sides of the House when I acknowledge the good work of the member for Dartmouth and wish her well in all her future pursuits.

The member would want me to stand here today and give her support to Bill C-36 and to say that she had listened very carefully to the many witnesses called before the Standing Committee on Canadian Heritage, had heard their concerns and had listened very carefully to their solutions. She would want me to stand here today and say that she is confident that the committee has created a bill that satisfies most parties and protects the rights of creators.

Of course, that is why essentially the New Democratic Party wants the bill to pass before the House rises or prorogues. It is our view that hopefully the bill will create a wonderful institution that all Canadians can use to discover our history and our stories.

I was fortunate almost 20 years ago to spend some time as the minister of culture and heritage in the Manitoba government. It was a time that gave me insights into the role of libraries in our communities and into the role of our provincial archives in Manitoba. I grew to appreciate the work of our creators who through words create stories and who tell our history.

I recognized at that point the absolute importance attached to places that store those stories and keep them for generations to come. I recognized the absolutely important work of the government to preserve the infrastructure, to preserve the system and to ensure that we have storehouses of knowledge. Like all my colleagues, I came to value the storehouses we have of creative input from previous generations of Canadian writers, politicians and citizens.

This piece of legislation brings those two important storehouses together, the National Library of Canada and the National Archives of Canada. It is a very important initiative. We believe it will actually help make material more available to Canadians. It will give us the means to share the stories of those who created them.

• (1715)

There has been a lot of discussion this afternoon about another aspect of the bill and that pertains to copyright provisions. Some would argue that because of that particular clause, the bill should be sent back and that matter resolved. We would argue that there is merit to proceeding with this bill including that clause because it does address an important concern of writers and those who create material.

It is our view that this bill will redress a wrong done to creators in a previous section of the Copyright Act, section 7. This has created a lot of controversy, more controversy in fact than what the original change to unpublished copyright did in 1997. I want to say this clearly because this is where we differ certainly from the member who spoke for the Conservative Party. We believe absolutely in protecting the work of creators. The NDP will support any measure that protects the creators of work and their heirs.

I want to refer to one of the witnesses who appeared before the Standing Committee on Canadian Heritage on June 3 this year. Janet Lunn, past chair of the Writers' Union of Canada stated:

A writer's legacy to his or her family is the copyright in the works created during his or her lifetime. Often a writer is able to leave little else. We don't as writers have large estates or stocks and bonds. Usually our works are our legacy.

These are important words in the context of this debate. As has been noted, in 1997 the perpetual copyright on unpublished works was changed to match copyright on published works, that being 50 years after the death of the author. We all know that a change like this cannot take effect right away, so works from authors who had died since 1948 were automatically protected for a 50 year grace period. Works from authors who died before 1948 only received protection for a five year transition period before implementation.

When a similar change was instituted in the United Kingdom, a 50 year transition period was considered fair notice. Turning to the United States, that country chose a 25 year transition period.

Again I want to refer to the words of Janet Lunn, who I think explains the unintended consequences of such a short transition period:

Works not published by the end of 1998, even if they have been published since, will come into the public domain on January 1, 2004. This means that while an author who died on January 1, 1949 is protected until 2048, an author who died one day earlier, on December 31, 1948, is protected only until January 1, 2004.

Government Orders

Five years may seem to be a sufficient length of time to publish material even though it can take that long or longer to convince a publisher of the worth of the material. This five year transition period meant a publisher would only enjoy the benefits of publishing material until January 1, 2004, frankly a ridiculously short period of time to recoup the publishing costs of a book. That is why other jurisdictions that removed perpetual copyright on unpublished works a decade or so ago ensured that a longer transition was planned. Our oversight in 1997 needs to be redressed before the end of the year. I would hope that everyone in the House would agree that one day should not create such a discrepancy.

● (1720)

The unintended consequences of the bill are also cause for concern. One is that our authors do not have to publish their books in Canada. Neither do publishers. Other jurisdictions have lengthier copyright protection than we do and if unpublished work is not protected here for a fair amount of time, authors or their publishers can take that work out of the country for publication. That clearly would be a tremendous loss to our heritage.

Furthermore, this section of the legislation will not make it impossible for researchers or genealogists to use information from archives or collections. They were able to do that under the perpetual copyright provisions pre-1997. We all benefited from the books, essays, plays and movies created from people looking at old letters and papers that had never been published. As always, the concept of fair dealing still applies. This means that people can use copyrighted material for research and for review but the right to publish material in its entirety remains with the copyright owner until copyright expires.

I think that helps to explain our position with respect to that contentious section, but I want to return for a few moments to the main purpose of this legislation. It goes back to the whole notion of the merger.

Normally we in the NDP are not that big on mergers, especially when it comes to financial institutions, but in the case of the National Library of Canada and the National Archives of Canada, we recognize that it makes absolute sense. Both of the institutions under discussion are charged with maintaining the documentary heritage of our country. It is an important and costly exercise.

All of us know that under the mandate of the former finance minister, the member for LaSalle—Émard, the budgets of both institutions were slashed in half. Many priceless collections had to be turned away because staff could not process or store them. Other material had to be destroyed because the physical plant could not be maintained.

It is absolutely critical that we see this legislation through, that there be adequate resources and funding for the newly merged library and archives for capital improvements to their facilities. The ultimate purpose of the bill is to provide a safe and secure home for our books, letters and other papers that tell our history. If we do not take these measures to protect them, we will be destroying our own history.

If this bill is to be more than a paper-pushing exercise, it has to be accompanied by new funding. We know we cannot demand that the

government make guarantees of adequate funding in this legislative process. It is not part of the bill per se, but we can certainly say to the government that we expect and hope that the question of adequate funding would be dealt with concurrently, that the pursuit of this legislative proposal would be done in tandem with the whole question of adequate resources.

To protect and archive material is a very skilled job. We want to make sure that the people who remained at these institutions after the staff cuts of the 1990s and the budget trimming should not fear for their jobs now. We owe those staff a debt of gratitude. Despite all the trials and tribulations, with all the problems of operating with a weak infrastructure, with an inadequate physical plant, with all kinds of problems that threatened the existence and the preservation of these important materials, they stuck with it and managed to keep the institutions functioning and the collections preserved.

● (1725)

In conclusion, I wish to recognize the work of the staff at the National Archives and the National Library. Their perseverance and experience will make this merger work and will help create a new single library and archives of which all Canadians will be proud.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I wish to thank the hon. member for her support for this important bill.

Some animated discussion took place in committee and I printed off the clause by clause consideration. I might deal with it when I give my speech. A lot of interest has been generated around clause 21 and whether it should come out of the legislation or whether it should stay in.

Could the member put some clarity into the consequences of clause 21 and whether or not its inclusion or exclusion would make much of a difference to the effective outcome of the bill? I raise this point because my colleague from Ottawa—Vanier was quite concerned about clause 21 being excluded. It appeared that there was some consensus but then developments occurred which changed the story. It would be helpful for hon. members to understand the importance of the discussion around clause 21.

Ms. Judy Wasylcia-Leis: Mr. Speaker, I appreciate the question from the member for Mississauga South.

I want to begin my response by suggesting that whenever it appears that the government of the day has interfered with the work of a committee and has not respected the wishes of a standing committee of this place then it is a matter of concern for all of us. It is a theme that has run throughout these last couple of years in Parliament and one that we have raised on numerous occasions.

The member for Mississauga South will know that on a legislative matter that we held near and dear, Bill C-13, dealing with reproductive technologies, there was great concern expressed on our part and by other members about how the government refused to accept amendments made in committee by all parties and in fact interfered with that democratic process by not including those amendments in the legislative proposal.

Government Orders

However, as in that case, today we must make a judgment about the merits of a bill versus some of the changes that we wanted to see that are not there.

It is important to recognize, in the context of Bill C-36 when dealing with clause 21, that there was in fact agreement in committee to have this clause removed. I am not so sure who bears all the brunt of the blame for the fact that it is not there.

I was not in the House when the bill was debated at report stage, but I understand the fact that action was not taken on clause 21 was largely a result of human error and a lack of vigilance on this question. The members of the government side in committee did not move the motion pursuant to clause 21 when it was the appropriate time to do so, so it did not happen there. When the bill came to the House for report stage, the Official Opposition, who felt strongly about this happening, did not move the elimination of clause 21 in the House.

As a result, by human error and not deliberate intention, this initiative was not taken. The fact of the matter is that we now have to decide if we are going to hassle about that. Are we going to haggle over those terms and that history, and lose a bill which would make an important contribution to our society? Are we going to go forward and at least see that the merger between the National Library of Canada and the National Archives of Canada is allowed to take place? We must have a public policy vehicle to ensure that the work of those who create, the writers in our society, those who write stories based on personal histories and who pursue letters and documents from our archives are able to do so knowing, and that their work is secure and the documents are safe in a physically sound building?

The bottom line comes down to how we sort through that. For our part, we have decided to support the bill, despite any shortcomings with the bill and despite lack of assurances that in fact adequate funding will be there when this merger takes place.

We must give it a chance. We have to listen to the voices of those experts who have been sounding the alarm bells for years about leaky roofs, yellowing paper, and the loss of valuable documents because we did not have the physical capabilities to keep them.

This gives us an opportunity to do what is important in that regard and it also gives us a chance to redress a problem that was created with the last copyright legislation when we did not take into account the whole question of unpublished works and copyright protection.

• (1730)

[*Translation*]

The Deputy Speaker: I would like to remind hon. members that interventions must be directed through the Chair.

The hon. member for Jonquière.

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, thank you for the reminder. It was not that I had forgotten, but that I was so caught up in the debate with my colleague in the Progressive Conservative Party.

I would like to ask a short question of my colleague in the New Democratic Party. I wish to add my voice to hers in saying that the hon. member for Dartmouth has done an excellent job, and if she

decides not to run in the next election, I will be disappointed because she is an excellent Member of Parliament. I think we should do everything we can to keep women MPs with us, because there are so few of them.

I would now like my colleague to tell me where in the bill she has found guidelines to ensure integrity and transparency when an administrator and executive are appointed.

Throughout the process, I have been asking the government and the committee to clarify this for me. Since she supports it, she must have answers to my questions. I would like an answer from her on this. Perhaps then I will be able to change what I plan to say in a few minutes. This is something of great concern to me, in light of what is going on in the House of Commons as far as all those partisan appointments are concerned.

• (1735)

Ms. Judy Wasylcia-Leis: Mr. Speaker, I would like to thank the member from the Bloc Québécois for her kind words about my colleague, the member for Dartmouth. I am sure that she will appreciate this speech and the support of all the members here.

[*English*]

I too appreciated the opportunity of working with the member for Dartmouth and wish to recognize her particular expertise that she brings to the House in the area of culture and heritage which is rare. Rare because of the first-hand experience she brings to this place and also her integrity and commitment to thoroughly reviewing all issues.

With respect to the question of the mandate in Bill C-36, I know that my colleague from Dartmouth would have said that what we have in the bill is not perfect. All the questions have not been answered. We are not absolutely 100% sure how the mandate of the new merged institution will be interpreted and whether or not the agency created will be above any political influence.

Our party came to the conclusion that when all is said and done what we have here is better than nothing and we have the hope of creating that kind of necessary institution. What we have is a bill that will help us keep valuable works and historical documents, and help protect the rights of creators.

Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.): Mr. Speaker, I had no intention of speaking on the contents of the bill but it behooves me to address some of the remarks that some colleagues have made, no doubt genuinely. At the same time I think the record has to be put straight as to what happened in the committee.

I heard things here which seemed to imply that there was some kind of collusion or some underhanded practice that led to the fact that clause 21 remained in the bill when there had been an agreement between the parliamentary secretary and certain members of the opposition to delete it in committee.

Government Orders

I know this agreement did take place. I know the member for Kootenay—Columbia and the member for Fraser Valley were part of it. I know my colleague from Vanier on this side of the House was also part of it. Therefore definitely there had been discussions leading to the decision to delete clause 21. This was done in a very genuine effort to ensure that Bill C-36 would pass clause by clause without any problem. Therefore the agreement was definitely there.

When the committee meeting took place, and I happen to know it because I was chairing the committee, I would like to point out for those members who feel that something untoward or underhanded took place, that was definitely not the case. What unfortunately happened, and I guess we can search ourselves and decide that in the future we should be more thorough when making agreements of this nature, was that it was done at the last minute as Parliament was recessing. The flaw in the agreement was that not all other members on the Liberal side were party to it. As well, replacement members on the committee came in to fill in for the quorum who were not party to the agreement.

Therefore when the discussion took place as to the removal of clause 21, I remember clearly that I put on the record that there had been a prior agreement. Therefore, the question was quite clear to all members that there had been an agreement. At the same time certain members, and I remember my colleagues from Parkdale—High Park and from Verdun—Saint-Henri—Saint-Paul—Pointe Saint-Charles, who had not been part of it argued very strongly that they could not be bound by an agreement of which they were unaware. They felt extremely strong about retaining clause 21 within the bill.

Therefore we have to accept that those members who had not been part of the agreement, and maybe we could search ourselves and say that it was a big flaw in the agreement and obviously it was, decided for their own sake they wanted to preserve clause 21 within the bill and they argued passionately about it.

The member for Parkdale—High Park and the member for Verdun—Saint-Henri—Saint-Paul—Pointe Saint-Charles happen to know the subject extremely well. They spoke with conviction, and with eloquence about the reasons why they felt clause 21 should stay. What happened was they convinced the other members who really were replacement members and who did not know much about copyright legislation. They were swayed by the arguments.

When the vote took place the majority voted in favour of keeping clause 21 within the bill.

• (1740)

It is unfortunate the way it happened. I feel a lot of sympathy for the members who feel they were let down: the members for Kootenay—Columbia, Fraser Valley, Jonquière, and all the others who were at the committee and felt there was an agreement for the removal of that clause. I sympathize with them. I realize how they must feel about being let down in a process where they felt they had a commitment that the clause would be removed.

On the other hand, we also have to recognize that the members who were not part of that agreement had a genuine reason for defending their viewpoint and a democratic right to put across their point of view. What happened was they were obviously convincing

enough that the majority of members accepted what they were putting forward and voted with them to leave the clause in.

I feel a particular sympathy for the member for Perth—Middlesex, who is a new member of the House. He came as the only representative of the opposition at the time, because the member for Jonquière had left. He could have broken the committee meeting and stopped it right away by leaving. I made clear to him that there was an agreement, but explained the circumstances that some members were not part of it, and he hesitated. He could have left and to his credit he decided to stay so the meeting could continue. If he had chosen to leave, the clause by clause would have been suspended immediately. Again I have much sympathy with him because by his staying, the meeting carried on and the majority voted to keep the clause in the bill.

These are the facts. The record shows this. I would like to confirm here and now that there was no malice of forethought and no intent to deceive. It was unfortunately one of those tacit agreements, which was made on the fly at the end of a session, and as events show, not very well made because all the members were not part of it. This is why I wanted to stand and put the record straight. I would not like to leave an impression that any of the members had anything to do with anything that was unfair or untoward.

I have chaired this committee now for several years. One thing we have tried to do is reach consensus in a fair and open matter and we have tried to understand one another's point of view. I think we work extremely well together. I regret this circumstance took place, because whether we like it or not, it leaves a bad taste. I hope in the future, when such agreements are made, we tie up the loose ends on all sides so we avoid the circumstances that occurred in the committee.

• (1745)

[*Translation*]

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I listened carefully to my distinguished colleague; he knows that I have always had the greatest respect for him. I truly appreciated everything the Liberal member did to advance the cause of environmental protection in Quebec when he was Minister of the Environment in that province.

Obviously we will not spend the rest of our lives talking about what happened, but certain things had to be said. However, I noticed—and it is the same with all committees—that some members attend all committee meetings; they listen to all the witnesses and do all the work, but the government party, represented by eight members on the committee, is never there. All of a sudden, when it is time to vote on opposition motions, we see new people arrive who have no idea what we are talking about, which skews all the work done very respectfully by opposition members. That is what happened and it is a common occurrence in several committees of this House.

An agreement had been reached in good faith among all parties, and I was part of that agreement. All of a sudden, there was no agreement anymore. Do you think that it is nice to be there and to have the government force all kinds of things down our throats when those who represent the government do not even know what it is all about?

Government Orders

I am not criticizing the chair of the Standing Committee on Canadian Heritage, because he is an excellent chairman and I know that he does a good job. However, I hope that this will not happen again.

* * *

PUBLIC SAFETY ACT, 2002

BILL C-17—NOTICE OF TIME ALLOCATION

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, an agreement could not be reached under the provisions of Standing Orders 78(1) or 78(2) with respect to the third reading stage of Bill C-17, An Act to amend certain Acts of Canada, and to enact measures for implementing the Biological and Toxin Weapons Convention.

Under the provisions of Standing Order 78(3), I give notice that a Minister of the Crown will propose at the next sitting a motion to allot a specific number of days or hours for the consideration and disposal of proceedings at the said stage.

* * *

● (1750)

LIBRARY AND ARCHIVES OF CANADA ACT

The House resumed consideration of the motion that Bill C-36, an Act to establish the Library and Archives of Canada, to amend the Copyright Act and to amend certain Acts in consequence, be read the third time and passed.

The Deputy Speaker: Resuming debate on Bill C-36. Does the hon. member for Lac-Saint-Louis want to respond to the comments by the hon. member for Jonquière?

Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.): Mr. Speaker, I understand that members are frustrated by what happened. I believe we should forgive and forget. Everyone had a chance to speak up and now we will have to find a way to work together so that in the future, when there is an agreement, we make sure that every committee member is present.

What happened is that the committee met one week after Parliament had adjourned. So it was very difficult to have all the members in attendance. This is why on that day the members in question were replaced by other members. It was not the result of any ill intent. Everyone said what they thought about it. I can understand them and I sympathize with the opposition members, who are feeling frustrated. I understand them perfectly.

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I want to thank the hon. member for his statements today. It has opened up a constructive dialogue about some of the difficulties we have in committee. The member has put it in perspective, notwithstanding that there is good faith at the committee. As the previous questioner raised, sometimes things happen where the will of the committee seems to be fluid because of who is sitting in the room.

Having said that, could the hon. member clarify the ultimate decision of the opposition not to move a report stage motion to delete clause 21, if this was in fact the exacerbating issue that led to

the dialogue within the committee? I am searching to find out if that is a signal that maybe this item was not worth the battle. Maybe the battle is now more on partisan interests or political posturing as it was on the substance of the bill.

Mr. Clifford Lincoln: Mr. Speaker, I will not speak to what happened at report stage or to what is happening today with the clause. I do not think that is my function. I do not have any particular biases in regard to this clause, whether it stays in or is left out.

At the same time, we have to agree that a difficult situation arose because an agreement had been made and then some members, who were not part of that decision, felt very strongly that the clause should stay in. They managed to convince colleagues, in a very genuine way, because they happened to be very convincing and passionate with their arguments, to vote for the inclusion of the clause.

In effect, the government, in looking at the committee report, would see that a majority of members, acting I think in good faith, because they certainly had not been a part of any agreement, voted in favour of keeping the clause in.

In effect, the government saw the committee's deliberation and no doubt decided that because of this it should leave the clause in. That is the only interpretation I can make of what is happening today. The government wanted to reflect the views of those members on the committee who felt that clause 21 was important enough to leave in the bill.

This whole issue of clause 21 is one of those polarized questions where we find people strongly opposed to its inclusion while another group, the other 50%, are just as passionate that it should stay in. It is one of those very difficult clauses. I imagine the decision was based on what happened at the committee and the majority vote there.

● (1755)

[*Translation*]

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I am pleased to speak to Bill C-36, which was introduced by the government.

Since Bill C-36 was introduced, to create the merged Library and Archives Canada, I have been wondering about the government's real goals as it tries determinedly to merge these two institutions, which have two distinct missions and two distinct approaches.

Why is the government going against the trend in most industrialized countries such as France, Belgium, the United States and Germany, which are determined to have these two institutions remain autonomous and retain all their prerogatives?

I listened to the witnesses; I asked questions; I expressed my concerns, but my questions were not answered.

There must be something fishy going on. Let us look more closely at this bill and let us consider the real issues that are present or absent.

Government Orders

There are issues of transparency and integrity, for example, regarding the appointment of the Librarian and Archivist and the members of the advisory council. There is the issue of broadening the mandate of this new institution by adding the interpretation of history. There is also the copyright issue.

Although the Bloc Québécois has pointed out a number of flaws in this legislation, the government has decided not to correct them. Why is this government so stubborn in refusing amendments that would have ensured transparency in the appointment of the Librarian and Archivist of Canada? This appointment will be made by the governor in council, with the agreement of the heritage minister therefore.

Why are there no benchmarks in this bill with regard to this appointment, that would have provided some guarantee of integrity and transparency? Why does the responsibility of the standing committee on heritage not have oversight on this appointment?

Absolutely nothing in this bill reassures us on this aspect. We in the Bloc Québécois also feel that it is unacceptable to create an advisory council whose members are selected and appointed by the heritage minister. These will be political friends and close relatives, who will be beholden to the people who chose them.

We will never be able to tell the people of Canada and Quebec that this committee is independent from political authorities. To say so would be to put one's head in the sand. It would be taking voters for uninformed people. When appointments are made and those who make them do not even know under what prerogatives, or whether appointees have expertise in an area related to the new structure—will they be archivists, librarians, we do not know—how can this be expected to work?

People do not like to be duped. It is well known that those appointed are forever indebted to those who appointed them. That is why politicians have lost a great deal of credibility with the voters.

Increasingly, this government is ignoring transparency.

● (1800)

With this bill, the institutions in the new organization are becoming politicized. This is very serious.

First, there is the political appointment of the deputy head. And there are political appointments to the new advisory council. The Bloc Québécois asked that these appointments be handled by an independent committee, as in Quebec.

The ruling party is no longer the PQ but the Liberal Party, and it is not changing how this operates. We relied on transparency. I think it was the hon. member for Verdun—Saint-Henri—Saint-Paul—Pointe Saint-Charles, who was a minister in the Quebec government, who developed this process.

The greatest concern with this bill is that the government is expanding the mandate of the new institution to include a reference to the interpretation of Canadian history. This new mandate is contrary to the neutrality objectives historically pursued by the National Library and the National Archives.

The government is trying to impose its own vision of history. Like most Quebecers, including the current Premier of Quebec, we in the

Bloc Québécois believe that Quebec is a nation with a culture of its own. Even the new Premier of Quebec, Mr. Charest, shares that belief.

In his statement under Standing Order 31 today, my colleague from Saint-Jean said that it has been six years since the death of Mr. Bourassa, the former Premier of Quebec. The day after the Meech Lake Accord failed, in June 1990, he said in a solemn and historic speech:

English Canada must clearly understand that whatever happens and whatever is done, Quebec is and always will be a distinct society, one that is free and quite capable of taking charge of its own destiny and development.

There are a thousand and one ways to interpret history; everything depends on what a nation such as Quebec experienced. For instance, when we talk about the War Measures Act in 1970, the perception of events is completely different depending on whether one is from Quebec or Canada.

The Minister of Canadian Heritage talks about Canadian culture. To her, anything from Quebec's culture is in fact a regional element of Canadian culture. It is very worrisome to give a mandate that would allow Canada's history to be interpreted, when we know how the minister thinks and what Quebec culture means to her. Her goal is Trudeau-style nation building, which seeks to instil a sense of belonging, and which reflects only one history and vision of Canada.

The mandate of Library and Archives Canada is not to interpret history. Its mandate is to make historical information available, not to create its own version to propagate across Canada.

It is important to see to what extent in this bill the government ignores the way political institutions make appointments. Given that this type of bill will not be reviewed regularly each year, we should include clauses that would ensure transparency and integrity in the people who will be appointed.

● (1805)

What is more, historical facts must not be interpreted by people who are appointed. Historians, documentalists and archivists are not there to interpret history. Their job is to make available to the people of Canada and of Quebec reference documents to enable them to have a relative view of what occurred at a specific point in Canadian history.

How do we ensure that the transfer of documents is going to be respectful of factual integrity? That is not in the bill. Who will be responsible for assessing the pertinence of documents? Here again, there is nothing in the bill.

As well, they want to include the concept of promoting and understanding heritage. That is a pretty tall order. If anyone is capable of explaining to me what that mumbo jumbo means and how it will be accomplished, they are one up on me.

We are headed for an administrative muddle. The new entity ought not to be responsible for this. It is not the responsibility of archivists, documentalists and historians. It is not part of their mandate, nor of their training. This is a concept of managing the Canadian mind. This bill is an expression of the vision of the Minister of Canadian Heritage.

Government Orders

We cannot subscribe to this initiative, which is aimed at adding this duty to the position of Chief Librarian.

Hon. members need think no further than what has happened with the mandate of the CBC and the notion of selling Canadian unity. Where is there any journalistic freedom in that? It will be tested out with these orientations.

Time moves on, but nothing changes with this government. There is talk of encroachment, lack of transparency. The intent with this bill is for it to recover its vision of what politics needs to be. This is not what politics are all about. I am from a province, a riding, and a city whose inhabitants demand information from me. They want me to assure them that what is going on in Parliament is being done in an atmosphere of transparency.

Unfortunately, with Bill C-36, I could not assure my constituents that, in future, those in this new entity will be beholden to someone.

I do not understand why they are creating this new structure. The people who will be working within this structure do not have the same mission and the same training. They are serious professionals. These professionals are having a political burden imposed on them, and it is not part of their mandate.

This legislation lacks transparency and in no way guarantees any respect for those who will be working within this institution and those wanting access to it.

The Bloc Quebecois will never support the government's new, soon to be adopted, vision concerning the role of archivist and librarian.

● (1810)

In this bill, the government does not guarantee any transparency. The Bloc will vote against this bill, since our party opposes the merger between the National Library and the National Archives of Canada. The Bloc Quebecois considers that the enlarged mandate of the new institution is aligned with Canadian propaganda goals, and that the new mandate will interfere with the neutrality the library and archives have always displayed.

The Bloc Quebecois demands that any reference to the interpretation of the history of Canada be removed from the mandate of the Library and Archives of Canada. This is part of a Trudeau-style nation-building effort. This bill seeks not only to merge two entirely different institutions, with two different missions, but also to turn the history of Canada into a propaganda tool.

The Bloc Quebecois will never allow any federal entity to interpret Quebec history. It will never allow the Canadian government to disseminate biased information. Those working at this institution will not do so by choice; they will be forced to do so by law. We will never allow that to happen, because we have too much respect for our ancestors and others who built Quebec.

As my colleague from the Conservative Party was saying, one has to know where one came from to be able to go where one wants to go. It may not be the exact same words that he used, but it means the same thing.

I come from a family where the historical values of the Quebec nation have been omnipresent since before I was born. These values

were passed down orally by my ancestors, from generation to generation.

It is true that something is missing right now in our schools in terms of getting our young people interested in our history. However, this new entity will never allow that to be done in a transparent way.

We know that history is a work in progress. Yesterday's history is not today's history nor is it tomorrow's history, but yesterday's history must stay the same. We must use it to go forward today and into the future. However, if we allow these people to interpret it, we will never reach our goal, and that is what we are here for. Therefore, we insist that our history truly reflect the facts.

In closing, I will reiterate that the Bloc Quebecois opposes this bill and will vote against it at third reading.

[*English*]

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, I must tell my friend in the Bloc that I will be using a term in a totally different way than it is usually used. In English when we say that a person is naive, usually that is a put down or a negative, but I will not be using the word in that context at all.

I just want to ask the member, in the broader sense of the word naive, whether she is being somewhat naive. Are we not as human beings all capable of making our own interpretation of any event? When we make that interpretation, it is done on the basis of our heritage, what we have known within our family life, the good experiences, the bad experiences. We have a situation where all archivists and librarians, even today, are making those interpretations, although not intentionally.

The member is well aware of the fact that we are on totally different planets and that we are diametrically opposed to each other in terms of our vision of Canada and the place of Quebec in it.

What I am asking the member is whether, within the context of this bill and putting the strict interpretation of what she said about not allowing people who under the legislation would be making this interpretation, that is not a naive approach because people naturally are making those interpretations today. Is the bill not simply an expression of the reality of the human condition?

● (1815)

[*Translation*]

Ms. Jocelyne Girard-Bujold: Mr. Speaker, I would like to thank my colleague from the Canadian Alliance for his question. I can tell him that yes, we each interpret history in our own way, each on our own side of the river as I said earlier. Canadians and Quebecers can certainly view history in a different perspective.

What I regret is that this bill broadens the terms of reference of the new institution and gives it a role which is contrary to its mandate; this destroys the neutrality that has always been displayed by the National Library of Canada and the National Archives of Canada.

Yes, historians do interpret history, but that was not the role of the National Library of Canada or the National Archives of Canada. We would go to the National Library of Canada to have access to reference books and we would go to historians so that they would help us understand those documents.

Government Orders

This bill will broaden the role of the Librarian and Archivist, but that will ruin the neutrality that has always been there since the creation of the National Archives and the National Library. I would like to see the new institution maintain this neutrality.

[*English*]

Mr. Jim Abbott: Mr. Speaker, this is a rather useful exchange. It seems to me that we should be looking at something on which we perhaps could have full agreement, such as some of the terrible atrocities that occurred during the second world war in the name of many countries. Had the allies not been victorious during the course of that war I wonder what the interpretation of that war would have been at that time. The fact is that we, supposedly, were the good guys, and I truly believe we were in that we were victorious and we now have freedom of expression, freedom of worship and freedom of association. As a result of that war, we made certain interpretations, and I think correctly so, on some of the events of the war. However, had it gone the other way, heaven forbid, would those interpretations not have been different?

Have we not seen the rewriting of history even in Canada relative to certain issues that relate to, say the feminist movement, or things of that nature? Even when the Famous Five, the women who were so influential in Canadian political history, were going to be enshrined, as they have been, on Parliament Hill, many people were asking about Nellie McClung and the things she accomplished. Is there not a constant interpretation?

I believe I understand the Bloc member's concern but it seems to me that what is contained in the bill, which has to do with the reconstruction and amalgamation of the library and archives, is simply an explanation or a description of what is, in reality, currently going on today. I was just wondering whether she was getting rather carried away with her concern.

• (1820)

[*Translation*]

Ms. Jocelyne Girard-Bujold: Mr. Speaker, I thank the hon. member of the Canadian Alliance for his question. I could give him another example.

Let us talk about conscription, both in 1917 and for the second world war. Historical interpretations differ a great deal, depending on whether you are a Quebecker or a Canadian.

In this mandate, which interpretation will be considered the right one? That is the question I have. There is always a choice between different interpretations, and this worries me.

This raises big questions. We cannot ignore the fact that we are Quebeckers or Canadians. In Quebec, we do not look at Canadian history the same way a Canadian Alliance member does, because he is a federalist.

Which of these interpretations will be made accessible to all? Just the Canadian interpretation, or will the Quebec interpretation be available too? I worry about the way the documents concerning both interpretations will be made available. Will the Canadian interpretation be a priority while the other one will be pushed aside? I worry about that.

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have a quick question for the member with regard to clause 21. I would like to hear the member's opinion as to whether or not its inclusion or exclusion would have a material impact on the essence of the bill.

[*Translation*]

Ms. Jocelyne Girard-Bujold: Mr. Speaker, at the beginning of the debate on Bill C-36, we had reached an agreement and the members of the Bloc Quebecois were of the opinion that clause 21 had to be removed. We thought that it should not be in there.

The Standing Committee on Canadian Heritage is presently reviewing the copyright issue. We believed then, and we still believe now, that this clause should have been removed and included in the Copyright Act.

This is one of the reasons why we oppose this bill. This clause does not belong there. It does not need to be included and it should be discussed in the context of the copyright issues. This bill, which will be referred to the Standing Committee on Canadian Heritage, is very important for the Bloc Quebecois.

This is why there was no fundamental discussion on this. Since an agreement had been reached to exclude it, we did not go into it in great detail.

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am thankful for this opportunity to add a few thoughts in the closing minutes of debate on Bill C-36.

I wanted an opportunity to rise on behalf of our NDP heritage critic, the member for Dartmouth, to make a summary point as we close the debate on Bill C-36 today. Many members have spoken about the relative merits of the bill. It is my task today, in the few minutes I have left, to point out some observations on behalf of the member for Dartmouth.

In 1998 Dr. John English, a former Liberal member of Parliament, conducted a study regarding the fate and the future of the National Archives and the National Library. That study caused the member for Dartmouth to do some investigating. What she found has not been articulated clearly here today. It is that the sorry state of our National Archives and our National Library is due in large part to the budgetary cuts of the Liberal government during the 1990s. It cannot be ignored and we would be remiss if we left these facts out.

The National Archives budget went from \$65 million to \$44 million from 1993 to 1997. The library's budget went from \$47 million to \$27 million. These are huge cuts. The fat was already trimmed and we were cutting deep into the bone. All of a sudden archivists had to decide which historical collections of national significance were going into the blue box and which they could afford to preserve. At least the archivists had that flexibility; the National Library did not.

The National Library, by an act of Parliament, must collect two copies of every publication published in Canada. It has no option to cut its acquisitions or do away with some of its archives. We have told it to be the national repository of all of our books, reports and magazines.

Adjournment Debate

Therefore, the only place it could cut was its physical plant. It wound up that it could not even afford to fix its leaky roof, as sad as that sounds. It could not afford to fix the bursting water pipes. It could only try to move its collections around so the water did not drip through the roof onto its valuable documents.

I point this out to illustrate that this is the manifestation of budget cuts that were so deep they were irresponsible because our national treasures suffered. Our national history suffered as a result of what I consider to be the cutting, hacking and slashing of budgets without consideration of how those cuts manifest themselves. It is more difficult to see in social programs, et cetera, when those cuts take place, although no less dramatic.

It is easy to see when a simple thing like fixing the roof was impossible and the water poured in on our National Library. Some 25,000 works were damaged to the point where they could not be used or had to be thrown out. Even the attempts to improve the plant by building a new preservation centre in Gatineau has been only a band-aid solution. These cuts have meant fewer archivists and without archivists no one takes care of our archives.

It was that point that I wanted to make in these final moments of the debate. The ruthless cutting, hacking and slashing during program review by the member for LaSalle—Énard, the former finance minister, is directly responsible for the crisis that our National Archives and National Library find themselves in today. The merger in Bill C-36 is being proposed originally by the Liberals as a cost saving measure. We support this bill only because it may lead to a better treatment of our national treasures in both these institutions.

• (1825)

[Translation]

The Deputy Speaker: There is not enough time left for a question or a comment. I wonder if I could have the unanimous consent of the House to see the clock as 6:30 p.m.? I notice that the two members who will be speaking in the adjournment debate and the parliamentary secretaries are in the House.

Some hon. members: Agreed.

ADJOURNMENT PROCEEDINGS

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

* * *

[English]

FISHERIES

Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.): Mr. Speaker, my question today pertains to the fisheries situation in the Fraser River on the west coast.

I would like the hon. member opposite to understand one fundamental fact, and that is, it is not possible to discriminate in favour of somebody on the basis of their skin colour, race or ancestry without simultaneously and unfairly discriminating against somebody else because of their skin colour, race or ancestry.

My question is, what does the hon. member suggest is the message the House of Commons delivers to non-Indian fishermen who are denied the opportunity to earn a livelihood in the salmon fishery because they are the wrong skin colour? What does the hon. member say to that person?

What do we say to individuals whose dreams and aspirations are denied because they are the wrong skin colour and why embark on such a discriminatory, state-sanctioned, segregationist policy which most Canadians find offensive, demeaning and discriminatory?

Some hon. members: Oh, oh.

• (1830)

The Deputy Speaker: Order, please. I wonder if I might seek the cooperation of the House.

[Translation]

We will hear the parliamentary secretary's answer.

Ms. Carole-Marie Allard: Mr. Speaker, could I have you repeat, please. My colleague was talking to me at the same time.

The Deputy Speaker: The member for Saskatoon—Humboldt made his first comments and we are now waiting for the parliamentary secretary's answer.

Ms. Carole-Marie Allard (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.): Mr. Speaker, in the absence of my colleague, the hon. parliamentary secretary, I will be pleased to respond to the remarks of the hon. member for Saskatoon—Humboldt.

I welcome this opportunity to respond to the concerns of my hon. colleague concerning the Aboriginal Communal Fishing Licences Regulations. These regulations are an important part of the Aboriginal Fisheries Strategy and of Fisheries and Oceans Canada's initiative in response to the Marshall decisions.

The fishing licences issued under the Aboriginal Communal Fishing Licences Regulations give the aboriginal people access to fisheries for food, social and ceremonial purposes as well as access to commercial fisheries.

While believing that the regulations are valid, the Government of Canada clearly expressed the desire to respond to the concerns of the Standing Joint Committee on Scrutiny of Regulations.

I can only commend once again the committee members on their dedication to this issue as well as their continued efforts to make their concerns heard. The Government of Canada reviewed at length the views expressed by the committee. Instead of bypassing the parliamentary process—far from it—as the hon. member suggested, in June, the minister introduced in this very place Bill C-43 to amend the Fisheries Act.

Bill C-43 clarifies which legislative authority will be responsible for the regulations governing fisheries in Canada. The honourable member referred to pilot sales and to the judgment handed down this summer by the Provincial Court of British Columbia in the *Queen v. Kapp*.

Adjournment Debate

The Attorney General of Canada appealed that decision. And even though it was the decision of a lower court, the department decided to continue negotiating in order to conclude pilot sales agreements for the current year in British Columbia. It also terminated existing agreements, in accordance with provisions in those agreements.

The Department of Fisheries and Oceans is working with British Columbia's first nations to arrive at agreements that will be in the interest of those aboriginal communities who want to reap the economic advantages of fishing, and that will bring more certainty and stability to all aboriginal and non aboriginal participants.

Furthermore, the Department of Fisheries and Oceans will continue to cooperate with all stakeholders in this fishing industry. Preservation of the resource and proper management of fisheries remain a priority of the department.

As the minister said to the member in June, the majority of Canadians and all the members on this side of the House want aboriginal peoples, the first inhabitants of this country, to have fair economic opportunities, and that is what we are going to provide.

[*English*]

Mr. Jim Pankiw: Mr. Speaker, it is unfortunate that we have to categorize citizens of our country into when they apparently immigrated here. Does that mean that second generation Canadians have more rights and privileges than first generation Canadians but less than third or fourth generation Canadians?

In any event, the hon. member has completely dodged my question so I will ask it again. I suggest to her that not only are the eyes of the nation on her but so is the permanent record of the House of Commons.

What does the hon. member say to non-Indian fishermen whose dreams and aspirations of earning a livelihood in the salmon fishery on the Fraser River are denied because the Liberal government has decided they are the wrong skin colour? What does she say to those people? They are listening and watching, so let us have a direct answer to that specific question.

• (1835)

[*Translation*]

Ms. Carole-Marie Allard: Mr. Speaker, my colleague is probably referring to the decision by the Provincial Court of British Columbia. I said earlier that the Attorney General of Canada has appealed this decision.

Even though it is a decision by a lower court, the department has decided to carry on negotiating with a view to reaching agreements regarding pilot sales for the current year in British Columbia. That is my answer.

GASOLINE PRICES

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, in May 2003, I asked the Minister of Industry a question regarding the price of gasoline. As you know, early in 2003, there was an inexplicable hike in the price of gasoline. We were told that it was because of the impending war in Iraq. It was not that the availability of petroleum had decreased, but simply that the oil companies had maximized their profits on refining.

After that, the Standing Committee on Industry, Science and Technology unanimously passed a motion by the Bloc Québécois asking for a review of the situation.

In May, I asked the Minister of Industry to conduct an inquiry to get to the bottom of it. The same thing happened for Labour Day. It happens every time there is a special occasion such as a long weekend. Nowadays, given the refining capacity in North America, oil companies and multinationals have the upper hand and can instantly, virtually within 24 hours, decrease the quantities of refined petroleum, which in turn results in an increase in the price of oil.

What I was asking the minister in May is still relevant today. Why does the government not intervene in this debate? Why is there no effort to ensure that there will be normal fluctuations in the price of gasoline instead of sudden jumps and drops, huge changes up and down, with serious impacts on the economy.

The entire transportation industry, as well as people who live in rural areas, people who use their cars every day, and especially people with low incomes, all need to know in advance what the price of gas will be. At present we are being held hostage by the multinationals, who are either using the international situation as an excuse, or claiming a sudden increase in demand caused by their reductions in refinery capacity.

We saw it just recently. A refinery in Ontario was closed and activities concentrated in Montreal. It is a good thing to have a sizeable refinery operation in Montreal, but it is also important to have sufficient refinery capacity. It looks as though the oil companies have set things up rather nicely in the past few years.

I would like to ask the minister, or his representative, if he has any intention of holding the public inquiry we are asking for. This subject is always on the agenda of the Standing Committee on Industry, Science and Technology. I would like to know if the government side has reviewed its position since the last time, because the multinational oil companies are still up to the same tricks?

[*English*]

Ms. Nancy Karetak-Lindell (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Mr. Speaker, I am pleased to speak on behalf of the Parliamentary Secretary to the Minister of Industry and address this question about retail gasoline prices raised on May 7 by the hon. member.

We have already answered this question several times before the House. Again, I repeat that our views on this important matter are very straightforward. We believe that a fair, efficient and competitive marketplace will provide Canadian consumers with the best prices and will encourage companies to innovate and offer new product choices.

Adjournment Debate

As we all know, the Competition Bureau is an independent law enforcement agency responsible for the administration of the Competition Act. The act contains criminal provisions that prohibit price fixing and price maintenance, as well as civil provisions dealing with mergers and abuse of dominance in the marketplace. All these provisions apply to gasoline and other petroleum product markets.

We must also acknowledge that there is a larger context to this issue. We must remember that outside factors influenced the price of gasoline in Canadian markets, especially in February 2003 with an impending war in Iraq, a political crisis in Venezuela which affected that country's oil production, a cold winter in northeastern North America and unusually low inventory levels throughout this continent. All these factors created upward pressure on crude oil prices, which in turn had an impact on the price of gasoline in Canada and around the world.

In fact retail gasoline prices around the world reached very high levels in February 2003. However, the latest available data from the International Energy Agency, an autonomous agency linked with the OECD, showed that in June 2003 Canada had lower gasoline prices than most of the other major industrialized countries studied.

It is important to note that high prices and profits during volatile market conditions are not contrary to the Competition Act. Suppliers of any product are generally free in Canada to charge whatever prices the market will bear. Experience has shown that over the long run, market forces are the most reliable means of ensuring that product prices are as low as possible.

Agreements among competitors to artificially fix or raise prices are prohibited under the criminal conspiracy provisions of the act which are strictly enforced at all times.

At this point there is no evidence to suggest that the price increases over the last year are due to any conduct which would raise issues under the Competition Act.

I can assure hon. members that where the Competition Bureau finds that companies or individuals have engaged in anti-competitive conduct, it does not hesitate to take immediate and appropriate action under the Competition Act.

If anyone has any evidence that prices in the petroleum products sector are being set by agreement among competitors and not by market forces, I encourage them to bring that evidence to the Competition Bureau.

In the past the Competition Bureau has been very active in examining markets in the domestic petroleum industry.

In the last 12 years the Competition Bureau has conducted four major investigations of the gasoline industry, as well as numerous examinations of consumer complaints, and has not found any evidence to suggest that the price increases which occurred during that time period resulted from either a national or regional conspiracy among refiners or other suppliers of gasoline. Indeed, we must recognize that the periods of high prices in the past proved to be temporary and were always followed by a return of prices to normal levels.

In the year 2000, in response to concerns about gasoline prices, the federal government sponsored an independent study by the Conference Board of Canada to examine Canadian gasoline and diesel fuel markets. In its report, released in February 2001, the Conference Board concluded that Canadians were well served by gasoline markets that operated fairly and efficiently and that they enjoyed some of the lowest gasoline prices in the world. The report also has noted that the rapid increase in world crude prices was the main factor explaining increases in Canadian gasoline prices.

• (1840)

While I realize that this is little comfort to consumers who have had to pay more to fill their gas tanks, I must remind the hon. members that the Government of Canada does not have the authority to directly regulate retail gasoline prices except in emergency situations and therefore, under the constitution, the decision whether to regulate retail prices rests with the provinces.

[*Translation*]

Mr. Paul Crête: Mr. Speaker, the parliamentary secretary has put her finger on the right thing, but is not giving it the right interpretation.

How can she state that an objective study has been undertaken, when the organization carrying it out was the Conference Board of Canada, to which the oil and gas companies themselves belong?

Similarly, as far as the matter of a competitive market goes, we agree there must be one. But when, in an industry like the oil and gas industry, there is a maximum of five or six actors who decide to raise prices at the same time—as everyone has seen in their own home town—when all gas stations change their prices at the same time, does this constitute an acceptable competitive market?

Finally, the competition commissioner himself has acknowledged in committee that the law did not have the teeth needed for carrying out studies that are not quasi-judiciary. Such studies require evidence of equivalent quality to that required in court to establish guilt.

In this case—and the minister has acknowledged this himself, since he is carrying out a study at the moment on it—ought not the Competition Act to confer sufficient powers on the competition commissioner to allow this type of study to be carried out and the matter settled for once and for all? This would mean that, in future, it would be possible to prevent refinery profits from being absolutely overinflated in comparison to what the market reality ought to be.

• (1845)

[*English*]

Ms. Nancy Karetak-Lindell: Mr. Speaker, as I stated in my earlier speech, the high prices and the rising profits during volatile market conditions are not contrary to the Competition Act.

If the hon. member has proof that this is happening, it should be reported. Agreements among competitors to artificially fix or raise prices are prohibited under the criminal conspiracy provisions of the act and are enforced at all times. As the minister has stated already, the Competition Bureau does carry out its duties and it would not hesitate to take appropriate action.

Adjournment Debate

[*Translation*]

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands

adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24 (1).

(The House adjourned at 6:46 p.m.)

CONTENTS

Monday, October 6, 2003

PRIVATE MEMBERS' BUSINESS

Income Tax Act

Bill C-325. Second reading	8179
Mr. Obhrai	8179
Mr. Stoffer	8180
Ms. Picard	8181
Mr. Brison	8182
Mr. Duncan	8184
Mrs. Jennings	8184
Mr. Casson	8185
Division on motion deferred	8186

Privilege

Bill C-13

Mr. Szabo	8186
Mr. Merrifield	8187

GOVERNMENT ORDERS

Assisted Human Reproduction Act

Bill C-13. Third reading	8187
Mr. Epp	8187
Mr. Ménard	8189
Mrs. Jennings	8190
Mr. Abbott	8191
Mr. McKay	8192
Mr. Day	8193
Mr. Reed	8195
Mr. Hanger	8195
Mr. Dromisky	8196
Mr. Obhrai	8197
Mr. Casson	8198
Mr. Bellemare	8199

STATEMENTS BY MEMBERS

Breast Cancer Research

Mrs. Longfield	8200
----------------------	------

Ogden House Seniors Association

Mr. Obhrai	8200
------------------	------

National Parks

Mr. Dromisky	8200
--------------------	------

Dan Snyder

Mr. Myers	8200
-----------------	------

Government Assistance

Mr. Regan	8200
-----------------	------

Justice

Mr. Hanger	8201
------------------	------

2003 Canada Winter Games

Mr. Castonguay	8201
----------------------	------

Women's History Month

Ms. Bourgeois	8201
---------------------	------

Robbie Beerenfenger

Mr. Bélanger	8201
--------------------	------

Technology Partnerships Canada

Mr. Rajotte	8201
-------------------	------

World Habitat Day

Mr. Lastewka	8202
--------------------	------

Canadian Forces

Mr. Schellenberger	8202
--------------------------	------

Robert Bourassa

Mr. Bachand (Saint-Jean)	8202
--------------------------------	------

Women's History Month

Ms. Sgro	8202
----------------	------

Foreign Affairs

Ms. Davies	8202
------------------	------

Fire Prevention Week

Mr. Tonks	8203
-----------------	------

Paul St. Pierre

Mr. Reynolds	8203
--------------------	------

ORAL QUESTION PERIOD

National Defence

Mr. Harper	8203
Mr. McCallum (Markham)	8203
Mr. Harper	8203
Mr. McCallum (Markham)	8203
Mr. Harper	8203
Mr. McCallum (Markham)	8204
Mr. Hill (Prince George—Peace River)	8204
Mr. McCallum (Markham)	8204
Mr. Hill (Prince George—Peace River)	8204
Mr. McCallum (Markham)	8204

Canadian Grand Prix

Mr. Duceppe	8204
Mr. Cauchon	8204
Mr. Duceppe	8204
Mr. Cauchon	8204
Mr. Ménard	8205
Mr. Cauchon	8205
Mr. Ménard	8205
Mr. Cauchon	8205

National Defence

Mr. MacKay	8205
Mr. McCallum (Markham)	8205
Mr. MacKay	8205
Mr. McCallum (Markham)	8205

Health

Ms. Davies	8206
Mr. Manley	8206

Government Assistance		Mr. Merrifield	8210
Ms. Davies	8206	Ms. McLellan	8210
Citizenship and Immigration		Fisheries and Oceans	
Mrs. Ablonczy	8206	Mr. Adams	8210
Mr. Coderre	8206	Mr. Thibault	8210
Mrs. Ablonczy	8206	Public Service	
Mr. Coderre	8206	Mr. Forseth	8210
The Environment		Ms. Robillard	8210
Mr. Roy	8206	Mr. Forseth	8210
Mr. Thibault	8206	Ms. Robillard	8210
Mr. Roy	8207	Identity Card	
Mr. Thibault	8207	Ms. Girard-Bujold	8211
Canada-U.S. Border		Mr. Coderre	8211
Ms. Meredith	8207	La Francophonie	
Mr. Coderre	8207	Mr. Simard	8211
Ms. Meredith	8207	Mr. Paradis (Brome—Missisquoi)	8211
Mr. Coderre	8207	Fisheries and Oceans	
Former Privacy Commissioner		Mr. Pankiw	8211
Mr. Lanctôt	8207	Mr. Thibault	8211
Mr. Boudria	8207	CINAR	
Mr. Lanctôt	8207	Mr. Guimond	8211
Mr. Boudria	8207	Mr. Boudria	8211
Royal Canadian Mounted Police		Foreign Affairs	
Mr. Sorenson	8207	Mr. Casey	8211
Mr. Easter	8208	Mr. Easter	8211
Mr. Sorenson	8208	Presence in Gallery	
Mr. Easter	8208	The Speaker	8212
National Defence		Points of Order	
Mr. Pratt	8208	National Defence	
Mr. McCallum (Markham)	8208	Mr. McCallum (Markham)	8212
Mr. Clark	8208	Oral Question Period	
Mr. McCallum (Markham)	8208	Ms. Davies	8212
Mr. Clark	8208	Office of the Privacy Commissioner	
Mr. McCallum (Markham)	8208	Mr. Boudria	8212
Citizenship and Immigration		ROUTINE PROCEEDINGS	
Mr. Martin (Winnipeg Centre)	8208	Commissioner of Official Languages	
Mr. Coderre	8208	The Speaker	8213
Agriculture		Heritage Lighthouse Protection Act	
Mr. Proctor	8209	Mr. Keddy	8213
Mr. Goodale	8209	Bill S-7. First reading	8213
Royal Canadian Mounted Police		(Motion agreed to and bill read the first time)	8213
Mr. Spencer	8209	Petitions	
Mr. Easter	8209	Agriculture	
Mr. Spencer	8209	Mr. Adams	8213
Mr. Easter	8209	Labelling of Food Products	
Employment Insurance		Mr. Adams	8213
Mr. Gauthier	8209	Marriage	
Ms. St-Jacques	8209	Mrs. Skelton	8213
Mr. Gauthier	8209	Mrs. Hinton	8213
Ms. St-Jacques	8210	Food and Drugs Act	
Health		Mrs. Hinton	8214
Mr. Merrifield	8210		
Ms. McLellan	8210		

Child Pornography	
Mr. Tonks	8214
Falun Gong	
Mr. Tonks	8214
National Defence	
Mr. Tonks	8214
Marriage	
Mr. Myers	8214
Mr. Schellenberger	8214
Questions on the Order Paper	
Mr. Regan	8214

GOVERNMENT ORDERS

Library and Archives of Canada Act	
Bill C-36. Third reading	8214
Ms. Allard	8214
Mr. Abbott	8216
Ms. Girard-Bujold	8217
Mr. Szabo	8217
Mr. Abbott	8218
Ms. Allard	8220
Ms. Girard-Bujold	8221
Mr. Szabo	8221
Ms. Picard	8222
Ms. Girard-Bujold	8223
Mr. Hearn	8225

Ms. Girard-Bujold	8226
Ms. Wasylcia-Leis	8228
Mr. Szabo	8229
Ms. Girard-Bujold	8230
Mr. Lincoln	8230
Ms. Girard-Bujold	8231

Public Safety Act, 2002

Bill C-17—Notice of time allocation	
Mr. Boudria	8232

Library and Archives of Canada Act

Bill C-36. Third reading	8232
Mr. Lincoln	8232
Mr. Szabo	8232
Ms. Girard-Bujold	8232
Mr. Abbott	8234
Mr. Szabo	8235
Mr. Martin (Winnipeg Centre)	8235

ADJOURNMENT PROCEEDINGS

Fisheries

Mr. Pankiw	8236
Ms. Allard	8236

Gasoline Prices

Mr. Crête	8237
Ms. Karetak-Lindell	8237

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