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(HANSARD)

Friday, October 22, 2004

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Friday, October 22, 2004

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

•(1000)
[English]

CRIMINAL CODE

(Bill C-10. On the Order: Government Orders)

October 8, 2004—the Minister of Justice—Second reading and reference to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness of Bill C-10, an act to amend the Criminal Code (mental disorder) and to make consequential amendments to other acts.

Hon. Mauril Bélanger (for the Minister of Justice): Mr. Speaker, I move:

That Bill C-10, an act to amend the Criminal Code (mental disorder) and to make consequential amendments to other acts, be referred forthwith to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness.

•(1005)
Hon. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, it is my pleasure to rise today to speak in support of Bill C-10 and to encourage all members of the House to support these reforms and agree to a prompt review by the appropriate parliamentary committee.

These reforms may be familiar to hon. members who participated in the Standing Committee on Justice and Human Rights when they did their review of mental disorder provisions of the Criminal Code in 2002. These reforms have benefited from and reflect the committee's input.

The criminal law governing persons found not criminally responsible on account of mental disorder and those found unfit to stand trial is not well-known. I would suggest that many people misunderstand the law. There remains a perception that a person who commits an offence and is found not criminally responsible gets away with the crime. This is simply not the case.

[Translation]

Part XX.1 of the Criminal Code governs mentally disordered accused. This part includes the legal and procedural rules governing persons found not criminally responsible on account of mental disorder and those found unfit to stand trial.

Some sections in Part XXI are complex, interconnected and very technical. However, this part of the Criminal Code provides a comprehensive regime to ensure fair and effective supervision and treatment of mentally disordered accused and the protection of public security.

[English]

The reforms in Bill C-10 would improve Part XX.1 of the Criminal Code by providing new powers for review boards that bear the responsibility for determining the accused's disposition or discharge, ensuring that the permanently unfit accused do not languish in the justice system, expanding the role of victims of crime, and clarifying several confusing and misinterpreted provisions, just to name a few of the amendments.

In considering Bill C-10, it is important that all members appreciate who these amendments affect. These reforms apply to persons found unfit to stand trial and persons found not criminally responsible on account of mental disorder.

[Translation]

“Unfit to stand trial” is defined in the Criminal Code as unable on account of mental disorder to conduct a defence at any stage of the proceedings before a verdict is rendered or to instruct counsel to do so.

The accused is also unable to understand the nature, object or possible consequences of the proceedings, or to communicate with counsel. Essentially, this means that the accused does not understand what is going on, because of a diagnosis of mental disorder.

Where a person is found to be unfit to stand trial, the prosecution, that is the trial, cannot proceed and the accused will be dealt with by the review board until the accused is found fit and can be tried.

An inquiry must be held two years after the verdict of unfitness and every two years thereafter until the accused is either acquitted or tried, to decide whether there is still sufficient evidence to put the accused on trial.

The court may also order treatment for the accused for up to 60 days based on medical evidence that the proposed treatment will make the accused fit to stand trial without risk of harm to the accused and that without the treatment the accused will likely remain unfit to stand trial.

Government Orders

●(1010)

[*English*]

For a verdict of not criminally responsible, which is an exemption from criminal responsibility by reason of mental disorder, it must be shown that the accused was suffering from a mental disorder at the time of the offence when it was committed that rendered him or her incapable of either appreciating the nature and quality of the act or omission, or of knowing that it was wrong.

Mental disorder is defined in the Criminal Code as a disease of the mind. The trial judge must determine, based on psychiatric evidence, what constitutes a disease of the mind or mental disorder. This verdict and the legal test that is applied dates back to the M'Naghten rules established in the mid-1800s.

Where a person is tried for an offence and found not criminally responsible on account of mental disorder, the person is neither convicted nor acquitted. This is a special verdict with unique consequences. Once found not criminally responsible on account of mental disorder, the accused is not sentenced because of course the person is not convicted.

The court or a review board, which is a special tribunal, will determine the proper disposition for the accused in accordance with the criteria set out in the Criminal Code. For example, some accused who pose a high risk will be detained in a psychiatric hospital. Others may live in the community with strict conditions. The review board will continue to monitor and review the disposition, making any necessary changes until such time as the accused can be absolutely discharged.

[*Translation*]

Review boards are made up of officials appointed by their provincial government to administer Part XX.1 provisions of the Criminal Code governing persons found unfit to stand trial or not criminally responsible on account of mental disorder, and their supervision.

Guided by several criteria set out in the Code or based on case law, boards determine how the accused should be supervised, for example whether housed in a psychiatric hospital, living in the community with conditions, such as periodical hospital appointments, or absolutely discharged.

[*English*]

Bill C-10 amendments will expand the statutory powers of the review board, including to permit the review board: to order assessments of the mental condition of the accused; to adjourn their hearings for up to 30 days; to convene a hearing on their own motion; to compel the accused to appear at a hearing by issuing a summons or warrant; to extend the annual hearing from 12 months to 24 months on the consent of the accused and Crown and, in limited circumstances, for persons in custody in hospital who have committed serious personal violent offences; and to recommend to the court to inquire into the status of a permanently unfit accused.

I could continue to highlight the many essential reforms in the bill, but our goal today is to ensure that the bill is reviewed again and as soon as possible by a committee so the House can move forward with speedy passage.

I have mentioned only a few of the features of the bill and provided the backdrop for these reforms. Canada should be very proud of our criminal law that governs mentally disordered accused. Hon. members are faced with many justice related issues that highlight the need to balance public safety and individual rights. This is an onerous responsibility but is one we have discharged very well in the legislation governing the mentally disordered accused.

I encourage all hon. members of the House to support these reforms.

●(1015)

[*Translation*]

Mr. Richard Marceau (Charlesbourg—Haute-Saint-Charles, BQ): Mr. Speaker, First, I would like to thank my hon. colleague for Provencher for agreeing to change the speaking order, since I must leave the House immediately after I speak. At the risk of disappointing many hon. members, I shall have to keep this speech short. Please forgive me. I can see all those disappointed faces, knowing that I probably will not use the 10 minutes at my disposal; I see the Parliamentary Secretary to the Minister of Justice is one of them.

On March 29, the Minister of Justice introduced Bill C-29, an act to amend the Criminal Code (mental disorder) and to make consequential amendments to other acts. This bill responded to the 19 recommendations made by the Standing Committee on Justice and Human Rights, under its mandate to examine the provisions of the Criminal Code with respect to mental disorders. The committee submitted its report to the House on June 10, 2002. Bill C-29 was sent to committee but there was not enough time to examine it before the end of the 37th Parliament.

On October 8, as the parliamentary secretary has mentioned, the Minister of Justice introduced Bill C-10 in the House, and it is almost entirely identical to Bill C-29 from the previous Parliament.

At this point in the debate I would be remiss if I did not raise the point that the standing committee submitted 19 unanimous recommendations to the government. Of these, 5 were set aside by the government, even though the committee had proposed them unanimously.

We have a Prime Minister who prides himself on wanting to overcome the democratic deficit; a Prime Minister who says he is giving considerable—and increasing—weight to the opinions of MPs; but I must express my disagreement because these recommendations contained in a unanimous—I repeat, unanimous—report were set aside by the government. I think it would have been preferable for the government to adopt all the recommendations made by the committee. It would also have been preferable for it to take into account the opinions of the members, who had heard witnesses and experts, who did the reading, who were briefed, who therefore were at the leading edge of the debate on this issue. It is disappointing to see their opinion set aside.

I warn the justice minister's parliamentary secretary right now, in a friendly way of course, that from the opening minutes and hours of the committee, we will be asking why these recommendations were set aside. We will want to know why these recommendations were not followed by the government so that Bill C-10 reflected as closely as possible the committee's fourteenth report which, I would like to remind the honourable member, was unanimous.

In short, since I can see the clock ticking away, I would simply like to tell the parliamentary secretary that, at this stage in the proceedings, we are in favour of Bill C-10. However, the main goal or thrust of our committee's work will be, on the one hand, to strike a balance between protecting the rights of the mentally disordered and, on the other, safeguarding public order and the general public.

In that context, we will also want to know, as I said a moment ago, why the recommendations were not followed. As far as we are concerned, these recommendations reflected, albeit imperfectly—because perfection does not exist in this world—but still in a reasonable way, the balance that we always seek in the field of public order between protecting the individual rights of Quebeckers and Canadians and protecting society at large.

Therefore, at this stage, we are in favour of referring Bill C-10 back to committee and we will try, through constructive and detailed work, to avoid upsetting the balance we seek.

● (1020)

[*English*]

Mr. Vic Toews (Provencher, CPC): Mr. Speaker, I would like to add my comments on this important bill. First, however, I would like to thank the people of Provencher who have seen fit to re-elect me. I thank them for their vote of confidence.

The people of Provencher want this minority Parliament to work. They want their parliamentarian to fight for the issues that are worth fighting for, the issues that are important, but they also want me as their representative to work in cooperation with the other parties to ensure that we get our work done here. I think this bill is one of those cases. Not only is it possible to work together, but I think the principles of the bill are important and we should work together in this particular case. That is why I am supporting the bill.

The purpose of the bill is to modernize the mental disorder provisions of the Criminal Code to make it both fairer and efficient while preserving the overall framework of the provisions.

In June 2002 the standing committee tabled a report calling for legislative reforms and looking at the Department of Justice consultations on the mental disorder provisions for guidance. The executive committee review that was conducted was as a result of a statutory requirement under Bill C-30, which had been introduced in 1991 and which itself was the subject of many years of consultation.

The report that was put forward in 2002 was approved of by all parties. In fact, the result of the review is an important example of how committees, when they are focused on the issues rather than on partisan politics, can work in a cooperative fashion. This report is a demonstration of that cooperation and the value of committee work.

Government Orders

Bill C-30 had a significant reform provision relating to persons not considered criminally responsible. That bill replaced references to terms such as “natural imbecility” or “disease of the mind” with the term “mental disorder”. It extended its application to cover summary convictions for less serious offences as well. Instead of being found not guilty by reason of insanity, an accused could now be held not criminally responsible on account of mental disorder.

Such a finding no longer resulted in automatic periods in custody. That automatic period of custody was found to be unconstitutional in the Swain decision back in 1991. Instead, the court could choose an appropriate disposition or indeed defer to the decision of the review board, which has already been mentioned here before.

Furthermore, under that provision the courts and the review boards were obliged to impose the least restrictive disposition necessary having regard to the goal of public safety. I think this is very important: this board is not simply looking at releasing individuals as quickly as possible, but also has to keep in mind the issue of public safety. Not only do the boards look at the issue of public safety, they look at the mental condition of the accused and the goal of his or her reintegration into society.

Bill C-30 came into force in February 1992. The proclamation was delayed for three major initiatives: first was the capping provision; second was the “dangerously mentally disordered accused provisions” that would allow the courts to extend the cap to a life term; and third was the hospital orders provisions for convicted offenders who at the time of sentencing were in need of treatment for mental disorder.

Bill C-10 takes into account many of the recommendations of the justice committee's report in June 2002 as well as further input from the Department of Justice consultations with stakeholders. The amendments of Bill C-10 address six key areas: first, the expansion of the review board powers; second, permitting the court to order a stay of proceedings for permanently unfit accused; third, allowing victim impact statements to be read; fourth, the repeal of unproclaimed provisions; fifth, the streamlining of transfer provisions between provinces, and sixth, the expansion of police powers to enforce dispositions and assessment orders.

● (1025)

A couple of concerns have been raised with respect to some of these key areas, for example, victim impact statements to be read at a hearing involving one of these mentally disordered individuals. We must make it very clear that in a criminal proceeding, where an accused is mentally competent, the victim impact statement is very important in the context of whether or not an accused shows any regret, the impact on the victim's family and the like.

Government Orders

However, in this situation where we are dealing with a mentally disordered person, the same concerns would not necessarily arise because we are not looking at the guilty mind of a person. We are dealing with a mentally disordered person and must be careful how we use this victim impact statement.

It is important for victims to have a voice, but we must remember that this victim impact statement in this context does not form exactly the same role that it does in a criminal trial. A criminal may not express any regret for what he or she has been found liable for. It is important for the victim especially in that context to be able to tell the tribunal or the court exactly how that crime has impacted on the family.

The streamlining of the transfer provisions between provinces is another issue. It is important that there is the appropriate consent of the jurisdiction to which the individual is being transferred. We must remember that these facilities are usually under provincial jurisdiction and we do not want to unilaterally push individuals into one jurisdiction out of another jurisdiction. There are issues of costs and other concerns. The bill does attempt to ensure that the appropriate consent is obtained.

The repeal of the unproclaimed capping provisions is also very important. Why were concerns raised about these sentencing provisions? They were raised because it appeared that where a person was found mentally disordered, the period of incarceration or confinement could be a lot longer than a comparable sentence in the criminal courts.

It is important to remember that, for example, if on a regular assault causing bodily harm, a person could get a few months in jail or a conditional sentence. Whereas in this context, we are not looking at strictly the issue of punishment. We are looking at rehabilitation, so the issue then does not become how long is the sentence, but rather how long a period of time in custody is required in order to assist the person to get over the mental disorder to the extent that this is possible.

As I indicated earlier when I spoke about the victim impact statements, again there is a difference in the intent. With the criminal conviction, obviously punishment is one of the key goals of the criminal justice system as well as rehabilitation. When we talk in the mentally disordered context, we are not talking about punishment. We are not talking about rehabilitation in the same way. What we are trying to do is ensure that persons are in custody for as long as they need to be there in order to get the help that they need from the appropriate medical personnel and facilities.

The Supreme Court of Canada ruled in the Winko decision that a potentially indefinite period of supervision of a mentally disordered person was not unconstitutional since it was not for the purposes of punishment. However, there is a review process that provides a mentally disordered person with some safeguards.

I am pleased to add my support to this bill. I want to emphasize the work that was done by the member for Fredericton as the chair of the justice committee. I believe he shepherded this bill along in a responsible fashion. I am not going to say that was always the way he conducted himself, but in this case he did and I am proud to support the bill.

● (1030)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I am pleased to participate in this debate on Bill C-10 on behalf of my colleague, the member for Windsor—Tecumseh.

I want to thank the electors of Burnaby—New Westminster for the confidence they expressed in me on June 28, as well as underline the good work that many organizations in our community do, such as the Nikkei Centre, the Japanese Canadian National Museum and Archives, Queensborough and MacPherson Sikh Temples and Crystal Mall, which is the centre of the Chinese community in my riding.

I would like to speak to Bill C-10, which is a response to the June 2002 report of the justice and human rights standing committee. The report reviewed the mental disorder provisions of the Criminal Code and the committee recommended 19 specific reforms, as well as further consultation and research. Among the changes recommended by the committee were: improving the definition of mental disorder, fitness to stand trial, the repeal of hospitalization orders, and the need for adequate treatment.

The bill attempts to cover the issues of how to deal with accused individuals unfit to stand trial. This means that they are so incapacitated that they cannot be tried, convicted or acquitted.

Provincially appointed review boards are charged with the task of determining how an unfit accused should be supervised. This legislation therefore increases the authority of the review boards. Those boards would be empowered to order psychiatric assessments of the accused, decide whether to require the presence of the accused at a hearing rather than to use detention, and lengthen the time between review hearings when appropriate.

The bill allows victims to read a victim impact statement at a review board hearing and allows for publication bans to protect victims or witnesses.

Bill C-10 would allow for the transfer of a person found not criminally responsible on account of mental disorder if the transfer would promote the recovery or treatment of the accused.

These are all very important measures that we can fully support on principle, with some caveats related to the expanded law enforcement powers and to some extent the increased powers of the review panel, which will have to be scrutinized at committee stage.

[*Translation*]

Generally, Bill C-10 seems to be a good response to the report of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness. It deals with complex issues in obscure legalese, and requires a high degree of legal proficiency.

I would like to take this opportunity to emphasize the importance of setting standards for clear and simple language in legislation and legal documents. Should a member of Parliament have to be a lawyer in order to be able to do his or her work and understand a bill? In order to read and understand Bill C-10 properly, one needs a copy of the Criminal Code.

Government Orders

I urge the government to introduce bills that are written in plain and accessible language. Please, do not tell me those who want to participate in the democratic life in this country need to be lawyers. We should not write bills that can be deciphered only by a few hand-picked lawyers who are paid \$400 an hour.

I also want to emphasize the absolute necessity that people with a mental disorder be well represented. This brings up the fundamental issue of access to justice.

•(1035)

[*English*]

Section 15 of the Canadian Charter of Rights and Freedoms states:

Every individual is equal before and under the law and has the right to equal protection and benefit of the law without discrimination—

Equal access to justice is one of the fundamental principles of society and a constitutional right of every Canadian. This is simply not a reality for many Canadians. Courts, both civil and criminal, are blind to the financial costs of legal action and, as a result, fail to provide equal and just protection to everyone. The reality is that access to the judicial process is dependent on wealth and this means that those with money reap the rewards while those without are often left behind.

When Bill C-29 was before the House, my colleague and former NDP MP from Dartmouth, Wendy Lill, said:

Imagine that the rights conferred by the Charter of Rights and Freedoms were only available if they were affordable. Imagine if our rights to life, liberty and security were available only if we were sufficiently wealthy to secure them for ourselves. What if the right to have a court proceeding translated into a language that we understand were violated because the government stance is that only those who can afford to hire their own translators can enjoy these rights? What if our right to be fairly represented by counsel amounted to nothing more than our ability or inability to hire the best lawyer we could afford?

Again, even our systems of legal aid are failing to do their part as discrepancies between provinces, inconsistent results and under-funding have placed the entire system in crisis. We know that the Minister of Justice called on the legal community to increase pro bono work and that he is very much supportive of a broader, more democratic access to justice and to legal services.

If all our lawyers were as committed to serving the community, I have little doubt in my mind that voluntary guidelines would be sufficient to entice the legal community to provide significant pro bono legal work for all those who need it, particularly the poor and the mentally or physically challenged.

In the real world, not all lawyers can afford to do so. Justice demands from most lawyers more than they are willing or able to give away. Only a minority would go above and beyond, and only a minority would consistently trade a conventional bottom line for a non-conventional bottom line.

In fact, Edward Greenspan, a well renowned criminal lawyer, once said, and I quote, "A lawyer can't turn away a client just because he's charged with an odious crime any more than a doctor can't refuse to treat a patient just because he suffers from an odious illness". I would add that a lawyer cannot turn away a client just because he is poor or mentally challenged any more than a doctor cannot refuse to treat a criminal just because he suffers from being a criminal.

We have a system of legal aid that should be precisely available for this purpose. Unfortunately, the system is underfunded and very narrowly focused. The system falls under provincial jurisdiction, which complicates a coast to coast to coast approach and strategy to fix the problem.

We need a system of legal aid in this country that is wide enough to be available to ordinary Canadians. We need a system that is deep enough to deal with the difficult cases and with the long term supervision of people who suffer from mental disorders. In sum, we need a legal aid environment that would make it easier for professionals to be at their best in their humanity, a legal environment where a lawyer does not have to be a hero to bring justice to the poor and the challenged, and tax incentives for pro bono work to service requirements that young lawyers should provide to the community.

We must also recognize that the costs of law school are increasingly unaffordable and we should provide more generous tuition credits to increase the number of law school students. This is also important and would address some of the issues facing post-secondary education. Surely, adequate funding and better integration with appropriate fiscal incentives to represent those with lower incomes would be a good place to start.

We in the NDP caucus support this bill in principle and support its referral to committee for further assessment and improvement. We look forward to continuing our involvement in passing this important piece of legislation.

Hon. Paul DeVillers (Simcoe North, Lib.): Mr. Speaker, it is a pleasure for me to rise today to speak to Bill C-10, an act to amend the Criminal Code with respect to the mental disorder provisions. I am sure, with my close proximity to the Chair, I will be able to garner your undivided attention.

This is an issue that is not unfamiliar to me in my professional capacity. The Oakridge division of the mental health centre is in my home town of Penetanguishene in the proud riding of Simcoe North. It is an issue that I have dealt with considerably in my previous life.

It is also a long-standing principle of our criminal law that persons who suffer from mental disorders do not understand the nature or quality of their acts or know that they are wrong should not be held criminally responsible.

[*Translation*]

In 1991, this Parliament implemented significant changes to modernize the act governing persons found not criminally responsible on account of mental disorder. The 1991 updates reflected the need to strike a balance between the rights of persons with mental disorder and the protection of public safety.

The updates contained in Bill C-10 share the same goals as those made in 1991. These changes seek to strike a balance between the rights of persons with mental disorder who come in conflict with the law and maintaining public safety.

Government Orders

•(1040)

[English]

It is also worth noting that the 1991 amendments called for a parliamentary review of the legislation five years following the proclamation. The Standing Committee on Justice and Human Rights conducted the required review of the legislation in the spring of 2002, as we have already heard.

The committee review was thorough and comprehensive. Thirty stakeholders made oral or written submissions, including members of the Bar and Crown attorneys, psychiatric hospital administrators, review board chairpersons, service providers and mental health advocates.

It is fair to say in general that witnesses who appeared before the committee agreed that the legislation was working very well. However, they emphasized that further refinements were needed to ensure that the law continued to work well to govern persons found unfit to stand trial and not criminally responsible on account of mental disorders.

[Translation]

In June 2002, the Standing Committee on Justice and Human Rights produced a report containing several recommendations, such as legislative modernization and other initiatives. The report described the need for this modernization and, in some cases, suggested specific amendments.

[English]

The standing committee report included 19 different recommendations and these key recommendations for the Criminal Code reform called for: more powers for review boards which are responsible for the monitoring and reviewing of the condition of the accused; the repeal of parts of the 1991 regime that were never proclaimed into force, including the capping provisions; streamlining the transfer of accused persons between provinces and territories; new provisions to deal with persons who are permanently unfit to stand trial; and enhanced protection for victims of crime who attend before review board hearings, for example, publication bans on the identities of these witnesses in appropriate cases and the opportunity to prepare and read a victim impact statement.

The committee also made recommendations calling for more indepth research and consultation on emerging issues, such as the appropriate standard to determine the fitness to stand trial and whether professionals other than psychiatrists should conduct these assessments. Consultations with the provincial and territorial ministers of health were also recommended to review the resources available to meet the needs of mentally disordered accused and the availability of facilities for youth.

The standing committee's thorough review of the mental disorder provisions has led to the groundwork of these reforms. Bill C-10 reflects the advice and guidance provided by the committee and all those who appeared before the committee. Bill C-10 also includes additional and necessary reforms that the committee did not specifically recommend but that complement the committee's recommendations and also reflect issues highlighted in the case law and in consultations conducted by the Department of Justice with key stakeholders over the last 10 years.

The provisions of Bill C-10 that are worth noting are very consistent with the recommendations of the committee and they deal with the new powers for the review board that exist in each province and territory to make important decisions governing mentally disordered and unfit accused. For example, review boards will be able to order an assessment of the mental condition of the accused to assist them in making the appropriate disposition for the accused, whether the accused should be discharged, held in custody in a hospital or discharged with conditions.

Other provisions are the new authority for the courts to determine whether a judicial stay of proceedings should be ordered for a permanently unfit accused who does not pose a significant threat to the safety of the public. Victim impact statements are to be read aloud by victims at review board hearings. Transfer provisions have been streamlined to permit safe and efficient transfer of a person found not criminally responsible on account of mental disorder or who is unfit for transfer from one province or territory to another. There are more options for the police to enforce disposition orders and assessment orders that take into account the need for the accused's treatment to continue. The provisions of the 1991 law that were never proclaimed, which include the capping with related dangerous mentally disordered accused provisions and hospital order provisions, have been repealed. Finally, there is a range of clarifying and procedural amendments to ensure the effective application of the goals of the law.

The bill is not a whole scale reform of the law. Rather the bill is the next step in ensuring that our laws are effective, efficient and fair in governing mentally disordered accused. These reforms are necessary and the provisions of the code have remained the same since 1991, but the case law has evolved, as has the application of the code.

The Supreme Court of Canada has stated in several recent cases, including *Winko* and *Tulikorpi*, that the code regime has two goals: protection of the rights of the mentally disordered accused, and protection of public safety. Punishment is not one of the goals because, as I indicated earlier, our law does not hold the mentally disordered accused criminally responsible.

•(1045)

Recently the Supreme Court of Canada held, in *Demers*, that our law must provide for an accused who will never be fit to stand trial and who does not pose a significant threat to public safety to have criminal proceedings terminated. Bill C-10 includes a carefully crafted approach to ensure that a court may grant a judicial stay of proceedings for a permanently unfit accused who is not dangerous, but public safety and other relevant factors must be considered. The need for these amendments was canvassed by the committee and has been confirmed and made necessary by the decision of the Supreme Court in *Demers*.

Government Orders

[*Translation*]

I expect that the Standing Committee on Justice, Human Rights, Public Safety and Civil Protection of the House of Commons will be able to consider this bill rapidly and I certainly hope that it will support these amendments so that members of the former Standing Committee on Justice, Human Rights, Public Safety and Civil Protection can see the implementation of their recommendations.

The ultimate goal of this bill is a speedy ratification by this House and I wish that all members will support the amendments.

[*English*]

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, I appreciate the opportunity to speak to this very important bill. I also want to thank the residents of Langley for the honour to represent them here.

The purpose of Bill C-10 is to modernize the mental disorder provisions of the Criminal Code to make the law fair and efficient. I do support the general intent of the proposals which take into account many of the recommendations of the 2002 justice committee report calling for legislative reforms and further Department of Justice consultations on mental disorder provisions of the Criminal Code.

The report was approved by all parties. In fact, the results of this review are an important example of how the committee process can work in a cooperative fashion with no interference from the minister or from the PMO.

The amendments in Bill C-10 address six key areas: the expansion of review board powers; permitting the court to order a stay of proceedings for permanently unfit accused; allowing victim impact statements to be read; the repeal of unproclaimed provisions; streamlining of transfer provisions between provinces; and the expansion of police powers to enforce dispositions and assessment orders. It is on the issue of dealing with victims that I will be focusing today.

The Conservative Party's justice platform features a reorientation of the criminal justice system to take victims' rights into account in sentencing and in granting conditional releases. I believe that those found not guilty by reason of mental disorder fall into this category as well.

As a newly elected member of Parliament I have experienced an incredible learning curve during the last four months. I have already had the opportunity to assist a victim of a truly gruesome crime committed by a person later found not guilty by reason of a mental disorder. I have received a crash course in the process of review board hearings from the perspective of the victim. It is a perspective which this House could benefit from hearing as this bill is discussed today.

I would like to share with the House the story of Dr. Verne Flather and the incredible commitment of his family to ensure that what happened to the Flather family does not happen to another family.

In 1993 Dr. Verne Flather was shot and killed outside his North Vancouver home. The accused was a man named David Henderson, a former patient of Dr. Flather's. Mr. Henderson felt let down by the medical profession. He created a hit list of 10 medical professionals to kill. Tragically, Dr. Flather was the first person on that list.

Fortunately, Mr. Henderson was arrested at the scene, potentially saving the lives of the others on the list. He was later found not guilty by reason of a mental disorder and sent to a forensic psychiatric centre in B.C. He lived there for 10 years until he was gradually released back into the community.

It was then discovered that since his release from the psychiatric hospital, Mr. Henderson had been volunteering at yet another public hospital. Although the caseworkers knew this man's history, it was only when the Flather family protested that Mr. Henderson was asked to cease his volunteer activities at the other hospital.

How can it be that Mr. Henderson passed the criminal record check process and was allowed to volunteer at a hospital? This case brought to light a large loophole in the screening of criminal record checks, disclaimers and waivers for community volunteers and job applicants.

I am concerned about this factor in the proposed bill. The volunteer and job applicant criminal record checks in B.C. do not take into account those found not guilty by reason of a mental disorder. The ramifications of this omission are startling. Criminals can be brought under the current criminal record check system, but the criminally insane are not.

As a result of that realization, the B.C. minister of management services was asked to consider amending the criminal record check applications to allow community organizations to amend their forms to include the following question: Have you ever been found not guilty of a criminal offence by reason of a mental disorder? Minister Sandi Santori agreed last December that it would appear to be reasonable and relevant to screen individuals on the basis of whether they have been charged with a criminal offence but found not guilty by reason of a mental disorder.

Assuming the amendments have actually been made to the screening process, I believe we are one step closer to protecting the public to the best of our ability. I credit the Flather family with that facet of public protection coming to pass. However, we must ensure that every province and territory follows B.C.'s lead in this matter.

● (1050)

Regarding the subject of victim impact statements, there is the question of what type of issues should be addressed in order to further the interests of justice. Since these types of proceedings do not have the same element of a normal criminal case, since criminal intent is not a factor, there is a question of what the nature of these statements would be and how they would contribute to the proceedings.

Bill C-10 gives the relevant courts or review boards the authority to allow the victims to present their case at the initial hearings. It does not, however, mandate the courts or review boards to take the victim into account when rendering a decision.

S. O. 31

Bill C-10 also amends the Criminal Code to allow the transfer of an accused. Under the proposed amendments in Bill C-10, prisoners would be transferred without obtaining statements or input from victims. This was a major criticism of Bill C-15 when it received royal assent in May 2004.

In preparing this speech, Dr. Flather's widow, Julia Murrell, was asked to give her opinion of the review board system. She indicated that being allowed to read a victim impact statement was only one part of the process. She stated: "It's like we're in a foreign country with this and there are no guidelines. You think this system works for you until you get into it. It's like there is an underground system, and you have to figure out how it works to get anything done". There must be full disclosure to the victim's families throughout this process.

The most upsetting experience for the Flather family was with the review board. Ms. Murrell described the review board as an old boys' club. She said: "Unless we, as a family had taken an active role, we wouldn't have found out anything. If we had not been assertive we wouldn't have gotten as far as we did. Families need to be brought into the loop. We need to be able to see the success of the accused as they go through the system".

She added: "We need to see it to be convinced that the system works. One of the things that would be helpful is to create a network for family support. I don't know of any other families who are going through this. You can't understand what other families are going through unless you go through it yourself. We also need to be told what the rights of the family are. In the review board process, we are not even acknowledged. We are just there as observers, but you have to wonder, what kind of system is this when the victim's concerns are trivialized and not considered at all".

Julia Murrell described the shock tremors that went through her family when she discovered that the accused was travelling back to her neighbourhood. She said: "The review board told us we weren't notified because they were concerned about the risk to Mr. Henderson by our family! It is us who are concerned about him".

In conclusion, I would like to extend my greatest appreciation to Julia Murrell and the Flather family for their commitment to ensure that their experience is not repeated.

I would like to ensure that all criminal record check applications bear the question: Have you ever been found not guilty of a criminal offence by reason of a mental disorder? I would like to ensure that victims are given a greater voice at review board hearings and receive full disclosure of an accused's whereabouts. I would also like to see the justice system create a process by which victims can be put in touch with other victims if they so choose.

STATEMENTS BY MEMBERS

●(1055)
[English]

NORWOOD FAIR

Hon. Peter Adams (Peterborough, Lib.): Mr. Speaker, there were fairs in Norwood in 1861. They were officially registered in

1866. They have been organized by the Norwood Agricultural Society since 1965.

This year's fair was a credit to its predecessors and to President John Kloosterman and all the officers, directors, associate directors, staff and volunteers of the current Norwood Agricultural Society.

All aspects of the fair were exceptional. The parade, the school and home divisions, car and tractor shows, the animal and crop shows, the farmers Olympics, the horse and tractor pulls, the craft, horticulture and hobby shows, the 4-H section, all lived up to or exceeded previous years. The entertainment, notably the Mundells, was exceptional.

I thank all those who helped make the Norwood Fair such a success. Through this fair the Township of Asphodel-Norwood enriches Thanksgiving weekend for our entire region.

* * *

PARLIAMENTARY PRECINCTS

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, yesterday the Minister of Public Works was shamefully trying to drag innocent members of the House into the sponsorship mess in a desperate attempt to get the Prime Minister off the hook.

Also yesterday, there was another sharp reminder of how badly he and the Liberal government have bungled. Crumbling stone work actually fell through the ceiling in West Block releasing asbestos into the air.

The minister is responsible for Canada's grand heritage buildings on Parliament Hill. In 1998 the Auditor General pointed to neglect of these historic treasures, and a study concluded "The urgency of this situation cannot be overstated".

However, the Liberals have cancelled arrangements to restore a deteriorating West Block. Instead they wasted the money on the sponsorship program. The Liberals have millions to lavish on friends and bagmen but turn their backs on Canada's heritage.

Why should we trust our great country to people with such twisted priorities?

* * *

●(1100)

VOLUNTEERISM

Mr. Andy Savoy (Tobique—Mactaquac, Lib.): Mr. Speaker, today I would like to pay tribute to a special lady from my riding of Tobique—Mactaquac, a lady who embodies the spirit of volunteerism that is so critical to the quality of life in rural Canada.

At 100 years young, Linna O'Hara of Stanley, New Brunswick has raised a family of 15 children, dedicated 23 years of her life to teaching and is an active member of several community groups. The Catholic Women's League, New Brunswick Women's Institute, the Retired Teachers Association and Golden Age Club are just a few groups which have benefited from her support.

She was recently honoured with the Order of New Brunswick, the highest honorary distinction awarded by the province. She joins good company in the order. Previous recipients include Harrison and Wallace McCain, K.C. Irving and Louis J. Robichaud.

Mrs. O'Hara exemplifies the strong sense of community and sharing that exist in all parts of the riding that I am so proud to represent. I would like to congratulate Mrs. O'Hara on her commitment to her family and our communities.

* * *

[Translation]

CITY OF VICTORIAVILLE

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I am taking this opportunity to congratulate the City of Victoriaville, which is one of the eight recipients of the 2004 public administration awards of excellence recently given by Quebec's institute of public administration.

The City of Victoriaville was honoured in the municipal world for its initiative called "Turning Strategies into Action".

The strategic development plan of the City of Victoriaville is based on seven components. They include strategic, industrial and commercial development, municipal administration, municipal road services, leisure, culture and community life, and the environment.

The City of Victoriaville has a population of over 40,000. It is recognized for the quality of its environment, and it is proud of that.

The capital of the Bois-Francs region is served by thriving socio-economic networks.

Again, I congratulate the members of the city council and municipal employees on helping to earn this very special award.

* * *

[English]

CANADA MILLENNIUM SCHOLARSHIP FOUNDATION

Mr. Navdeep Bains (Mississauga—Brampton South, Lib.): Mr. Speaker, the Canada Millennium Scholarship Foundation helps Canadians adapt to the challenges of a changing world and economy.

Born out of an initiative of the Canadian government, the foundation's millennium excellence award program recognizes academic success, leadership and innovation. The program is granted to Canadians pursuing post-secondary studies for the first time next fall. These awards convey a particular idea of excellence by rewarding those who use their abilities for the betterment of their communities. The program allows young Canadians to pursue their dreams and realize their full potential.

I am honoured to announce that there are five students from the riding of Mississauga—Brampton South who have earned one of the prestigious millennium excellence awards. I would like to take this opportunity to congratulate Sarah Chan, Tamryn Loo, Tenneille Loo, Erica Young and Savio Yu, who received this award.

S. O. 31

ABANDONED MINES

Mr. Jeremy Harrison (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, I rise today to bring attention to an issue of great concern to my constituents of Desnethé—Missinippi—Churchill River, namely the cleanup of the abandoned uranium mines near the community of Uranium City in northern Saskatchewan.

The Lorado and Gunnar mines have sat abandoned for nearly 40 years and over that time millions of tonnes of unconfined radioactive tailings have leached into Lake Athabasca.

Last January the Minister of Natural Resources said that the federal government would review the situation with an eye toward taking action. Since that time nothing has happened. The Saskatchewan minister of northern affairs has said that the provincial government is having a difficult time even contacting the minister.

It is time for the federal government to step up to the plate and take action on this important issue.

* * *

[Translation]

JEAN-ROBERT GAUTHIER

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, Senator Jean-Robert Gauthier is retiring today from the upper House.

The hon. senator began his career as a chiropractor in 1953. He was elected as a school board trustee in 1961 and served in that capacity for 11 years. In 1972, he became a member of Parliament and sat in this House for 22 years, until his appointment to the Senate, in 1994.

Senator Gauthier was awarded the Boréal prize by the Association canadienne française de l'Ontario. He was awarded the Ordre de la Pléiade and the highest distinction of that order, the médaille de Grand-Croix. He also received an honorary doctorate from the University of Ottawa.

A champion of the French language and a true Canadian, Jean-Robert Gauthier has been a great parliamentarian.

* * *

● (1105)

PLACE DES AÎNÉ(E)S DE LAVAL

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, founded in October 1994, Place des aîné(e)s de Laval is a not for profit organization that has rapidly become a place of belonging and a support centre for individuals 50 and over, a place where they can have a sense of their own worth.

This is a resource centre with a focus on improving the quality of life of seniors and managed in such way as to promote active participation on their part. It is also a place for involvement, growth and living which provides each individual with a special opportunity to remain active, fulfill their potential, find and explore new interests and widen their social circles.

S. O. 31

The success enjoyed by Place des aîné(e)s de Laval is a reflection of the active involvement of its 5,000 members, about 250 dedicated volunteers, including Raymond Monette, a founding member of the centre who has been its president since the beginning, and 15 employees under the supervision of Carmelle Lefebvre.

Happy 10th anniversary and long life to all the members, directors and employees of Place des aîné(e)s de Laval.

* * *

[*English*]

AUTOMOTIVE INDUSTRY

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, I had occasion this summer, along with the hon. member for Whitby—Oshawa, to tour General Motors, to take a look at its new facility and to talk about the Beacon project. I want to start my comments by commending the member for Whitby—Oshawa on the leadership role she has played in advocating the Beacon project.

This dynamic and innovative project represents a \$2.5 billion investment in Canada's automotive sector. It is of vital importance to our economy. It will bring research and development, and design and engineering capacity to the Durham region. I look forward to our government supporting this project.

I know there have been discussions between our government and General Motors about a potential partnership. I have confidence that will materialize. It is something that will ensure that our automotive sector remains relevant on a go forward basis.

* * *

THE ENVIRONMENT

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, on October 28, busloads of citizens from greater Vancouver and the Fraser Valley will be heading down to Washington state to speak at a public hearing on whether a U.S. power plant called SE2 should be granted an extension of its air emission permit.

SE2 plans to build a polluting power plant less than 500 meters from the Canadian border, which will become the largest air polluter into the Fraser Valley air shed. This must not happen.

There has been unanimous opposition to SE2 from local citizens, local governments and the province of B.C. The only one not actively opposing SE2 has been the federal Liberal government. If it does not take this opportunity to oppose this environmental polluter, its support for Kyoto is nothing more than a political ploy to deceive Canadians.

Will the environment minister agree to go down to Washington state on October 28 to make a stand for our environment and help fight this Goliath?

* * *

THE ENVIRONMENT

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, on September 22 and 23, I participated in two meetings of the Organisation of Economic Co-operation and Development round table on sustainable development for the Minister of the Environment. Also attending the meetings were ministers from around the

globe, as well as innovative thinkers from world-class institutions and the private sector.

During the meeting on renewable energy, it was clear that there was no silver bullet to ensure that renewable energy technologies are deployed in the marketplace, but we all agreed that the right financial incentives need to be in place. Canada is poised to play a global leadership role in renewable energy technologies.

During the meeting on sustainable mobility, we also discussed the important role for financial incentives and the challenges we face within urban communities.

These meetings only reaffirm the important role that Canada plays and will play as a global leader in renewable energy technologies and sustainable communities.

* * *

CANADIAN ASSOCIATION OF INDEPENDENT LIVING CENTRES

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, since 1997, "Navigating the Waters", a national employment initiative of the Canadian Association of Independent Living Centres, has supported over 5,000 persons with disabilities by helping them upgrade their skills and find jobs at a cost of only \$950,000 per year. It does not take a lot of math to see that this is a very good deal for the public purse.

With an unemployment rate for persons with disabilities of more than 50% and a fiscal surplus exceeding \$9 billion, I cannot imagine why the government is cutting the funding to such a program as of December this year.

"Navigating the Waters" is on death row and has had so far two stays of execution. This is a real scandal.

[*Translation*]

This program is restoring equality and dignity to thousands of Canadians. I ask that the minister immediately revoke this death sentence.

* * *

●(1110)

ABITIBI CONSOLIDATED INC.

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, I rise today to share sad news concerning my riding of Chicoutimi—Le Fjord.

On Wednesday, officers of Abitibi Consolidated announced that the plant at Port Alfred would remain closed indefinitely, which confirms that the 640 workers affected will be losing their jobs. Hon. members will understand that this announcement will have a heavy economic impact on my riding, as well as major social consequences for all the families concerned.

I wish to tell the workers that I am with them all the way and to recognize the professionalism they have been showing ever since they were forced off the job on December 10. Hang in there. I hope that a recovery plan is a possibility in the medium term for the plant at Port Alfred and that the government will be involved in it.

[English]

FIXED INCOMES

Mr. Deepak Obhrai (Calgary East, CPC): Mr. Speaker, recently I have heard from many of my constituents on fixed incomes. Seniors and people with disabilities are finding it increasingly difficult to make ends meet as the cost of living goes up and their incomes do not. I met a number of people who were really struggling with basic necessities. I visited a number of homes where there was no food in the fridge and they did not know where their next meal would come from.

One major area of concern is the high cost of drugs. Our seniors and disabled people not only have to pay for daily needs with their income but also medications. We live in an affluent country where these people should not have to worry about their next meal or how they will heat their homes and pay for their medications.

Both levels of government need to work together to ensure that those seniors having difficulty can look forward to a comfortable retirement.

* * *

ETOBICOKE ROTARY CLUB

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Mr. Speaker, this week the Etobicoke Rotary Club was recognized by the Trillium Health Centre for its 50 years of continuous support of the hospital.

The Etobicoke Rotary Club was established in 1930 and has accomplished an exemplary amount of community service, including raising \$1 million in the last 15 years for various charitable causes that are essential to the fabric of our community.

To mark this important event and in keeping with the club's commitment to the Trillium Health Centre, Rotary Club president Sue Foley presented a \$50,000 cheque for the new Kingsway Financial Spine Institute which will open in January 2005.

I would like to commend the Etobicoke Rotary Club and its membership for its vision and longstanding commitment to the community. I join all members of the House in congratulating the club on its 75 years of active and exceptional community service.

* * *

PRIME MINISTER

Mr. Richard Harris (Cariboo—Prince George, CPC): Mr. Speaker, you just gotta love the headlines in some of the papers this morning as Sheila Copps blasts the current Prime Minister for his doublespeak.

In this House we have heard the Prime Minister say one thing when, before coming here as the Prime Minister, he said another thing. And now he is accused by Sheila Copps of widespread organized crime, wanting to abolish the Canada Health Act and old age pensions, and privatize the CBC.

These allegations are not coming from the opposition, they are coming from Sheila Copps. You gotta love her, Mr. Speaker, on days like this.

Oral Questions

What we have seen in the House over the last several weeks, in answer to questions from the opposition, has been the Prime Minister just simply refusing to stand up and answer questions. Maybe Ms. Copps has—

The Speaker: The hon. member for Davenport.

* * *

CANADA MILLENNIUM SCHOLARSHIP FOUNDATION

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, in 1998 the Canada Millennium Scholarship Foundation was created by an act of Parliament. The objective of the foundation was to assist Canadians to meet the challenges posed by an economy that is changing ever more quickly.

The Canada Millennium Scholarship Foundation provides, among other things, financial assistance to students to assist them as they pursue post-secondary education.

I am very pleased to recognize two constituents in my riding of Davenport who have been named as millennium excellence award laureates for the year 2004. On behalf of the residents of Davenport, I am pleased to congratulate Vera Bieber and Julia Popova on their receipt of the Canada millennium scholarship award.

The millennium excellence award is recognized across Canada as one of the most prestigious national scholarships.

In being chosen for the award, laureates have to be successful in a nationwide competition that recognizes achievement in four key areas: academics, community service, leadership and innovation.

The people of Davenport are justifiably proud of Vera and Julia, and I am pleased to extend to them the best wishes on behalf of their community.

ORAL QUESTION PERIOD

●(1115)

[English]

NATURAL RESOURCES

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, after opposing the spirit of the Atlantic accord for years, the Prime Minister did one of his famous complete about-faces in the election campaign and promised that he would end the clawback in offshore resources. In fact, he promised Newfoundland and Labrador and Nova Scotia that they would get 100% of the revenue from offshore oil resources.

Given that there are now mixed signals in negotiations, my question is for the Minister of Natural Resources. Is this still a 100% commitment from the Prime Minister that these provinces will get 100% of their offshore resource revenue?

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, I can confirm for the hon. member that there are in fact discussions ongoing between the Minister of Finance and the respective ministers of finance. As to the result of those negotiations, they have not been finalized.

Oral Questions

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, that was nothing less than a complete assurance. The government should have let the Minister of Natural Resources, who also made these commitments, answer the question directly.

I will ask again. Yesterday and again today this government suggested it would reach an agreement if possible, but that was not the promise. The promise was that they would get 100% of their offshore resource revenues and there would be a deal by October 26. I ask the Minister of Natural Resources, is that still a commitment of this Prime Minister and this government?

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): The only commitment that is made, Mr. Speaker, is that this issue will be resolved in the shortest time possible. As to how those negotiations take place, I would ask the hon. member to defer until such time as the provincial ministers and the federal minister resolve their negotiations.

* * *

NATIONAL DEFENCE

Mr. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, on October 5, the Minister of National Defence stated that the fire on board the HMCS *Chicoutimi* was “a small setback”. We now know that was not true. The submariners themselves immediately reported the tragic event that claimed Lieutenant Saunders' life as a major fire that left the *Chicoutimi* adrift in rough seas without power.

Why did the Minister of National Defence mislead Canadians by downplaying the severity of the problem?

Hon. Bill Graham (Minister of National Defence, Lib.): Mr. Speaker, I think in the House around issues of this nature we owe it to each other to be forthright. When I used the term “setback”, the question I was asked was if this was a setback to the program. I never minimized the seriousness of what took place on board. The navy responded with great seriousness. The member can read my transcript. I will read it into the House record if he wants. I made it very clear that we were treating this very seriously.

What we have to do is that we clearly have to make sure we get accurate information and convey it to the public. That was done day after day in the context of a difficult storm at sea where we were all doing our best job to report to the—

The Speaker: The hon. member for Regina—Lumsden—Lake Centre.

* * *

SPONSORSHIP PROGRAM

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Mr. Speaker, yesterday's arrest of Mr. Paradis clearly shows there was a money laundering scheme within the Liberal Party of Canada. Thousands of dollars in sponsorship money were given to Quebec advertising firms and then funnelled back to the Liberal Party of Canada. Obviously someone at the highest level within the Liberal Party must have authorized this corrupt scheme.

My question is for the Prime Minister or his designate. Will the Prime Minister honour the commitment made by his transport minister and instruct the Liberal Party of Canada to return any dirty money received from the sponsorship—

• (1120)

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

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, it is not appropriate to discuss the day to day testimony at Gomery, because we run the risk of making errors based on today's testimony being contradicted by next week's testimony or in fact by poor interpretation of ambiguous testimony. That is what has happened to members of the opposition three times now this week when they made mistakes on this file.

I would urge the hon. member to not prejudge Justice Gomery's work and to wait for that report. That way we will have the full truth upon which to base our decisions on a go forward basis.

Mr. Lee Richardson (Calgary Centre, CPC): Mr. Speaker, the hon. member was not speaking of any testimony. He was speaking about the Minister of Transport, in a press conference with the Prime Minister, saying that \$650,000 was given to the Liberal Party by sponsorship ad agencies. The head of one of those ad agencies, who gave \$43,000, was arrested this week. That minister said dirty money will be immediately returned to the Canadian taxpayer.

I ask the minister, how much dirty money has been returned to date?

The Speaker: I had reservations about the first question. I have continuing reservations about this question. It seems to me that party finances are not a matter of the administrative responsibility of the government and I am concerned that this kind of question is improper in the House.

All parties may have taxpayers' money, but party finances are not the subject of the administrative responsibility of the government. They have not been allowed in the House in question period and I am not going to change that practice.

* * *

[Translation]

TAXATION

Ms. Monique Guay (Rivière-du-Nord, BQ): Mr. Speaker, in reference to the final version of the Speech from the Throne, Quebec's minister of intergovernmental affairs said that even the Prime Minister of Canada has, in a way, accepted that the fiscal and financial pressures are what some call the fiscal imbalance.

Since financial pressure is now synonymous with fiscal imbalance, does the government, which made a commitment in a vote, intend, at the October 26 meeting, to find comprehensive solutions that will completely eliminate the fiscal imbalance?

*Oral Questions**[English]*

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, the notion of a fiscal imbalance is an intellectual conceit largely put forward by the party opposite. There is no such thing as a fiscal imbalance. Each level of government has access to revenues. Sometimes they are similar revenues and sometimes they are revenues that are dissimilar. I put it to the hon. member that there is no such thing as fiscal imbalance.

[Translation]

Ms. Monique Guay (Rivière-du-Nord, BQ): Mr. Speaker, I would remind him that this is now part of the Speech from the Throne.

The Leader of the Government in the House of Commons said on the program *Question Period* that the final version of the Speech from the Throne should, "Be considered as part of the government's intent".

Since the fiscal imbalance is now part of the Speech from the Throne, will the Prime Minister agree to address the fiscal imbalance fully at the October 26 meeting?

[English]

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, if there is anything such as a fiscal imbalance, it is actually the other way from what the hon. member thinks.

In the fiscal year 2002-03, the revenues of the federal government were in the order of about \$170 billion. The revenues of the provincial governments were in the order of about \$166 billion. Out of that \$170 billion of the federal government, \$40 billion or so gets transferred to the provinces. The provinces end up with slightly over \$200 billion and the federal government ends up with \$140 billion. Meanwhile, the federal government has a \$500 billion debt on which it pays 20% of its revenues and 10% for the others.

[Translation]

Mr. Guy Côté (Portneuf—Jacques-Cartier, BQ): Mr. Speaker, I would remind the government that the solution to the fiscal imbalance is not limited to transferring tax fields to Quebec and the provinces.

Does the government intend to accept the proposal by the Séguin commission, which recommends transferring the GST to Quebec and the provinces as a lasting solution to the fiscal imbalance?

[English]

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, recently the first ministers concluded quite an extensive negotiation and worked in a 10 year timeframe. Over that 10 year timeframe, equalization will be increased by \$33 billion, a pace that is almost twice the expected rate of growth of the economy. Similarly, there is a \$44 billion increase in the Canada health and social transfers.

Whatever issues the hon. member has with respect to revenues flowing to the provinces, I think they have been adequately addressed by the first ministers.

● (1125)

[Translation]

Mr. Guy Côté (Portneuf—Jacques-Cartier, BQ): Mr. Speaker, on September 16, the Prime Minister acknowledged that Quebec and the provinces were experiencing financial pressure and that it would be discussed at the October 26 meeting. They expect more than that. They want concrete and lasting solutions to eliminate the fiscal imbalance.

Is the government prepared to make proposals to that effect at the October 26 meeting?

[English]

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, all levels of government, the Quebec government, the federal government and all other provinces, are subject to fiscal pressures. There is nothing new about that.

Let me say that if we look at the current equalization levels, we are at about \$8.9 billion. There is an immediate increase to \$10 billion and then in 2005-06 up to \$10.9 billion. Over the course of the period of time, it averages out to a 7.5% increase over that five year period. It is a 42% jump in equalization payments.

Those folks do not seem to be able to take prosperity, Mr. Speaker.

* * *

HEALTH

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, my question is for the Minister of Health. We know that the minister has done nothing to stop credit card medicine as he gets cozier with his new friends. Now we have the Prime Minister's office claiming that he would never touch the Canada Health Act. Here is another example of their saying one thing and doing something else.

Does the Minister of Health deny that his friends deleted section 6 of the Canada Health Act in 1995, yes or no?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, let me be absolutely clear for all members in the House and all Canadians. Any allegation that the Prime Minister would do anything in relation to the Canada Health Act other than support it and reinforce it on behalf of all Canadians is simply untrue.

This is the Prime Minister who just weeks ago was able to negotiate a unanimous agreement with 13 provincial and territorial leaders to ensure that our health—

The Speaker: The hon. member for Vancouver East.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, let us look at the record, because section 6 was deleted in 1995 and as a result home care services in this country were privatized.

Oral Questions

The Minister of Health's job is to protect the health of Canadians, not abandon them, so why is he siding with big tobacco? Can he explain to Canadians why he cannot afford a pharmacare program but he can afford to help big tobacco in a lawsuit that is against the interests of Canadians?

Hon. Ujjal Dosanjh (Minister of Health, Lib.): Mr. Speaker, we have just recently entered into an agreement with the provinces and the territories where all of the jurisdictions have recommitted themselves to the five principles enshrined in the Canada Health Act. The allegations that are being made by my friend are absolutely untrue.

* * *

SPONSORSHIP PROGRAM

Mr. Gurmant Grewal (Newton—North Delta, CPC): Mr. Speaker, the Prime Minister and his minions tell us that by lobbying for sponsorship funds his office was simply helping a constituent. Serge Savard is not a constituent of LaSalle—Émard but rather of Westmount—Ville-Marie. His group, Internationaux du Sport de Montréal, is also not located in LaSalle—Émard. In fact, Mr. Savard is the Prime Minister's golfing buddy. He is a crony who raised \$1 million for the Prime Minister's leadership campaign.

Why does the Prime Minister not come clean and admit he milked the sponsorship Liberal slush fund for all it was worth?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, this is another case of the opposition focusing on day to day testimony instead of waiting for the full report, which will give Canadians the truth. It is irresponsible and it is dangerous, because on a day to day basis they are making errors over there.

Let me say that hypocrisy and sanctimony are a dangerous combination and there are near toxic levels of both emanating from the opposition benches.

• (1130)

Mr. Dave Batters (Palliser, CPC): Mr. Speaker, the Gomery commission does not prevent the highest minister in the land, or in this case his designate, from standing in his place and answering a simple, direct question. It has come to light in the past days that the Prime Minister's office made calls to Mr. Gagliano's office on behalf of Serge Savard, who is a prominent benefactor of the Liberal Party but not one of the Prime Minister's constituents.

Did the Prime Minister's office make any other calls to Gagliano's office to secure sponsorship money for any other benefactors of the Liberal Party who did not reside in the Prime Minister's constituency?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, once again, the Conservatives were wrong this week on Francis Fox. They were wrong in terms of the Prime Minister making a phone call on this. They were wrong about the Liberals being the only party that was aware of the sponsorship program. And they were wrong about Belgium. In fact, a *National Post* editorial this week said:

As was the case with his now notorious "firewall letter" of 2001, the agenda he is pushing, far from having appeal in all corners of the country, is one of massive decentralization that is geared almost exclusively toward a handful of regional agitators.

Why does—

The Speaker: The hon. member for Brandon—Souris.

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CANADA-U.S. RELATIONS

Mr. Merv Tweed (Brandon—Souris, CPC): Mr. Speaker, the government has a history of antagonizing the United States, our largest trading partner and neighbour. Comments by senior Liberals, calling Americans morons and idiots, does not help to solve the softwood lumber and BSE trade issues. Now we have cabinet ministers picking sides in the upcoming U.S. presidential election.

Does the Prime Minister believe these comments from Liberal MPs will help our Canada-U.S. trade relationship?

Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.): Mr. Speaker, the Prime Minister was absolutely clear yesterday that no one in this government would express a preference in the United States election. It is up to Americans to decide who will lead the Americans, as much as it is up to Canadians to decide who governs Canada.

As a government, we will work in good faith with whoever forms the next American administration. Indeed, we will resolve softwood lumber and BSE. We have a great trading relationship with the United States; 96% of it is problem free.

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JUSTICE

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, yesterday we learned that public works has been auctioning off previously seized marijuana grow op equipment. York Region Police Chief Armand La Barge tell us that public works is, "basically selling ready made, tailor made marijuana grow operations". Halton Police Chief Ean Algar describes the system as a "revolving door".

There are 4,500 grow ops in Surrey alone. How much government gear is in use there? What steps has the government taken to make certain that this does not happen again?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I welcome the hon. member to the House of Commons. She is part of a now very historic parliamentary couple in the House of Commons.

When I became aware of the situation, I decided to put an immediate freeze on any transactions of this nature. In fact there will be no reselling of this type of paraphernalia or equipment used in hydroponic grow operations. That will allow us to perform a review to identify some of the material. Some of the material, such as humidifiers and fans, are of a more general purpose. Others are not such. However, we are reviewing it. We have frozen the practice.

•(1135)

[Translation]

THE ENVIRONMENT

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, yesterday, the Minister of the Environment rejected the suggestion by his predecessor that some ministers were acting like lobbyists for industry in cabinet, and added that the Minister of Natural Resources, among others, is green.

How then can the minister explain that his colleague, the Minister of Natural Resources, refuses to harmonize Canadian motor vehicle emission standards with those of the state of California? Is this not evidence that, far from being green, the minister is acting like a lobbyist for the automobile industry?

[English]

Hon. Bryon Wilfert (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, if the member would read the Speech from the Throne, he would see the great initiatives put forth by the Minister of the Environment.

The Minister of the Environment is working with all his colleagues, both in the cabinet and in caucus, to ensure that we have a greener economy and that we meet our Kyoto commitments.

I find it rather surprising that the member would rise and make such comments. He clearly needs to go back and do his homework.

[Translation]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, after saying that the Minister of Natural Resources was green, the Minister of the Environment made an even more ridiculous statement when he added that the Minister of Finance is also a green minister.

How can the minister say such a thing, when the Minister of Finance continues to give major tax benefits to the oil industry in Canada? Are these not totally unacceptable comments on the part of a Minister of the Environment?

[English]

Hon. Bryon Wilfert (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, the government is working with all departments. Clearly, the minister understands the need to move forward on issues such as climate change. The fact that the member seems not to understand that is surprising, given his role on the environment committee.

We have and we will continue to move forward in many areas, whether it happens to be dealing with emissions or whether it happens to be in other areas. On the tax issue, we always work with our friends at the finance department to move forward on green technology issues, et cetera.

* * *

[Translation]

GASOLINE PRICES

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, gasoline prices are on the increase again and oil companies are again reaping huge benefits this year. These revenues do not only come from the

Oral Questions

prices at the pump, but also from refining margins. The federal government is responsible for the monitoring of such margins.

What is the government waiting for to assume its responsibility and create a petroleum monitoring agency?

[English]

Hon. David Emerson (Minister of Industry, Lib.): Mr. Speaker, the Competition Bureau initiated a study of petroleum pricing on May 4 of this year. It continues to assess whether the petroleum prices, the gas prices that we see today, are as a result of global forces of supply and demand or a conspiracy to fix prices among petroleum producers. The bureau is also looking at the question of whether there is predatory behaviour and inappropriate conduct dealing with gasoline retailers.

When the Competition Bureau completes its report, appropriate action will be taken.

[Translation]

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, creating such an agency is a recommendation made by the Standing Committee on Industry and is supported by oil industry officials.

Why is the minister stubbornly refusing to act?

[English]

Hon. David Emerson (Minister of Industry, Lib.): Mr. Speaker, I am not stubborn at all. I like to have information and then make sound, reasonable, thoughtful decisions. At this point, we do not have the information that would justify revisiting that issue.

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HEALTH

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): Mr. Speaker, my question is for the Minister of Health. There is \$1.1 billion sitting in the compensation fund for victims of hepatitis C from tainted blood and it is not being used. Meanwhile, more than \$250,000 a month is spent on administrative costs. This is not right. Money continues to sit in the fund with management costs of at least \$3 million a year and no one outside the window is being compensated.

Since the minister supported opening the fund in 1998 as attorney general in B.C., why does he not do the right thing and today begin to compensate the victims outside the window?

Hon. Ujjal Dosanjh (Minister of Health, Lib.): Mr. Speaker, the government is looking at just that. It is important we recognize that this decision ultimately will be made by the court. The court is in control and is seized of the trust fund.

We will have to speak to the plaintiffs' counsel for the 1986-90 class. We will have to speak to the plaintiffs' counsel for the before 1986 class and the post 1990 class. We are attempting to look at this issue and to resolve it. It is a very serious issue, and I thank the member for raising it.

Oral Questions

● (1140)

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, that is not good enough. The actuarial report on the fund is not due out until next summer and these victims need help now.

The facts are that the government has overestimated the number of victims. The fund made \$50 million profit last year and there is over a billion dollars sitting in the fund.

We on this side of the House support these Canadian victims. Why do the Liberals not care about these people and do the right thing today?

Hon. Ujjal Dosanjh (Minister of Health, Lib.): Mr. Speaker, we do care about these people. That is why \$300 million was set aside and given to the provinces for the class of before 1986 and post 1990. It is important we remember that we also put the money into trust for the 1986-90 class. Caring is absolutely not the monopoly of that side alone.

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CHARITABLE ORGANIZATIONS

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, Canadians feel strongly in the freedom of expression, the freedom of speech and the freedom of religion.

Prior to the June election, Revenue Canada attempted to quiet charitable organizations opposed to same sex marriage. It called in representatives from the Catholic church and the Evangelical fellowship, to remind them of the dangers of speaking against the Liberal government.

Could the minister tell us, whatever happened to the separation of church and state?

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, Revenue Canada has fairly significant rules with respect to the debate whereby a registered charity involves itself in political discourse. Those rules need to be followed. I do not think any of us would wish to have charitable donations used for improper purposes.

Therefore, any views that are based on a well reasoned position are acceptable, but activities which involve themselves in political partisanship are not acceptable.

Mr. Brian Pallister (Portage—Lisgar, CPC): Mr. Speaker, the facts are these. Revenue Canada threatened to revoke the charitable status of the Roman Catholic Bishop of Calgary. It threatened to audit Focus on the Family after it expressed its views contrary to the government's. Yet the United Church of Canada, on side with the government, received no such threats. There is a clear pattern emerging. Those opposed to the government are threatened; those who support the government, hands off.

I would like the minister to stand in his place today and acknowledge that this and all public policy debates are the property of Canadians, not the property of the Liberal Party of Canada.

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, of course public policy debates are the property of all Canadians. That is not the issue. The issue is whether a charity stepped into partisan activity. When any charity from any source, whether it is religious or otherwise, steps into partisan

activity, it catches the attention of Revenue Canada. I would imagine the hon. member would have it no other way.

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SCIENCE AND TECHNOLOGY

Mr. Brent St. Denis (Algoma—Manitoulin—Kapusksing, Lib.): Mr. Speaker, my question is for the Minister of Industry. As members know, we are celebrating the completion of the \$174 million Canadian light source synchrotron at the University of Saskatchewan in Saskatoon. This new world-class facility will attract scientists and projects from around the world.

Could the minister tell the House how this new facility will benefit Canadians and how this investment will contribute to our future?

Hon. David Emerson (Minister of Industry, Lib.): Mr. Speaker, the Canadian light source synchrotron is a tremendous new addition to Canada's high technology asset base. For me, what is profoundly important about this new development is that it is not in a city or an agglomeration area of three to five million people. It is in Saskatoon, Saskatchewan. That is a tremendous comment on the way the government is ensuring that the science and technology economy is spreading to all areas of Canada.

* * *

● (1145)

INDUSTRY

Hon. Ed Broadbent (Ottawa Centre, NDP): Mr. Speaker, my question is for the Minister of Industry. Yesterday, the minister acknowledged that he had some concerns. He was not sure about the proposed Chinese conglomerate takeover of Noranda. He said precisely that it was a state enterprise. The state in question has one of the world's worst records when it comes to the health and safety of its workers and it denies completely the UN based right to an independent union.

Would the minister agree that the Prime Minister virtually gave carte blanche to this deal yesterday with the incredible statement that the deal would—

The Speaker: The hon. Minister of Industry.

Hon. David Emerson (Minister of Industry, Lib.): Mr. Speaker, the Prime Minister and I have discussed this issue and we completely agree that it is a complex issue. There are a number of considerations that have to be considered. We will make a thoughtful, information-based decision. We will look at the short and long term implications and we will look at a lot of the broader policy issues that surround this. We will deal with it in due course.

Oral Questions

Hon. Ed Broadbent (Ottawa Centre, NDP): Mr. Speaker, the Prime Minister did acknowledge yesterday “the whole issue of human rights...obviously should be taken into account” in reaching a final decision. Since China has no freedom of speech, no freedom of association, no freedom of assembly and no right to an independent union, my question for the minister is this. When the Prime Minister said, “I’m a nationalist...we’ve got to build this country into a superpower”, was he referring to China or Canada?

Hon. David Emerson (Minister of Industry, Lib.): Mr. Speaker, the answer is Canada.

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CORRECTIONAL SERVICE OF CANADA

Mr. Peter MacKay (Central Nova, CPC): Mr. Speaker, we now have proof positive that the inmates are running the institutions and the Correctional Service of Canada is doing nothing about it.

SINTREP reports in the possession of CSC show that a shocking array of inappropriate and illegal activity is on the rise inside Canada’s prison system. Guards say that prisoners have no respect and few consequences for their actions.

Is the minister aware of the reports? Is she doing anything about them? When is her government going to get serious about cleaning up our prisons, ensuring guards are properly equipped, and more importantly, protecting the public?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, CSC is continually evaluating its policies and its programs to ensure the safety of the public, the safety of the staff who work in Canada’s federally mandated penitentiaries, and to ensure the safety of the inmates.

We all know that correctional facilities, especially maximum security institutions, are places where violent people are held. That is why CSC is putting in place new policies, new programs, enhanced—

The Speaker: The hon. member for Okanagan—Shuswap.

Mr. Darrel Stinson (Okanagan—Shuswap, CPC): Mr. Speaker, I suggest the minister get her head out from wherever it is buried and look at the facts.

There is growing evidence all over that our prisons are out of control and that criminal activity is on the rise. Security staff reports show that inmate assaults on staff, drugs, alcohol and gang activity are all common occurrences in Canada’s prisons.

There are walkaways from our halfway houses. Tragically, a parole officer was killed earlier this month. There have been three murders in my riding alone by offenders living in halfway houses.

Can the minister tell us when the government is going to get rid of statutory release and make our prisoners earn their parole?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, I have made it plain, most recently at a speech in front of front line police officers who serve this country every day, that I am more than willing to look at aspects of our conditional release and parole system.

We must first ensure that our conditional release and parole system reflects the paramount obligation which is public safety. Therefore, I would seek the cooperation of those who are baying from the other side of the House in terms of reviewing our—

• (1150)

The Speaker: The hon. member for Pitt Meadows—Maple Ridge—Mission.

* * *

FISHERIES

Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC): Mr. Speaker, the Minister of Fisheries and Oceans seems willing to let Pacific salmon go the way of Atlantic cod.

After months of ignoring the salmon fishery crisis on the Fraser River, the minister has decided that the department will now supervise its own investigation to find out what went wrong. What went wrong is that the minister ignored the unanimous, all-party recommendations in the standing committee’s report on the Fraser River salmon.

Why does the minister not stop studying, and start acting and implement the recommendations now?

Hon. Geoff Regan (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I share my hon. colleague’s concern about the state of the sockeye fishery in British Columbia. The fact is that my department took strong precautionary actions in that fishery.

However, as he knows, record water temperatures in that river, one in 100 year conditions, caused unexpectedly high mortality. That is why I have called for a public and independent post-season review, and he should know that.

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OIL AND GAS INDUSTRY

Mr. Jim Prentice (Calgary Centre-North, CPC): Mr. Speaker, the great pipeline race has now started and we need to know if the government is even in the race.

This past week the United States government moved to fast track the Alaska pipeline. However, Canada’s \$7 billion Mackenzie Valley pipeline is at risk. The government has failed in its obligation to settle with the Deh Cho and has failed in its obligation to streamline the regulatory process. It has failed in its obligation to resolve environmental issues.

Will the Deputy Prime Minister guarantee that Canada’s north will not lose this project due to the government’s ineptitude?

Oral Questions

Hon. Andy Scott (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, quite the contrary. We are working with the local community and industries on a day to day basis to iron out the differences that exist. It does not do any good to this process to have the member opposite raise the spectre of problems that exist there while we are working diligently to resolve them.

* * *

[Translation]

PETRO-CANADA

Mr. Stéphane Bergeron (Verchères—Les Patriotes, BQ): Mr. Speaker, in spite of the representations made by Desjardins to take part in the sale of shares of Petro-Canada and questions by the Bloc Québécois, the government continues to refuse to say why Desjardins was excluded.

The government contends that it selected participating firms on the basis of objective criteria. What is it waiting for to make these criteria public?

[English]

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, this turns a fantastic news story for Canadians and for the Government of Canada into a negative news story. This has been an enormous windfall for the Government Canada; \$3.2 billion is probably one of the largest successful public offerings in the history of Canada. It has been a tremendous story.

I do not understand why the hon. members opposite shill for particular companies. Why do they not shill for the National Bank with a second tier? Why do they not shill for Casgrain which ended up in the fourth row? Why do they not shill for the Toronto Dominion Bank? This is just a—

The Speaker: The hon. member for Verchères—Les Patriotes.

[Translation]

Mr. Stéphane Bergeron (Verchères—Les Patriotes, BQ): Mr. Speaker, the fact is the government excluded Desjardins, the institution with the strongest roots everywhere in Quebec, while allowing the other financial institutions headquartered in Quebec to sell a measly 6% of total shares.

Will the government admit that, if it is not making the criteria public, it is because there simply were none?

[English]

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, this syndication selection was consistent with the best of international standards and at one point or another a decision has to be taken. It is taken on the basis of those companies that are best able to deal with the share issue.

In this case a decision was made. We have 22 companies, six of which are international in scope, that presented what is arguably the best share issue that has ever happened in Canadian history. It has been a tremendous boon to the revenues of the Government of Canada.

ECONOMIC DEVELOPMENT

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, the Liberals just cannot resist turning regional development programs into vote buying schemes. In eastern Ontario the pattern is: first, they ignore the region where Liberal seats are safe; second, they announce millions in funding the day prior to an election when the seats are in danger; and third, they drag their heels on this money when the seats are lost.

Now they think the problem is that the region's community futures development corporations are lousy tools for vote buying. The Liberal answer is to replace CFDCs with an ACOA style program, subject to direct ministerial manipulation.

Why will the minister not simply commit that any new funds for Ontario be invested via the CFDCs?

• (1155)

Hon. Joe Comuzzi (Minister of State (Federal Economic Development Initiative for Northern Ontario), Lib.): Mr. Speaker, this is in reply to a question that the hon. member asked on that very subject last week.

Eastern Ontario has 15 community futures programs. He will be very interested to know that this coming Monday the \$10 million that was requested by these 15 communities is going to be announced. Every Community futures program in eastern Ontario is very happy.

I invite the hon. member to participate in that opening announcement Monday morning.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, I was happy to precipitate that announcement by raising a question in the House. Nothing happened for five months. I contacted the ministry saying that nothing had happened and an hour later it came up with an announcement. That is what goes on with this ministry.

Let me tell the House how desperate the Ontario Liberals are to politicize regional development in this province. This week a senior Liberal source described cabinet level proposals that this minister was involved in for regional development in Ontario as being “packaged in terms of Liberal seats lost”.

Will the minister kill his vote buying scheme in the cradle by committing that any new regional development funds in Ontario take place through the highly non-politicized effective CFDCs?

Hon. Joe Comuzzi (Minister of State (Federal Economic Development Initiative for Northern Ontario), Lib.): Mr. Speaker, I will respect that this is a new member of the House. Those accusations—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. minister of state has the floor. We will hear from the minister of state. A little order, please.

Oral Questions

Hon. Joe Comuzzi: Mr. Speaker, I will respect that this is a new member of the House. Those accusations are completely unfounded. The premise of his question is wrong. His accusations are wrong.

He should know full well that the community futures programs in this province are among the best administered. They are absolutely transparent and they are a credit to every Canadian in Ontario.

* * *

HEALTH

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, my question is for the Minister of State for Public Health.

As we all know, diseases such as SARS know no boundaries and the next national public health epidemic may only be a plane ride away. I would like to ask the minister, what steps has the government taken to ensure the safety of Canadians in the event of an outbreak like SARS?

Hon. Carolyn Bennett (Minister of State (Public Health), Lib.): Mr. Speaker, I am proud to report, in working with our provincial and territorial colleagues, all of the important improvements that we have made since the tabling of the comprehensive Naylor report a year ago that include the Public Health Agency for Canada, the new chief public health officer, as well as new surveillance guidelines, all of these things.

In fact, I invite the member and you, Mr. Speaker, to the new Public Health Agency next week. Dr. David Butler-Jones would be happy to explain it to everyone in person. Together we can all reassure Canadians—

The Speaker: The hon. member for New Brunswick Southwest.

* * *

ATLANTIC CANADA OPPORTUNITIES AGENCY

Mr. Greg Thompson (New Brunswick Southwest, CPC): Mr. Speaker, when Liberal MPs protest publicly about patronage and unfairness with ACOA funding, most of us would agree that the problem is real. Sadly, this minister continues to follow in his predecessor's footsteps. The types of cronyism and unbridled patronage the government pretends it wants to eliminate still exist.

My question for the minister is, what steps is he, his department, and the government taking to end that type of unbridled patronage?

Hon. Joe McGuire (Minister of the Atlantic Canada Opportunities Agency, Lib.): Mr. Speaker, if the member is referring to today's press report about Norman Spector, who was Brian Mulroney's chief of staff, I find it passing strange that Mr. Spector was commenting on political patronage in ACOA when he presided over a whole layer of political appointments, where everything was viewed through the political spectrum.

•(1200)

Mr. Greg Thompson (New Brunswick Southwest, CPC): Mr. Speaker, unfortunately, I am referring to the Liberal member of Parliament for Miramichi who says the agency is out of control and he wants to shut down the types of activities that the minister is engaged in.

I might remind the minister that Mr. Spector was the head of ACOA on the present government's watch and he has specifically

accused former ministers like Mr. Dingwall. Does that ring a bell on the other side of the House? I am afraid it does. He was a Liberal minister of the agency.

What will the minister do to stop that type of cronyism?

Hon. Joe McGuire (Minister of the Atlantic Canada Opportunities Agency, Lib.): Mr. Speaker, I think it was under Mr. Dingwall's watch that ACOA contributions to business went from grants to repayable loans. That was under Mr. Spector's watch and also under Mr. Dingwall's watch.

I want to thank the member for convincing his caucus to give unanimous support to our strategy on regional and economic development contained in the Speech from the Throne

* * *

[*Translation*]

AGRICULTURE

Mr. Sébastien Gagnon (Jonquière—Alma, BQ): Mr. Speaker, the mad cow crisis has done a great deal of harm to dairy producers because cull cattle are now close to worthless on the market. A farmer from Normandin, in the Lac-Saint-Jean area, received the ridiculous price of 7¢, once shipping and abattoir costs were paid. Yes, 7¢ for a 2,000-lb. cow.

Does this government realize that its aid package is clearly inadequate, since its \$80 payment to farmers in distress simply does not compensate for their actual losses? Normally, they would be getting around \$1,000.

Hon. Jacques Saada (Minister of the Economic Development Agency of Canada for the Regions of Quebec and Minister responsible for the Francophonie, Lib.): Mr. Speaker, the Government of Canada has undertaken an extremely important initiative with respect to repositioning the industry. This four point plan includes two very specific financial measures.

The Government of Canada is, for instance, prepared to cover 60% of the funding required to support the industry, provided the provincial government comes up with 40%. As an indication of its flexibility, the government is even prepared to agree to a unilateral contribution of 60% if the province will assume administrative responsibility.

The federal government has done all it can to assist producers in difficulty in this instance.

Tributes

[English]

POINTS OF ORDER

MEMBER FOR LANARK—FRONTENAC—LENNOX AND ADDINGTON

Hon. Joe Comuzzi (Minister of State (Federal Economic Development Initiative for Northern Ontario), Lib.): Mr. Speaker, I referred to my colleague from Lanark—Frontenac—Lennox and Addington as being a new member. I apologize. He has been here since around 2000. I apologize that I have never met him and I do not know what he has done.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, on the same point of order, I am of course newly representing the new riding of Lanark—Frontenac—Lennox and Addington. I represented Lanark—Carleton in the last Parliament.

However I would encourage the minister to spend less time in Florida in order that he can watch what is being accomplished in the House.

The Speaker: I thank both hon. members for their clarification.

[Translation]

Pursuant to the order adopted yesterday, the House will now proceed with tributes to Senator Jean-Robert Gauthier.

* * *

SENATOR JEAN-ROBERT GAUTHIER

Hon. Mauril Bélanger (Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages, Minister responsible for Democratic Reform and Associate Minister of National Defence, Lib.): Mr. Speaker, I am honoured to rise today on behalf of the government to pay tribute to Senator Jean-Robert Gauthier as he retires from the Senate and to mark his 32 years in parliamentary life.

Some hon. members: Hear, hear!

Hon. Mauril Bélanger: The parliamentary career of Jean-Robert Gauthier has ended, but his work will endure for many generations. His legacy to the francophones of this country is important for many reasons.

For over 30 years, he has been an ardent defender of the linguistic rights of the French- and English-speaking minorities throughout the country. An experienced and clever parliamentarian, he succeeded in having a positive influence on the government decisions that shaped the development of Canada's francophone communities.

Senator Gauthier is a man unlike others. When I was a young activist in the Liberal Party of Canada, I had the opportunity to observe him in his role as the MP for Ottawa—Vanier, the riding which I now have the privilege of representing in the House of Commons.

I saw then for myself the virtues of the role of a member of Parliament. I saw a man at the heart of his community, a man always available to his constituents. I saw a man working tirelessly to help people overcome obstacles in their lives. Jean-Robert lent considerable nobility to the role of an MP and, later on, to that of a senator. He, better than anyone, exemplified the people's representative. In

addition to the courage it took in his fight against sickness in recent years, he remained true to his principles and values.

I want to thank him for his advice and generosity. To me, he was a mentor, a confidant and a friend, and I will always be grateful to him for that.

Since he began his political career in this House, over 32 years ago, I would like to let him have the last word by quoting excerpts from his last speech in the Senate, which he delivered yesterday. He said:

I have tried hard to make life a bit more agreeable for Canadians. I have worked on many issues. I am very proud to say today that the issues I worked on were the people's issues...

Honourable senators, we have a commitment to Canada.

On behalf of the government and all my colleagues, I wish Senator Gauthier and his family a quiet, serene and happy retirement. So long Jean-Robert.

● (1205)

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, I would also like to pay tribute to Senator Jean-Robert Gauthier, who served both Houses of Parliament for 32 years.

Mr. Gauthier is leaving the Senate because of a mandatory retirement provision in our Constitution. The fact that he is 75 prevents him from continuing his public service in the Senate.

Mr. Gauthier sat as the member for Ottawa—Vanier from 1972 to 1994, and as a senator from 1994 to the present. During this time, he was a vocal and consistent advocate for the rights of Franco-Ontarians and French language minority populations across the country.

The first time I met Mr. Gauthier was in June 1993, the same day Kim Campbell was sworn in as Prime Minister. Mr. Gauthier was the guest of honour, roughly one kilometre west of Rideau Hall, at another event that we both felt was just as important.

He had been asked to unveil a mural called "Tribute to Franco-Ontarians", which my father had commissioned for the wall of the Giant Tiger store at the corner of Dalhousie and George Streets, which had once been the headquarters of Ottawa's French language newspaper *Le Droit*.

It seemed appropriate for a man who represented the centre of French Ontario for such a long time to unveil a work of art in honour of the Franco-Ontarian community. This mural had been commissioned by my family's business, which has achieved great success in the area of bilingualism.

Later, we sat together on the Standing Joint Committee on Official Languages. We did not always agree, but no one on the committee ever doubted Mr. Gauthier's sincerity when he was defending the rights of Franco-Ontarians and minorities.

Jean-Robert Gauthier has assumed many roles and has been involved in the work of many committees. He will be recognized especially for his work at sessions of the official languages committees of the House and the Senate. He devoted his career to the citizens of Ottawa—Vanier, of Ontario and the entire country.

In conclusion, I would like to offer him my best wishes for success.

•(1210)

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, today we are paying tribute to all that Senator Jean-Robert Gauthier has accomplished in his 32 years in Parliament.

A man totally dedicated to representing his constituents to the best of his ability, he was elected here six times representing Ottawa East or Ottawa-Vanier, before moving on to that other place.

He will go down in history as a staunch promoter of respect for both official languages and a veteran of numerous battles to defend the French language within the context of linguistic duality.

He was, therefore, the author of many measures to remedy, promote and guarantee the use of French everywhere in Canada.

Francophone seniors in Ontario benefit every day from what yMr. Gauthier has done, as do all those who still speak French. Yet, he met heavy resistance in his tireless efforts to obtain official bilingual status for Canada's capital. We know that, despite his departure from the Hill, he will be continuing to battle for the respect of official languages, and for the bilingual status of the City of Ottawa, in particular.

Since his departure was announced, there has been an outpouring of public tribute and gratitude from his fellow citizens for all his efforts to ensure the continuance of our beautiful French language.

I will paraphrase what was written by one of them. Through his love of the French language, he is extending the life of this legacy which transcends our identity. Through suffering at times and in solitude, he carries the scars of difficult political struggles in his passionate patriotic heart and his embattled body."

It is our hope that his example will inspire others to take up his torch and continue in the defence of our two official languages.

Have a wonderful retirement, Senator Gauthier.

[*English*]

Hon. Ed Broadbent (Ottawa Centre, NDP): Mr. Speaker, members of the House will not be entirely surprised, since I am a New Democrat, to learn that this is the first time I have ever publicly stood up to praise a senator, but I do so with a great deal of pleasure for my friend and former colleague for many years in the House and for his continuing work, I will add, as a senator in the other place.

It has been pointed out that Senator Gauthier has made a distinguished contribution to the battle for human rights in general, which he has, and I want to emphasize that. He is well known in particular for the struggle for minority francophone rights right across the country, as well as in the city of Ottawa, and in struggling for official bilingualism in the province of Ontario. He was an excellent worker for all of these causes.

[*Translation*]

Senator Gauthier is well known in our community. He served as honorary chair of the S.O.S. Montfort Legal Defence Fund in 1998. He is the recipient of such distinctions as the "Prix Boréal" from the

Tributes

Association canadienne-française de l'Ontario. Senator Gauthier also received the title of Grand-Croix de l'Ordre de la Pléiade in 1998.

[*English*]

He was, and will remain, I am sure, a terrific advocate for human rights. He has been dedicated to his community and his country. I join with all others here in the House in wishing him and his family a joyful and, indeed, an exuberant retirement.

•(1215)

[*Translation*]

The Speaker: I want to add a few words about my friend Senator Gauthier. I was elected to this House for the first time in 1988 and for a few years I served as the leader of our party in the House.

[*English*]

Senator Gauthier, for a while, was the House leader for the official opposition and I had the pleasure of working with him quite closely for a number of years, in the days when I took part in these things.

[*Translation*]

He taught me a lot about the tactics inherent in the House.

[*English*]

I now can sit and observe these tactics at work in the House, but he was an excellent instructor.

Of course, we all remember that Senator Gauthier ran to be Speaker of this House in 1993. It was a very interesting and very very close election. I was a candidate in that election but I was knocked out quite early, understandably, given the quality of the other candidates who were running.

It was a pleasure for me to have known him and worked with him while he was in the chamber and to continue our association while he worked in the Senate.

[*Translation*]

With his departure, the Parliament of Canada is losing one of its most knowledgeable members, but it is a matter of age in the Senate—not here—and this major change coincides with a significant birthday. Happy birthday, Mr. Senator, and on behalf of all the members of this House, I thank you very much for your service to our country.

[*English*]

I express our very best wishes for a long and enjoyable retirement for you.

[*Translation*]

Thank you very much.

*Government Orders***ROUTINE PROCEEDINGS**

[Translation]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Procedure and House Affairs regarding matters relating to the electoral boundaries readjustment process.

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

I also have the honour to present, in both official languages, the eighth report of the Standing Committee on Procedure and House Affairs regarding the changes to the Standing Orders of the House of Commons that are necessary pursuant to the special order adopted on October 5.

Mr. Speaker, with the leave of the House, I move:

That the eighth report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

For clarification, this is the report dealing with the changes to the Standing Orders that are necessary pursuant to the motion adopted unanimously by the House on October 5.

(Motion agreed to)

* * *

[English]

PETITIONS

CANADIAN FORCES HOUSING AGENCY

Mr. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, I am pleased to present the latest petition which is yet another appeal from concerned citizens in support of our on base military families.

As members well know from all of the petitions I have presented already in Parliament on this issue, and intend to continue to present for the foreseeable future, the petitioners want to draw the House of Commons' attention to the fact that on base housing serves a valuable purpose by allowing families to live in a military community and have access to services to address their specific needs.

They are concerned that the Canadian Forces Housing Agency in many instances provides substandard living conditions for our military families. They also wish to note that families of Canadian Forces soldiers living in accommodations provided by the Canadian Forces Housing Agency have seen dramatic increases in their rental charges. Indeed they are about to go up again next month.

Therefore the petitioners, who are from Oshawa and Brooklin, Ontario, call upon Parliament to immediately suspend any future rent increases for accommodation provided by the Canadian Forces Housing Agency until such time as the Government of Canada makes substantive improvements to the living conditions of housing which is provided for our military families.

• (1220)

[Translation]

QUESTIONS ON THE ORDER PAPER

Hon. Raymond Simard (Parliamentary Secretary to the Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages and Minister responsible for Democratic Reform, Lib.): Mr. Speaker, I ask that all questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[Translation]

CRIMINAL CODE

The House resumed consideration of the motion.

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, it is a great pleasure for me to rise in the debate on this important bill, Bill C-10, and encourage all members of the House to support these reforms.

In its detailed 2002 study of the mental disorder provisions of the Criminal Code, the Standing Committee on Justice and Human Rights emphasized the need for reform.

The public may still be talking about the older legislation which contained the concept of “not guilty by reason of insanity”.

Canada's modern criminal law looks closely at those who are found not criminally responsible for reasons of mental disorder and persons declared unfit to stand trial. The law in this field is not well known and often misunderstood. People continue to think that someone who commits an offence and is declared to be not criminally responsible is benefiting from some sort of “escape clause”. Some people may believe there is no consequence. In other words, for this kind of reason, someone could commit a serious crime and not pay any penalty at all. Of course, that is not the case. There is no escape clause like that. Our law in this matter goes back to the 17th century. The law respecting persons declared unfit to stand trial or those found not criminally responsible because of mental disorder provides for consequences—perhaps less severe consequences, but consequences all the same—usually involving treatment and supervision that can potentially go on indefinitely and for some cases detention in a secure psychiatric facility. Thus a sentence can even be longer, rather than shorter, depending on the case.

As for the Criminal Code, it includes a whole part—namely part XX.1—that provides the rules of law and the rules of procedure that apply to persons found not criminally responsible on account of mental disorder, and persons unfit to stand trial. That part of the Criminal Code sets out a comprehensive code to ensure, in a fair and effective fashion, the monitoring and treatment of mentally disordered accused, and also public safety.

Government Orders

I indicated that this area of the law is not well understood—even by some lawyers—and it is even harder to grasp for victims of criminal acts—let alone the general public. In the case of victims, criminal law and the criminal justice system are often shattering, complex and daunting. Victims rarely need to know the law until they find themselves at the core of the justice system, often when they arrive in court. When an accused is found to be unfit to stand trial or not criminally responsible on account of mental disorder, victims of criminal acts are confronted with more obstacles in their pursuit of justice.

Victims want to get information on the legal system and on the case that involves them, and they deserve to get such information.

• (1225)

Law reforms, new thrusts and a broadening of the services have given victims a greater role in criminal proceedings. This is increasingly the case. For example, the Criminal Code was amended in 1988 to include the victim impact statement as a means to allow victims of criminal acts to describe the damage or the losses suffered because of the offence that was committed. Incidentally, I remember the debate that took place here at the time.

Some provisions passed in 1988 also provide for publication bans to protect the identity of victims of sexual assault. At the time, a review of this issue was long overdue. Other changes made to the Criminal Code over the past 15 years have helped give a more important role to victims of criminal acts, while respecting the rights of the accused.

In response to the report published in 1998 by the Standing Committee on Justice and Human Rights, entitled “Victims’ Rights: A Voice, Not a Veto”, the government adopted in 1999 a series of amendments to the Criminal Code to ensure, among other things, that victims are informed of the possibility of submitting a victim impact statement; to include the safety of the victims in the factors that have to be taken into account in making a decision on interim release; to specify the automatic imposition of a mandatory victim fine surcharge, and the amount of this surcharge; and to give judges the discretionary power to impose a publication ban to protect the identity of any victim or witness, as required in the interest of the proper administration of justice, something we all support.

The 1999 amendments also provided for a victim impact statement to be written and filed with the court or review board at a hearing to determine the sentence for an accused found not criminally responsible on account of mental disorder. The court or review board must take into account any statement filed “in determining the appropriate disposition or conditions under section 672.54”.

The victim impact statement is provided for in paragraph 672.5 (14), which states, “A victim of the offence may prepare and file with the court or review board a written statement describing the harm done to, or loss suffered by, the victim arising from the commission of the offence”.

Where a verdict of not criminally responsible on account of mental disorder has been rendered in respect of the accused, the review board has to determine how the accused will be supervised. The victims of crime are often neglected, and receive little

information on the follow-up, on how their safety concerns will be met or whether or not they will have a role to play or have access to any information.

The amendments in Bill C-10 will strengthen the role played by victims of crime in cases where the accused was found not criminally responsible on account of mental disorder.

I commend the government for introducing this bill, which was before the House before the election was called. Now, it is back before us, and I hope that all my hon. colleagues will give their support so that we can move forward quickly with this bill.

• (1230)

Mr. Odina Desrochers (Lotbinière—Chutes-de-la-Chaudière, BQ): Mr. Speaker, I am pleased to speak to Bill C-10, an Act to amend the Criminal Code (mental disorder) and to make consequential amendments to other Acts.

When I was a journalist, I worked as a crime reporter for two years and had the opportunity to follow some highly unusual trials. I saw both sides, crown and defence attorneys alike, struggle with this delicate question.

When a crime occurs, there are always factors to consider in such an unfortunate incident. Sometimes, those factors are linked to someone who has trouble speaking for himself at trial. It then becomes more difficult and complex for the courts to deal with these issues.

A first step was taken by this House on March 29 of this year. At the time, the Minister of Justice introduced Bill C-29. As is the tradition, the bill was read a second time and referred to a committee so that parties, and especially the Bloc Québécois, could propose amendments to enhance the bill. As I said at the beginning of my speech, the purpose of the bill is to more clearly define this delicate question, which is addressed in the Criminal Code.

Even though we were, at the time, more concerned with pre-electoral stuff than with political issues, committee members were able to come up with unanimous proposals. As I pointed out last Friday, since the start of this Parliament, the Liberal government has kept to one scenario. It reintroduces bills but without taking into consideration the work that was done in the previous session.

When the government acts in this way, it penalizes those affected by this bill. They are already suffering from mental disorder, and then are penalized by the fact that, once again, the Liberal government has neglected to take everything that was said and done in the previous Parliament into consideration. Hon. members are no doubt aware that we are making use of a procedure which allows us to refer the bill to committee earlier in order to get it passed more quickly. Once consideration of it is undertaken in committee, I hope that the committee chair will take time to look at what has already been done, and that the committee will automatically allow all the motions passed that time.

Government Orders

If this government keeps on in this way, the Order Paper will become increasingly weighty. We are operating in the context of a minority government with all sides are trying to make some progress. But, ever since we came back in early October, this government seems to be trying to constantly shunt aside proposals and motions, and most particularly the huge amount of work already done in the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness.

●(1235)

I hope that, when the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness comes to examine this matter, it will immediately take into consideration everything that has already been done.

The Bloc Québécois is in favour of Bill C-10 in principle, but steps must be taken to ensure that the proposed amendments protect the rights of people with mental disorders effectively and properly safeguard public safety.

Unfortunately, many people are prejudiced against the mentally ill. They deserve more compassion and greater understanding, because they are often accused of doing things that they are not even aware of having done. That is why there are provisions in the Criminal Code to protect them.

The recommendations of the justice and human rights standing committee that were not taken into consideration by the federal government deserve to be again considered in committee in order to understand the reasoning of those who drafted this bill.

When a minister introduces a bill, he certainly undertakes consultation. There is something we are having trouble understanding. Those who drafted Bill C-10 have left out some important parts of Bill C-29, which the previous government had introduced.

I remember April 29, 2004, in this House, when, once again, there was very little discussion of policy. There was more talk about the pre-election process. But there was my colleague from Repentigny, who is very well known and who sits near me. These days, he can be seen in the major debates on the issue of public accounts. I am convinced that he will straighten out the Liberals, once again, on everything this government has done that seems a bit wrong.

I do not need to repeat all that has been said at the Gomery commission. I could table piles of documents I have read in the public accounts committee and tell you what has been happening. I am sure the hon. member for Repentigny will take over.

I return to April 29, 2004. My colleague was saying that the Bloc Québécois welcomed and supported Bill C-29. But at that moment, like all Bloc MPs, my colleague addressed the democratic deficit.

The democratic deficit was a slogan heralding a profound transformation in the way Parliament works. Expectations were created around this deficit, and unfortunately we see that nothing happened, except perhaps that the Liberal government now understands that it is in a minority position and must listen more closely to the opposition majority.

In conclusion, I hope that this positive spirit will carry over to the Standing Committee on Justice, Human Rights, Public Safety and

Emergency Preparedness when it makes its decision on Bill C-10, so that the people affected by this important legislation will not be penalized.

●(1240)

Hon. Marlene Jennings (Parliamentary Secretary to the Prime Minister (Canada—U.S), Lib.): Mr. Speaker, congratulations on your appointment.

Since this is my first speech in this House since the election in June, I would like to take a few moments to thank everyone from my riding of Notre-Dame-de-Grâce—Lachine and all the voters for trusting in me. I want to assure them that I intend to continue to represent them well and to be available in the riding, as I was after I was first elected in 1997 and the second time I was elected in 2000.

I want to welcome all the residents of the former city, which became a district and then finally the new City of Dorval.

[*English*]

It is a pleasure for me to rise today and to speak in support of Bill C-10, an act to amend the Criminal Code (mental disorder).

[*Translation*]

I am sure that all the hon. members will be able to support the motion to refer this bill to committee.

As the hon. members probably know, other members having mentioned this in the House, Bill C-10 is the result in large part of a study conducted in 2002 by the Standing Committee on Justice and Human Rights—its name at the time—which recommended improvements to the Criminal Code with respect to people with mental disorders, in other words, people who are not criminally responsible or are unfit to stand to trial on account of mental disorder.

[*English*]

The committee review should likely focus on how Bill C-10 responds to the issues raised before the standing committee in 2002 by the many witnesses it heard. Bill C-10 responds to these issues and includes additional amendments to ensure an effective, efficient and fair regime.

There are a few aspects of Bill C-10 that I would like to draw to the attention of hon. members and to Canadians who are listening to this debate.

First, with respect to persons accused of offences who are not fit to stand trial under the current law, a person found unfit to stand trial cannot be absolutely discharged. The law governing mental disorder requires an individual assessment of an accused to ensure that both the needs of the accused for treatment and rehabilitation, and the needs of the public for public safety, are taken into account. An unfit accused person cannot be absolutely discharged because there had been no opportunity for the crown to prove that the person had indeed committed an offence under our Criminal Code provisions.

Government Orders

However an unfit accused who does not pose a risk can be placed on a conditional disposition with minimal restrictions where appropriate. Many persons found unfit will eventually be made well and will become fit through treatment. Once fit, they will proceed to trial, but some will never become fit or will become fit only after many years and cannot, therefore, be tried.

[*Translation*]

The legislation already contains many guarantees for an accused found unfit to stand trial. Bill C-10 adds one more, whereby the court may be asked to review the situation of an accused found unfit to stand trial, if the accused is not likely to ever be fit to stand trial and does not pose a significant risk to the safety of the public. The court, and only the court, shall then have the power to order a stay of proceedings.

I want to assure all hon. members who have expressed concern about the safety of the public that the government shares their concern. Bill C-10 has been carefully examined to ensure the public safety of all Canadians. A stay of proceedings will only be possible if the accused poses no significant risk to the safety of the public.

• (1245)

[*English*]

In June 2004, the Supreme Court of Canada delivered judgment in *Demers*, a case that dealt with a permanently unfit accused. The court held that the current law, as it applies to a permanently unfit accused who is not dangerous, violates the charter because it provides absolutely no mechanism for the proceedings against the accused to end.

Everyone, including the members of that justice committee back in 2002, recognized at the time and recognizes now that it simply had to change.

Bill C-10 would provide a charter compliant approach to permit the court to enter a judicial stay of proceedings after first determining that the accused is permanently unfit, and second, that the accused does not pose a significant threat to the safety of the public.

[*Translation*]

Bill C-10 will permit the court to hear the case of an accused found unfit to stand trial who is not likely to ever be fit—for instance a person with an organic brain lesion—and does not pose a significant risk to the safety of the public. A review board will be able to make recommendations to the court to hold an inquiry on the condition of the accused if, in its opinion and pursuant to an assessment, the accused is not likely to ever be fit to stand trial and does not pose a significant risk to the safety of the public. The court will also have power to hold an inquiry on its own motion, not acting on the recommendation of the review board. During this inquiry, it will hear the parties, the Crown in particular, and determine whether it should order a stay of proceedings in the interests of the proper administration of justice. In determining whether a stay would be in the interests of the proper administration of justice, the court will consider several factors, including the nature of the offence, the time elapsed since the commission of the offence and whether the Crown has the opportunity to demonstrate the correctness of the charges. This is already a legal requirement: the Crown must demonstrate there is sufficient evidence to justify a trial.

[*English*]

The proposed amendments address the situation of the permanently unfit accused who does not pose a significant risk and permit the court to order a stay of proceedings. However, an unfit accused who does indeed pose a risk to the safety and security of Canadians cannot be granted such a stay. Our law must ensure that the rights of the accused and the right of the public to safety are balanced. In my view, the proposed amendments do this.

Bill C-10 provides a very detailed scheme to permit a judicial stay for an unfit accused. I would like to reiterate just some of the features that I noted earlier and that have been noted by others in the House.

First, the review board, after holding one or more annual review hearings for an unfit accused, must come to the opinion that the unfit accused is not likely to become fit and that the unfit accused does not pose a significant threat to the safety of the public.

Second, the review board can order that the accused's mental condition be assessed by a psychiatrist to assist it in making this recommendation.

Third, the review board may then make a recommendation to the court to hold a hearing to determine whether a judicial stay of proceedings is in the interests of the proper administration of justice.

Fourth, where the court agrees to hold such a hearing, the hearing will provide opportunities for all parties to make submissions.

Fifth, the Crown, which represents the public interest, could make submissions on the nature of the case against the accused, public safety, and the mental condition of the accused.

I have only one minute left, so I am going to wrap up. I will go directly to my conclusion, because most of the points have indeed been covered by my colleagues.

• (1250)

[*Translation*]

To conclude, I hope that my remarks have allayed the hon. members' concerns and shown why this new provision is necessary.

I encourage all hon. members to support the speedy referral of Bill C-10 to committee, so that it can be passed quickly.

[*English*]

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, it is also my pleasure today to rise and speak in support of Bill C-10, an act to amend the Criminal Code, mental disorder. The bill, as has been pointed out, will make many improvements to the law that governs those persons who are found unfit to stand trial and persons found not criminally responsible on account of mental disorder.

I will focus my remarks on the provisions of Bill C-10 that seek to repeal provisions of the Criminal Code that in fact were never proclaimed in force.

Government Orders

Hon. members may be curious about why it is even worth noting, since the repeal of unproclaimed provisions merely clarifies the status quo. It is true that the repeal of the unproclaimed provisions will not change the applicable law. However, it is important to highlight the fact that the current reforms, which once and for all will repeal old reforms, reflect the government's belief that these provisions are not needed and will not be needed in the future.

The repeal will bring certainty and clarity to those who may hold out hope for these old provisions, which indeed we now agree do not reflect the goals of protecting public safety and providing treatment for the mentally disordered accused.

Bill C-10 repeals three provisions of the 1991 amending act that were never proclaimed. These are: first, provisions related to capping; second, the dangerous mentally disordered accused provisions; and third, the hospital order provisions. I will be dealing with each of these individually.

Capping provisions were originally designed to ensure that the supervision of those found not criminally responsible would not be longer than the maximum sentence available through a criminal conviction. The maximum periods, or caps, would depend on the offence committed and would range from life to two years or less.

Capping provisions were included as part of the 1992 reforms. The initial postponement in proclamation was necessary to permit a review of all persons held under a lieutenant governor's warrant to determine whether the person should be subject to an increased cap. The delay was also intended to allow the provinces to make necessary amendments to their mental health legislation to ensure that those discharged at the so-called cap would be subject to mental health legislation where necessary.

However, provincial mental health law is not designed to supervise potentially dangerous persons, nor is it designed to protect public safety. As a result, amendments were not pursued by the provinces and territories.

The standing committee in its 2002 review called for the repeal of the capping provisions. The current law in part XX.1 of the Criminal Code, without capping, provides the appropriate balance between the accused's rights and the public's right to safety. Several accused persons have appealed their dispositions, arguing that if they had been convicted they would have served a short sentence. However, because these accused were found not criminally responsible they may have dispositions that restrict their liberty for longer periods than any court sentence for the same offence.

The Supreme Court of Canada has clearly established that sentences for convicted offenders should not be compared with dispositions imposed where an accused is found not criminally responsible on account of mental disorder. The accused found not criminally responsible on account of mental disorder is not punished. Rather, they are assessed, treated and supervised until they can be absolutely discharged.

The absolute discharge may be appropriate soon after the verdict or years later depending on the mental condition of the accused and the risk to public safety. The nature of the offence may have no bearing on the disposition for a not criminally responsible on

account of mental disorder. Capping should therefore be repealed once and for all.

• (1255)

The dangerous mentally disordered accused provisions, secondly, were linked to the capping concept. They too should be repealed. These provisions would have enabled the prosecutor to apply to the court, after the finding of not criminally responsible but before the disposition is made, to make another finding that the accused is a dangerous mentally disordered accused.

The criteria and procedure were modelled on the dangerous offender provisions that apply to sane convicted offenders. If the accused was found to be a dangerous mentally disordered accused, the court could have then increased a 10 year cap to a maximum of life, but only for "serious personal injury offences", including various sexual and violent offences. These provisions were very narrow in their proposed application and would have only permitted the longer cap for some of the most dangerous and serious offences.

The DMDA provisions and capping provisions are interdependent and are therefore being repealed together. The repeal of capping and the related DMDA provisions, coupled with the amendments to better protect the rights of permanently unfit accused, will continue to reflect the goals of our criminal law system, including protecting the public.

The hospital order provisions would have applied to convicted offenders, not those found not criminally responsible on account of mental disorder. These provisions are also proposed for repeal.

Hospital orders were intended to provide a mechanism for short term treatment of a convicted offender who, at the time of sentencing, was in an acute phase of a mental disorder and in urgent need of treatment to prevent further mental deterioration. An offender meeting this criterion would be sent to a psychiatric facility for a period of up to 60 days rather than jailed.

The provisions are being repealed because there is a general view among stakeholders that the current system can accomplish the intended purpose of hospital orders without a statutory provision. In addition, the code provisions are too narrow in their application to address the nature and range of mental disorder present in the convicted offender population. Proclamation of the hospital order provisions would not address the larger problem.

The repeal of these three provisions reflects the government's commitment to fair and effective laws that are clear and up to date. I think all members of the House would agree with that objective.

While it may seem odd to dwell on these aspects of Bill C-10 that may seem of little consequence because they seek to repeal provisions that were never really part of our operating law, I hope members will agree that clarity is necessary and that our parliamentary record should reflect how and why our policy and law have evolved.

I encourage all hon. members to support these provisions that have been put forward in Bill C-10.

● (1300)

[*Translation*]

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I am rising to speak on Bill C-10, as my distinguished colleagues in the Bloc Québécois have done before me. The Bloc Québécois supports referring the bill to committee before second reading.

Bill C-10 is the Act to amend the Criminal Code (mental disorder) and to make consequential amendments to other Acts. It is the former Bill C-29, which had reached second reading in the last Parliament before dying on the Order Paper with the election call in June. On the issue of Bill C-29, I would like to acknowledge the work of our justice critic, the member for Charlesbourg—Haute-Saint-Charles.

We are of course in favour of the principle of this bill and of referring the bill to a committee before second reading, but we have to ensure that the proposed amendments will effectively protect the rights of people suffering from mental disorder, while protecting society. This is important also. Amending the Criminal Code is always a sensitive issue. We are dealing with subjects that are difficult for the victims or those close to the victims, who were affected by a crime. Those people have to be protected too. The amendments to the Criminal Code must be carefully measured.

The recommendations made by the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness were not all accepted by the government. We will have to pay special attention when the bill goes to committee. I have no doubt that my colleague, the justice critic for the Bloc Québécois, will be able to keep things in perspective and to do a good job as usual.

We had another example of democratic deficit—my colleague from Lotbinière—Chutes-de-la-Chaudière mentioned this earlier—when the unanimous report was not followed up in its entirety. It was followed up, but not entirely. I would answer that, even though it was almost entirely agreed upon, too often in the past we have seen the government ignore a unanimous report. I am thinking of what affects many people, about the unanimous report on employment insurance. This is deplorable.

However, now, there is an amendment that is quite important and interesting: committee reports will be voted on. Fortunately, we have a majority in the committee. Let this be a warning to the government.

The recommendations that were not followed up will then have to be examined once again in committee. In C-10, 5 of 19 are not there. We will be very vigilant in this regard.

At this time in my short speech, I would like to summarize the bill for the many people who are watching us and the House.

Government Orders

This enactment amends Part XX.1 of the Criminal Code governing persons found unfit to stand trial or not criminally responsible on account of mental disorder. The amendments, among other things, include

- (a) repealing unproclaimed provisions related to capping, dangerous mentally disordered accused and hospital orders;
- (b) expanding the authority of Review Boards by enabling them to order an assessment of the accused, adjourn hearings and protect the identity of victims and witnesses;
- (c) permitting the oral presentation of victim impact statements at disposition hearings and adjournments allowing the victim to prepare the statement;
- (d) permitting Review Boards to extend the time for holding a review hearing to a maximum of 24 months in certain circumstances;
- (e) permitting the court to hold an inquiry and order a judicial stay of proceedings for an accused found unfit to stand trial, if the accused is not likely to ever be fit to stand trial and does not pose a significant risk to the safety of the public and a stay is in the interests of the proper administration of justice;
- (f) specifying that the transfer provisions require the consent of the appropriate Attorneys General in all cases and enabling transfers of an accused who is not in custody; and
- (g) allowing peace officers arresting an accused who is in contravention of an assessment order or a disposition to release, detain, compel the appearance of or deliver the accused to a place specified in the order.

This enactment also makes consequential amendments to other Acts, including the National Defence Act.

This bill applies to people with mental disorder, people who are declared not criminally responsible or unfit to stand to trial on account of mental disorder.

● (1305)

I studied law for a year and a half and I remember some of my courses. I switched majors and went into communication and became a journalist. This got me into courthouses nonetheless—as a journalist of course, not as a client. I had the opportunity to hear a number of cases including some that were very difficult because, as I was saying earlier, the victims or the accused did not even know they had been involved in a crime.

In criminal law, for an accused to be declared not criminally responsible on account of mental disorder, it must be shown that the accused was suffering from a mental disorder at the time of the offence that rendered him or her incapable of either appreciating the nature and quality of the act or omission or of knowing that it was wrong.

We in the Bloc Québécois feel it is important that the bill protect the rights of people declared not criminally responsible or unfit to stand to trial on account of mental disorder. We also have to protect public safety. It bears repeating because it is very important. I am convinced, as I was saying earlier, that we will have the opportunity to be very vigilant about this in committee.

Government Orders

We have to avoid a repetition of such tragedies as those mentioned by the Canadian Association of Community Living in the brief it submitted on January 25, 2000, to the Standing Committee on Justice and Human Rights. We talked for instance about some people with developmental disability who were held without cause at the Forensic Psychiatric Hospital, in British Columbia.

Let me quote one of the examples I found on the association's Web site. A 30 year old aboriginal man with a developmental disability was charged with mischief in 1997 and found not criminally responsible on account of a mental disorder. He has been held at the Forensic Psychiatric Hospital since then and has appeared regularly in front of the BC Review Board. At his June, 2000 hearing it was confirmed that the Forensic Psychiatric Hospital was not an appropriate setting as the hospital is not geared to deal with individuals with developmental disabilities.

Recognizing that this individual had been kept in custody for a minor offence for more than three years in an institution that was not appropriate to meet his needs, the Review Board ordered a conditional discharge to the community. To date, appropriate community care and treatment has not been forthcoming and he continues to be held at the Forensic Psychiatric Hospital.

This case and many others "stress some of the shortcomings of Canada's criminal justice system to properly address the rights and needs of all citizens. Some people, especially people with intellectual disabilities, fall through the cracks of the system". That is what the Canadian Association for Community Living said in its brief to the Standing Committee on Justice and Human Rights on January 25, 2002.

In conclusion, the report of the standing committee confirmed that the 1992 Criminal Code provisions regarding persons found unfit to stand trial or not criminally responsible because of mental disorders needs improvement. You can count on the Bloc Québécois to do what is needed to ensure that the bill reflects the real wishes and needs of persons with mental disorders and the organizations that support them, and that it also safeguards public security.

[*English*]

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: 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 Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

An hon. member: On division.

The Deputy Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness.

(Motion agreed to and bill referred to a committee)

* * *

• (1310)

QUARANTINE ACT

(Bill C-12. On the Order: Government Orders)

October 8, 2004—the Minister of Health—Second reading and reference to the Standing Committee on Health of Bill C-12, an act to prevent the introduction and spread of communicable diseases.

Hon. Pierre Pettigrew (for the Minister of Health): Mr. Speaker, I move:

That Bill C-12, an act to prevent the introduction and spread of communicable diseases, be referred forthwith to the Standing Committee on Health.

[*Translation*]

Hon. Carolyn Bennett (Minister of State (Public Health), Lib.): Mr. Speaker, in the Speech from the Throne, the Government of Canada's objective was to modernize the legislation on health protection.

[*English*]

From the Naylor report to budget 2004, from the creation of the Public Health Agency, to the recent first ministers and health ministers meetings, the government has demonstrated its clear commitment to enhancing and protecting the public health of Canadians.

While the current health protection system has served Canadians well, the time has come to update and integrate our existing laws into a stronger, comprehensive and flexible public health system, precisely what Dr. David Naylor, as well as the Senate committee which studied SARS, recommended we do.

[*Translation*]

The amendment of the Quarantine Act is the first of a series of improvements such as the public safety agency act that the Government of Canada wants to introduce to reinforce our public safety system.

[*English*]

With the SARS crisis we had to face the fact that our current legislation is outdated. The existing Quarantine Act has remained largely unchanged since the adoption of the first Quarantine Act in 1872, a time when automobiles and jetliners were the subject of science fiction.

Needless to say, times have changed. We live in an age where people move from continent to continent in hours and days rather than weeks or months, often in airplanes and ships whose confined spaces provide a perfect breeding ground for highly communicable diseases to spread.

We now acknowledge that our planet all of a sudden has become very tiny. Infectious diseases move like wildfire across the planet. Germs do not respect borders, so we know that we will face repeated threats to public health in the future.

Among the many hard lessons learned from the experience of SARS is the need to strengthen our quarantine legislation to help prevent the introduction and spread of both emerging and re-emerging communicable diseases.

As a response to concerns about the spread of communicable diseases, we decided to move forward immediately with new quarantine legislation. The legislation before the House today delivers on our pledge to correct many of the problems brought to our attention by the recent events such as SARS which underscored how fast and how hard diseases can hit our health care system and our economy.

The government understands how important it is to address the gaps in readiness. In budget 2004 we pledged \$165 million to establish the health emergency response teams and enhance surveillance. We have also created a new department of Public Safety and Emergency Preparedness.

Now, with Bill C-12, we will replace the outdated quarantine legislation with an improved and modern Quarantine Act so that we can better protect Canadians from the importation of dangerous communicable diseases and ensure Canada can meet its international obligations to help prevent the spread of diseases beyond our borders.

The modernized act we propose has a new focus on airline travel and would provide the Minister of Health with additional abilities. For example, he could divert an aircraft to an alternate landing site if it is necessary to isolate passengers. He can establish quarantine facilities at any location in Canada and order that carriers from certain countries or regions of the world not enter Canada if there are serious concerns that such an arrival may threaten the public health of Canadians. He would be able to close Canadian border points in the event of a public health emergency. The proposed act also lists many more communicable diseases for which Canadian officials could detain departing passengers.

While these measures would only be used in rare instances where circumstances warrant, these changes are essential if we are to keep pace with emerging infectious diseases and protect the health of Canadians.

I want to ensure parliamentarians that Canadians' privacy rights are guaranteed. While the updated act authorizes the collection and sharing of personal health information, the authorization to do so is limited to what is required to protect the health and safety of Canadians. That is what citizens clearly want. They want the assurance that we are taking every possible precaution to prevent the spread of communicable diseases that could put their personal health and the welfare of their communities at risk.

• (1315)

[Translation]

The new version of the Quarantine Act will give us an additional level of protection by providing solid, flexible and updated legislation that will allow us to react more efficiently to current and future health risks, while ensuring adequate protection of human rights.

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[English]

The scope of the Quarantine Act is limited to ensuring that infectious diseases are prevented from entering Canada or being spread to other countries. It will not affect interprovincial movement. We continue to work with our provincial and territorial government partners regarding the quarantine measures that can be taken to control the spread of infectious disease within and between provinces. In this regard, I would like to express our appreciation for the FPT special task force on public health which models a clear approach to mutual aid, information sharing and collaboration.

Canada is a responsible partner of the global public health arena. The updated act is aligned with Canada's obligations under the World Health Organization's international health regulations. The updated act, the creation of the public health agency of Canada, the appointment of the first chief public health officer and the Canadian pandemic influenza plan are all complementary steps in the Government of Canada's strategy for strengthening Canada's public health system. These innovations ensure better communication, collaboration and cooperation among partners as well as better clarity about who does what and when.

They will build on the expertise and strengths we already have in many areas of public health and communicable disease control to ensure Canadians are safeguarded by a seamless public health system throughout this country. Taken together, they will help ensure that Canadians are fully protected from the outbreaks of emerging diseases such as SARS and whatever else awaits us in the future.

Given that we cannot predict what the next infection will be or when it may surface, we need to be ready. We need this improved legislation now. By introducing a new and modern Quarantine Act, Canada will be better positioned to respond to any and all potential for threats to the health and well-being of our citizens.

It is clear that the health and safety of Canadians is a priority of the government. Canadians expect no less. I look forward to the work of the parliamentary committee to listen to the stakeholders and experts to help us make the bill as good as it can possibly be.

[Translation]

By passing the progressive bill that we are discussing today, within a larger public health strategy, I am convinced that we will not disappoint Canadians.

[English]

Mr. John Duncan (Vancouver Island North, CPC): Mr. Speaker, I rise to speak to Bill C-12, which as the House knows is a piece of legislation that repeals and replaces the existing Quarantine Act. As the House is aware, the Quarantine Act has not been significantly amended since it was introduced in 1872.

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An effective Quarantine Act is an important component in our ability to deal with outbreaks of infectious diseases. The changes we are examining now emanate in part from the lessons learned from the SARS outbreak and the recommendations of Dr. David Naylor, chair of the national advisory committee on SARS.

The Naylor report noted that travel has become a key means for transmission of infectious diseases. SARS was introduced through air travel by a passenger who brought the disease with him from Hong Kong. Many of us will remember the panic Canadians felt as people got sick and died from a mysterious respiratory ailment.

As a community, Toronto was hardest hit with this disease. At the peak of the outbreak, over 6,000 people were quarantined in the Toronto area alone. However, it was our front line health care workers who carried the heaviest burden of dealing with the disease. More than 100 Canadian health care workers became ill with SARS and three died.

Canada was not in a position of being prepared to deal with SARS, despite the fact there had been earlier warnings. Colleagues may recall during the Ebola scare of 2001, when it was thought a woman who had arrived in Canada had the deadly disease. Fortunately, the woman did not have Ebola and recovered from her illness, but this incident clearly demonstrated that we were not ready to deal with a communicable disease outbreak or epidemic.

The bill before us today will provide the government with the legislative authority to deal with travellers coming into or leaving Canada. Travellers can be ordered to undergo medical examinations at their own cost. I am not certain what the government will do if the people cannot pay or refuse to pay for their health examination. Will we, for example, be sending collection notices to travellers throughout the world? This is not clear in the package.

The bill defines conveyances as a watercraft, aircraft, train, motor vehicle, trailer or other means of transportation and includes a cargo container. Conveyances can be diverted from the planned entry point in Canada by the legislation if there is concern about the spread of a communicable disease. The proposed bill also creates the authority so that an order can be given to disinfect or even destroy the conveyance if there is belief that the conveyance is the source of a communicable disease.

The bill would give the minister very wide powers to appoint screening officers, quarantine officers and environmental assessment officers. Doctors or other medical personnel can be designated as a quarantine officers. The minister can establish quarantine facilities anywhere in Canada and take temporary possession of a premise to establish a quarantine facility.

If cabinet is concerned about a severe risk to public health, it can establish an emergency order prohibiting people from entering Canada if they have been in a foreign country that has seen an outbreak of a communicable disease. Items being imported into Canada can be blocked for the very same reasons.

The proposed bill authorizes a peace officer, at the request of a quarantine officer, to arrest people who refuse to be isolated or comply with measures that have been put in place to prevent the spread of disease. There are significant offences outlined in the bill. People convicted on indictment of wilfully contravening the act

resulting in death or bodily harm can be fined up to \$1,000,000 and/or face up to three years in jail.

• (1320)

There are some items that will need to be examined closely in committee. How, when and what personal information is to be disclosed and shared with other countries need to be examined. In terms of property rights and business interruption, the bill states that compensation may be provided to owners of conveyances that are destroyed. However, says nothing about business losses that are incurred as a result of being detained.

In addition, we must ensure that adequate resources are in place to carry out the legislative powers in the bill. The national advisory committee on SARS recommended that Canada ensure that an adequate complement of 14 officers be maintained at all ports of entry and that better collaboration with port authorities and personnel be established to clarify responsibilities in the event of a health threat.

The Conservative Party supports the bill, in principle, as it is an important component of public health. We look forward to hearing from witnesses at committee.

[*Translation*]

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, it is a pleasure for me to outline our position on Bill C-12, which sets out to prevent the introduction and spread of highly communicable diseases that can have a devastating effect on the people of Canada and Quebec, such as the Ebola virus, anthrax, and SARS.

The concern about the spread of communicable diseases is nothing new. The first Quarantine Act was enacted in 1377 by the Republic of Venice.

In 1832, the Parliament of Lower Canada passed legislation making Grosse Île, Quebec, a quarantine station in order to prevent the spread of cholera.

This station was under the jurisdiction of the Government of Lower Canada from 1832 to 1841, of the Province of Canada from 1841 to 1867 and of the Government of Canada from 1867 until it was closed in 1937.

Between 1867 and 1918, until this responsibility was turned over to the Department of Health and Welfare, in 1919, the Department of Agriculture was in charge of the quarantining of immigrants. Given the casual attitude of the Department of Agriculture and Agri-Food on the issue of mad cow disease, I am glad to know that this department is no longer in charge of quarantines.

While we agree that Bill C-12, which improves the 1970 act, should be sent to committee before second reading, we must keep in mind that health is the exclusive jurisdiction of Quebec and the provinces. However, we recognize that infectious diseases, such as SARS and the West Nile virus, do not stop at the borders. This is why we agree that Bill C-12 should be sent to committee, as long as the measures do not duplicate those that may have been taken previously by Quebec.

However, there are several of these clauses that concern us and for which we would like to suggest some changes or additions.

When the first International Sanitary Conference took place in Paris in 1851, the basic principle of protection against international propagation of infectious diseases was outlined: maximum protection with a minimum of restriction.

Here, the current Quarantine Act was designed when maritime transportation raised more concern than air transportation. However, in the last few decades, air transportation has increased much more than maritime transportation. As evidence of this, last year's events—SARS, the West Nile virus and the flu—showed that outbreaks of infectious diseases are increasing more rapidly than ever.

You will agree that to continue to abide by the principle stated at the 1851 Paris conference, we need to react more quickly, methodically and appropriately to the introduction and spread of communicable diseases. Such a reaction must be supported by fair and adequate legislation.

The existing Quarantine Act was promulgated in 1970. It was passed for the very first time, however, in 1872. It helps protect Canadians and Quebecers from the introduction of dangerous, infectious and communicable diseases. It prevents those diseases from spreading beyond Canada.

While the existing act is somewhat flawed, we must first ensure that the new act will not ignore basic values such as human respect and dignity.

For instance, whereas under the 1970 act an officer had to have reasonable doubt regarding the health of a traveller before having the individual undergo medical screening, clause 14 of Bill C-12 provides for a completely different mechanism.

• (1325)

Any person authorized by the minister may, to determine whether a traveller has a communicable disease or symptoms of one, use any screening technology that does not involve the entry into the traveller's body of any instrument of other foreign body.

This clause provides for efficient screening methods for all travellers, whereas under the existing act, screening can only take place if there are reasonable doubts.

This authority appears quite broad at first glance. It should be limited through the addition of something like "any medically appropriate technology".

As far as data management at the first screening stage is concerned, the identity of travellers should be protected. If a traveller were found to have the symptoms of a communicable disease, he would be the only one to be advised. It would only be when such symptoms are detected that personal information could be obtained.

Also, with regard to the disclosure of personal information obtained, clause 56 should contain provision requiring the minister to seek assurances that such information would be held in confidence and that it will only be used for the purposes of the act.

We also have problems with certain clauses which are liable to lead to incursions into provincial areas of jurisdiction, in particular

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the one allowing the Minister of Health to enter into an agreement with a public health authority, particularly if this refers to medical personnel.

Then we have clause 30, which states: "The Minister may, on the Minister's ownmotion, review any decision of a quarantine officer to detain a traveller and order the traveller's release".

It would be appropriate to delineate this power in such a case, for instance that the minister's decisions could be based on reports by a committee or group of experts.

Finally, we also have some misgivings about the concept of interim orders, just as we did before when the government wanted to make them part of the Public Safety Act in connection with the infamous military zones.

We need proof that this approach is necessary, particularly since the bill appears to already cover a broad range of possibilities and sets out the powers for those it designates as screening or environmental health officers.

As you can see, we are not spoilers, contrary to what many people might think. We have made a careful and comprehensive analysis of Bill C-12, and it is both our right and our duty as members of Parliament to make sure that decisions made here are an appropriate and respectful reflection of the needs of our fellow citizens in Quebec and Canada.

In conclusion, despite the concerns I voiced earlier, we should not forget that all of this must be put in context with the purpose and the schedule of the bill. The list of diseases it contains is impressive. They are extremely contagious and could have a devastating effect on the public in Canada and in Quebec.

To deal with this kind of disease, precautionary and public health measures should be upgraded from time to time. We must remain alert. Bill C-12, which will supersede the former Quarantine Act, promotes a good principle, even if parts of the bill should be examined in committee to make sure we do the utmost in the fairest and most efficient way.

Health is an exclusive jurisdiction of Quebec and the provinces. But the Bloc admits that communicable diseases such as SARS and the West Nile virus do not stop at our borders. That is why the Bloc will support the referral of Bill C-12 to committee, with the caveat that the measures taken must not duplicate those in Quebec.

• (1330)

[*English*]

Mrs. Bev Desjarlais (Churchill, NDP): Mr. Speaker, I am pleased to speak to Bill C-12. My first foray into talking about the Quarantine Act was a few years back when the new public safety act was coming into place. The Quarantine Act is not something one would normally talk about in everyday life in Canada. Nobody thought a quarantine would ever be put in place in Canada until the SARS epidemic.

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It is good to see this new bill before us. I have listened to my colleagues from all the parties who have spoken today. It is interesting to note that all of us seem to be highlighting the same concerns. We all seem to want the bill to go to committee where we will be able to ask questions regarding the areas of concern.

For those people who may be watching this debate on TV and have not heard about the bill, I will highlight some aspects which may have been highlighted by others as well. If my colleagues on the government side are wondering whether I will be making any riveting remarks on the Quarantine Act, and I can assure them I will be.

As has already been mentioned, the old Quarantine Act has not been updated since 1872. Bill C-12 would apply to people coming into Canada and leaving Canada. It would not apply to people moving between provinces because the legislation respects their jurisdiction and the right to public health in their own areas.

Conveyance and transportation organizations would be subject to the proposed legislation. We can understand why, considering the traffic going back and forth between Canada and our southern neighbour. Literally thousands of vehicles and different modes of transportation such as air traffic move across our borders. It is important that transportation be included in the Quarantine Act.

My colleague from the Conservatives indicated the cost to travellers with regard to a quarantine and possible medical examinations. I have to admit he did not appear to be overly sensitive to the fact that travellers would have to pay money for that and there may not be anything wrong with them. He was much more concerned about getting the dollars from them. On the contrary, I am concerned because refugees and immigrants coming into Canada have already paid a fair amount of money to get to our wonderful country and they may not have a lot of resources available to them. They will face additional costs.

I hate to say this but I have become a bit skeptical about the government wanting to be a money making operation. A good example of this is when a person applies for a passport. A person applies for a passport and pays the required fee. Should something be wrong with the application, the person applies again, pays the fee again, and it goes on and on. It becomes a cash cow. I have seen that happen with visas, passport applications and numerous other areas in the government. My party does not want that to happen. I hope it is taken into consideration because we do not want to increase financial hardship on travellers coming to our country.

I want to highlight what my colleague from the Bloc mentioned about the minister's over-reaching authority. I am a little concerned in that a quarantine officer could put a quarantine order in place but it could be overruled by the minister. I would hope that it would be a medical quarantine officer who would make the decision rather than the not necessarily medical minister making the decision. I would hope that would be brought into question at committee. Possibly the head of the new public health agency, or the head of the public health agency in individual provinces in order to recognize jurisdiction, would be the only individual able to overrule a valid quarantine order.

There were a number of areas I wanted to mention, but those were the most important.

● (1335)

My colleague from the Conservative Party did mention the cost to business. Certainly, if a business were to be affected, there should be some understanding as to the costs that would be incurred and every effort should be made to keep those costs down.

We can all imagine if a transport truck came across the border and for some reason it was found that the driver could not get rid of whatever toxin and it was quarantined. If the toxin could not be done away with, then this vehicle would have to be disposed of, which seems to be the farthest stretch of the imagination. We must take into consideration inflicting orders as well as the business people and their costs.

I look forward, as my other colleagues in the House have mentioned, to the bill going to committee. I know that our health critic has done a thorough job of ensuring that our caucus was informed about the Quarantine Act. I know he will also do a thorough job of bringing our concerns forward in committee.

Hon. Robert Thibault (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Speaker, let me assure the previous speaker that all members of the House were riveted by her comments. She mentioned that she wished to deliver a riveting speech.

We all share her concerns and we look forward to having a discussion at the committee level on some of the areas that have been raised, not only by the previous speaker, but by all the other speakers. I think that is the role of the committee.

We have an agreement on the bill which is the main thing. As Parliamentary Secretary to the Minister of Health, I have a particular interest in the renewal of health protection legislation that the government has undertaken. The modernization of the Quarantine Act is the first step in this renewal, one that will establish a comprehensive framework for public health in our country.

● (1340)

[*Translation*]

In light of the lessons learned from the SARS crisis and the recommendations made by Dr. David Naylor, a earlier version of the bill was tabled in the House on May 12, 2004. Unfortunately, this bill, Bill C-36, died on the Order Paper when the federal election was called.

Since then, the public health system has undergone major changes. Among other things, the Public Health Agency of Canada has been created and the first Chief Public Health Officer has been appointed.

[*English*]

In the wake of these important events, the government has introduced a newly proposed quarantine act. Bill C-12 will replace the current Quarantine Act, one of Canada's oldest pieces of legislation, which has remained largely unchanged since the adoption of the first Quarantine Act in 1872.

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The Quarantine Act is a crucial piece of legislation. In a world where disease knows no borders, the act is the only federal statute concerned with preventing and controlling the introduction and spread of infectious diseases.

[*Translation*]

This legislation offers safeguards at the Canadian border and points of entry to Canada by screening for the import and export of infectious diseases. It complements provincial and territorial public health laws, given that each province and territory has adopted its own such laws to contain infectious diseases within its own borders.

However, one can see that the current law poses certain problems. For example, it includes numerous outdated and redundant sections. It requires that an order be issued to add an infectious disease to the list, thereby reducing our capacity to react quickly to a public health emergency. It raises some concerns with regard to the Canadian Charter of Human Rights and Freedoms. It is not consistent with the suggested amendments to the International Health Regulations. It does not deal with interprovincial travel.

[*English*]

I believe that the proposed legislation would help address these problems. Once enacted, the new Quarantine Act would ensure that the federal government has the proper legislative tools to deal effectively with the next public health crisis.

Bill C-12 would provide many advantages over the current act. It would streamline the emergency response process by eliminating the distinction between listed and other diseases. It would clarify the respective roles of officers, operators and the courts. It would ensure that human rights are adequately protected, giving people the right to legal counsel, interpreters and medical examinations. It would facilitate linkages with other authorities, such as provincial health authorities or the RCMP in the case of suspected terrorism. It would clarify the authority to collect and share personal information. It would give authority to the minister to issue emergency orders consistent with the Public Safety Act. It would modernize enforcement powers, such as the authority to divert carriers and secure quarantine space.

[*Translation*]

Naturally, we will need to hold further consultations with provincial and territorial governments regarding the federal role. We need to clarify the matter of federal assistance for controlling and managing the outbreak of infectious diseases in Canada.

For example, as the Naylor commission pointed out, we must give thought to the need to give the federal government the necessary powers to limit or prohibit the interprovincial movement of people, vehicles and goods during a public health emergency, and we must also give thought to the need for the power to declare a national public health emergency.

[*English*]

We will also need to clarify if the federal government has the authority to provide certain legal and economic protections for travellers who are detained for public health purposes, such as preventing someone from losing their job, as well as other things that have been mentioned by previous speakers.

We want to be ready should the unthinkable happen. The Minister of Health, the Minister of State for Public Health and I are extremely proud of this legislation. It is a critical important first step forward in a series of improvements the Government of Canada is making to strengthen our public health system.

● (1345)

[*Translation*]

In passing this legislation, we will be sending a clear message to Canadians that their health and their safety are a priority for this government.

[*English*]

Mrs. Susan Kadis (Thornhill, Lib.): Mr. Speaker, I am pleased to see here today the Minister of State for Public Health and the Parliamentary Secretary for the Minister of Health debating the motion to refer this bill to committee.

When the recent SARS crisis hit this country in 2003, a powerful realization hit home to everyone. The days of having ample time to prepare for the arrival of infectious diseases are gone. A great deal has changed in 132 years since the Quarantine Act was first established. We have cars, we have planes, et cetera.

The bill is one part of the federal government's comprehensive approach of improving the health care of all Canadians. Bill C-12 recognizes that our health care system is a shared responsibility in the country. The importance of all jurisdictions and various organizations involved working together is critical, particularly when public health threats emerge as they do today.

Experts talk about control, the good kind, infection control and caring properly for persons who are hit with infection in such a way that no one else can become infected. Our public health agencies create guidelines for how to control infectious diseases so that a public health nurse in any community, big or small, will know what to do.

What this act does is simply add another important tool to our toolbox. It will allow us to detect threats to public health at the point when they are actually entering our country. Bill C-12 takes into consideration very importantly the Charter of Rights and Freedoms, which obviously did not exist when the act was first established. Disease, as we have heard, knows no boundaries. There were no planes or cars when this act was first established many years ago. This is one of our oldest bills.

There are constituents in my riding who were hit hard by SARS. They were hit tragically. They need to know, as do all Canadians, that we have taken all the steps that we can possibly take to ensure that they are protected. This bill is another example of how our government believes strongly in breaking down barriers when it comes to the best interests in the welfare and the well-being of all Canadians.

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Bill C-12 appropriately balances the public good and the individual's right to privacy. It respects the jurisdictions of our provincial and territorial colleagues and in fact builds on all the very excellent work being done by all local public health officials. Bill C-12 will better prepare us to better protect Canadians. It is of course our collective responsibility to move this bill forward swiftly for our entire public health worldwide.

[*Translation*]

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, it is my pleasure to speak on the bill before us. Not to be redundant, I think it is very important to indicate that we are in favour of the bill being referred to committee before second reading, for further consideration.

I will address certain points the hon. member for Laval clearly outlined in her remarks, as did other members, points that help us understand the current situation better. I think it is important to point out again that the current situation is very different from what it used to be; in that sense, a refresher is necessary. Still, a refresher is all fine and well but it is not enough. The legislation has to be strengthened, while respecting areas of jurisdiction of course.

Tools and resources should be made available to those responsible for enforcing the legislation in question. I can assure the House that, in committee, the members of the Bloc Québécois, and our colleagues from the other parties as well, will act responsibly to ensure that we can take this further this time around.

For the benefit of those watching and listening, I will come back to the summary of the bill. Going over this summary will allow us to emphasize a number of points on which I intend to elaborate for the next little while:

This enactment repeals and replaces the Quarantine Act. Its purpose is to prevent the introduction and spread of communicable diseases in Canada. It is applicable to persons and conveyances arriving in or in the process of departing from Canada.

It provides measures for the screening, health assessment and medical examination of travellers to determine if they have a communicable disease.

I would like to address the points raised by the hon. member for Laval about the need to proceed with caution. Indeed, as we all know, one person's freedom ends where that of another begins. Hence the need to act responsibly. Coming back to the summary:

It also provides measures for preventing the spread of communicable diseases, including referral to public health authorities, detention, treatment and disinfection. Provisions for the administrative oversight of the detention of travellers are also included.

It provides for additional measures such as the inspection and cleansing of conveyances and cargo to ensure that they are not the source of communicable diseases.

It imposes controls on the import and export of cadavers, body parts and other human remains.

It contains provisions for the collection and disclosure of personal information if it is necessary to prevent the spread of a communicable disease or, under certain circumstances, for law enforcement purposes.

It also provides the Minister of Health with interim order powers in the case of public health emergencies and enforcement mechanisms to ensure compliance with the Act.

Concerning this last point, it is important to make a few things clear, as the hon. member for Laval did. When a minister has to make decisions that the minister has authority to make, this authority should be set in a framework and not simply be discretionary. This is quite important. Ministers want to act responsibly, which means they

should be able to use other sources of information. One of them could be a committee of experts. I think this is a point that could be further examined in committee. You can be sure Bloc Québécois members will raise it.

Because of other things I have heard up to now about this bill, I feel the need to clarify a few things about the speech of the public security minister. She was talking among other things about cooperation, new technologies and what happened recently with SARS, for example.

● (1350)

I would like to stress that the current situation, or the earlier one, brings us back to what defines our action, that is acting in a responsible manner. And to act in a responsible manner, we need measures, resources and reinforcement of the work to be done. In this regard, we need a principle that ensures collaboration and cooperation. However, this cannot suffice to deal with the situation.

From what has happened in the past few years, we know full well that infectious and spreadable diseases know no border. With the new means of transportation, we realize that spread is much faster than it used to be. Thus, we need to strengthen our protection measures.

Again, we should not get carried away. In this regard, I would like to draw your attention to clause 30 of the Bill, which states, and I quote:

The Minister may, on the Minister's own motion, review any decision of a quarantine officer to detain a traveller and, if the Minister is of the opinion that the traveller does not pose a risk of significant harm to public health, order the traveller's release.

This clause looks all right, but I have some reservations about it. As mentioned by the members for Laval and other MPs, this authority must be set within a framework. We cannot afford to simply drop our responsibilities, leaving it to one person only, at a given point, to decide on everything to do with the application of the law. In this regard, I point out that is very important to be able to draw on alternate sources in carrying out our responsibilities.

This brings me to the work done in parliamentary committees, which are made up of members of all parties. I do think that all members want to avoid a repetition, in the same circumstances, of what happened before. MPs from the Bloc Québécois and other parties will surely want to cooperate, but in a responsible manner.

I feel that because we in the opposition are now the majority in committee—because the government is in a minority—we will be more vigilant. We will ensure we assume our responsibilities in connection with the new threats and new transportation realities. We will also ensure that we have the resources to act in a responsible and effective manner.

Government Orders

•(1355)

[English]

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, let me begin my remarks by congratulating the front line workers in health care, who during the SARS crisis not that long ago put their health and regrettably even in some cases their lives at risk for the benefit of other citizens.

We lived through an episode at that time in our country that was very difficult. Not only were there the victims I have just described, but as well there were the patients themselves who suffered from the disease. Regrettably, it even in a way victimized a segment of the population along ethnic lines. A number of people assumed, largely erroneously, that this segment was made up of carriers of the very serious disease that we had in Canada at the time.

The Quarantine Act that we are revising today is one of the oldest in the country. That was mentioned a while ago. It has been largely the same since 1872. I am sure other members will speak glowingly about the modernizations of 1972; nevertheless, it is largely the same as it was in 1872

[Translation]

I noted that in her speech the member for Laval reminded us that laws on quarantine have existed since 1377. As far as Canada is concerned, the member indicated that such legislation existed in Lower Canada as of 1832. Most probably there was similar legislation in Nova Scotia at about the same time, given the fact that two major quarantine stations existed, one on an island close to Halifax and the other one on Grosse-Île, near Quebec City.

I would like to spend a few minutes on this issue because I have a special feeling for that place. Actually, as my wife is of Irish descent, we have had the opportunity to visit Grosse-Île, where her ancestors arrived in 1846. They were among the first refugees fleeing the potato famine, which worsened significantly in 1847 and 1848.

It is easy to imagine that there must have been people on the shore watching the arrival of these refugees, most of whom were extremely thin because of what they had been through and often, in deplorable health, all with very short red hair, which distinguished them from the others. The bystanders probably asked themselves just what the government was admitting to Canada. Yet, these newcomers built our country and, of course, in my own case, they were the ancestors of my children and grandchildren, because I am a grandfather. That was no doubt the welcome they got when they arrived, at least the ones who made it to Canada.

At the time, Ireland had lost some two million inhabitants, of which one million had perished before being able to leave or during the voyage. The others went, mostly, to North America and Australia, new lands for the refugees from the famine that caused terrible sickness.

In my opinion, most Canadians, particularly those who have some Irish blood, thought, until recently, that this was something that had occurred a long time ago and that could likely never happen again. After all, living in modern times, such as we do now, it was thought—even though we now know better—that with all the medication and the means available, such diseases could never strike again. We had probably forgotten that, in the twenties, the Spanish flu killed a

large number of Canadians, particularly in eastern Ontario and in Quebec. We also forgot other incidents less dramatic than the one to which I referred initially, but they nevertheless involved serious incidents of infectious diseases in our country.

I remember that when I was a child, there was a period during which they ran these tests on us at school to see if we had tuberculosis or anything associated with that disease. If, by accident, a child rubbed the area on his skin where the test had been done, this would cause a minor irritation, but the child would quickly be sent home to protect other children's health, even though it was often just a minor skin irritation.

•(1400)

All this to say that this is not a new issue in our country, but an old one.

[English]

I said at the beginning that the bill has not been modernized since 1872. Maybe I should start by reassuring the House that I was not involved in the debate in 1872. I was not even a member at the time. I want to assure the House of that as well, even though it is quite well known that I have been around this place for quite some time, but not that long yet, Mr. Speaker. I am working on it.

[Translation]

I would like to add my recognition of the important work of Dr. Naylor, Chair of the National Advisory Committee on SARS and Public Health. I was speaking of SARS in the past, but I wanted to take a moment to pay tribute to Dr. Naylor's work. On behalf of all my colleagues on this side of the House, and I am sure, all members, I would like to congratulate Dr. Naylor. He looked into the events that happened during the SARS crisis and he made recommendations for changes. One of these recommendations concerns the need to amend public health legislation.

Bill C-12 before us today is the result of the work the government has done in response to Dr. Naylor's very enlightened recommendations and proposals.

Before I finish, I would like to return to something mentioned earlier by two of the hon. members. They said that the minister's powers should not be too broad. I do not share this opinion. I would ask my colleagues to be prudent with the language they use in parliamentary committees.

I would be the first to say that a minister should perhaps not be given too much power to make amendments to legislation. In individual cases, I think the approach should often be the opposite.

I would like to remind all our colleagues of the famous, not to say infamous, Immigration Act and how it is administered. We are the first to call on the ministers to make changes. In fact, only last evening, I was invited to a demonstration in Ottawa. I was unable to go but the New Democratic Party member of Parliament for Ottawa Centre did attend this demonstration in favour of relaxing the law in a particular case.

Government Orders

We therefore have to exercise caution when it comes to calling for limits on powers. We must not restrict the minister's ability to administer the legislation. We need to exercise caution. If limits are required, let us keep them very broad. This is very important.

Say a plane is stuck somewhere and a binding decision is required from the executive branch to allow the passengers to disembark for various reasons. Sometimes, if legislation is too inflexible, our hands will be tied unless the minister can intervene.

This is what I wanted to say. I thank my colleagues who, without a doubt, will support this bill enthusiastically.

• (1405)

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, thank you for giving me the opportunity to address my honourable colleagues concerning the Quarantine Act, Bill C-12.

[*English*]

As members of Parliament, we all have a particular interest in the renewal of our health protection legislation that the government has just undertaken. As was mentioned, Bill C-12 would replace the current Quarantine Act, one of Canada's oldest pieces of legislation. It has remained largely unchanged since the Quarantine Act came into effect in 1872.

I am very proud, and I commend the Minister of State for Public Health for moving quickly with the recommendations of Dr. David Naylor from the University of Toronto. I also want to take this opportunity to congratulate and thank all front line workers from the cities and also the provincial and federal government front line workers. They all worked together during a very difficult time of SARS.

I also want to share my experience, not just as a member of Parliament but as a Toronto city councillor, at that time, representing the same area of Davenport. Toronto went through a very difficult time with SARS. Our hospitality industry was greatly affected by SARS. Many individuals throughout the world assumed that the city of Toronto was under quarantine. We were getting calls from people all over the place asking if they could leave their houses, or take the train or go to shopping centres. There was a certain hysteria created through the images that were not connected to the reality of what was happening in our city.

There was no question that we were living in difficult times and there was a certain sense of fear. Luckily, the people of Toronto had the good sense to go out and continue on with their lives. We would also like to offer our congratulations to those individuals as well. It was a very difficult time, and our front line staff did extremely well. Our medical officer of health, Sheela Basrur, is now the Ontario medical officer of health.

We at the federal level have done the same thing with the initiative of wanting to protect the public. We also have appointed a chief public health officer for Canada. I want to congratulate the government for moving quickly with that recommendation. It is very important legislation. All of us can be proud of the work we do here as parliamentarians.

I want to mention a quote from the minister for public health. She states, "Infectious diseases move like wildfire across the planet

today". That is very true. As we know, we are a mobile society. People pick up and leave. They travel to other countries. We have to be aware that there is a new reality in place that was not there when the act came into being in 1872. This is the new reality for Canada and throughout the world.

The new act will help ensure Canadians are better protected against the import of dangerous communicable diseases by: requiring carriers to report all instances of illnesses and death on board before arrival in Canada; requiring travellers to report on arrival to screening officers or quarantine officers if they have a communicable disease or have been in contact with such a person, the method used is screening technologies at Canadian ports of entry; and requiring those travellers arriving in Canada who are suspected of having a dangerous communicable disease to undergo an initial health assessment and a medical examination if necessary.

I want to let the Canadian public know that these changes to the legislation conform with the Charter of Rights and Freedoms.

As with other Canadian laws, the charter always applies. However, special protections are provided in the bill, such as the right to an interpreter, the right to have a medical examination conducted by a medical practitioner of a traveller's choice, the right to be informed of all decisions, the right to regular medical examinations during detention and the right to have detentions reviewed.

That is the way we in Canada protect ourselves, but also we protect our fundamental rights and principles. We do not want to live in a society of fear. We understand the importance of public health and we want to protect Canadians. At the same time, we want to give them the assurance that we will not suspend the charter. We are protected with the charter and we are protected with this legislation.

• (1410)

An updated Quarantine Act will address the urgent issues with respect to the spread of communicable disease. It is also the first step in a series of legislative initiatives that will establish a comprehensive framework for public health, including the creation of a public health agency and new Canada protection legislation.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, these are my first remarks in the new Parliament. I want to thank the electors of Scarborough—Rouge River for showing their confidence in me by sending me back here to work with all hon. members.

I have a few thoughts, and they are not random. I have thought about them carefully, but I would like to place them on the record, both for this place and for the committee that will be studying the bill on the Quarantine Act.

There seems to be a clear measure of support around the House for the bill. The devil, if any, will be in the detail, although most of the bill involves updating concepts and laws that reach back quite a number of years.

Government Orders

On the face of it, Canadians at present and Canadians in the past have not objected to the concept of quarantine for the purpose of protecting the collective health of Canadians. Whenever there is a quarantine, or something like a quarantine, or an intervention by government, it is an imposition of the collective will over the individual will and the individual rights of the person. For that particular reason, we have to be careful that we do not stand up and say yes, let us collectively impose a burden on people at any one particular point in time, take away their liberties, impair their privacy and make other impairments of their rights, which are now happily guaranteed in our charter and in the laws of the various provinces.

The predecessor of this statute goes back to the 1800s. Since then we have the Charter of Rights and Freedoms which allows the citizen more aggressively to police or contain the imposition of authority and power by the state. Nonetheless, it is our job to proceed carefully and to develop legislation that is sensitive, not just to the need for collective good health but to individual liberties.

What are some of the issues that we should look at? Quite understandably, we have found it necessary to insert into the statute new concepts of personal mobility. That of course involves aircraft, which was not around 100 years ago. However, it certainly is now and the bulk of people move internationally by aircraft, not by sailing ships and steamships.

I noticed there was a reference in the statute to the use of DDT as a disinfectant. We have come a long way since then and the language of the act has to be broadened to incorporate new science, new biology and new pharmacology.

Another concept has to be added to the new statute. Prior to this, with some exceptions, it was always viewed that a quarantine scenario developed by something incoming. It was a person or group of persons who came to Canada and brought the disease here. That was the old concept and it was not always the case. We perhaps generated our own diseases here. However, the need of the state to intervene often involved the quarantining of incoming passengers.

Canada has signed on to international treaties and conventions where we now have an obligation to contain outgoing disease, if in fact there is some. We have an obligation to ensure that our outgoing traffic of persons does not send viruses and diseases out of Canada.

A quarantining or containing in relation to a disease now has to be seen as something we may have to do here to keep people from leaving Canada, not just keeping them out. We will have to require air carriers as well as ship owners to report where they are going, who they have on board and maybe things a little more intrusive than that, but it is necessary in these times. We have to look at isolation of these travellers.

• (1415)

Everyone will recognize the speed with which people move around the world now. It is not like the old days when we might have spent a few days or a week on a ship. The aircraft is actually here within a couple of hours. Therefore there is a real need for authorities in Canada and outside Canada, in cooperation with the carrier, to take steps to contain a disease or a virus if it is noted or found in transit.

For those reasons, they say it is necessary to take possession of an aircraft or a ship to make sure it does the right thing. A collective group of people will agree that we have to stop a certain ship or aircraft and take possession of it. That is all fine and good unless one happens to be on the aircraft. If we are on that aircraft when an action is taken to quarantine, we may have a different view of this. As we press the elements of this legislation, we should make sure that we take into account the circumstances of travellers on the aircraft or conveyance as that is about to happen.

Since this act developed and evolved a century ago, we also have a much better concept of privacy. We have laws that restrict how we deal with private personal information. In circumstances where there is medical information about individuals, we will now have to overcome that restriction on privacy and allow health authorities to exchange personal information in relation to health matters where these incidents arise.

We will have to look at that carefully. It means an exchange of personal information involving health matters between the federal government, an air carrier, a provincial government, a municipal government or a hospital authority. It is worth noting here that normally the provinces and the municipalities do most of the work in terms of health care response so we will have to look at that carefully to ensure we have a model that respects privacy and the appropriate jurisdictional level of participation.

The last thing I want to make reference to is the concept of the government making interim, regulatory orders in response to a health or infectious disease or a contagious disease scenario.

Again, it would be the collective view that the government should be in a position to make an order. In the Public Safety Act adopted by Parliament a year or two ago, we accepted the role of what are called interim orders. A public official is able to make an interim order of short duration which requires members of the public either to do something or not do something and that has the force of law. A public official does not have to come here to make the law. The public official is able to make the law under delegated authority. However those orders are only interim, time limited, and they must come back to the governor in council and they must be reviewed by Parliament before they become permanent.

I can assure members that the standing joint committee of this House and the Senate will continue its excellent work reviewing the constitutionality and the appropriateness of those types of orders.

It is worth noting, and I say this for the record, that the first material disallowance by that committee and this House of a regulation previously made by the government occurred in relation to the Indian Health Act, the Indian health regulations, about 10 or 11 years ago. The committee was of the view that the quarantine provisions of the Indian Health Act were unconstitutional and the orders were disallowed and taken off the books.

It was a happy event to see the House disallow government regulations. It was actually the second time that it occurred in our happy history here. I point that out for the record in relation to orders that may be made under this new statute.

Government Orders

● (1420)

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, this is probably, on the ebb of the SARS epidemic, one of the most serious pieces of legislation on public health that the House will deal with. I attempt to introduce some degree of seriousness here, because from my perspective as the member for York South—Weston there is a very moving context that this legislation fits into.

York South—Weston has West Park Hospital, which back in the turn of last century, in the 1900s, was the national sanatorium, the Toronto hospital for those who had tuberculosis. That was the plague of its time. Because no hospital could be located in populated areas due to the nature of the concern, the Toronto hospital was located in what was then a very rural and remote area.

I mention that to underscore how important this legislation is against the temper of these times, because the temper of those times was that no one wanted to risk being associated with people who had tuberculosis. After the SARS epidemic, it was ironic that this same hospital, now called West Park Hospital, was where those who had been infected, the medical health practitioners, doctors and nurses and all of those in a medical interface who had come into contact with people with SARS, actually were placed in quarantine. It is funny how the same conditions of the 1900s with respect to tuberculosis applied most recently with respect to SARS.

I say that because we have to look at the nature of our response in the context of the times. Are the institutional support mechanisms within the health care framework equal to the task of dealing with the nature of a disease in present times? I think the provisions of health care were tested to the extreme.

Regarding this legislation with respect to quarantine and updating the Quarantine Act, it has been very well documented what the present screening and provisions are, but I think it is important to state what the new powers are.

The new powers are to update the act to provide the flexibility of response, which would include the ability to divert aircraft to an alternate landing site if necessary, to isolate passengers, to establish quarantine facilities at any location in Canada, and to order that carriers from other countries or regions of the world not enter Canada if there are serious concerns that such on arrival may threaten the public health. That is an additional power.

It is important, I think, to also understand that within the context of our Charter of Rights and Freedoms and existing legislation, the RCMP, if and when appropriate, can be called in to back up the decisions that are made by medical health officers and by officials if need be.

There also is a new power under the proposed act which would provide that conveyance owners must report an illness or the death of a passenger before arrival. That would then allow the Minister of Health to take whatever proactive action is required before the aircraft actually lands.

● (1425)

It would give new powers to the minister to appoint screening, quarantine and environmental assessment officers, to establish quarantine facilities, to take necessary possession of premises if and when required to use as detention facilities and, as I have said, to divert conveyances.

I think it is important also when we ask under this act if officials can detain departing passengers, because we live in the global community and of course all these recommendations are being made within the context of the World Health Organization framework, which, along with Canadian officials, is not only concerned with those coming from other countries. Are we as equally concerned with respect to those departing Canada who might infect other countries as result of early appearance of the kinds of diseases we are attempting to deal with? Equally important, there are provisions in the bill that place the onus on our framework to also protect the citizens of other countries.

I think this is extremely relevant for the House against the concerns that have—

● (1430)

The Deputy Speaker: Order, please. The hon. member for York South—Weston will have three and a half minutes in resuming his speech when next we deal with the bill.

It being 2:30 p.m., pursuant to order made on Friday, October 8, this House stands adjourned until Tuesday, October 26 at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 2:30 p.m.)

APPENDIX

**ALPHABETICAL LIST OF MEMBERS WITH THEIR
CONSTITUENCIES, PROVINCE OF CONSTITUENCY
AND POLITICAL AFFILIATIONS;
COMMITTEES OF THE HOUSE,
THE MINISTRY AND PARLIAMENTARY SECRETARY**

CHAIR OCCUPANTS

The Speaker

HON. PETER MILLIKEN

The Deputy Speaker and Chair of Committees of the Whole

MR. CHUCK STRAHL

The Deputy Chair of Committees of the Whole

MR. MARCEL PROULX

The Assistant Deputy Chair of Committees of the Whole

HON. JEAN AUGUSTINE

BOARD OF INTERNAL ECONOMY

HON. PETER MILLIKEN

HON. MAURIL BÉLANGER

MS. LIBBY DAVIES

MR. MICHEL GUIMOND

MR. JAY HILL

HON. WALT LASTEWKA

HON. KAREN REDMAN

MR. JOHN REYNOLDS

HON. TONY VALERI

ALPHABETICAL LIST OF MEMBERS OF THE HOUSE OF COMMONS

First Session—Thirty Eight Parliament

Name of Member	Constituency	Province of Constituency	Political Affiliation
Abbott, Jim	Kootenay—Columbia	British Columbia	CPC
Ablonczy, Diane	Calgary—Nose Hill	Alberta	CPC
Adams, Hon. Peter, Parliamentary Secretary to the Minister of Human Resources and Skills Development	Peterborough	Ontario	Lib.
Alcock, Hon. Reg, President of the Treasury Board and Minister responsible for the Canadian Wheat Board	Winnipeg South	Manitoba	Lib.
Allison, Dean	Niagara West—Glanbrook	Ontario	CPC
Ambrose, Rona	Edmonton—Spruce Grove	Alberta	CPC
Anders, Rob	Calgary West	Alberta	CPC
Anderson, David	Cypress Hills—Grasslands	Saskatchewan	CPC
Anderson, Hon. David	Victoria	British Columbia	Lib.
André, Guy	Berthier—Maskinongé	Quebec	BQ
Angus, Charlie	Timmins—James Bay	Ontario	NDP
Asselin, Gérard	Manicouagan	Quebec	BQ
Augustine, Hon. Jean	Etobicoke—Lakeshore	Ontario	Lib.
Bachand, Claude	Saint-Jean	Quebec	BQ
Bagnell, Hon. Larry, Parliamentary Secretary to the Minister of Natural Resources	Yukon	Yukon	Lib.
Bains, Navdeep	Mississauga—Brampton South	Ontario	Lib.
Bakopanos, Hon. Eleni, Parliamentary Secretary to the Minister of Social Development (Social Economy)	Ahuntsic	Quebec	Lib.
Barnes, Hon. Sue, Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians	London West	Ontario	Lib.
Batters, Dave	Palliser	Saskatchewan	CPC
Beaumier, Colleen	Brampton West	Ontario	Lib.
Bélanger, Hon. Mauril, Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages, Minister responsible for Democratic Reform and Associate Minister of National Defence	Ottawa—Vanier	Ontario	Lib.
Bell, Don	North Vancouver	British Columbia	Lib.
Bellavance, André	Richmond—Arthabaska	Quebec	BQ
Bennett, Hon. Carolyn, Minister of State (Public Health)	St. Paul's	Ontario	Lib.
Benoit, Leon	Vegreville—Wainwright	Alberta	CPC
Bergeron, Stéphane	Verchères—Les Patriotes	Quebec	BQ
Bevilacqua, Hon. Maurizio	Vaughan	Ontario	Lib.
Bezan, James	Selkirk—Interlake	Manitoba	CPC
Bigras, Bernard	Rosemont—La Petite-Patrie	Quebec	BQ
Blaikie, Hon. Bill	Elmwood—Transcona	Manitoba	NDP
Blais, Raynald	Gaspésie—Îles-de-la-Madeleine	Quebec	BQ
Blondin-Andrew, Hon. Ethel, Minister of State (Northern Develop- ment)	Western Arctic	Northwest Territories	Lib.
Boire, Alain	Beauharnois—Salaberry	Quebec	BQ
Boivin, Françoise	Gatineau	Quebec	Lib.
Bonin, Raymond	Nickel Belt	Ontario	Lib.
Bonsant, France	Compton—Stanstead	Quebec	BQ
Boshcoff, Ken	Thunder Bay—Rainy River	Ontario	Lib.
Bouchard, Robert	Chicoutimi—Le Fjord	Quebec	BQ

Name of Member	Constituency	Province of Constituency	Political Affiliation
Boudria, Hon. Don	Glengarry—Prescott—Russell	Ontario	Lib.
Boulianne, Marc	Mégantic—L'Érable	Quebec	BQ
Bourgeois, Diane	Terrebonne—Blainville	Quebec	BQ
Bradshaw, Hon. Claudette, Minister of State (Human Resources Development)	Moncton—Riverview—Dieppe	New Brunswick	Lib.
Breitkreuz, Garry	Yorkton—Melville	Saskatchewan	CPC
Brison, Hon. Scott, Minister of Public Works and Government Services	Kings—Hants	Nova Scotia	Lib.
Broadbent, Hon. Ed	Ottawa Centre	Ontario	NDP
Brown, Bonnie	Oakville	Ontario	Lib.
Brown, Gord	Leeds—Grenville	Ontario	CPC
Brunelle, Paule	Trois-Rivières	Quebec	BQ
Bulte, Hon. Sarmite, Parliamentary Secretary to the Minister of Canadian Heritage	Parkdale—High Park	Ontario	Lib.
Byrne, Hon. Gerry, Parliamentary Secretary to the Minister of Intergovernmental Affairs	Humber—St. Barbe—Baie Verte	Newfoundland and Labrador	Lib.
Cadman, Chuck	Surrey North	British Columbia	Ind.
Cannis, John	Scarborough Centre	Ontario	Lib.
Cardin, Serge	Sherbrooke	Quebec	BQ
Carr, Gary	Halton	Ontario	Lib.
Carrie, Colin	Oshawa	Ontario	CPC
Carrier, Robert	Alfred-Pellan	Quebec	BQ
Carroll, Hon. Aileen, Minister of International Cooperation	Barrie	Ontario	Lib.
Casey, Bill	Cumberland—Colchester—Musquodoboit Valley	Nova Scotia	CPC
Casson, Rick	Lethbridge	Alberta	CPC
Catterall, Marlene	Ottawa West—Nepean	Ontario	Lib.
Chamberlain, Hon. Brenda	Guelph	Ontario	Lib.
Chan, Hon. Raymond, Minister of State (Multiculturalism)	Richmond	British Columbia	Lib.
Chatters, David	Battle River	Alberta	CPC
Chong, Michael	Wellington—Halton Hills	Ontario	CPC
Christopherson, David	Hamilton Centre	Ontario	NDP
Clavet, Roger	Louis-Hébert	Quebec	BQ
Cleary, Bernard	Louis-Saint-Laurent	Quebec	BQ
Coderre, Hon. Denis	Bourassa	Quebec	Lib.
Comartin, Joe	Windsor—Tecumseh	Ontario	NDP
Comuzzi, Hon. Joe, Minister of State (Federal Economic Development Initiative for Northern Ontario)	Thunder Bay—Superior North	Ontario	Lib.
Côté, Guy	Portneuf—Jacques-Cartier	Quebec	BQ
Cotler, Hon. Irwin, Minister of Justice and Attorney General of Canada	Mount Royal	Quebec	Lib.
Crête, Paul	Montmagny—L'Islet—Kamouraska—Rivière-du-Loup	Quebec	BQ
Crowder, Jean	Nanaimo—Cowichan	British Columbia	NDP
Cullen, Nathan	Skeena—Bulkley Valley	British Columbia	NDP
Cullen, Hon. Roy, Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness	Etobicoke North	Ontario	Lib.
Cummins, John	Delta—Richmond East	British Columbia	CPC
Cuzner, Rodger	Cape Breton—Canso	Nova Scotia	Lib.
D'Amours, Jean-Claude	Madawaska—Restigouche	New Brunswick	Lib.
Davies, Libby	Vancouver East	British Columbia	NDP

Name of Member	Constituency	Province of Constituency	Political Affiliation
Day, Stockwell	Okanagan—Coquihalla	British Columbia	CPC
Demers, Nicole	Laval	Quebec	BQ
Deschamps, Johanne	Laurentides—Labelle	Quebec	BQ
Desjarlais, Bev	Churchill	Manitoba	NDP
Desrochers, Odina	Lotbinière—Chutes-de-la-Chaudière	Quebec	BQ
DeVillers, Hon. Paul	Simcoe North	Ontario	Lib.
Devolin, Barry	Haliburton—Kawartha Lakes—Brock	Ontario	CPC
Dhalla, Ruby	Brampton—Springdale	Ontario	Lib.
Dion, Hon. Stéphane, Minister of the Environment	Saint-Laurent—Cartierville	Quebec	Lib.
Dosanjh, Hon. Ujjal, Minister of Health	Vancouver South	British Columbia	Lib.
Doyle, Norman	St. John's East	Newfoundland and Labrador	CPC
Drouin, Hon. Claude, Parliamentary Secretary to the Prime Minister (Rural Communities)	Beauce	Quebec	Lib.
Dryden, Hon. Ken, Minister of Social Development	York Centre	Ontario	Lib.
Duceppe, Gilles	Laurier—Sainte-Marie	Quebec	BQ
Duncan, John	Vancouver Island North	British Columbia	CPC
Easter, Hon. Wayne, Parliamentary Secretary to the Minister of Agriculture and Agri-Food (Rural Development)	Malpeque	Prince Edward Island	Lib.
Efford, Hon. R. John, Minister of Natural Resources	Avalon	Newfoundland and Labrador	Lib.
Emerson, Hon. David, Minister of Industry	Vancouver Kingsway	British Columbia	Lib.
Epp, Ken	Edmonton—Sherwood Park	Alberta	CPC
Eyking, Hon. Mark, Parliamentary Secretary to the Minister of International Trade (Emerging Markets)	Sydney—Victoria	Nova Scotia	Lib.
Faille, Meili	Vaudreuil—Soulanges	Quebec	BQ
Finley, Diane	Haldimand—Norfolk	Ontario	CPC
Fitzpatrick, Brian	Prince Albert	Saskatchewan	CPC
Fletcher, Steven	Charleswood—St. James—Assiniboia	Manitoba	CPC
Folco, Raymonde	Laval—Les Îles	Quebec	Lib.
Fontana, Hon. Joe, Minister of Labour and Housing	London North Centre	Ontario	Lib.
Forseth, Paul	New Westminster—Coquitlam	British Columbia	CPC
Frulla, Hon. Liza, Minister of Canadian Heritage and Minister responsible for Status of Women	Jeanne-Le Ber	Quebec	Lib.
Fry, Hon. Hedy, Parliamentary Secretary to the Minister of Citizenship and Immigration	Vancouver Centre	British Columbia	Lib.
Gagnon, Christiane	Québec	Quebec	BQ
Gagnon, Marcel	Saint-Maurice—Champlain	Quebec	BQ
Gagnon, Sébastien	Jonquière—Alma	Quebec	BQ
Gallant, Cheryl	Renfrew—Nipissing—Pembroke	Ontario	CPC
Galloway, Hon. Roger	Sarnia—Lambton	Ontario	Lib.
Gaudet, Roger	Montcalm	Quebec	BQ
Gauthier, Michel	Roberval—Lac-Saint-Jean	Quebec	BQ
Godbout, Marc	Ottawa—Orléans	Ontario	Lib.
Godfrey, Hon. John, Minister of State (Infrastructure and Communities)	Don Valley West	Ontario	Lib.
Godin, Yvon	Acadie—Bathurst	New Brunswick	NDP
Goldring, Peter	Edmonton East	Alberta	CPC

Name of Member	Constituency	Province of Constituency	Political Affiliation
Goodale, Hon. Ralph, Minister of Finance	Wascana	Saskatchewan	Lib.
Goodyear, Gary	Cambridge	Ontario	CPC
Gouk, Jim	British Columbia Southern Interior	British Columbia	CPC
Graham, Hon. Bill, Minister of National Defence	Toronto Centre	Ontario	Lib.
Grewal, Gurmant	Newton—North Delta	British Columbia	CPC
Grewal, Nina	Fleetwood—Port Kells	British Columbia	CPC
Guarnieri, Hon. Albina, Minister of Veterans Affairs	Mississauga East—Cooksville	Ontario	Lib.
Guay, Monique	Rivière-du-Nord	Quebec	BQ
Guergis, Helena	Simcoe—Grey	Ontario	CPC
Guimond, Michel	Montmorency—Charlevoix—Haute-Côte-Nord	Quebec	BQ
Hanger, Art	Calgary Northeast	Alberta	CPC
Harper, Hon. Stephen	Calgary Southwest	Alberta	CPC
Harris, Richard	Cariboo—Prince George	British Columbia	CPC
Harrison, Jeremy	Desnethé—Missinippi—Churchill River	Saskatchewan	CPC
Hearn, Loyola		Newfoundland and Labrador	CPC
Hiebert, Russ	St. John's South—Mount Pearl South Surrey—White Rock—Cloverdale	British Columbia	CPC
Hill, Jay	Prince George—Peace River	British Columbia	CPC
Hinton, Betty	Kamloops—Thompson—Cariboo	British Columbia	CPC
Holland, Mark	Ajax—Pickering	Ontario	Lib.
Hubbard, Charles	Miramichi	New Brunswick	Lib.
Ianno, Hon. Tony, Minister of State (Families and Caregivers)	Trinity—Spadina	Ontario	Lib.
Jaffer, Rahim	Edmonton—Strathcona	Alberta	CPC
Jean, Brian	Fort McMurray—Athabasca	Alberta	CPC
Jennings, Hon. Marlene, Parliamentary Secretary to the Prime Minister (Canada—U.S)	Notre-Dame-de-Grâce—Lachine	Quebec	Lib.
Johnston, Dale	Wetaskiwin	Alberta	CPC
Julian, Peter	Burnaby—New Westminster	British Columbia	NDP
Kadis, Susan	Thornhill	Ontario	Lib.
Kamp, Randy	Pitt Meadows—Maple Ridge—Mission	British Columbia	CPC
Karetak-Lindell, Nancy	Nunavut	Nunavut	Lib.
Karygiannis, Hon. Jim, Parliamentary Secretary to the Minister of Transport	Scarborough—Agincourt	Ontario	Lib.
Keddy, Gerald	South Shore—St. Margaret's	Nova Scotia	CPC
Kenney, Jason	Calgary Southeast	Alberta	CPC
Khan, Wajid	Mississauga—Streetsville	Ontario	Lib.
Kilgour, Hon. David	Edmonton—Mill Woods—Beaumont	Alberta	Lib.
Komarnicki, Ed	Souris—Moose Mountain	Saskatchewan	CPC
Kotto, Maka	Saint-Lambert	Quebec	BQ
Kramp, Daryl	Prince Edward—Hastings	Ontario	CPC
Laframboise, Mario	Argenteuil—Papineau—Mirabel	Quebec	BQ
Lalonde, Francine	La Pointe-de-l'Île	Quebec	BQ
Lapierre, Hon. Jean, Minister of Transport	Outremont	Quebec	Lib.

Name of Member	Constituency	Province of Constituency	Political Affiliation
Lapierre, Réal	Lévis—Bellechasse	Quebec	BQ
Lastewka, Hon. Walt, Parliamentary Secretary to the Minister of Public Works and Government Services	St. Catharines	Ontario	Lib.
Lauzon, Guy	Stormont—Dundas—South Glengarry	Ontario	CPC
Lavallée, Carole	Saint-Bruno—Saint-Hubert	Quebec	BQ
Layton, Jack	Toronto—Danforth	Ontario	NDP
LeBlanc, Hon. Dominic, Parliamentary Secretary to the Leader of the Government in the House of Commons	Beauséjour	New Brunswick	Lib.
Lee, Derek	Scarborough—Rouge River	Ontario	Lib.
Lemay, Marc	Abitibi—Témiscamingue	Quebec	BQ
Lessard, Yves	Chambly—Borduas	Quebec	BQ
Lévesque, Yvon	Abitibi—Baie-James—Nunavik —Eeyou	Quebec	BQ
Longfield, Hon. Judi, Parliamentary Secretary to the Minister of Labour and Housing	Whitby—Oshawa	Ontario	Lib.
Loubier, Yvan	Saint-Hyacinthe—Bagot	Quebec	BQ
Lukiwski, Tom	Regina—Lumsden—Lake Centre	Saskatchewan	CPC
Lunn, Gary	Saanich—Gulf Islands	British Columbia	CPC
Lunney, James	Nanaimo—Alberni	British Columbia	CPC
MacAulay, Hon. Lawrence	Cardigan	Prince Edward Island	Lib.
MacKay, Peter	Central Nova	Nova Scotia	CPC
MacKenzie, Dave	Oxford	Ontario	CPC
Macklin, Hon. Paul Harold, Parliamentary Secretary to the Minister of Justice and Attorney General of Canada	Northumberland—Quinte West	Ontario	Lib.
Malhi, Hon. Gurbax, Parliamentary Secretary to the Minister of Human Resources and Skills Development	Bramalea—Gore—Malton	Ontario	Lib.
Maloney, John	Welland	Ontario	Lib.
Marceau, Richard	Charlesbourg—Haute-Saint- Charles	Quebec	BQ
Mark, Inky	Dauphin—Swan River— Marquette	Manitoba	CPC
Marleau, Hon. Diane, Parliamentary Secretary to the President of the Treasury Board and Minister responsible for the Canadian Wheat Board	Sudbury	Ontario	Lib.
Martin, Hon. Keith, Parliamentary Secretary to the Minister of National Defence	Esquimalt—Juan de Fuca	British Columbia	Lib.
Martin, Pat	Winnipeg Centre	Manitoba	NDP
Martin, Right Hon. Paul, Prime Minister	LaSalle—Émard	Quebec	Lib.
Martin, Tony	Sault Ste. Marie	Ontario	NDP
Masse, Brian	Windsor West	Ontario	NDP
Matthews, Bill	Random—Burin—St. George's	Newfoundland and Labrador	Lib.
McCallum, Hon. John, Minister of National Revenue	Markham—Unionville	Ontario	Lib.
McDonough, Alexa	Halifax	Nova Scotia	NDP
McGuinty, David	Ottawa South	Ontario	Lib.
McGuire, Hon. Joe, Minister of the Atlantic Canada Opportunities Agency	Egmont	Prince Edward Island	Lib.
McKay, Hon. John, Parliamentary Secretary to the Minister of Finance	Scarborough—Guildwood	Ontario	Lib.
McLellan, Hon. Anne, Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness	Edmonton Centre	Alberta	Lib.

Name of Member	Constituency	Province of Constituency	Political Affiliation
McTeague, Hon. Dan, Parliamentary Secretary to the Minister of Foreign Affairs	Pickering—Scarborough East	Ontario	Lib.
Ménard, Réal	Hochelaga	Quebec	BQ
Ménard, Serge	Marc-Aurèle-Fortin	Quebec	BQ
Menzies, Ted	Macleod	Alberta	CPC
Merrifield, Rob	Yellowhead	Alberta	CPC
Miller, Larry	Bruce—Grey—Owen Sound	Ontario	CPC
Milliken, Hon. Peter, Speaker	Kingston and the Islands	Ontario	Lib.
Mills, Bob	Red Deer	Alberta	CPC
Minna, Hon. Maria, Beaches—East York	Beaches—East York	Ontario	Lib.
Mitchell, Hon. Andy, Minister of Agriculture and Agri-Food	Parry Sound—Muskoka	Ontario	Lib.
Moore, James	Port Moody—Westwood—Port Coquitlam	British Columbia	CPC
Moore, Rob	Fundy Royal	New Brunswick	CPC
Murphy, Hon. Shawn, Parliamentary Secretary to the Minister of Fisheries and Oceans	Charlottetown	Prince Edward Island	Lib.
Myers, Lynn	Kitchener—Wilmot—Wellesley—Woolwich	Ontario	Lib.
Neville, Anita	Winnipeg South Centre	Manitoba	Lib.
Nicholson, Hon. Rob	Niagara Falls	Ontario	CPC
O'Brien, Lawrence	Labrador	Newfoundland and Labrador	Lib.
O'Brien, Pat	London—Fanshawe	Ontario	Lib.
O'Connor, Gordon	Carleton—Mississippi Mills	Ontario	CPC
Obhrai, Deepak	Calgary East	Alberta	CPC
Oda, Bev	Durham	Ontario	CPC
Owen, Hon. Stephen, Minister of Western Economic Diversification and Minister of State (Sport)	Vancouver Quadra	British Columbia	Lib.
Pacetti, Massimo	Saint-Léonard—Saint-Michel	Quebec	Lib.
Pallister, Brian	Portage—Lisgar	Manitoba	CPC
Paquette, Pierre	Joliette	Quebec	BQ
Paradis, Hon. Denis	Brome—Missisquoi	Quebec	Lib.
Parrish, Carolyn	Mississauga—Erindale	Ontario	Lib.
Patry, Bernard	Pierrefonds—Dollard	Quebec	Lib.
Penson, Charlie	Peace River	Alberta	CPC
Perron, Gilles-A.	Rivière-des-Mille-Îles	Quebec	BQ
Peterson, Hon. Jim, Minister of International Trade	Willowdale	Ontario	Lib.
Pettigrew, Hon. Pierre, Minister of Foreign Affairs	Papineau	Quebec	Lib.
Phinney, Beth	Hamilton Mountain	Ontario	Lib.
Picard, Pauline	Drummond	Quebec	BQ
Pickard, Hon. Jerry, Parliamentary Secretary to the Minister of Industry	Chatham-Kent—Essex	Ontario	Lib.
Plamondon, Louis	Bas-Richelieu—Nicolet—Bécancour	Quebec	BQ
Poilievre, Pierre	Nepean—Carleton	Ontario	CPC
Poirier-Rivard, Denise	Châteauguay—Saint-Constant	Quebec	BQ
Powers, Russ	Ancaster—Dundas—Flamborough—Westdale	Ontario	Lib.
Prentice, Jim	Calgary Centre-North	Alberta	CPC
Preston, Joe	Elgin—Middlesex—London	Ontario	CPC
Proulx, Marcel	Hull—Aylmer	Quebec	Lib.

Name of Member	Constituency	Province of Constituency	Political Affiliation
Rajotte, James	Edmonton—Leduc	Alberta	CPC
Ratansi, Yasmin	Don Valley East	Ontario	Lib.
Redman, Hon. Karen	Kitchener Centre	Ontario	Lib.
Regan, Hon. Geoff, Minister of Fisheries and Oceans	Halifax West	Nova Scotia	Lib.
Reid, Scott	Lanark—Frontenac—Lennox and Addington	Ontario	CPC
Reynolds, John	West Vancouver—Sunshine Coast—Sea to Sky Country	British Columbia	CPC
Richardson, Lee	Calgary Centre	Alberta	CPC
Ritz, Gerry	Battlefords—Lloydminster	Saskatchewan	CPC
Robillard, Hon. Lucienne, President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs	Westmount—Ville-Marie	Quebec	Lib.
Rodriguez, Pablo	Honoré-Mercier	Quebec	Lib.
Rota, Anthony	Nipissing—Timiskaming	Ontario	Lib.
Roy, Jean-Yves	Haute-Gaspésie—La Mitis— Matane—Matapédia	Quebec	BQ
Saada, Hon. Jacques, Minister of the Economic Development Agency of Canada for the Regions of Quebec and Minister responsible for the Francophonie	Brossard—La Prairie	Quebec	Lib.
Sauvageau, Benoît	Repentigny	Quebec	BQ
Savage, Michael	Dartmouth—Cole Harbour	Nova Scotia	Lib.
Savoy, Andy	Tobique—Mactaquac	New Brunswick	Lib.
Scarpaleggia, Francis	Lac-Saint-Louis	Quebec	Lib.
Scheer, Andrew	Regina—Qu'Appelle	Saskatchewan	CPC
Schellenberger, Gary	Perth—Wellington	Ontario	CPC
Schmidt, Werner	Kelowna—Lake Country	British Columbia	CPC
Scott, Hon. Andy, Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians	Fredericton	New Brunswick	Lib.
Sgro, Hon. Judy, Minister of Citizenship and Immigration	York West	Ontario	Lib.
Siksay, Bill	Burnaby—Douglas	British Columbia	NDP
Silva, Mario	Davenport	Ontario	Lib.
Simard, Christian	Beauport—Limoilou	Quebec	BQ
Simard, Hon. Raymond, Parliamentary Secretary to the Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages and Minister responsible for Democratic Reform	Saint Boniface	Manitoba	Lib.
Simms, Scott	Bonavista—Gander—Grand Falls—Windsor	Newfoundland and Labrador	Lib.
Skelton, Carol	Saskatoon—Rosetown—Biggar	Saskatchewan	CPC
Smith, David	Pontiac	Quebec	Lib.
Smith, Joy	Kildonan—St. Paul	Manitoba	CPC
Solberg, Monte	Medicine Hat	Alberta	CPC
Sorenson, Kevin	Crowfoot	Alberta	CPC
St-Hilaire, Caroline	Longueuil—Pierre-Boucher	Quebec	BQ
St. Amand, Lloyd	Brant	Ontario	Lib.
St. Denis, Brent	Algoma—Manitoulin— Kapuskasing	Ontario	Lib.
Steckle, Paul	Huron—Bruce	Ontario	Lib.
Stinson, Darrel	Okanagan—Shuswap	British Columbia	CPC
Stoffer, Peter	Sackville—Eastern Shore	Nova Scotia	NDP
Strahl, Chuck	Chilliwack—Fraser Canyon	British Columbia	CPC

Name of Member	Constituency	Province of Constituency	Political Affiliation
Stronach, Belinda	Newmarket—Aurora	Ontario	CPC
Szabo, Paul	Mississauga South	Ontario	Lib.
Telegdi, Hon. Andrew	Kitchener—Waterloo	Ontario	Lib.
Temelkovski, Lui	Oak Ridges—Markham	Ontario	Lib.
Thibault, Louise	Rimouski-Neigette— Témiscouata—Les Basques	Quebec	BQ
Thibault, Hon. Robert, Parliamentary Secretary to the Minister of Health	West Nova	Nova Scotia	Lib.
Thompson, Greg	New Brunswick Southwest	New Brunswick	CPC
Thompson, Myron	Wild Rose	Alberta	CPC
Tilson, David	Dufferin—Caledon	Ontario	CPC
Toews, Vic	Provencher	Manitoba	CPC
Tonks, Alan	York South—Weston	Ontario	Lib.
Torsney, Hon. Paddy, Parliamentary Secretary to the Minister of International Cooperation	Burlington	Ontario	Lib.
Trost, Bradley	Saskatoon—Humboldt	Saskatchewan	CPC
Tweed, Merv	Brandon—Souris	Manitoba	CPC
Ur, Rose-Marie	Lambton—Kent—Middlesex	Ontario	Lib.
Valeri, Hon. Tony, Leader of the Government in the House of Commons	Hamilton East—Stoney Creek	Ontario	Lib.
Valley, Roger	Kenora	Ontario	Lib.
Van Loan, Peter	York—Simcoe	Ontario	CPC
Vellacott, Maurice	Saskatoon—Wanuskewin	Saskatchewan	CPC
Vincent, Robert	Shefford	Quebec	BQ
Volpe, Hon. Joseph, Minister of Human Resources and Skills Development	Eglinton—Lawrence	Ontario	Lib.
Wappel, Tom	Scarborough Southwest	Ontario	Lib.
Warawa, Mark	Langley	British Columbia	CPC
Wasylycia-Leis, Judy	Winnipeg North	Manitoba	NDP
Watson, Jeff	Essex	Ontario	CPC
White, Randy	Abbotsford	British Columbia	CPC
Wilfert, Hon. Bryon, Parliamentary Secretary to the Minister of the Environment	Richmond Hill	Ontario	Lib.
Williams, John	Edmonton—St. Albert	Alberta	CPC
Wrzesnewskyj, Borys	Etobicoke Centre	Ontario	Lib.
Yelich, Lynne	Blackstrap	Saskatchewan	CPC
Zed, Paul	Saint John	New Brunswick	Lib.

ALPHABETICAL LIST OF MEMBERS OF THE HOUSE OF COMMONS BY PROVINCE

First Session—Thirty Eight Parliament

Name of Member	Constituency	Political Affiliation
ALBERTA (28)		
Ablonczy, Diane	Calgary—Nose Hill	CPC
Ambrose, Rona	Edmonton—Spruce Grove	CPC
Anders, Rob	Calgary West	CPC
Benoit, Leon	Vegreville—Wainwright	CPC
Casson, Rick	Lethbridge	CPC
Chatters, David	Battle River	CPC
Epp, Ken	Edmonton—Sherwood Park	CPC
Goldring, Peter	Edmonton East	CPC
Hanger, Art	Calgary Northeast	CPC
Harper, Hon. Stephen	Calgary Southwest	CPC
Jaffer, Rahim	Edmonton—Strathcona	CPC
Jean, Brian	Fort McMurray—Athabasca	CPC
Johnston, Dale	Wetaskiwin	CPC
Kenney, Jason	Calgary Southeast	CPC
Kilgour, Hon. David	Edmonton—Mill Woods—Beaumont	Lib.
McLellan, Hon. Anne, Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness	Edmonton Centre	Lib.
Menzies, Ted	Macleod	CPC
Merrifield, Rob	Yellowhead	CPC
Mills, Bob	Red Deer	CPC
Obhrai, Deepak	Calgary East	CPC
Penson, Charlie	Peace River	CPC
Prentice, Jim	Calgary Centre-North	CPC
Rajotte, James	Edmonton—Leduc	CPC
Richardson, Lee	Calgary Centre	CPC
Solberg, Monte	Medicine Hat	CPC
Sorenson, Kevin	Crowfoot	CPC
Thompson, Myron	Wild Rose	CPC
Williams, John	Edmonton—St. Albert	CPC
BRITISH COLUMBIA (36)		
Abbott, Jim	Kootenay—Columbia	CPC
Anderson, Hon. David	Victoria	Lib.
Bell, Don	North Vancouver	Lib.
Cadman, Chuck	Surrey North	Ind.
Chan, Hon. Raymond, Minister of State (Multiculturalism)	Richmond	Lib.
Crowder, Jean	Nanaimo—Cowichan	NDP
Cullen, Nathan	Skeena—Bulkley Valley	NDP
Cummins, John	Delta—Richmond East	CPC
Davies, Libby	Vancouver East	NDP
Day, Stockwell	Okanagan—Coquihalla	CPC
Dosanjh, Hon. Ujjal, Minister of Health	Vancouver South	Lib.
Duncan, John	Vancouver Island North	CPC
Emerson, Hon. David, Minister of Industry	Vancouver Kingsway	Lib.

Name of Member	Constituency	Political Affiliation
Forseth, Paul	New Westminster—Coquitlam	CPC
Fry, Hon. Hedy, Parliamentary Secretary to the Minister of Citizenship and Immigration	Vancouver Centre	Lib.
Gouk, Jim	British Columbia Southern Interior	CPC
Grewal, Gurmant	Newton—North Delta	CPC
Grewal, Nina	Fleetwood—Port Kells	CPC
Harris, Richard	Cariboo—Prince George	CPC
Hiebert, Russ	South Surrey—White Rock—Cloverdale	CPC
Hill, Jay	Prince George—Peace River	CPC
Hinton, Betty	Kamloops—Thompson—Cariboo	CPC
Julian, Peter	Burnaby—New Westminster	NDP
Kamp, Randy	Pitt Meadows—Maple Ridge—Mission	CPC
Lunn, Gary	Saanich—Gulf Islands	CPC
Lunney, James	Nanaimo—Alberni	CPC
Martin, Hon. Keith, Parliamentary Secretary to the Minister of National Defence	Esquimalt—Juan de Fuca	Lib.
Moore, James	Port Moody—Westwood—Port Coquitlam	CPC
Owen, Hon. Stephen, Minister of Western Economic Diversification and Minister of State (Sport)	Vancouver Quadra	Lib.
Reynolds, John	West Vancouver—Sunshine Coast—Sea to Sky Country	CPC
Schmidt, Werner	Kelowna—Lake Country	CPC
Siksay, Bill	Burnaby—Douglas	NDP
Stinson, Darrel	Okanagan—Shuswap	CPC
Strahl, Chuck	Chilliwack—Fraser Canyon	CPC
Warawa, Mark	Langley	CPC
White, Randy	Abbotsford	CPC
MANITOBA (14)		
Alcock, Hon. Reg, President of the Treasury Board and Minister responsible for the Canadian Wheat Board	Winnipeg South	Lib.
Bezan, James	Selkirk—Interlake	CPC
Blaikie, Hon. Bill	Elmwood—Transcona	NDP
Desjarlais, Bev	Churchill	NDP
Fletcher, Steven	Charleswood—St. James—Assiniboia	CPC
Mark, Inky	Dauphin—Swan River—Marquette	CPC
Martin, Pat	Winnipeg Centre	NDP
Neville, Anita	Winnipeg South Centre	Lib.
Pallister, Brian	Portage—Lisgar	CPC
Simard, Hon. Raymond, Parliamentary Secretary to the Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages and Minister responsible for Democratic Reform	Saint Boniface	Lib.
Smith, Joy	Kildonan—St. Paul	CPC
Toews, Vic	Provencher	CPC
Tweed, Merv	Brandon—Souris	CPC
Wasylycia-Leis, Judy	Winnipeg North	NDP
NEW BRUNSWICK (10)		
Bradshaw, Hon. Claudette, Minister of State (Human Resources Development)	Moncton—Riverview—Dieppe	Lib.
D'Amours, Jean-Claude	Madawaska—Restigouche	Lib.

Name of Member	Constituency	Political Affiliation
Godin, Yvon	Acadie—Bathurst	NDP
Hubbard, Charles	Miramichi	Lib.
LeBlanc, Hon. Dominic, Parliamentary Secretary to the Leader of the Government in the House of Commons	Beauséjour	Lib.
Moore, Rob	Fundy Royal	CPC
Savoy, Andy	Tobique—Mactaquac	Lib.
Scott, Hon. Andy, Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians	Fredericton	Lib.
Thompson, Greg	New Brunswick Southwest	CPC
Zed, Paul	Saint John	Lib.

NEWFOUNDLAND AND LABRADOR (7)

Byrne, Hon. Gerry, Parliamentary Secretary to the Minister of Intergovernmental Affairs	Humber—St. Barbe—Baie Verte	Lib.
Doyle, Norman	St. John's East	CPC
Efford, Hon. R. John, Minister of Natural Resources	Avalon	Lib.
Hearn, Loyola	St. John's South—Mount Pearl	CPC
Matthews, Bill	Random—Burin—St. George's	Lib.
O'Brien, Lawrence	Labrador	Lib.
Simms, Scott	Bonavista—Gander—Grand Falls—Windsor	Lib.

NORTHWEST TERRITORIES (1)

Blondin-Andrew, Hon. Ethel, Minister of State (Northern Development)	Western Arctic	Lib.
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NOVA SCOTIA (11)

Brison, Hon. Scott, Minister of Public Works and Government Services	Kings—Hants	Lib.
Casey, Bill	Cumberland—Colchester—Musquodoboit Valley	CPC
Cuzner, Rodger	Cape Breton—Canso	Lib.
Eyking, Hon. Mark, Parliamentary Secretary to the Minister of International Trade (Emerging Markets)	Sydney—Victoria	Lib.
Keddy, Gerald	South Shore—St. Margaret's	CPC
MacKay, Peter	Central Nova	CPC
McDonough, Alexa	Halifax	NDP
Regan, Hon. Geoff, Minister of Fisheries and Oceans	Halifax West	Lib.
Savage, Michael	Dartmouth—Cole Harbour	Lib.
Stoffer, Peter	Sackville—Eastern Shore	NDP
Thibault, Hon. Robert, Parliamentary Secretary to the Minister of Health	West Nova	Lib.

NUNAVUT (1)

Karetak-Lindell, Nancy	Nunavut	Lib.
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ONTARIO (106)

Adams, Hon. Peter, Parliamentary Secretary to the Minister of Human Resources and Skills Development	Peterborough	Lib.
Allison, Dean	Niagara West—Glanbrook	CPC
Angus, Charlie	Timmins—James Bay	NDP
Augustine, Hon. Jean	Etobicoke—Lakeshore	Lib.
Bains, Navdeep	Mississauga—Brampton South	Lib.

Name of Member	Constituency	Political Affiliation
Barnes, Hon. Sue, Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians	London West	Lib.
Beaumier, Colleen	Brampton West.....	Lib.
Bélanger, Hon. Mauril, Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages, Minister responsible for Democratic Reform and Associate Minister of National Defence	Ottawa—Vanier	Lib.
Bennett, Hon. Carolyn, Minister of State (Public Health)	St. Paul's.....	Lib.
Bevilacqua, Hon. Maurizio	Vaughan	Lib.
Bonin, Raymond.....	Nickel Belt	Lib.
Boshcoff, Ken.....	Thunder Bay—Rainy River	Lib.
Boudria, Hon. Don	Glengarry—Prescott—Russell.....	Lib.
Broadbent, Hon. Ed	Ottawa Centre	NDP
Brown, Bonnie.....	Oakville.....	Lib.
Brown, Gord	Leeds—Grenville	CPC
Bulte, Hon. Sarmite, Parliamentary Secretary to the Minister of Canadian Heritage .	Parkdale—High Park	Lib.
Cannis, John	Scarborough Centre.....	Lib.
Carr, Gary.....	Halton.....	Lib.
Carrie, Colin	Oshawa	CPC
Carroll, Hon. Aileen, Minister of International Cooperation	Barrie	Lib.
Catterall, Marlene.....	Ottawa West—Nepean.....	Lib.
Chamberlain, Hon. Brenda.....	Guelph	Lib.
Chong, Michael.....	Wellington—Halton Hills	CPC
Christopherson, David.....	Hamilton Centre	NDP
Comartin, Joe	Windsor—Tecumseh.....	NDP
Comuzzi, Hon. Joe, Minister of State (Federal Economic Development Initiative for Northern Ontario).....	Thunder Bay—Superior North.....	Lib.
Cullen, Hon. Roy, Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness	Etobicoke North.....	Lib.
DeVillers, Hon. Paul	Simcoe North	Lib.
Devolin, Barry	Haliburton—Kawartha Lakes—Brock....	CPC
Dhalla, Ruby.....	Brampton—Springdale	Lib.
Dryden, Hon. Ken, Minister of Social Development	York Centre	Lib.
Finley, Diane.....	Haldimand—Norfolk	CPC
Fontana, Hon. Joe, Minister of Labour and Housing	London North Centre	Lib.
Gallant, Cheryl.....	Renfrew—Nipissing—Pembroke	CPC
Galloway, Hon. Roger.....	Simcoe—Lambton	Lib.
Godbout, Marc.....	Ottawa—Orléans	Lib.
Godfrey, Hon. John, Minister of State (Infrastructure and Communities)	Don Valley West	Lib.
Goodyear, Gary	Cambridge	CPC
Graham, Hon. Bill, Minister of National Defence	Toronto Centre	Lib.
Guarnieri, Hon. Albina, Minister of Veterans Affairs	Mississauga East—Cooksville	Lib.
Guergis, Helena.....	Simcoe—Grey.....	CPC
Holland, Mark	Ajax—Pickering	Lib.
Ianno, Hon. Tony, Minister of State (Families and Caregivers).....	Trinity—Spadina	Lib.
Kadis, Susan	Thornhill.....	Lib.
Karygiannis, Hon. Jim, Parliamentary Secretary to the Minister of Transport	Scarborough—Agincourt	Lib.
Khan, Wajid.....	Mississauga—Streetsville.....	Lib.
Kramp, Daryl	Prince Edward—Hastings	CPC
Lastewka, Hon. Walt, Parliamentary Secretary to the Minister of Public Works and Government Services	St. Catharines	Lib.

Name of Member	Constituency	Political Affiliation
Lauzon, Guy	Stormont—Dundas—South Glengarry	CPC
Layton, Jack	Toronto—Danforth	NDP
Lee, Derek	Scarborough—Rouge River	Lib.
Longfield, Hon. Judi, Parliamentary Secretary to the Minister of Labour and Housing	Whitby—Oshawa	Lib.
MacKenzie, Dave	Oxford	CPC
Macklin, Hon. Paul Harold, Parliamentary Secretary to the Minister of Justice and Attorney General of Canada	Northumberland—Quinte West	Lib.
Malhi, Hon. Gurbax, Parliamentary Secretary to the Minister of Human Resources and Skills Development	Bramalea—Gore—Malton	Lib.
Maloney, John	Welland	Lib.
Marleau, Hon. Diane, Parliamentary Secretary to the President of the Treasury Board and Minister responsible for the Canadian Wheat Board	Sudbury	Lib.
Martin, Tony	Sault Ste. Marie	NDP
Masse, Brian	Windsor West	NDP
McCallum, Hon. John, Minister of National Revenue	Markham—Unionville	Lib.
McGuinty, David	Ottawa South	Lib.
McKay, Hon. John, Parliamentary Secretary to the Minister of Finance	Scarborough—Guildwood	Lib.
McTeague, Hon. Dan, Parliamentary Secretary to the Minister of Foreign Affairs	Pickering—Scarborough East	Lib.
Miller, Larry	Bruce—Grey—Owen Sound	CPC
Milliken, Hon. Peter, Speaker	Kingston and the Islands	Lib.
Minna, Hon. Maria, Beaches—East York	Beaches—East York	Lib.
Mitchell, Hon. Andy, Minister of Agriculture and Agri-Food	Parry Sound—Muskoka	Lib.
Myers, Lynn	Kitchener—Wilmot—Wellesley—Woolwich	Lib.
Nicholson, Hon. Rob	Niagara Falls	CPC
O'Brien, Pat	London—Fanshawe	Lib.
O'Connor, Gordon	Carleton—Mississippi Mills	CPC
Oda, Bev	Durham	CPC
Parrish, Carolyn	Mississauga—Erindale	Lib.
Peterson, Hon. Jim, Minister of International Trade	Willowdale	Lib.
Phinney, Beth	Hamilton Mountain	Lib.
Pickard, Hon. Jerry, Parliamentary Secretary to the Minister of Industry	Chatham-Kent—Essex	Lib.
Poillievre, Pierre	Nepean—Carleton	CPC
Powers, Russ	Ancaster—Dundas—Flamborough—Westdale	Lib.
Preston, Joe	Elgin—Middlesex—London	CPC
Ratansi, Yasmin	Don Valley East	Lib.
Redman, Hon. Karen	Kitchener Centre	Lib.
Reid, Scott	Lanark—Frontenac—Lennox and Addington	CPC
Rota, Anthony	Nipissing—Timiskaming	Lib.
Schellenberger, Gary	Perth—Wellington	CPC
Sgro, Hon. Judy, Minister of Citizenship and Immigration	York West	Lib.
Silva, Mario	Davenport	Lib.
St. Amand, Lloyd	Brant	Lib.
St. Denis, Brent	Algoma—Manitoulin—Kapusking	Lib.
Steckle, Paul	Huron—Bruce	Lib.
Stronach, Belinda	Newmarket—Aurora	CPC
Szabo, Paul	Mississauga South	Lib.
Telegdi, Hon. Andrew	Kitchener—Waterloo	Lib.

Name of Member	Constituency	Political Affiliation
Temelkovski, Lui	Oak Ridges—Markham	Lib.
Tilson, David	Dufferin—Caledon	CPC
Tonks, Alan	York South—Weston	Lib.
Torsney, Hon. Paddy, Parliamentary Secretary to the Minister of International Cooperation	Burlington	Lib.
Ur, Rose-Marie	Lambton—Kent—Middlesex	Lib.
Valeri, Hon. Tony, Leader of the Government in the House of Commons	Hamilton East—Stoney Creek	Lib.
Valley, Roger	Kenora	Lib.
Van Loan, Peter	York—Simcoe	CPC
Volpe, Hon. Joseph, Minister of Human Resources and Skills Development	Eglinton—Lawrence	Lib.
Wappel, Tom	Scarborough Southwest	Lib.
Watson, Jeff	Essex	CPC
Wilfert, Hon. Bryon, Parliamentary Secretary to the Minister of the Environment	Richmond Hill	Lib.
Wrzesnewskyj, Borys	Etobicoke Centre	Lib.

PRINCE EDWARD ISLAND (4)

Easter, Hon. Wayne, Parliamentary Secretary to the Minister of Agriculture and Agri-Food (Rural Development)	Malpeque	Lib.
MacAulay, Hon. Lawrence	Cardigan	Lib.
McGuire, Hon. Joe, Minister of the Atlantic Canada Opportunities Agency	Egmont	Lib.
Murphy, Hon. Shawn, Parliamentary Secretary to the Minister of Fisheries and Oceans	Charlottetown	Lib.

QUEBEC (75)

André, Guy	Berthier—Maskinongé	BQ
Asselin, Gérard	Manicouagan	BQ
Bachand, Claude	Saint-Jean	BQ
Bakopanos, Hon. Eleni, Parliamentary Secretary to the Minister of Social Development (Social Economy)	Ahuntsic	Lib.
Bellavance, André	Richmond—Arthabaska	BQ
Bergeron, Stéphane	Verchères—Les Patriotes	BQ
Bigras, Bernard	Rosemont—La Petite-Patrie	BQ
Blais, Raynald	Gaspésie—Îles-de-la-Madeleine	BQ
Boire, Alain	Beauharnois—Salaberry	BQ
Boivin, Françoise	Gatineau	Lib.
Bonsant, France	Compton—Stanstead	BQ
Bouchard, Robert	Chicoutimi—Le Fjord	BQ
Boulianne, Marc	Mégantic—L'Érable	BQ
Bourgeois, Diane	Terrebonne—Blainville	BQ
Brunelle, Paule	Trois-Rivières	BQ
Cardin, Serge	Sherbrooke	BQ
Carrier, Robert	Alfred-Pellan	BQ
Clavet, Roger	Louis-Hébert	BQ
Cleary, Bernard	Louis-Saint-Laurent	BQ
Coderre, Hon. Denis	Bourassa	Lib.
Côté, Guy	Portneuf—Jacques-Cartier	BQ
Cotler, Hon. Irwin, Minister of Justice and Attorney General of Canada	Mount Royal	Lib.
Crête, Paul	Montmagny—L'Islet—Kamouraska—Rivière-du-Loup	BQ
Demers, Nicole	Laval	BQ

Name of Member	Constituency	Political Affiliation
Deschamps, Johanne	Laurentides—Labelle	BQ
Desrochers, Odina	Lotbinière—Chutes-de-la-Chaudière	BQ
Dion, Hon. Stéphane, Minister of the Environment	Saint-Laurent—Cartierville	Lib.
Drouin, Hon. Claude, Parliamentary Secretary to the Prime Minister (Rural Communities)	Beauce	Lib.
Duceppe, Gilles	Laurier—Sainte-Marie	BQ
Faille, Meili	Vaudreuil-Soulanges	BQ
Folco, Raymonde	Laval—Les Îles	Lib.
Frulla, Hon. Liza, Minister of Canadian Heritage and Minister responsible for Status of Women	Jeanne-Le Ber	Lib.
Gagnon, Christiane	Québec	BQ
Gagnon, Marcel	Saint-Maurice—Champlain	BQ
Gagnon, Sébastien	Jonquière—Alma	BQ
Gaudet, Roger	Montcalm	BQ
Gauthier, Michel	Roberval—Lac-Saint-Jean	BQ
Guay, Monique	Rivière-du-Nord	BQ
Guimond, Michel	Montmorency—Charlevoix—Haute-Côte-Nord	BQ
Jennings, Hon. Marlene, Parliamentary Secretary to the Prime Minister (Canada—U.S.)	Notre-Dame-de-Grâce—Lachine	Lib.
Kotto, Maka	Saint-Lambert	BQ
Laframboise, Mario	Argenteuil—Papineau—Mirabel	BQ
Lalonde, Francine	La Pointe-de-l'Île	BQ
Lapierre, Hon. Jean, Minister of Transport	Outremont	Lib.
Lapierre, Réal	Lévis—Bellechasse	BQ
Lavallée, Carole	Saint-Bruno—Saint-Hubert	BQ
Lemay, Marc	Abitibi—Témiscamingue	BQ
Lessard, Yves	Chambly—Borduas	BQ
Lévesque, Yvon	Abitibi—Baie-James—Nunavik—Eeyou	BQ
Loubier, Yvan	Saint-Hyacinthe—Bagot	BQ
Marceau, Richard	Charlesbourg—Haute-Saint-Charles	BQ
Martin, Right Hon. Paul, Prime Minister	LaSalle—Émard	Lib.
Ménard, Réal	Hochelaga	BQ
Ménard, Serge	Marc-Aurèle-Fortin	BQ
Pacetti, Massimo	Saint-Léonard—Saint-Michel	Lib.
Paquette, Pierre	Joliette	BQ
Paradis, Hon. Denis	Brome—Missisquoi	Lib.
Patry, Bernard	Pierrefonds—Dollard	Lib.
Perron, Gilles-A.	Rivière-des-Mille-Îles	BQ
Pettigrew, Hon. Pierre, Minister of Foreign Affairs	Papineau	Lib.
Picard, Pauline	Drummond	BQ
Plamondon, Louis	Bas-Richelieu—Nicolet—Bécancour	BQ
Poirier-Rivard, Denise	Châteauguay—Saint-Constant	BQ
Proulx, Marcel	Hull—Aylmer	Lib.
Robillard, Hon. Lucienne, President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs	Westmount—Ville-Marie	Lib.
Rodriguez, Pablo	Honoré-Mercier	Lib.
Roy, Jean-Yves	Haute-Gaspésie—La Mitis—Matane—Matapédia	BQ
Saada, Hon. Jacques, Minister of the Economic Development Agency of Canada for the Regions of Quebec and Minister responsible for the Francophonie	Brossard—La Prairie	Lib.

Name of Member	Constituency	Political Affiliation
Sauvageau, Benoît	Repentigny	BQ
Scarpaleggia, Francis	Lac-Saint-Louis	Lib.
Simard, Christian	Beauport—Limoilou	BQ
Smith, David	Pontiac	Lib.
St-Hilaire, Caroline	Longueuil—Pierre-Boucher	BQ
Thibault, Louise	Rimouski-Neigette—Témiscouata—Les Basques	BQ
Vincent, Robert	Shefford	BQ
SASKATCHEWAN (14)		
Anderson, David	Cypress Hills—Grasslands	CPC
Batters, Dave	Palliser	CPC
Breitkreuz, Garry	Yorkton—Melville	CPC
Fitzpatrick, Brian	Prince Albert	CPC
Goodale, Hon. Ralph, Minister of Finance	Wascana	Lib.
Harrison, Jeremy	Desnethé—Mississippi—Churchill River .	CPC
Komarnicki, Ed	Souris—Moose Mountain	CPC
Lukiwski, Tom	Regina—Lumsden—Lake Centre	CPC
Ritz, Gerry	Battlefords—Lloydminster	CPC
Scheer, Andrew	Regina—Qu'Appelle	CPC
Skelton, Carol	Saskatoon—Rosetown—Biggar	CPC
Trost, Bradley	Saskatoon—Humboldt	CPC
Vellacott, Maurice	Saskatoon—Wanuskewin	CPC
Yelich, Lynne	Blackstrap	CPC
YUKON (1)		
Bagnell, Hon. Larry, Parliamentary Secretary to the Minister of Natural Resources .	Yukon	Lib.

LIST OF STANDING AND SUB-COMMITTEES

(As of October 22, 2004 — 1st Session, 38th Parliament)

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

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David Anderson	Steven Fletcher	Marc Lemay	Andrew Scheer
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Gérard Asselin	Hedy Fry	Tom Lukiwski	Werner Schmidt
Larry Bagnell	Cheryl Gallant	James Lunney	Joy Smith
Dave Batters	Peter Goldring	Peter MacKay	Monte Solberg
Leon Benoit	Gary Goodyear	Dave MacKenzie	Kevin Sorenson
James Bezan	Jim Gouk	Inky Mark	Darrel Stinson
Garry Breitkreuz	Gurmant Grewal	Tony Martin	Belinda Stronach
Gord Brown	Nina Grewal	Ted Menzies	Greg Thompson
Colin Carrie	Helena Guergis	Rob Merrifield	Myron Thompson
Bill Casey	Art Hanger	Larry Miller	David Tilson
Rick Casson	Stephen Harper	Bob Mills	Vic Toews
David Chatters	Richard Harris	James Moore	Bradley Trost
Michael Chong	Loyola Hearn	Rob Moore	Merv Tweed
Jean Crowder	Russ Hiebert	Rob Nicholson	Peter Van Loan
Nathan Cullen	Jay Hill	Gordon O'Connor	Maurice Vellacott
John Cummins	Betty Hinton	Deepak Obhrai	Mark Warawa
Rodger Cuzner	Charles Hubbard	Bev Oda	Jeff Watson
Stockwell Day	Rahim Jaffer	Brian Pallister	Randy White
Bev Desjarlais	Brian Jean	Charlie Penson	John Williams
Paul DeVillers	Dale Johnston	Pierre Poilievre	Lynne Yelich
Barry Devolin	Randy Kamp	Joe Preston	

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David Chatters

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Johanne Deschamps
Art HangerRuss Hiebert
Marlene JenningsMario Laframboise
Carolyn ParrishMichael Savage
David Tilson

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AGRICULTURE AND AGRI-FOOD

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Diane Finley	Ed Komarnicki		

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 Gord Brown
 Sarmite Bulte

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 Pablo Rodriguez

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 Merv Tweed

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ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

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