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Monday, February 5, 2007

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, February 5, 2007

The House met at 11 a.m.

Prayers

• (1100)

[English]

BOARD OF INTERNAL ECONOMY

The Speaker: It is my duty to inform the House, pursuant to the Act to amend the Parliament of Canada Act, Chapter 32, Statutes of Canada, 1997, of the following appointments to the Board of Internal Economy: Mr. Moore, Port Moody—Westwood—Port Coquitlam, in replacement of Mr. Hill as a representative of the government caucus, and Mr. Hill in replacement of Ms. Skelton as a representative of the Queen's Privy Council.

PRIVATE MEMBERS' BUSINESS

[English]

CLIMATE CHANGE ACCOUNTABILITY ACT

Hon. Jack Layton (Toronto—Danforth, NDP) moved that Bill C-377, An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change, be read the second time and referred to a committee.

He said: Mr. Speaker, before I begin to speak briefly about the legislation, I want to acknowledge that I had the opportunity to be with some firefighters in Manitoba over the weekend, remarkable men and women who are working on our behalf, and yet I have to report today to the House that a tragedy has occurred and two firefighters died Sunday night after a massive flash of heat and flames overwhelmed them in a burning Winnipeg home.

A crew was inside the flame-consumed building when they were hit by what is called a flashover, a sudden violent burst of flames at extreme temperatures. Two senior captains, both with more than 30 years of experience, did not make it out. Others are suffering at the moment in hospital. Our thoughts and prayers are very much with them at this moment. I am sure I express the sentiments of all members of the House in drawing attention to this tragedy.

It is with a certain degree of emotion that I am able to stand here today and present a private member's bill on the crisis of climate change. That is partly because I never thought I would have such an opportunity when I first read *Silent Spring* in the 1960s and began to

become aware of the environmental crises that were facing the country, or when my dad, who later was to become a member of Parliament and in fact a minister of the Crown, told my brothers and I that we should install solar hot water heating on top of our roof in Hudson, Quebec in about 1969. He had a vision that the way in which we were conducting our activities on the planet was going to have to change. He was someone who focused very much on that work. He was involved in putting up some of the first wind turbines in Canada in the mid-1970s on Prince Edward Island and in many other innovations and initiatives as well.

I am also thinking of our reaction when the global scientists came to Toronto in 1988. I was a member of the city council at the time. They spoke about the crisis of global warming that was emerging. Members of our council from all political backgrounds came back quite shaken and decided that we needed to act. That is when we created the Toronto Atmospheric Fund, which I had the privilege of leading for a period of time.

To be here in the House and to call now for significant action on climate change is therefore an opportunity that I cherish and respect deeply. I believe that members of the House want to see action taken.

Last week in Paris, the chair of the Intergovernmental Panel on Climate Change said:

If you see the extent to which human activities are influencing the climate system, the options for mitigating greenhouse gas emissions appear in a very different light, because you can see what the costs of inaction are.

Canadians are seeing the costs now. This winter, the costs of inaction have been very easy to spot. We had the devastating storm in Stanley Park. We have had the first green Christmas in memory in places such as Timmins and Quebec City. There was the giant slab of ice that broke off in the Arctic, a slab that was bigger and broke off sooner than any scientists were predicting.

I think that ordinary Canadians have for quite a long time known what these costs are. Canadians have been seeing and breathing the consequences of pollution for years.

In an experience that far too many Canadian families have had, I remember having to take my asthmatic son to the emergency ward. He came back from a camp up north and was breathing well, but he arrived in our city on a smog day, and within two days he was in the emergency ward and they were putting the third oxygen mask on him. As I stood at his side, the doctor said, "We normally don't get to put three masks on". We lose far too many young people and far too many seniors prematurely because of filthy air, yet we do not take action.

Private Members' Business

Another image I will never forget as long as I live was being in Quesnel this past summer, walking through the forest with the experts and seeing the devastation of the pine beetle. I then flew over the forest in the helicopter to see the extent of the damage with those who were involved in trying to harvest the forest and protect it as well.

• (1105)

I then travelled back to Vancouver and realized that thousands of square kilometres of the lodgepole pine had been destroyed. Virtually an entire ecosystem has been destroyed.

As is visible from satellites, the lungs of the planet in our Canadian forests have been destroyed. More recently, in Kamloops we saw the Ponderosa pine infested just this past summer. Now, virtually all of the Ponderosa pines have died. The landscape is going to be transformed.

There are impacts in the north. The first person I heard speak about this so passionately was Sheila Watt-Cloutier, of whom we are very proud today because she has been nominated for the Nobel Peace Prize. She spoke about how streams in the north have become so torrential from melting ice that they have become very dangerous and about how new species are invading the north and having an enormous impact on the ecosystems there.

I remember meeting with aboriginal hunters in Dawson City, seniors who described how the animals they used to hunt are now being preyed upon by predators from the south. New kinds of mosquitoes, blackflies, fish and birds are coming into the north and disrupting ecosystems that have been in place for thousands of years.

The melting permafrost is having devastating impacts on buildings and of course is also having an impact on the migration of the caribou herds, which are now greatly threatened.

There is now a longer ice-free season. Ice roads are now weakened and are coming into place much later. I remember when Sheila Watt-Cloutier looked at me when we were in Buenos Aires at the COP conference and said that "global warming is now killing our young men". She described how young men driving trucks on the ice roads were going through the ice and perishing. In fact, she felt that global warming was destroying the traditional Inuit way of life.

Canadians have been seeing these changes and are calling for action. I think we have to say that they have been disappointed to date, but they are hopeful that perhaps for this House, in this time, in this place, when we have a wave of public opinion urging us on, when we have every political party suggesting that it wants to be seen to take action and, let us hope, actually wants to take action, there is a moment in time here that is unique in Canadian history when action can be taken. It is going to require us to put aside some of what we normally do here, and we have to understand the need for speed.

When we proposed that the Bill C-30 committee move quickly to produce the best legislation possible, there was the comment by some members who were asking, "What is the rush here?"

I will tell members what the rush is. It is a polar bear population soon to be placed on the endangered species list, spotted farther south than ever before and in desperate straits.

It is about jobs in our communities, whether they be in forestry, fishing or hunting. These jobs are now at risk.

There is a decrease in water levels in rivers and lakes that is jeopardizing not only water quality but even the possibility of generating the hydroelectricity that we are going to need as part of the clean energy solution.

Therefore, the rush is about jobs, the rush is about protecting parkland and species, and the rush is about the health of our families and our kids' future tomorrow, not only here but all around the world. That is what the rush is all about. I would urge all members to realize that we have to get moving. Endless conversation and the dragging out of processes are counterproductive.

Over the years we have seen the Conservatives and the Liberals subsidize the oil and gas sector to the tune of over \$40 billion. We need to end this practice. We need to start putting those precious Canadian taxpayers' dollars into the solutions, not into accelerating the problems.

We have to invest in clean energy and in energy efficiency projects.

We can create jobs through retrofitting the homes of low income Canadians. That would create work all over Canada, not just in one part of the country's economy having to do with energy. It would also help Canadians who are struggling, whether they are seniors or families with modest incomes. It would enable them to burn less, pay less and create work in their local communities as well as reduce greenhouse gas emissions. This has to happen and it has to happen now.

We have to put in place fuel efficiency standards for the auto sector so that the automobiles on our roads can be much less polluting than they have been historically.

As well, we must honour the obligations that we have undertaken to the world under the Kyoto protocol.

• (1110)

[*Translation*]

Let us consider the scientific facts and data. The report by Dr. Pachauri from the international panel of experts released in Paris concluded that global warming was caused by human activity. It is clear that we have caused this problem, and we now have a responsibility to tackle it, a responsibility to our planet and a responsibility to our children and grandchildren.

The Paris report also predicts that the temperature will rise by up to 6.4°C by the end of this century; that is unacceptable, and quick action is required. This will mean more droughts and intense heatwaves, more tropical storms and hurricanes, and sea level rising by half a metre, which in itself is quite phenomenal.

[*English*]

Those certainly are alarming predictions and, as David Suzuki has said, "the scientists have done their part and the burden has now shifted to the politicians". Let us take on that burden and let us do Canadians proud by taking action in the next short number of weeks.

Private Members' Business

We tabled the bill to ensure that Canada assumes its responsibilities in preventing climate change. It is only part of the solution. There are other elements that we have an opportunity to move on through Bill C-30, through the budget and through other processes. However, this is a very important piece of the puzzle because it is particularly rooted in what science tells us to do if we are to avoid the dangerous levels of global temperature increase.

The science tells us to do everything that we can to avoid a two degree rise in surface air temperatures. These targets that have been established and laid out in bill are based on a report by the Pembina Institute and the David Suzuki Foundation and they build on Canada's obligations under the Kyoto protocol.

• (1115)

[*Translation*]

Canada must honour its obligations under the Kyoto protocol. Canada has to be involved in international efforts to combat climate change. We must be involved every step of the way, and we should play a leadership role.

[*English*]

Under the climate change accountability act, action to reduce greenhouse gases would begin immediately. A full range of targets at five year intervals will need to be in place within six months of it being adopted. This is speeding up our entire process in the House and in Canada to achieve our goals.

Also, to ensure compliance, the bill proposes that we give the authority to government to make strong regulations and to ensure there are offences and penalties for those who contravene the regulations passed under the act. It is time to get tough on the polluters.

The bill also proposes to mandate the environment commissioner to report on the government's selection of targets and the measures it adopts to reach those goals. We continue to believe, in fact more so in the light of recent events, that the environment commissioner should be an officer of the House and report directly to the House of Commons.

With the bill, Canadians would see action in their lifetime. They would not need to hold their breath any longer for action by the House of Commons.

I would like to speak briefly to the companion effort that we are all undertaking through the special committee that has been established. This is a unique opportunity for each of us, for each of our parties, to put forward our best ideas and to vote on them. It is perhaps a rather radical idea the notion that each party would simply put its best notions forward, would, on a fair and reasonable basis, assess the proposals of other parties and would raise their hands in the committee and, ultimately, in the House in favour of the best ideas that Canadians have been able to bring forward to this place on the biggest crisis facing the planet.

[*Translation*]

The time for action is now, and we will continue to push for these measures. The NDP will press on with clear targets and goals. We will try to get this bill passed and we will lobby the parties represented on the legislative committee struck to rewrite the clean

air act to meet the goals for strong, tough, meaningful and innovative measures.

That is something we can and must do.

[*English*]

Our commitment to the House and to all Canadians is to do everything that we can to produce results from the House in the very short period of time before we find ourselves having to go back to Canadians. I do not want to go back and tell them we were not able to get it done. I want to go back and tell them that we all got together and we got it done.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I will open by sharing the kind, gracious and gentle words that the member brought forward at the opening of his remarks with respect to the death of two senior captains, two firefighters who perished in Winnipeg. Our thoughts and prayers on this side of the House are also with their families and with those who were injured and their families.

I have no doubt that the member offers his comments and proposals in Bill C-377 with complete sincerity. I have known him to be a man of strong integrity. We have worked together in the past in other lives on a national climate change response and I commend him for contributing to the debate. I welcome the opportunity to put questions to him about the merits of his proposal.

Perhaps the leader of the NDP could help Canadians understand the position the new government is pursuing, which speaks directly to the question of what the government describes as hot air credits and hot air purchases offshore.

Could the leader of the NDP help us to understand how his bill would reinforce our international emissions trading obligations under the Kyoto treaty which would give access to Canadian companies and to the government as a whole to a wonderful and marvellous market mechanism that could help us to reduce our greenhouse gases at a lower cost? Could he help us to understand how his bill would reinforce those mechanisms in the Kyoto treaty?

• (1120)

Hon. Jack Layton: Mr. Speaker, it is true that many of us have worked in other lives on aspects of this issue over many years and we now have an opportunity to do so again.

Perhaps the member has had a look at a book I wrote on the topic that he asked about just a moment ago. It is true that market mechanisms can be put in place and they are fundamental to the Kyoto protocol to help us as part of the toolbox that allows us to achieve our obligations.

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When we participated in another position I held once upon a time with Toronto Hydro in discussions about how we could move environmental initiatives forward, we looked at those market mechanisms. We talked about how we could engage with those who were polluting and have them invest in the solutions as well as bringing their own pollution down, which is precisely what the Kyoto protocol imagines taking place around the world. It is certainly an opportunity that we should be establishing here through an exchange process in Canada. It would give us an opportunity to honour our Kyoto obligations, which is something that we must do, and we need to use the tools that are available to us and make them work.

I believe we have some solutions available right here in Canada that should be front and centre. I have spoken for some considerable period of time, as I know many are now, of the possibility of a grid across our country so that the clean energy that is produced in one part of Canada could be used in a part of Canada that currently is having to use a polluting source energy.

I see this as akin to the new national dream where we could connect the sustainable energy sources that we have available here in Canada to one another.

When we had the blackout I remember that only one part of Canada had power, which was across the border in Quebec and on the other side of the river we did not. This made no sense. We need to embark on the kinds of projects that can get us on track to achieving those Kyoto obligations.

[*Translation*]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, I would like to thank the leader of the NDP, the member for Toronto—Danforth, for tabling Bill C-377. I believe this is a first step and gives a direction to the fight against climate change. That said, I have a question about clause 5 of his bill and the commitments articulated therein.

I read the bill introduced by the leader of the NDP, the member for Toronto—Danforth, and not once did I see the word “Kyoto”. Furthermore, clause 5—which is about the commitments Canada would be expected to fulfill should this bill be adopted—does not mention the first phase: reducing greenhouse gas emissions by 6%.

Why are there medium and long term targets, but no short term targets to reduce greenhouse gas emissions by 6%?

Hon. Jack Layton: Mr. Speaker, we introduced this bill knowing that Canada has already signed the Kyoto protocol. The NDP supports the Kyoto protocol. We think it is essential that Canada fulfill its Kyoto protocol obligations. Targets have been established and we will support any bill or motion that recognizes the importance of this essential protocol.

Scientists tell us that we will have to reduce greenhouse gas emissions dramatically even once we have reached the Kyoto protocol targets. In a way, our bill is designed to respond to scientists' recommendations to act now.

[*English*]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, we are debating Bill C-377, the climate change accountability act.

I would like to begin by saying that there are some aspects of this bill that are laudable. The purpose of the bill is to ensure that Canada contributes to the stabilization of greenhouse gas emissions and to prevent dangerous changes to the climate. This is something the government has made clear that it is committed to. Canadians have sent the message that the environment is their number one priority and the government agrees.

I would also like to congratulate the Minister of the Environment on his recent trip to Paris for the release of the IPCC report. The recent report by the intergovernmental panel on climate change shone a very strong spotlight on the issue of climate change, and rightly so. Climate change is real. The scientific evidence supporting the warming of the planet has become so strong, it is unequivocal. What our environment needs and what Canadians demand is real action, not just empty talk and empty promises.

We have heard from the opposition parties that they want to improve Canada's clean air act. I would encourage them that the best way to do that is to set aside party politics and genuinely work together so that we can make progress on this important issue. Let us work collaboratively, so that Canadians can see that the representatives in Ottawa are willing to put aside their partisan differences to actually make the difference on the environment.

The appropriate venue for moving forward on this matter is the legislative committee on Bill C-30. If the opposition parties have ideas and suggestions, as expressed through private members' bills and opposition motions, bring those to the table during the amendment of Bill C-30. We have been pleased that the NDP has demonstrated a willingness to work collaboratively. We hope that the Liberals and the Bloc would also be willing to move forward on this matter in a timely fashion. We do not want to waste time. We want to prove to Canadians that we can work together.

Canada's natural beauty, its rivers, forests, prairies, mountains, is one of this country's greatest features. Our natural resources also provide great opportunities and great challenges. Our government is committed to being good stewards of our environment and our resources. The state of the environment the government inherited a year ago posed great threats to the health of every Canadian, especially to the most vulnerable in our society.

Children and seniors suffer disproportionately from smog, poor air quality and environmental hazards. Poor air is not a minor irritant to be endured but a serious health issue that poses an increasing risk to the well-being of Canadians. Greenhouse gas emissions also degrade Canada's natural landscape and pose an imminent threat to our economic prosperity. That is why our government is taking real, concrete action to achieve results.

Canadians are tired of empty promises. They want and deserve action and results. Bill C-30, Canada's clean air act, is a response to that. Canada's clean air act makes a bold new era of environmental protection as this country's first comprehensive and integrated approach to reducing air pollution and greenhouse gases.

Our government is taking unprecedented action to reduce both greenhouse gases and air pollutants. It is important to recognize that most sources of air pollutants are also sources of greenhouse gases and Bill C-30 recognizes that reality.

Canada's clean air act contains important new provisions that will expand the powers of the federal government to address the existing inefficient regulatory framework. It will replace the current ad hoc patchwork system with comprehensive national standards. By improving and bringing more accountability to CEPA, Bill C-30 does the following things.

It requires that the Minister of the Environment and the Minister of Health establish, monitor and report on new national air quality objectives, it strengthens the government's ability to make new regulations on air pollutants and greenhouse gas emissions, and it expands our ability to work cooperatively with the provinces and territories to avoid regulatory overlapping.

• (1125)

The second key difference in our approach to clean air lies in our focus on mandatory regulations to achieve real results now and in the future. We are the first federal government to introduce mandatory regulations on all industrial sectors across Canada to reduce air pollution and greenhouse gases. Voluntary approaches are impossible to enforce. These approaches have simply not delivered the results that we need.

The clean air act sent a strong signal to industries that the day of voluntary emission targets are over and that they had to adapt to this new environmental reality of compulsory targets.

We believe that clear regulations will provide industry with called for certainty and an incentive to invest in the technologies needed to deliver early reductions in air pollutants and greenhouses gases.

The government is committed to real action. It is what Canadians have been demanding for years and it is what our country and our environment deserves.

How is the government making a difference? We are moving from voluntary action to mandatory regulations. We are moving from random, arbitrary targets to logical targets. We are moving from uncertainty to certainty. We are moving from a scattered patchwork approach to an integrated national approach. We are moving from talking to taking action and we are moving from empty promises to fulfilled commitments.

That is why Canadians put their trust in us a year ago. We will not let them down. We are getting the job done.

• (1130)

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I am rising today to speak to the merits of Bill C-377, An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change. This bill clearly deserves a careful examination on its merits. As I said moments ago, the sincerity of the member who is putting it

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forward I believe is beyond reproach. But the introduction of Bill C-377 is timely.

On Friday you will recall, Mr. Speaker, that the House considered Bill C-288 put forward by my good friend the member for Honoré-Mercier. Of course, Bill C-288 is an act to ensure Canada meets its global climate change obligations under the Kyoto treaty. Bill C-288 reflects our party's hope that Canada will choose the right path while listening to climate experts, playing a leadership role with the international community and transforming our economy to meet the challenge of the 21st century.

As we all know there is a legislative committee currently at work rewriting the government's failed clean air act. With the ongoing work of the environment committee, Parliament is seized with environmental issues these days. This should not come as much of a surprise.

Where are we now? The environment emerged as the number one issue for Canadians after the government cancelled successful programs like EnerGuide, halted initiatives to increase renewable energies such as wind power, and effectively killed a national plan to regulate large final emitters and worked to establish a carbon trading market in Canada, all in the first year of the Conservative new government.

In total, \$5.6 billion worth of environmental programs were scrapped. The government has stumbled in particular when it comes to the question of climate change.

[*Translation*]

I have a simple question for the government, which has now been in power for a full year: will it table its plan to fight climate change? I have asked this question repeatedly, and I am still waiting for an answer.

Unless the government can prove otherwise to Canadians, 12 months into its mandate, Canadians can draw only one conclusion: there is no plan.

The government is making things up as it goes along. It is jumping from ice floe to ice floe, announcing programs here, handing out cheques there and holding photo ops. What is even worse, last week, the Prime Minister was asked 18 times to clarify his position on climate change—which he denied for 10 years before becoming Prime Minister, including while he was leader of the opposition—and to tell us whether he was right then or whether he is right now. He consistently refused to answer.

This is worse than having no plan. Clearly, the government and the Prime Minister have no vision.

Private Members' Business

[English]

Climate change was not one of the government's top five priorities. It was barely mentioned in the throne speech, absent in the economic update and, worse, the only attention paid to the environment was to be found in the 2006 budget, which demonstrated massive cutting.

The first year was spent aggressively discrediting our government's 2005 green plan. The new Minister of the Environment, the one sent to rescue a sinking ship, was not that long ago the minister of energy in a provincial government who led the fight to stop the ratification of the Kyoto treaty and to stop action on climate change. Since his appointment, the government has taken to regifting parts of our 2005 action plan.

The hypocrisy of this is so bad that the government regifted our government's report on our obligations under Kyoto for the calendar year 2006, imagine. It may have knowingly misled the international community by reporting programs it was cutting as actually being in place.

The only reasonable conclusion to draw is that the government intends to withdraw from the Kyoto treaty and is doing so by subterfuge, by stealth, and by a thousand cuts.

Its spurious misleading of the House with regard to what it describes as "useless Russian hot air purchases" deliberately misleads Canadians and undermines the hard-fought clean development mechanism and the joint implementation mechanism, both in the treaty, that leveraged the power of the free market to meet our goals. It relies on, for example, the use of an international trading system to reduce greenhouse gases internationally at a lower cost.

● (1135)

[Translation]

That is why my leader, the hon. member, said:

I call on the Prime Minister to implement a comprehensive plan to honour Canada's Kyoto commitment, including a cap-and-trade carbon market, with more demanding targets than that proposed in 2005.

I call on the Prime Minister to implement environmental tax reform and fiscal measures to reward good environmental behaviour, and provide disincentives for behaviour that harms the environment and human health—all in a way that enables every region and province to succeed in the sustainable economy.

He also said:

I call on the Prime Minister to better support greener energy production and other forms of renewable energy, starting with a minimum target of 12,000 megawatts of wind power production.

I call on the Prime Minister to better support the research, development and commercialization of resource-efficient and environment-friendly technologies.

Most importantly, I call on the Prime Minister to do all this in a way that strengthens the Canadian economy, providing better jobs and a higher standard of living for our children.

[English]

If the government is serious about a global response to a global challenge, which reflects the fact that there may be 190 countries in the world but there is only one atmosphere, I challenge it further. I challenge all members of the House, including the government's caucus, to vote for our motion tabled in the House on Thursday.

Let me turn now to the merits of Bill C-377.

Like the clean air act, Bill C-377 is not necessary. It is important for Canadians to know that the bill was introduced in October, prior to his requested secret meeting with the Prime Minister to discuss the clean air act. It is unclear to Canadians and to us, as an opposition, whether the NDP has cut a deal with the government on the so-called clean air act. If so, it is legitimate to ask whether the bill ought still to be put forward by the leader of the NDP.

Upon re-reading the bill, I was astonished to learn that the leader of the NDP has dropped any reference to respecting the Kyoto accord in its entirety. Just like the so-called clean air act, Bill C-377 sets no short term targets to curb global warming. Only two are defined: one in 2020 the other in 2050. Perhaps the member could explain why his bill sets no short term targets.

Perhaps the leader of the NDP could explain why he has called on Canada to unilaterally vary the targets for emissions in Canada without any mention of the penalties that would accrue to Canada and Canadians under the Kyoto protocol. Has he forgotten we are a party to the protocol? Is he proposing to facilitate a government skirting the essential issue of near term targets? Why would he suggest that we delay action?

Let me reiterate that the Canadian Environmental Protection Act is available now, this week, for immediate action. There is no excuse for avoiding short term.

What is the NDP's intention with respect to our motion on Kyoto? Will the leader of the NDP be fully supportive at the vote this afternoon? Will the government?

It appears as if the member's bill, by giving discretion to the environment minister to set targets starting in 2015, facilitates a further removal from Kyoto. I remind the government and all members that targets were negotiated internationally. I am convinced the member would not knowingly facilitate the government treating Canada like an island or under the guise of splinter groups, and have us withdraw from our 167 partners that support the Kyoto treaty. It is fundamental that Canada participate, globally, to fight a global threat.

Finally, I welcome the attempt in Bill C-377 to leverage the role of the environment commissioner to meet our targets. Given our proposal as the official opposition to make the environment commissioner fully independent, I also welcome his support of our motion to hive off the commissioner's position and make it a stand-alone one with a strengthened mandate.

Private Members' Business

I look forward to hearing answers from the leader of the NDP. I congratulate him for his positive contribution to this debate.

• (1140)

[*Translation*]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, I am delighted to rise today to speak to the private member's bill introduced by the leader of the NDP. Bill C-377 aims to ensure that Canada assumes its responsibilities in preventing dangerous climate change.

I would first like to remind members that, for us here on this side of the House, any policy aimed at fighting climate change must incorporate the objectives set out in the Kyoto protocol. Furthermore, on Friday, the Intergovernmental Panel on Climate Change, or IPCC, submitted its fourth report on climate change. This latest report confirms that, more than ever, urgent action is needed.

The Intergovernmental Panel, formed in 1988, warned the public and the international community about the threat posed by carbon dioxide emissions, specifically concerning the fact that climate change and carbon dioxide production is closely linked to human activities.

The fourth report of the IPCC confirmed, with nearly 90% certainty, a link between the climate change we are seeing today and human activities. Last week, the IPCC report predicted that sea levels will rise by nearly 56 cm—nearly two feet—and that temperatures will rise by from 1.1° to more than 6°. It thus confirmed previous reports. It emphasized that urgent action is needed to fight climate change and stressed the importance of creating an action plan in order to meet the Kyoto protocol targets. We feel that any plan to fight climate change introduced by the government must incorporate the Kyoto targets and would be the only appropriate response to the IPCC fourth report on climate change.

Today we have Bill C-377 before us. However, it is important to remind the House that, last May, the Bloc Québécois introduced a motion calling on the government to table a plan that would include the Kyoto targets. The plan was to have been tabled last fall. We were asking that Canada provide international leadership. The majority of parliamentarians voted in favour of implementing the Kyoto protocol. We know what happened next. The former Minister of the Environment went to Nairobi, set aside the Kyoto targets and obligations, and made an irresponsible speech about the fight against climate change. This motion, adopted last May 16 by the House of Commons, created a framework for our expectations with regard to climate change.

After the Bloc Québécois motion, the Liberal MP for Honoré-Mercier tabled a bill that clearly articulated the Kyoto protocol targets in regulations and legislation. We studied this bill in committee. The Bloc Québécois proposed amendments to include the territorial approach enabling a province, such as Quebec, to be responsible for and free to implement its own plan for fighting climate change while meeting the Kyoto targets. With these amendments, Bill C-288 was adopted by the House and we talked about it here last Friday.

Today, we have another bill, Bill C-377, tabled by the leader of the NDP. This is definitely support in principle. However, I have the feeling that this bill at times sets us back a few months.

• (1145)

Let us not forget that the Bloc Québécois presented a motion calling on the government to table a plan consistent with Kyoto to combat climate change. Let us also not forget the opposition initiative, a bill to regulate greenhouse gas emissions, again consistent with the Kyoto protocol. Today, the leader of the NDP is introducing a bill that does not incorporate the Kyoto protocol targets, particularly in terms of the first phase of reductions.

How is that the NDP, which has always said it is in favour of the Kyoto protocol, is today introducing a bill where the term "Kyoto" appears just once and there is no mention of the 6% target for the first reduction phase?

All this bill mentions are medium-term targets, or a 25% reduction from 1990 levels by 2020 and longer term targets of 80% reduction from 1990 levels by 2050. However, the bill lacks a target for the first reduction phase between 2008 and 2012. This bill suggests that Canada is prepared to ensure that the targets for the first phase of reductions are met.

When asked, the leader of the NDP said that it was understood that Canada had signed the Kyoto protocol and ratified it. He said that as though this guarantees that the Canadian government will respect the Kyoto targets.

Since 1997, both the Liberals and the Conservatives have introduced measures that have not respected the 6% reduction targets. Greenhouse gas emissions have increased by 27% since 1990. If Canada wants to meet the first target, it has to make an overall effort achieving 33%. All of a sudden the NDP has confidence in the Canadian government, saying that the government signed the Kyoto protocol and therefore it intends to respect it.

We will support the bill in principle today, because this is a step in the right direction, but that is not enough. The Bloc Québécois could not support a bill that did not include the phase one greenhouse gas reduction targets. We are finding ourselves in a situation where only one political party in this House has been supporting the Kyoto protocol since 1997, when it came to be, and that is the Bloc Québécois. I was in Kyoto in 1997 and I have seen all the time that has been wasted before Canada committed, through ratification of the accord, to respect Kyoto.

We will recall that, at the time, there were discussions within cabinet between the industry minister and the natural resources minister about flushing out the Kyoto objectives. The then Minister of the Environment, Christine Stewart, was stuck between the oil lobby and provinces like Quebec which wanted the Kyoto protocol to be respected. Back in 1997, the Bloc Québécois already supported the Kyoto protocol.

Private Members' Business

Since last Friday, the Conservative government has merely recognized the existence of climate change, and the Minister of the Environment expressed surprise at the IPCC report. I think that the government ought to take note of the existence of climate change.

We would like four things to be added to this bill introduced by the NDP. First, compliance with the Kyoto targets, particularly the phase one targets — and if this bill goes forward, expect the Bloc Québécois to put amendments forward. Second, a territorial approach. I sense that, in the mind of the hon. member, clause 10 hints at agreements and bilateral accords that might be signed with the provinces. Third, a carbon exchange, which is clearly identified as an option in clause 10. Bear in mind also that, in our opinion, the reduction targets should be based on absolute value, and not intensity, as the government would like it to be. Finally, let us not forget the \$328 million necessary to achieve the Kyoto objectives in Quebec.

● (1150)

If this bill moves further along the parliamentary process, we will propose amendments, especially with respect to the Kyoto objectives.

[English]

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, I am pleased to have an opportunity to speak in favour of Bill C-377. I would like to start off by recognizing the incredible work done by the member for Toronto—Danforth, for his many years as a Toronto city councillor where he brought forward ideas to cut smog and pollution, and for his ongoing commitment in his role as leader of the NDP to make sure that Canada lives up to its commitments to the world on reducing greenhouse gases and addressing the crisis of climate change.

I would like to also recognize the Canadian public who for years have been calling upon the government to act, to clean up our air and our water, to reduce greenhouse gas emissions. Ordinary Canadians are far ahead of us in recognizing it is long past time to take our promises to the world seriously. In 1992 at the Earth Summit, Canada urged the world to act on the looming crisis of climate change. We promised to cut greenhouse gas emissions, but we failed to act and instead, our emissions went up, not down. We not only failed to act, we failed our country and we failed our planet.

I want to thank the member for Toronto—Danforth for bringing this bill before the House. It lays out a plan to ensure that Canada meets its global climate change obligations under the United Nations Framework Convention on Climate Change and creates an accountability measure to make sure that we follow through and meet those targets.

It is important to pass this bill because we are in a crisis. We can point to many examples around the world. Scientists have pointed out these examples, such as melting polar ice caps, bigger and stronger hurricanes in the south, and longer periods of drought in many places around the world. Many people in this House and in this country have probably seen Al Gore's film, *An Inconvenient Truth*, which follows the trend of global warming over many years and highlights some startling examples.

I would like to talk for a few moments about what I have seen in Canada in my riding of Vancouver Island North.

My riding is on the west coast of Canada and it is typically known as a rain forest. We jokingly refer to it as the wet coast. We do not worry about smog days because we have fog days. A few years ago we noticed our summers were getting longer and hotter. Cedar trees were wilting by the end of summer because of a lack of rain and because of the intense heat.

Because the forest is drying out more quickly, there is more likelihood of forest fires. While forest fires are nothing new in British Columbia, they usually happen in July and August, but last year we had our first fire on Vancouver Island in May, not very far from where I live. We counted ourselves lucky because there was no property damage; however, the birds, the deer, the frogs and all the other creatures that lived in that forested area perished or are without a home.

Another example of how our weather is changing is the Cliffe Glacier in the Comox Valley. It is the focal point of many beautiful postcards, as well as a source of cold water for the lakes and rivers that it feeds. For the last few years we have been seeing more and more of the mountain poking out of the ice as the glacier melts a little more every summer. It is an eerie feeling when I look up at that glacier in the summer and see rocks that have been covered for thousands of years. It makes me sad knowing that if Canada had acted sooner on its commitment, we would not be in this crisis.

The most startling example of climate change on the coast is in our oceans. For thousands of years people on the west coast have relied upon the oceans for their food, for their livelihood and for their recreation. Fishermen used to be able to count on returns of salmon at certain times of the year, but with the warmer rivers running into a warmer ocean, fish migration patterns are changing.

Last year, as an example, with the warmer water salmon were returning later to the streams to spawn and die as they usually do, but the streams were low due to a lack of summer and fall rains. Then when the rains did come, they came with a vengeance, flushing away everything in the river, including the tiny eggs in many small streams. This will have an impact for years to come. Couple that with the increasing acidity of our oceans due to carbon dioxide and the impact on fish habitat is enormous.

● (1155)

Yes, Canada must act. Those are just a few examples right here in our own backyard. I could list many others, such as the pine beetle infestation in the B.C. interior and melting in the Arctic which has a profound impact on wildlife and vegetation. I am sure there are thousands more examples we could point to for reasons that Canada must act quickly to address the now imminent crisis of climate change.

Bill C-377's short title is the climate change accountability act. It proposes measures to meet our commitments and creates an obligation for the environment commissioner to review and report to Parliament on our progress.

This is something we did not have in the past. There was no accountability of the previous government to live up to our commitments. Because of that, our greenhouse gas emissions went up instead of down. We are further behind many other countries. Canada can afford to live up to its commitments to the world. We are a rich country in so many ways. We have the technology to act.

In 2005 the NDP put forward a plan to help Canada act on its commitments to the world. It is called "Sustainability within a generation: A Kyoto plan to clean our air, fight climate change, and create jobs". It would save future generations health, economic and ecological costs. It is a comprehensive plan to create jobs building clean renewable energy solutions right here in Canada, incentives to reduce energy consumption for businesses and homes, invest more in public transit and sustainable transportation, retrofit federal government facilities to reduce energy consumption, and cap large emitters with a goal of reducing greenhouse gas emissions. This plan is achievable and would put Canada on the path to reverse the growth of emissions. I am proud of our party's commitment to work in this House with other parties on Bill C-30 to put some of these ideas into action.

Ordinary families want to retrofit and renovate their homes to be more energy efficient, but the constraints of everyday living and the costs of conversion are out of reach for them. This is where government could help with subsidies for families. It is unfair to Canadian families who see the oil and gas industry, one of the largest CO₂ emitters, get government subsidies while those companies make enormous profits. It is unfair to the families who are working to make our environment a cleaner place to live.

I was pleased to see the recent announcements of the government to invest money in alternative energy solutions, more money for wind, solar and wave generated power. That investment is long overdue and falls short of what is needed to help Canada achieve its clean energy commitments. I will be watching the government carefully and reminding it that it also needs to live up to the commitments Canada made to the world.

In British Columbia there are no windmills, no wind generated power. We are the only province in Canada that does not have them and it is not for a lack of desire. There are small companies working very hard trying to implement wind, solar and wave generated power, but they need help from the government to make it a reality. Solar panels for homes are expensive and working families need assistance up front to purchase clean energy solutions, not after the fact.

If we are going to make real changes quickly, the government needs to make a stronger commitment to the people of Canada and the environment.

Again, I am pleased to support Bill C-377, an act to ensure Canada assumes its responsibilities, preventing dangerous climate change.

Government Orders

I am pleased to hear that the government wants to work together, because we have an obligation to act. We promised we would act in 1992. We promised we would dramatically cut pollution. We promised we would act in Kyoto. Canadians want us to act. Our children want us to act. Our children's future depends on us. We must act now.

• (1200)

Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, as you mentioned previously, I only have about a minute. I had prepared a big long speech with all sorts of information, but I will just make a very quick intervention.

First, I question the sincerity of the NDP to put forward this particular private member's bill. We have a legislative committee Bill C-30, the clean air act, proposed by this government to clean up greenhouse gases and to clean up the air we breathe.

I say to the NDP and all members of this House, let us work together, put politics aside for a change, put partisanship aside and let us work for the environment for the best interest of Canadians.

Bill C-30 will reduce greenhouse gas emissions and will make our air cleaner to breathe for all Canadians for future generations. I would encourage members to do that.

I would also encourage everybody listening and watching today, all Canadians, to not believe what I, or the NDP, or the Liberals, or the Bloc are saying. I ask them to look for themselves on websites, ask their members of Parliament to provide information so they can educate themselves on the great initiative that this government, the minister and the Prime Minister are doing.

We are a government of action. We are going to get results for Canadians if we can put aside partisan politics and work together for the best interest of Canadians. Bill C-30 is a great bill. It is a great initiative. I say put aside Bill C-377, put aside the other motions put forward by the other parties, and let us work together collaboratively for the best interest of Canadians today and the best interest of future generations. We can get the job done. This government will get the job done.

The Deputy Speaker: The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

GOVERNMENT ORDERS

[English]

CANADA ELECTIONS ACT

The House resumed from February 2 consideration of Bill C-31, An Act to amend the Canada Elections Act and the Public Service Employment Act, as reported (with amendment) from the committee, and of the motions in Group No. 1.

Government Orders

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, it is a privilege to speak to Bill C-31, An Act to amend the Canada Elections Act and the Public Service Employment Act, a very important piece of legislation.

Our democracy is truly the essence of how we define ourselves as a nation and as a people. We all know that the electoral process in Canada needs to be updated. Different provinces and municipalities are looking at Bill C-31.

In general, the New Democratic Party supports the effort behind Bill C-31, but our party cannot support the bill because of a number of specific clauses which we believe will eventually reduce the electoral system in terms of fairness. We believe it will eventually end in a court challenge in that the charter rights of individuals may be exposed in a very vulnerable sense. Hence, the bill could eventually be struck down.

I want to talk about how we can improve the electoral process. Also, I want to speak to the dangers in the bill. The first danger is the bill requires that before voting, an elector provide one piece of government issued photo identification showing the elector's name and address, or two pieces of identification authorized by the Chief Electoral Officer which show the elector's name and address, or that the elector take an oath and be vouched for by another person.

The problem with that is the simple fact that persons with disabilities, the homeless and other disenfranchised voters may not have that type of ID at the time of voting or they may not be able to produce it at the time of voting and they would not be able to vote. In my constituency there are some individuals who arrive at the voting station and use other documents to prove who they are. Sometimes they produce bills from an established body, for example, Bell Canada, with other ID, such as a birth certificate. However, they may not have the photo ID required under Bill C-31. Individuals who did not have government issued ID would not be eligible to vote, despite being able to prove who they are and that they have resided at a particular address for many of years. Also individuals who have no fixed address could be left out of the system. That is very important to note.

In Windsor West, which I represent, there is a college and a university. Those institutions have individuals who may decide to vote in different electoral districts. Students can choose to vote in their home district or in Windsor West where they are studying, where they have a permanent address, but they may not have the identification required because they do not have it with them or they have not yet reached that point in their lives where they have obtained that type of identification. That is important, because the percentage of voters in Canada is steadily dropping. There are a few peaks once in a while, but the percentage is low in terms of individuals being engaged enough to feel that their vote counts and at the same time are willing to come out to cast their ballot.

Before Bill C-31 is considered, we need a full commitment to go back to the census and the enumeration that was done. There is a potential cost in this. No doubt it takes more resources, but I have seen the benefits even in my own consistency.

When we had the complete count in 2000, I was the chair for Windsor and Essex County. Our municipality was engaged in door

to door canvassing to sign up people in the electoral district. I represent a population of great ethnic diversity. There are educational institutions as well. A lot of people move in and out of the district at different points in time. That resulted in low enumeration in the past. We did a complete count. We were one of six communities across the country that actually did door to door canvassing.

That was important because of the language issues. We worked with a series of different not for profit organizations, dedicated groups and individuals, as well as municipal, provincial and federal colleagues to ensure that we were getting the best enumeration process possible. The statistical information for the census is important for the electoral end of things.

● (1205)

The census is also important for funding and for information that we use for a whole variety of social programs and services. It is also important when we are lobbying for some of the changes that are necessary for areas that might require more immigration services or more types of government intervention on issues that are important to Canadians. It also helps seniors, who are being left off the GIS, to get enrolled. The series of net benefits that we get from that investment are very important.

I would argue that a census is one of the first things that needs to be done even before Bill C-31, or in conjunction with it. If we are trying to actually improve the democratic electoral process, a census needs to be done to get people out. Bill C-31 is more restrictive in those confines, whereas the census elements are more important to ensuring that the people are being identified.

Another thing that I find interesting about the bill is clause 18. I find clause 18 disturbing in the sense that it would provide a sharing of birthdates with political parties. What would end up happening is that political parties would acquire people's birthdates as part of their return from Elections Canada. I find it completely unacceptable how this amendment got into the bill and why the other three political parties are supporting it. It is a complete invasion of privacy and the bill needs to be dumped on that alone.

We have seen enough in terms of the United States with the patriot act and a series of other scandals involving private corporations that have exposed Canadians' privacy in many different ways. I cannot, for the life of me, figure out why and what type of justification there is to provide the age of a voting person to political parties. That is people's private information. What does it matter if an 18 year old, a 40 year old or 60 year old votes?

I can say, from a party perspective, what the party will do. It will identify people who voted on that day. It will then identify who the people are and then their ages. It will be able to target people and individuals for messaging. I believe it is counterproductive to the renewal of democracy.

Why is it that the Conservatives, the Liberals and the Bloc need to have people's private birthdates? I do not understand that. It is not just for that time that they have it. They will have that list in perpetuity so that they will always be able to define people's needs and target them a lot more strongly because they have that private information.

Government Orders

It is rude to just go out and ask somebody their birthday or their age. People do not walk around the street and normally do that. People seem to want to keep that information to themselves. Why would we then have this bill, an instrument to collect that information and put it into the partisan core of politics of those party operatives? I do not understand that. The bill needs to be dumped just for that alone.

The member for Ottawa Centre has done an excellent job proposing solutions to the bill and has tried to get this clause out but was defeated. He then wrote a letter to the privacy commissioner on January 19, 2007, for which we have not had a response yet. The letter reads:

Dear Ms. Stoddart,

Recently the Standing Committee on Procedures and House Affairs amended and passed Bill C-31, An Act to Amend the Canada Elections Act and the Public Service Employment Act. In its original form Bill C-31 required elector's birth date information to be made available to Elections Canada to use for the purpose of verification of electors. As a Member of Parliament I have concerns about the possible misuse of this information and believe most Canadians would not support this kind of information being shared with Elections Canada. While I have great confidence in the integrity of Elections Canada and all who are employed by them, I do worry that such a large database with such wide distribution would be vulnerable to potential abuse.

The reason for my correspondence is to alert you to my concern and to inform you of a more disturbing breach of privacy.

An amendment was passed in Committee that would also require Elections Canada to share the birth date information of all registered voters with all registered political parties. I believe that this is an abuse of a citizen's privacy; therefore, I politely request that you investigate the implications of sharing this type of information with Elections Canada and most importantly the implications of sharing this information with political parties.

I look forward to your response.

Thanking you in advance,

Member of Parliament

Ottawa Centre

● (1210)

Once again I must impress upon the public that the bill needs to be defeated on that clause alone. It is something that needs to be taken out. Personal privacy is something we pride ourselves on. For this clause to be added to the bill is a slap in the face of democracy.

The principle of the bill is important in the sense of cleaning up our electoral process but as it is now it would detract from actually encouraging and expanding voter turnout and giving people the opportunity to participate in democracy. For all those reasons we cannot support the bill in its current form.

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, quite often people want to associate social democratic parties with big government but that is not really the case.

I would ask my hon. colleague to talk to the problem that we are running into in the philosophy between parties, the sort of knee-jerk actions that we have seen on security over the last number of years. Does this play out in that factor? Are we dealing with the same kind of right wing ideological desire for control over the electorate and for additional security? Is this another one of those steps that fits into that pattern?

Mr. Brian Masse: Mr. Speaker, I believe my colleague is quite right. This is another indication of the very subtle ways of how strongly the Conservative Party and the Liberal Party of Canada

have been working quite closely together, especially when it involves some types of reforms.

It does not make any sense. I cannot understand why anyone would want the Conservative Party of Canada or the Liberal Party of Canada to have one's personal information at its disposal for its partisan machines. It makes no sense. Why would people want their information or their son's or daughter's birthdate in the control of those parties? It makes absolutely no sense whatsoever. I believe it violates a sense of integrity in our process.

Canadians are looking to having things cleaned up a little bit. They are looking for a better and stronger democracy. They are looking for innovative solutions that will create some excitement, whether it be proportional representation or modernizing the Senate to make it a democratic institution.

Instead, what Canadians are seeing with the bill is that their private information is being handed over to partisan political bodies for their people in the backrooms to manipulate and use to their benefit. It would enable these bodies to contact Canadians for fundraising or to target people for messaging. Political parties want to use all those things to exploit people.

Why does a political party deserve the right to know a person's actual birthdate without the person's consent or the person having a say in the process? People would not even be allowed to exit from this. This is absolutely unacceptable and it is a violation of personal privacy.

The Liberal Party and the Conservative Party should be ashamed of trying to get that information from Canadians who do not want to share it. Why are Canadians not even given the choice to decide why they are being forced to surrender their own personal private information without any discussion or input?

● (1215)

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I am pleased to have the opportunity to speak to Bill C-31, An Act to amend the Canada Elections Act and the Public Service Employment Act.

Coming from a northern riding in the Northwest Territories, this issue has raised a great deal of concern in my riding. It has been the subject of questions in our legislative assembly and it has raised the ire of northerners in my constituency and, I am sure, every other northern constituency across the country. These types of restrictions on voting, which we would be creating with the requirement for photo identification, would hit hardest among people in small communities across northern Canada, our aboriginal people and older people who live a simple life in many communities across the north and who may not have a driver's licence. They may have a hunting licence but that does not have a photo on it.

Once again we will see legislation that, arguably, might have some place in large urban ridings but which will have a detrimental effect on northern Canadians and Canadians in isolated communities across the country.

Government Orders

Many of the MPs who are from northern ridings and who represent these communities will be voting for this legislation, but I urge them not to. I urge them to stand up for their constituents and for northern Canadians and vote against the bill.

The bill represents more of the intrusive big government that Canadians never wanted and continue not to want. It represents more of the security type of provisions that we are seeing in legislation in Parliament that reflects the paranoia that has increased in our country and in other countries since 9/11. The bill stands against the roots of our democracy and will impact voters.

I have been in many tight election campaigns in my career. I remember the election campaign where the Conservatives won in my riding by one vote over a member of Parliament, Wally Firth. Many ballots were contested because many elders who had voted with clear intent had not put the *X* in the right spot. They did it the old way. The way one put one's *X* was changed 1979. People who were illiterate or who did not understand voted the wrong way and the Conservative candidate won and our candidate lost. That could happen in any riding and it could happen in any sequence.

The point is that when we change the way people are accustomed to voting things can happen. What happens when a voter who has voted in elections most of his life walks into a voting station and needs to pull out a photo ID? The person could be a hunter who just came in out of the bush and does not have any photo ID. How does that make him feel about the electoral process?

How do we think that makes people feel about the way that we are conducting business in this country? There needs to be good reasons for changing the way we allow people to exercise their fundamental franchise in this country, their right to vote for us. I truly think this is an intrusion on that.

• (1220)

The types of things in the bill, such as the clause 18, the sharing of birth dates with political parties, I find also quite repugnant. I go back to my grandmother who moved to this country in the early 1920s, escaping the Bolsheviks in Russia. Her whole life she would not tell anybody her birth date. My mother did not even know how old my grandmother was. We did not find out that she was 100 years old until she died and we obtained her birth certificate. She voted all her life and she was an honest, good citizen, but she was not interested in sharing her birth date with anyone.

The thought that we are making people share their birth dates with political parties, which will use it for their own particular purposes, is quite repugnant and should be repugnant to every member of Parliament in this place. We should recognize that Canadian citizens have rights to their own privacy and dignity. We must do everything to maintain those things, regardless of our interest in understanding how we can usurp their thoughts and change the way they think about voting through understanding their age and direction.

The bill deserves a great deal of contempt, and I hope I have expressed that today. I do not want to take any more of the House's time on the bill. I have said my piece and I will leave it to other members to stand on their consciences.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I appreciate the very moving words of my colleague, the hon. member

for Western Arctic. I was particularly interested in the story about how his grandmother had strongly held views and personal reasons why she did not want her birth date publicized widely. I assume he meant that if she knew the government was planning on putting dates of birth on the permanent voters list for all the world to see, she and many others like her would object strongly for any number of good reasons. That is only one example.

I would like my colleague's views on the fact that the Standing Committee on Access to Information, Privacy and Ethics is current engaged in a five year review of the new PIPEDA legislation, Personal Information Protection and Electronic Documents Act, which is the obligation of governments and the private sector to protect the privacy of personal information that they might hold.

From my colleague's experience in election campaigns, does he believe that we, as a political party, could effectively protect that very personal information in the context of an election campaign, with 500 volunteers coming and going? All people need to steal somebody's identity is a name, address and date of birth and they get a credit card in another person's name. That is how easy it is in this day and age.

Could he expand, from his personal experience, how he might see abuse of this very private personal information in the context of the comings and goings of volunteers in an election campaign?

• (1225)

Mr. Dennis Bevington: Mr. Speaker, I have experienced many election campaigns in which much information is moved around, and the security of information in a political office is sometimes completely suspect. Other times it might be held onto. However, this information is shared with all parties, so everyone has it.

As my colleague from Windsor pointed out earlier, this information is on the record permanently, it is ongoing. Those voters lists at the end of the election, unless they are shredded, will be around and they will be shared. These things will be part of the public knowledge to so many people in the community, so how could this be a good thing for Canadians?

The Conservative Party, which always puts up a good fight for individual values and the rights of individuals, and the Liberal Party, which attempts to do the same thing, are supporting the legislation. What is it with them? Have they taken leave of their own values? Can they not understand there are some things in this life that should be sacred to people, that they should be able to hold in their own trust. Government and political parties should keep their noses out of the birth dates of average Canadians. My goodness, I do not understand how this even came forward.

Mr. Brent St. Denis (Algoma—Manitoulin—Kapusking, Lib.): Mr. Speaker, I missed the first moment or two of my colleague's remarks. I agree with him that no member of the House should wish to compromise the privacy of the personal information that our citizens value. I was not sure if he mentioned in his opening remarks, or in response to another member, whether the privacy commissioner for Canada made any comment on this matter.

Government Orders

Mr. Dennis Bevington: Mr. Speaker, regardless of a commissioner making comment on it, I can make comment on it myself. I can recognize it. As I pointed out, my family understands those values of protecting people's rights to privacy. What a commissioner may rule on it will not change our opinion. Our opinion is built on years of practice and years of understanding.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I am pleased to speak to Bill C-31, An Act to amend the Canada Elections Act and the Public Service Employment Act. At the outset, if the goal of the bill is to improve democracy in Canada, then that is a laudable goal.

I had the privilege of being an election observer for Canada in the first free elections in South Africa in 1994 and then again in the presidential run-off elections in Ukraine in 2004. It is with enormous pride that Canadians like myself have the opportunity to visit other countries and observe their election procedures with the goal of commenting on their fairness and democratic nature. We do that because Canada in general is known as a country with a good democratic record. Our elections are known as generally fair and democratic. If the goal of the bill is to enhance that, then it is a laudable goal.

However I fear the bill will not achieve that goal because it has some serious flaws. As a result of the identification requirements in the bill, I believe thousands of individuals will be unable to exercise their right to vote because they lack proper identification due to poverty, illness, disability, or no stable address. Homeless people, or those who are temporarily housed, or who stay in a shelter often do not have the identification that reflects their address.

My riding of Parkdale—High Park is an urban riding in the west end of Toronto. We have a large majority of renters as opposed to homeowners. There is a very high turnover in voters in the riding because of the huge number of people coming in and going out of the community. I see it all the time. We have a large number of newcomers to Canada, people who come as refugees or as landed immigrants. They stay and get their citizenship. We know from recent studies that they are disproportionately under-represented on the lists of voters. Unfortunately, we also have a large homeless population in Parkdale—High Park. I see them on the streets in Parkdale and other parts of my riding every day. We also have people with mental health issues, who unfortunately, because of a lack of government support, do not have the kind of care and supportive housing and services they definitely require.

These people do not go around with a big wallet in their back pocket with multiple pieces of ID. Many people in Parkdale struggle to get bus fare let alone photo ID. To say that, as a result of their economic circumstances, or their mental disabilities, or their newcomer status to Canada, they might be denied the opportunity to vote in an election, ought to worry all of us. I believe this will most likely be an outcome of this bill.

I firmly believe we should go back to the system of enumeration. We ought to be going door to door, finding out who is in the ridings across Canada. We ought to be signing them up and telling them what their rights are when it comes to voting. I wish this was in the bill. We tried to get it in the bill, but were not successful. We have abandoned that system in Canada, and I think that is to our

detriment. It makes it harder for people to vote, especially people who already have multiple barriers before them.

• (1230)

So many times in an election I will talk to people on a street corner or I will go through an apartment building. For those of us in political life, we may be consumed with political life, but I will knock on people's doors or talk to them on the street and they do not even know there is an election going on. They feel so disenfranchised and powerless to be able to make a difference, and so I encourage them and tell them that they can make a difference, that every vote will count.

The last thing I would want is to have those individuals make the effort to show up to vote, in spite of working two or three part time jobs, family responsibilities, lack of child care or no transportation, and when they get to the voting registration area, they cannot vote because they do not have proper ID. This bill would disenfranchise them in that respect.

I am also concerned about the privacy elements of this bill. I do not know why we would have to have people's birth date information shared with political parties. I have a concern about that and that may well be challenged.

For me, the fundamental issue is about voter disenfranchisement. We know that south of the border, where there are similar bills and laws that have been put forward and passed, they have been challenged because of the disenfranchisement of many people. Quite frankly, it is not those of us in this room who will be disenfranchised by this bill. It is not people who are informed, who have the wherewithal to make sure that they are aware of their rights and opportunities under the law. It is the people who, through no fault of their own, are not engaged in the political process, and yet have that very basic fundamental right to democracy and the right to vote.

I believe that there is a way to achieve the goal of reducing the potential for voter fraud and extending the franchise as broadly as possible to include people who, little by little, have been dropping off the voter lists, but I do not think this bill does it. We should go back to the drawing board and bring in something that makes a better attempt to marry those two goals, but this bill does not do it.

Canada can do better. We are an example to many other parts of the world. This bill does not live up to our reputation as a model of democracy and well run elections.

• (1235)

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I want to thank the member for Parkdale—High Park for her intervention. She clearly outlined the many challenges with this particular piece of legislation before the House.

Government Orders

In my riding, for example, many first nations communities have really had difficulties in voting. One of the things which has been discussed in this bill is that there would be some effort to improve access, both to being on the voter's list but also to voting polls. One of the things that did happen in the last election was that people in the advance poll who lived on Kuper Island had to go from Kuper Island to Vancouver Island to Gabriola Island to vote in the advance poll, which is absolutely ridiculous.

One of the things that the member talked about was enumeration and presentation of appropriate identification. I wonder if the member could talk about the benefits around enumeration for first nations people in rural and remote communities, so that they would have better access to their right to vote.

Ms. Peggy Nash: Mr. Speaker, the member's riding is probably the diametric opposite of my riding in downtown Toronto. For people in rural areas, enumeration would be of tremendous advantage. Enumeration raises awareness of a voting opportunity. Most of us read the newspapers, listen to the radio, we are on the Internet and watch television, but for many people, it is quite remarkable, whether they are in rural or urban settings, how cut off they are from mainstream forms of communication.

Enumeration would alert people of the opportunity to vote. It would allow a person, on a one-on-one, private basis to ask questions that they might feel are silly, or to which they should know the answer. It allows them the dignity of being able to ask a real person, face to face, some very basic questions about the voting process. I think it would boost voter turnout, especially among the native population in rural areas.

• (1240)

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, I listened with much interest to the speech given by the member for Parkdale—High Park. As she knows, the purpose of this bill is to improve the integrity of the electoral process. I was listening for some recommendations or suggestions she might have because she is concerned about people being disenfranchised in their vote, but the bill does make provisions for people. Most voters will be able to provide photo identification. That is not a problem for most Canadians.

There are people in places where they do not have photo ID, but they can still, if they have two other pieces of ID, be registered. If they do not have two other pieces of ID, then they can still take an oath of affirmation of identity and residence, as long as there is a qualified elector who will vouch for them.

These, of course, are the recommendations from the committee, as members know. Every provision is made to make it possible for someone, with minimal intrusion, to be eligible to vote.

I wonder, since she feels that these suggestions that were put forward by the House committee on procedure are not workable, what suggestions the member would put forward to prevent electoral fraud, knowing that some elections are decided by as few as 20 votes in some ridings in this country.

Ms. Peggy Nash: Mr. Speaker, yes, of course, I share the goal, as I said at the outset of my remarks, of minimizing or, ultimately, eliminating election fraud. We work too hard, all of us, to persuade

people to support us during an election to see any kind of underhanded advantage that someone might gain through fraud.

However, in this report that come from the committee, our party, the NDP made a number of amendments. Some were adopted but many were not adopted, and we just think that the legislation will not be workable.

Again, speaking for my riding with regard to the requirement for two pieces of photo ID, some people just do not have it, and I think that is a problem that they are not going to be able to overcome.

I am also concerned that we are making a change possibly right before an election. Would people even be aware of this change? What kind of voter outreach and education is going to take place?

Also, I would argue that if we are talking about a minimum intrusion, I do not think that sharing personal information with political parties, as is proposed in this bill, is a minimal intrusion and I think that is going to be challenged.

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

Some hon. members: Question.

The Deputy Speaker: The question is on the motions in Group No. 1, beginning with Motion No. 1. 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 nays have it.

And five or more members having risen:

The Deputy Speaker: The recorded division on the motion stands deferred.

The next question is on Motion No. 2.

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 nays have it.

And five or more members having risen:

Government Orders

The Deputy Speaker: The recorded division on the motion stands deferred. The recorded division will also apply to Motions Nos. 4 to 9. The vote will be deferred until the end of government orders tomorrow.

* * *

●(1245)

CRIMINAL CODE

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC) moved that Bill C-26, An Act to amend the Criminal Code (criminal interest rate), be read the third time and passed.

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, today it is my pleasure to rise in support of Bill C-26, An Act to amend the Criminal Code (criminal interest rate). The bill has come to be described as the payday lending bill because the amendments that it proposes are targeted at the payday lending industry, an industry which has quickly established itself in Canada but which to date has operated in an essentially unregulated environment.

Bill C-26 proposes amendments to the Criminal Code which will assist in remedying this. The bill is about greater consumer protection for the estimated two million Canadians and their families who use the services of payday lenders on an annual basis. The bill reflects the government's continuing commitment and dedication to improving the lives of all Canadians.

I am proud to speak in strong support of Bill C-26 and I urge all hon. members to join with me to ensure its quick passage into law.

The payday lending industry is flourishing in Canada. The industry first originated in the United States before moving north to Canada in the mid-nineties. Since that time the industry has grown rapidly with an estimated 1,300 payday lending outlets operating across Canada. The industry's principal lobby group, the Canadian Payday Loan Association, notes that there are approximately two million payday loan transactions annually in Canada.

A report prepared by the Public Interest Advocacy Centre in 2002 estimated that between 1 million and 1.4 million Canadians used the service of payday lenders, so the numbers appear to be going up. We also know that nearly \$2 billion is borrowed through payday loan centres on an annual basis. These numbers frankly are astounding. Yet, what is most surprising is that the rapid growth of this industry has occurred in the absence of any industry specific regulatory framework. The absence of this framework has left consumers vulnerable to questionable business practices.

Some might ask why would any person choose to use the services of a payday loan centre if doing so puts the individual at risk of some unscrupulous lenders. The reasons are many. Some consumers use the services of the industry because it is a relatively easy, fast and anonymous way to borrow money. Others have suggested that the reason is that payday lenders offer convenience, including the extended hours of operation and the prevalence of such centres in communities across Canada.

This, combined with the fact that many small towns and cities across Canada are losing their local banking branches, makes the payday loan store an attractive way to access one's money. However, it is those consumers who have come to rely upon payday loans in order to pay their bills, to have enough money to put food on the table, and get by from paycheque to paycheque, who are the most vulnerable to abuse.

It is precisely these facts which place already vulnerable consumers into an even more vulnerable position as they may be willing to accept the terms of a loan without question or out of sheer necessity. That is why it is imperative that we move quickly and ensure that Bill C-26 becomes law.

A payday loan has really become a catchy moniker for what is otherwise a short term loan, often for a small amount, secured against proof of one's income. Most often it is demonstrated through proof of employment and hence the term payday loan. This need not be the case however. Other examples include pension income.

A typical payday loan is usually in the range of \$300 and lasts for about 10 days. To qualify, in addition to demonstrating an income source, the consumer must have a bank account and provide a post-dated cheque for the amount of money borrowed, plus the associated fees and interest owed on the loan. These fees can include application fees, brokerage fees, administration fees or processing fees and so on.

We all know that payday lending is a very expensive way to borrow money. In some cases estimates for the interest rates charged when calculated on an annual basis reach into the thousands and even tens of thousands of per cent. With rates like that it is no wonder that the profits for payday lending companies continue to go up and the industry continues to thrive.

For better or for worse the reality for the payday lending industry in Canada appears to be right, but the reality for some of its consumers is less so. When consumers have difficulty paying back the loan, lenders may let one short term loan rollover into the next and so on. Debt load goes up, and the already struggling consumers find themselves in a position where the debt load is spiralling out of control.

●(1250)

When they are unable to pay back their loan, there have been concerns expressed with respect to the debt collection practices employed by certain segments of the industry. Oftentimes the borrower may have been unaware of the many terms and conditions associated with the lending agreement, those aspects of the loan that one could expect to find buried among the fine print.

This is confirmed by the Public Interest Advocacy Centre in a report entitled "Fringe Lending and Alternative Banking: the Consumer Experience", which notes that most consumers of alternative financial services such as payday lending are unaware of the cost of the services they use.

This government believes that consumers should be afforded effective consumer protection from this industry. That is why Bill C-26 is so important.

Government Orders

Many, including the provinces and territories as well as consumer advocacy groups, have said that section 347 of the Criminal Code remains a barrier to the effective regulation of the payday lending industry in Canada. The provinces and territories have said that they will not take steps to regulate the payday lending industry when section 347 makes such activity technically illegal.

Section 347 is the usury provision. It creates two specific offences: one, to enter into an agreement or arrangement to receive interest at an annual rate exceeding 60%; and two, to receive payment or partial payment of interest exceeding 60%.

While these provisions were enacted to combat the practice of loansharking, the reality is that they also apply to most lending arrangements in Canada, including payday lending. Bill C-26 therefore proposes to amend section 347 of the Criminal Code and thereby clear the way for the provinces and territories and provide the flexibility they need to regulate the payday lending industry.

The amendments proposed by Bill C-26 are not long and they are not complicated. Essentially they carve out a limited exemption from the applicability of section 347 for payday lenders in prescribed circumstances. By proceeding in this fashion and crafting a narrow exception rather than repealing section 347 in its entirety, Bill C-26 ensures that all Canadians will be afforded protection from the exploitative practices of loansharking while at the same time responding to the needs of the provinces and territories in relation to the payday lending industry.

The proposed exemption scheme would be established under a new section, proposed section 347.1. This new section prescribes the exact circumstances that would need to exist in order for a payday loan to be exempt from section 347.

First, Bill C-26 proposes to define a payday loan for the purposes of the exemption. This definition is important because it ensures that only a clearly defined class of lending arrangements will be eligible for being exempt. As such, "payday loan" is defined to mean as follows:

—an advancement of money in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature but not for any guarantee, suretyship, overdraft protection or security on property and not through a margin loan, pawnbroking, a line of credit or a credit card.

In my opinion this definition is appropriate. It appropriately captures the typical payday loan scenario that I described earlier and provides the precision necessary to specify which loans will be captured by the exemption and which ones, where the policy considerations are different, will not be eligible.

Bill C-26 proposes three requirements that must be present before a payday loan will be exempt from section 347. First is that the loan amount not exceed \$1,500 and be for a term that is less than 62 days. As such, not all payday loans will be eligible for exemption, only those that fall within these further restrictions. These limits appropriately reflect the fact that payday loans are generally for a small sum over a short period of time.

•(1255)

Second, the payday lender must be licensed or otherwise authorized by the province in which it operates to enter into a payday lending arrangement. This is the crucial component of the

amendments proposed by Bill C-26, because this requirement will ensure that for an exemption to apply there must first be laws in place to govern payday lending in the province in question. Ultimately, it will be up to the provinces and territories to decide whether and, in virtually all respects, the extent to which they will legislate.

The only requirement that Bill C-26 requires in relation to the provincial legislative framework for the exemption to apply is that there be a prescribed limit on the total cost of borrowing. This makes sense. This requirement will ensure consumers know exactly how much they are paying for accessing a payday loan.

Finally, Bill C-26 provides that if a province or territory wishes to regulate the payday lending industry in a manner which would exempt payday lenders from section 347 of the Criminal Code, then they will also be required to be designated by the federal government.

Not all provinces will wish to or need to do this. For example, in Quebec lending at more than 35% is prohibited, so there is no need for an exemption in that province. In other cases, the designation will be required.

Seeking this designation is very straightforward. For such a designation, a province would write to the federal Minister of Justice and indicate that it has legislative means in place that provide consumer protection measures for those who seek payday loans, including, as noted already, a limit on the total cost to consumers for payday borrowing.

Upon the province's indication that requirements for an exemption have been met, and upon the recommendation of the federal Minister of Industry, the Minister of Justice would then recommend to the governor in council that the exemption be made.

Importantly, this designation can be rescinded at any point at the federal level in those instances where the province no longer meets the requirements for the designation or where the rescission has been requested by the province. This is a pragmatic and sensible approach in a country as vast and diverse as ours. The decision on how to regulate the payday lending industry will be entirely up to the provinces.

Indeed, consumer protection measures fall within the constitutional competence of the provinces and territories. The provinces already have consumer protection legislation designed to address the specific concerns and realities of their jurisdictions and they are the best place to identify the components that are necessary to ensure effective consumer protection within their own jurisdiction.

The approach provided for in Bill C-26 complements this existing provincial legislative framework. I support this approach. It makes sense and will facilitate greater regulation of the payday lending industry across Canada.

Contrary to what some might say, Bill C-26 is neither encroaching upon provincial jurisdiction in relation to consumer protection measures nor necessitating that provincial governments seek a federal blessing or stamp of approval for its consumer protection measures.

Government Orders

In fact, Bill C-26 does quite the opposite. Bill C-26 would amend the Criminal Code to provide the provinces and territories with the flexibility they need, and indeed, the flexibility they have requested, to enact consumer protection measures within their jurisdiction to better regulate the payday lending industry.

As I mentioned, many jurisdictions have indicated that section 347 of the Criminal Code hampers their ability to enact consumer protection legislation within their own jurisdiction. By removing this barrier, Bill C-26 will facilitate greater regulation at the provincial level and meet the needs of consumers and the groups who have advocated on their behalf.

These proposed amendments are long overdue. As I noted earlier, the payday lending industry originated in the United States before spreading north into western Canada in the mid-1990s. In the United States, many state legislatures have taken the necessary steps to regulate this industry in order to protect their consumers from unscrupulous business practices.

To name only a few, California, Vermont, Michigan, Mississippi, New York and Virginia all have legislation in place to regulate the payday lending industry. While the exact content of the legislation varies from place to place, common features of payday lending legislation in the United States include limits on the amount of money that can be borrowed as well as the cost associated with the loan.

• (1300)

We see the same thing happening right here in Canada. Already, Manitoba and Nova Scotia have enacted legislation in their provinces to provide greater consumer protection for those who use the services of payday lenders. In Manitoba, for example, the Consumer Protection Amendment Act received royal assent on December 7 of last year. In Nova Scotia, the Consumer Protection Act was amended and received royal assent on November 23 of last year.

Both of these pieces of legislation are specifically designed to regulate the payday lending industry in those provinces. They include requirements for lenders and set out rights for the borrower, and both provide that a maximum will be set on the amount that can be charged for a payday loan. Both of these pieces of legislation are not yet in force and are in fact awaiting the passage of Bill C-26 before taking effect.

The governments of Manitoba and Nova Scotia are watching the progress of Bill C-26 because its passage will ultimately mean greater protection and greater regulation for the industry, which of course will be of benefit to consumers in those provinces. Other provinces have indicated they will follow suit.

With the passage of Bill C-26, the provinces and territories will have greater flexibility in addressing the payday lending industry within their own jurisdictions. The approach we are taking is the right one.

In closing, the protection of Canadian consumers is something on which we can all agree, and I believe that Bill C-26 will provide for this. I urge all hon. members to join me in supporting its quick passage into law.

Hon. Charles Hubbard (Miramichi, Lib.): Mr. Speaker, the parliamentary secretary alluded to similar activities in Nova Scotia and Manitoba in terms of their legislation. I am wondering if he is able to give the House some direction in terms of administrative fees and other costs that go with payday loans.

Mr. Rob Moore: Mr. Speaker, that is a good question. Earlier in my speech I mentioned the total annual cost of borrowing, including all fees, some of which I named, and the interest that is charged. Worked out annually it could be over 100%, 200%, 300% or even 1000%. It is in fact the fees that are adding to the overall cost of borrowing, as well as the interest.

What is important to note is that Nova Scotia and Manitoba have taken up the call to protect their consumers in their respective provinces. They have put in place a framework that will put a maximum in place in regard to protection for consumers so that there can be a better understanding of the relationship that the consumer is entering into with a payday lending institution.

But in order for them to feel comfortable in enacting that legislation, in making that legislation the law, they first require the passage of this bill, Bill C-26, which would amend the Criminal Code and in fact would pave the way for the provinces to bring in their own frameworks, frameworks that are appropriate for each province.

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, Bill C-26 is a blatant example of the Conservatives saying one thing, but doing something else. They claim to want to use a different approach with the provinces and to respect their jurisdictions, but in this case Quebec has had its own Consumer Protection Act for years, to deal with payday loans.

In fact, this industry barely exists in Quebec, because we have eliminated excessive rates. The annual interest rate must be indicated on loan contracts, and the courts have established that an annual interest rate above 35% is excessive. In other words, we already have the tools to legislate this area.

I realize that the other provinces want some legislation, but this is a matter of regulating commercial practices and comes under provincial jurisdiction.

Why did the federal government not simply say that, where relevant legislation exists, such legislation will apply?

The Consumer Protection Act has been in effect for over two decades and it is working very well in Quebec. In committee, we suggested that this be indicated in the legislation, but that proposal was rejected by the other three parties, which completely ignored the fact that Quebec's experience in this regard is conclusive.

Why does the federal government not accept that we simply indicate this in the act, instead of having the Prime Minister give his blessing and the governor in council decide whether or not the Quebec legislation is acceptable?

The government could simply have said that, if a province already has an act, that legislation will continue to apply, and where new legislation is passed, such legislation will have been determined by the provinces.

Government Orders

How do we explain this discrepancy between the Conservatives' rhetoric and the respect for provincial jurisdictions? In the case of payday loans, Quebec has long had in place a tool that is recognized as adequate and acceptable.

The Conservative government has decided to adopt the same attitude as its predecessor and as federal governments in general. This means that the federal government will impose the same measure across the country, without taking into consideration the initiatives implemented by various provinces.

Why does the Conservative government not show good faith for once and accept such an amendment, so that we have an act that will adequately serve Canada, while respecting the practice that has been in use for decades in Quebec?

• (1305)

[*English*]

Mr. Rob Moore: Mr. Speaker, I listened with interest to the hon. member's question. My speech basically refutes everything the hon. member just said. I said very clearly that not all provinces would wish to or need to do this. For example, in Quebec lending at more than 35% is prohibited, so there is no need for an exemption in that province. In other cases the designation will be required.

As the hon. member correctly pointed out, this means that Quebec has essentially banned the practice of payday lending and payday lending institutions by implementing a 35% cap on the maximum amount of interest that can be meted out in a loan agreement. The other provinces are calling for us to pave the way by amending the Criminal Code, which prohibits an amount that would equal over 60% and makes it a criminal offence to charge interest at a rate over that amount. I mentioned that in my speech. The provinces do not feel comfortable bringing in their own legislative frameworks to accommodate their consumers until we at the federal level pull away from that area of jurisdiction.

Quite to the contrary, we are actually recognizing the competence and the jurisdiction of each province to put in place its own framework. Quebec has done so. Manitoba and Nova Scotia have also done so. The approach that Manitoba and Nova Scotia wish to take requires Bill C-26 to pass. This would allow provinces to legislate in this area to protect their own consumers.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, coming from the province of Manitoba, we are anxiously awaiting Bill C-26 to pass. We see it as the enabling legislation so we can start to rein in this burgeoning industry, the payday lenders that are sprouting up like mushrooms in the inner city riding that I represent. They are an absolute scourge on the poor.

It is not any wonder that they are burgeoning and popping up in virtually every vacancy and every strip mall one can imagine. They are not just charging 60%, or 100%, or 1000% interest, some are charging 10,000% interest, according to independent studies done by the University of Winnipeg. Even the old leg-breaking loan sharks could not make money like that. There is no single thing one could do in the country to make 10,000% interest. I am told that selling cocaine does not get one 10,000% interest.

We are anxiously awaiting the implementation of the bill.

However, why were they not prosecuting these people all along? Why did successive governments ignore the fact that these guys were charging usurious rates, clearly against the Criminal Code of Canada and clearly undermining the financial stability of the inner city of Winnipeg and other cities. What possible reason could they have for not busting these guys? Why were these underworld figures, who run these payday lending outfits, not locked up before we had to even take this measure to provide a regulatory framework?

• (1310)

Mr. Rob Moore: Mr. Speaker, section 347 of the Criminal Code, which prohibits interest of over 60%, was originally brought forward to address the type of loansharking the hon. member has referenced, the serious cases that we perhaps have seen in the movies. People do not imagine, in many cases, the thousands and, indeed, millions of transactions that take place in Canada with some of the payday lending institutions.

As I mentioned, the payday lending branch is a relatively new phenomenon in Canada. It has developed since those provisions in the Criminal Code were made to combat loansharking.

We feel that section 347, while appropriate to deal with loansharking, those type of serious underworld activities, as the member references, is not the best tool to regulate the payday lending industry as it has developed. We feel the group in the best position to regulate this industry is the provinces. We have talked a bit about Manitoba. I mentioned Nova Scotia. We talked about Quebec.

It could be that each province will take a somewhat different approach to regulate payday lending within its jurisdiction. We recognize the different approaches that provinces wish to take. By passing Bill C-26, at their request, we are enabling them to take that approach. It should be mentioned that if a province chooses not to move in this direction and regulate that area of law, then section 347 of the Criminal Code continues to apply to all transactions.

Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.): Mr. Speaker, I believe if you would seek it, you would find unanimous consent for me to split my time with the member for Malpeque.

The Deputy Speaker: Is there unanimous consent?

Some hon. members: Agreed.

Mr. Ken Boshcoff: Mr. Speaker, I rise today to speak in favour of the legislation before us, Bill C-26, An Act to amend the Criminal Code (criminal interest rate).

The legislation seeks to amend section 347 of the Criminal Code of Canada, which criminalized the charging of usurious interest rates. Section 347 limits interest charges on loans to 60% per annum.

Government Orders

When it was enacted, section 347 contemplated larger long term loans. As such, this section of the Criminal Code requires the interest on a loan to be calculated annually, even if the loan is for a short term, such as only five days. Therefore, the interest is calculated by compounding daily over 365 days, even if the loan is only held for a few days. One hundred dollars lent for five days at a cost of \$1 therefore amounts to 107% annual interest. This would be the equivalent of requiring hotels to post their annual room rates at \$55,000 per year, rather than \$150 per night. Similarly, this would be the same as requiring a car rental agency to post its rates at \$13,000 a year rather than \$35 per day. We use many such short terms devices in our daily lives and we calculate the services using short term pricing, not annual rate, a meal in a restaurant or a tax trip across town.

Payday loans are also a short term product, so annualized rates are the wrong measure of the products cost.

What is a payday loan? This is defined as an advancement of money in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature, but not for any guarantee suretyship, overdraft protection or security on property and not through a margin loan, pawnbroking, line of credit or a credit card.

In order to qualify for a payday loan, the borrower generally must have identification, a personal chequing account and a pay stub or other proof of a regular income. Payday lenders typically extend credit based on a percentage of the borrowers net pay until his or her next payday. The borrower provides the lender with a post-dated cheque or authorized direct withdrawal for the value of the loan, plus any interest or fees charged.

Who uses payday loans? In early 2005 the Consumer Agency of Canada placed questions on the Canadian Ipsos Reid Express, a national omnibus poll of Canadian adults, about Canadians experiences with and motivations for using cheque cashing and payday loan services. The survey found that approximately 7% of survey respondents had used a cheque cashing or payday loan company. Cheque cashing was the most frequently used service at 57%, followed by payday loans at 25% and tax refund anticipation loans at 5%.

Certain respondents were more likely to have used these services, including men, those between the ages of 18 and 34, urban residents, residents of British Columbia, Alberta, Saskatchewan and Manitoba, those with household incomes less than \$30,000 and those with some post-secondary education. Some of the reasons cited included that it was faster, it was more efficient and they needed the money more immediately, that the hours were more convenient, that they were open later than other financial institutions and that they had previous credit card problems, no credit card or no chequing account.

Although I personally never needed to use a payday loan, I can imagine how the service could be very helpful. There are so many scenarios that would require such instantaneous access to cash such as car repairs on a long distance trip, provision of a rental deposit to secure that just right apartment, a sudden illness or death of a family member that requires an unexpected trip to another province.

For those who are living through the challenge of a previous bankruptcy, life is a cash only society, with no access to credit cards to help bridge the wait between paydays. Clearly, payday loans are a required services for many Canadians, but they need to be regulated to ensure that consumers are protected.

• (1315)

The Canadian Payday Loan Association indicates that the payday loan industry first emerged in Canada in the mid-1990s. As of 2004 there were nearly 1,200 outlets, and as the parliamentary secretary advised, there are more than 1,300 right now. In my riding of Thunder Bay—Rainy River, I have recently witnessed the opening of nearly half a dozen payday loan businesses where just 10 years ago there were virtually none.

Why are amendments needed?

As stated earlier, section 347 makes it a criminal offence to charge more than 60% per annum. Section 347 was initially introduced to combat the practice of loan sharking and its links to organized crime. It was not intended to be a consumer protection tool for economic price regulations.

If the rate of interest on a payday loan transaction is calculated according to the definitions and methods specified in the Criminal Code, some payday loan companies appear to be charging in excess of 1,200% per annum. However, it is clear that interest rates on such short term loans should not be calculated the same as those on long term loans. It is also clear at the same time that there is increased demand for payday loan services.

The problem arises because of shared federal-provincial jurisdiction. Financial institutions are regulated either federally or provincially and territorially, depending upon which order of government incorporated them. The federal government has jurisdiction over interest rates, but the day to day regulation and licensing of payday lenders most likely falls under provincial jurisdiction as part of the provinces' power over property and civil rights.

Because of this confusion in jurisdiction, payday lenders have been left essentially unregulated. Provinces are unable to regulate the price of a loan, since any attempt to do so would conflict with section 347 and could therefore be challenged. However, section 347 has not been used in a criminal context to curtail the activities of payday lenders because the consent of a provincial attorney general is required to prosecute an offence.

Provincial governments are wary to prosecute a payday lender for fear that the lack of a payday loan company alternative would result in consumers using illegal alternatives such as loan sharks. The payday lending sector is one of the only segments of Canada's financial services sector that remains unregulated.

Government Orders

All other countries that have experienced rapid growth in the industry, including the United Kingdom, Australia and the United States, have rules in place to protect consumers. The United States, for example, has 22,000 retail store outlets. Forty states have put in place consumer protection rules. To date, no fewer than five provinces have openly called upon the federal government to change section 347 so that they can move ahead with provincial regulation of the industry.

If the payday loan industry is not regulated, its future may ultimately be determined by a number of class action lawsuits that are currently proceeding through Canadian courts. These lawsuits claim that consumers were charged fees in excess of the Criminal Code rate and seek to recover hundreds of millions of dollars worth of interest. Should these class action lawsuits succeed, they could potentially bankrupt the payday loan industry.

There have been significant federal-provincial-territorial consultations regarding regulation of the payday loan industry. Through this consultative process, they have all agreed that section 347 is an inappropriate control for payday loans and that it should be amended to enable provincial regulation of the industry.

In October 2005 the Liberal federal minister of justice acknowledged that section 347 does not make sense and should not apply to payday loan companies. The minister sought and obtained cabinet approval to amend section 347 accordingly.

I am very pleased to see that that Conservative government has chosen to follow through with the introduction of this legislation, which was developed through the hard work of the former Liberal ministers of justice and industry. The dropping of the writ and subsequent election are its own story.

What has been changed with Bill C-26?

The bill adds a definition of payday loan. This is an important addition because it provides a clear definition of a second kind of loan where previously there was no differentiation and all loans were treated equally.

• (1320)

Clause 2 introduces new subsection 347.1(2) which exempts a person who makes a payday loan from criminal prosecution, if the loan is for \$1,500 or less and the term of the agreement—

The Deputy Speaker: Order. Questions and comments, the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.
[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, my riding is another one with a very long name that describes the whole of the area where the people I represent in this House make their homes.

I listened with interest to the remarks of my colleague. I know that the work has been done by the Standing Committee on Industry and not the Standing Committee on Justice. Perhaps he is not aware of how these things were done, but I would still like to ask him a question.

In Quebec, as opposed to what has happened in the rest of Canada, the matter of payday loans was dealt with in the 1990s—if

not, indeed, the 1980s—with the creation of the Office de la protection du consommateur. In Quebec, the maximum rate of interest that can be charged is 35%. When this bill was tabled, we expected, therefore, that the federal government would say that any provinces that already has similar legislation, with adequate protection, has only to declare that and it will be automatically designated. That would have made it possible to adopt the bill very quickly in one day of parliamentary debate. However, in committee we encountered fierce opposition—not just mild opposition—from representatives of the other three parties because they absolutely insist that the federal government must have the right to give its blessing to the provincial legislation.

I would like to ask my colleague, instead of demanding that there be a designation made by the governor in council, and in the final analysis, the Prime Minister, would it not have been more reasonable to decide whether Quebec's act is acceptable on the basis of the provisions in Bill C-26?

Would it not have been possible to accept an amendment that was suggested not only by the separatists in Bloc Québécois but also by the Government of Quebec, which represents all Quebeckers and which has administered the current act for 25 years?

Could the Conservatives not have shown that much flexibility when they are so fond of proclaiming that they respect provincial jurisdiction? In this case, they show no sign of that respect.

• (1325)

[*English*]

Mr. Ken Boshcoff: Mr. Speaker, there has been widespread media attention to this. Some of the provinces, such as New Brunswick, state that they welcome the news about the introduction of legislation at the federal level. Others say handing the regulation of payday loans over to the provinces is the best thing the federal government could do to fix the situation that has allowed financially troubled consumers to be victimized by predatory lenders.

When the hon. member makes his case, he does it very logically and fairly. I hope that hon. members of the House would consider that.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I am pleased to speak to Bill C-26, an act to amend the Criminal Code (criminal interest rate).

The bill was reported back to the House from committee on December 13. It very seldom happens that a bill is reported back without amendments. That shows what can happen when there is strong cooperation between the parties. Actually this is one of six bills the official opposition has called upon the government to work with all parties to pass as soon as possible.

Government Orders

We believe with just a little more cooperation, especially from the government, that in addition to Bill C-26, the following bills could be reported back to the House: Bill C-9, which would restrict the use of conditional sentences; Bill C-18, which would strengthen the DNA data bank; Bill C-19, which would amend the Criminal Code on street racing; Bill C-23, which would amend the Criminal Code and criminal procedure in languages of the accused and sentencing, in other words, update Canada's Criminal Code; and Bill C-22, which would amend the Criminal Code with respect to age of protection, with the importance of protecting children. We believe with a little more cooperation from the government, we could in fact be getting those six bills approved in the House.

In summary, Bill C-26 amends the Criminal Code of Canada to exempt payday lenders who operate in provinces and territories having measures in place to protect borrowers from the application of section 347 of the Criminal Code of Canada, and require jurisdictions that regulate the industry to place limits on the cost to consumers of payday borrowing.

To a great extent a lot of work was done on this bill by previous ministers of industry and justice. A lot of work has gone on with the provinces and territories to get the kind of collaboration needed to put forward this bill in the House of Commons. I congratulate all the folks, including members of the government, who were involved in those discussions to get us where we are at today.

There is certainly a need to ensure consumers that usury interest rates are not allowed in this country. There is no question that there is a lot of authority in the Criminal Code of Canada under section 347 to lay criminal charges for usurious interest rates. Section 347 makes it a criminal offence to charge more than 60% per annum.

As we all know, some payday loan companies have charged far in excess of that rate. In fact, we have heard of outrageous interest charges, when compounded and fees are added, in excess of 1,200% per annum, yet no charges under section 347 to payday loan companies have been made.

Yes, the concern is there, but the payday loan business is a little more complicated jurisdictionally, and I would say on an individual need basis, more than meets the eye. Jurisdictionally payday loan operations are considered to be commercial businesses. They are not banks, although I think many people believe they are. As commercial businesses, to a great extent they fall under provincial jurisdiction.

My colleague, the MP for Scarborough—Rouge River, explained it. I want to quote from his remarks in the House because he gave best explanation on this point:

We are going to keep a Criminal Code provision, but we are going to allow an exemption for a lawful business that lends money using this payday loan mechanism. The exemption will be based on the premise that a province or a territory is regulating the commercial operation.

• (1330)

He went on to say:

Placing this amendment with section 347, will allow the provinces to assume their proper jurisdiction in the regulation of the commercial affairs of their citizens. However, at the same time, we maintain the criminal prohibition with the 60% per annum cap where there is no provincial regulation. We are assuming that a province will provide a form of regulation that will essentially keep the same level of protection the consumers have had up to now.

It is important to mention that because it explains the jurisdictional problem and the difference between the commercialization as a business.

Therefore, the bill does cover off the jurisdictional question under clause 2 by the person being licensed by the province to enter into the agreement, and second, the province has been designated by the governor in council or cabinet under the proposed new section 347.1.3.

On an individual need basis, it is obvious from the demand for transactions, estimated to be \$1.3 billion or more, and in fact the parliamentary secretary said it is as high as \$2 billion now, and also the increase of payday loan companies that are estimated to be over 1,300. It is obvious from these shocking figures that individual Canadians have an urgent need for short term cash for whatever reason.

Yes, I recognize the amounts are in the low hundreds of dollars, but the cost, as others have said before me, are very high.

Mr. Jenkin with the Department of Industry, who was a witness before committee, indicated:

It's a form of short-term lending through which the consumer typically borrows several hundred dollars for 10 days to two weeks. The borrowing costs are very high, as you probably know. They are usually in the range of, for example, \$40 to \$75 for a \$300 loan for two weeks or less.

I must emphasize that while I support the bill as a way to improve the situation for people who are in need of immediate cash, I still am worried about the impact of the financial strain on individuals. There is no question in my mind that the individuals who are basically forced to use these services are the ones who can least afford to pay these high fees. Maybe they need the dollars to provide food, buy groceries for the family. Maybe they need the dollars for a medical bill or maybe they even need the dollars to pay the minimum payment on a high interest bearing credit card.

Whatever the reason, there is clearly a problem out there that needs to be addressed beyond this bill. I certainly would advise the government and others that we really need to be doing as a country, both at the provincial and federal level, some research into the social or economic reason why people think they are forced to go to these services for those kinds of money. They are the people who can least afford it and I believe that needs to be looks into and addressed.

The bottom line is that we are in favour of this bill. We do believe it is a step in the right direction. However, there are other underlying causes that we need to recognize are out there in a social and economic sense and issues that really affect people in their daily lives that forces them to use these services. That is the worrisome point.

The bill is good but I believe the House and the government need to look at the underlying causes of the need to use these services more so.

Government Orders

• (1335)

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, I was very interested in what my colleague said in his speech, particularly in the fact that he said there will have to be further complementary studies not only to address the disciplinary aspect of this issue, but also to identify the causes and implement the most appropriate measures.

That is why I would invite him—as well as provincial government representatives—to learn more from the Government of Quebec about the current practice that the Office de la protection du consommateur has overseen for almost 20 years, a practice that limits payday loan interest rates to about 35% in Quebec and that has helped curb development in the payday loan sector. This may also be due in part to the fact that the Desjardins group has a particular interest as a lender, as a cooperative lending institution, in ensuring that its members receive the best possible service. In any case, these measures have worked together to prevent the problem from emerging in Quebec as it has done in the rest of Canada.

In light of this visit, this experience, this exchange, the federal government should recognize that Quebec has developed this approach within its jurisdiction. Furthermore, it should simply make note of the results and accept that there is already legislation in place in Quebec. A letter from Quebec's minister of Justice to the federal Minister of Justice explaining that Quebec has a law that meets this goal and that, as such, he considers the requirement fulfilled should suffice. There should be no need to subject a province to an assessment in an area that is already under its jurisdiction.

[*English*]

Hon. Wayne Easter: Mr. Speaker, I do not think there is any concrete evidence to prove the point that the job is being handled well in Quebec. We know they are not being used as much in Quebec but we do not know the underlying reasons for that. It would require a lot more research than the typical Bloc Québécois approach, which is that it is basically due to the issues as they exist in that province. Some national research needs to be done in that area and that can be done with this bill in place. With some provincial jurisdictions operating a little differently than others, there would be the foundation to do that research in the future to get concrete results.

• (1340)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I wonder if my colleague from Malpeque would agree that the reason these payday loan outfits have popped up like mushrooms in virtually every town and community in the country is that the banks have abandoned many places. We have had 15 branch closures just in my riding of Winnipeg Centre in the last five years. In their place, these payday loan ripoff outfits, and I do not hesitate to call them that, have popped up to provide for the basic needs of people who might need financial services.

Would he not agree that while we are trying to regulate and rein in these payday loan outfits, we should also be reminding the banks of their obligations under their charters to provide basic services for Canadians? For instance, under the Bank Act the banks must allow somebody to open a bank account even if that person has no money.

Maybe these people would not need to go to a payday loan outfit if the bank had a branch somewhere within miles of where these people live and allow people to open a bank account so they can cash their cheques without paying 3% or 5%. Would he not agree that we need to get after the big banks to live up to their obligations at the same time as we are trying to rein in these ripoff payday loan outfits?

Hon. Wayne Easter: Mr. Speaker, it is not only in downtown Winnipeg where banks have withdrawn services and centralized their banking operations. I have had the opportunity to travel a lot in rural Canada and I have seen a lot of that happening there as well.

I actually think it could be a factor because people do need to go somewhere to cash their cheques. At one time banks were a very important part of many rural communities. They have withdrawn their services at a time when we see their profits going through the roof. They not only charge high enough interest rates but their fees are absolutely ridiculous. I do not think many Canadians recognize how much the fees stacked on top of fees have escalated within the banking sector.

I see the parliamentary secretary to the Minister of Agriculture and Agri-Food over there. If the government continues it moves on the Canadian Wheat Board, we may see farmers themselves using payday loans. The government is withdrawing dollars right out of farmers' pockets with its attack on and undermining of the Canadian Wheat Board.

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, today I rise to speak to Bill C-26. After examining this bill in the parliamentary committee, I thought that it would be very favourably received since the Government of Quebec has had legislation for the last two decades that manages the payday loans issue through the Office de la protection du consommateur.

Quebeckers who are listening to the debate today must be wondering why this question has still not been resolved. They must be asking themselves, "Is there not legislation under which this issue could be dealt with?" The answer is no. In the rest of Canada, that is not the case.

I saw this in committee. The representatives of the three federalist parties joined together and systematically, and very firmly, opposed a slight amendment being made to provide that in the event that a province—such as Quebec—already had a law that addressed this issue adequately, no in-depth study would be done. The jurisdiction of the province would be respected. The provincial authorities have decided that this is the right approach. At that point, notice would simply be taken that the law and the mechanics were already in place. That is the law that would prevail.

Government Orders

The payday loans question is important because it often affects people with very low incomes or people who suddenly need financial loans. In the rest of Canada, a flourishing industry has developed that engages in all sorts of conduct. Some work according to all the rules, others less so. I perfectly understand that there would be a desire to deal with this issue. The Bloc has never objected to this kind of legislation being applied in the provinces where there is not already legislation in this area and where the provinces decide to apply it.

Our opposition to the bill arises out of the fact that there is already a law in Quebec. My colleague said earlier that he had a problem with the Bloc's approach and that he needed proof. This is not the Bloc's approach; it is Quebec's approach.

The present federalist liberal government in Quebec City is of the same view as the Bloc on this point. We have checked with the office of the minister. The office of the minister wanted Quebec to be able to say, by giving notice to the federal government, "We already have legislation that deals with the question of payday loans, and accordingly it is that legislation that will apply in Quebec."

In actual fact, though, this is not the answer we received. The provincial government will have to submit its legislation to the federal government. There will be studies of the appropriateness of the bill and how we are dealing with this problem. Then it will be referred to the Governor in Council. It is quite a production.

Although this is a provincial jurisdiction, that is to say, an area that is Quebec's responsibility, and although Quebec has had 20 years of experience and there are no problems with the application of the law, we still have to go and seek the blessing of our big brother in Ottawa.

It is totally incomprehensible that a Conservative government like this one, which claimed that it would show more respect for areas of provincial jurisdiction, would act in this way. There is even talk of a bill to provide a framework for the federal government's spending power.

They say that Quebec is a nation. The Prime Minister himself introduced a motion in the House to this effect. But at the first opportunity, when they finally have a chance to show they are going to do things differently, the bulldozer is there ready to go. The steamroller is right there. They are going to standardize everything all across Canada.

The provinces will all be required to justify their legislation. Even 20 years of experience in this area does not matter. According to the federal government, that is not how these issues can be resolved.

It is important to know that under the practices developed in Quebec over the years, the maximum currently acceptable rate is 35%. That is very different from what is seen in the rest of Canada. Thanks to the Office de la protection du consommateur, the various roles are well defined and understood. We do not have any problems with this industry. To the extent that it exists, particular practices have been accepted and excesses are prohibited. Quebecers are legally entitled to a maximum rate of about 35%.

People who want to make a pile of money in a hurry on the backs of those who are not very well off financially by providing these kinds of services have less incentive to try to do so.

● (1345)

The Criminal Code refers to a rate of 60%. Now, the government wants each province to pass legislation in this area if it sees fit, whereas Quebec has already done so.

The bill states that the federal government will designate provinces. It is therefore giving itself the right to veto the measures taken by a province that requests an exemption. A province cannot just send a letter to say that it already has legislation in place. A province that has legislation like what Quebec has had for 20 years must come, hat in hand, and ask for an exemption from a government that has been unable to solve this problem for 25 years. It is like saying, "We have a law. Will you let us enforce it?" This is typical of the federal government, especially senior bureaucrats, who want to have "One Canada, One Nation" here in Ottawa.

The reality is quite a different matter. Obviously, jurisdictional legislation will not change the world, but this is an example of a situation where, in a year when the federal government recognized Quebec as a nation, it is also telling Quebec: "You are a nation, but when it comes to payday loans, we do not recognize what you are doing and we want the right to give our OK". This is the federal government's double standard.

In its policy statements and in its day-to-day behaviour, the government is taking the old approach that Quebecers have often criticized. We hope that payday loans can continue to be dealt with the way they have been by the Government of Quebec and that the federal government will end up giving its blessing very quickly. The fact remains that this is written in law. This is something that is inconsistent with sharing jurisdictions and does not respect the expertise developed over the years.

There is no doubt that in the rest of Canada it is important to have a way to deal with this situation. We know this by the letters received from people who tell us about what is going on in the rest of Canada. There truly are behaviours that need to be brought into line. There needs to be a framework. Quebec has had this framework for 20 years now. If the provinces want to see how it works, they can contact the Government of Quebec to see the method that was developed. If they want to use it, all the better. If they decide to do something else, that is their choice. There is no problem. We will respect their jurisdictions.

Government Orders

The position the Bloc Québécois is defending today is not one of “sovereignists”, it is the position of the Government of Quebec, the current federalist government and the previous governments of Quebec. It is governments and people who have witnessed the role of the Office de la protection du consommateur. These are people who represented very different opinions on a national level, people such as Ms. Bacon, who is in the other place, and Ms. Payette, who was a Quebec minister for the Parti Québécois. She brought about some significant changes in our society and continues to do so today through her writings. These were people with very different opinions, but they had a frame of reference at the Office de la protection du consommateur, which is an example and a very interesting model. Today, Quebec is getting a rather discouraging message from the federal government.

I was even more surprised by the attitude in committee. Tomorrow in the Committee on Industry, a report will be tabled on the manufacturing sector and, without revealing the content of the report, it will be quite unequivocal about the action that should be taken in this sector.

Now, when a question of jurisdiction arises and a tiny change is needed in our legislation to ensure that Quebec's areas of jurisdiction are being respected, the three federalist parties rise to say: “No, we cannot spend time on a small amendment. There is no satisfying Quebec on this. Quebec must conform to the same requirements as the others”. This is an example of what we have seen in the past, and there are many such examples. We did not think we would see it again here today in a bill such as the one now before us.

With respect to the payday loan industry, we are told that it arose in Canada mainly in the early 1990s. I believe the Office de la protection du consommateur was already regulating the loan sector to some extent. This is likely why Quebec did not experience any serious abuses in this industry.

Jurisdiction is shared to a certain degree, since Quebec and the provinces have responsibility for local trade and commerce and civil law. There is also shared jurisdiction over contracts and consumer protection.

• (1350)

The federal government estimates that this industry now comprises more than 1,300 points of sale. Their distribution is very uneven and Quebec has very few such businesses. In practice, anyone in Quebec who is listening to this debate likely believes that this issue has already been resolved and must be wondering why a new bill has been introduced on this topic. I would like to explain to them that the industry grew at very different rates in Quebec and in Canada.

Little is heard about this issue in Quebec, because it has been resolved for several years now, in fact, for decades. The new situation in the rest of Canada must be corrected. We agree with the substance of this bill. However, when it comes to respecting jurisdictions, the bill does not in any way meet Quebec's requirements.

When I was working in committee on this issue, thanks to the marvels of modern communication technology, I received notices

from the Government of Quebec, calling for a debate to pass the proposed amendment.

Meanwhile, members of the various parties said that it was not an important issue. The deputy minister of the department, the senior public servant, had just told us that this would not have any implications for Quebec and that it was wrong to believe that federal approval would be required. Just then, I received a cabinet memo from the Quebec Minister of Justice on my Blackberry stating the exact opposite.

Such a striking example shows us that there are still too many things to be changed in this system for there to be true respect. If there is no respect for our jurisdiction in matters such as this one, which is very important, imagine what will happen with even more significant issues.

Individuals are forced to borrow money against their wages and have to deal with people who charge ridiculous rates. There must be oversight in this area.

On this matter I agree with my Liberal colleague from Prince Edward Island who spoke earlier. We must also examine the overall implications and what must be done. It is not true that the issue will be resolved by a mere rap on the knuckles of those who do wrong. An enforcement component must be put in place. However, there is also the question of the environment in which people work, as well as what is required of banking institutions.

My NDP colleague was saying that the banks have not done their job. I think there is some truth to that. In Quebec, we have the Desjardins movement. In recent years, profitability has been a major consideration, but it has nonetheless developed a means of helping individuals who are having a little more difficulty. This has prevented an unhealthy industry from emerging.

In my riding, credit unions have a special committee that looks at such issues when it is urgent. This has led to a more humane approach to these situations. This is what will have to be put in place by the provinces that need to develop legislation. With the bill before us, they will require federal government approval when they table their legislation. Perhaps this does not bother the other provinces and they agree with this way of doing things.

The government should have respected the fact that each province moves at its own pace. If the government truly respected jurisdiction in this matter, this bill would have contained an amendment making it possible for us to adopt it immediately. I sent amendments to each member of the committee. Making them would have indicated a change in attitude on the government's part toward recognizing Quebec's expertise in this matter, which is not currently the case. At the same time, the legislation would have been adopted faster so that the situation could be addressed appropriately in all Canadian provinces.

Statements by Members

In light of these factors, I believe you will understand why the Bloc Québécois cannot vote for this bill in its current form: it does not respect Quebec's jurisdiction. There is still time for the federal government to amend the bill. We can easily reach a compromise. I would ask the government to check its source within the Quebec government because that government's position on this issue is the same as the Bloc Québécois'. The bill would be much more acceptable if it were amended to take into account Quebec's expertise and to respect its jurisdiction. If that were to happen, we would have the opportunity to adopt a functional bill as soon as possible, one that respects provincial jurisdiction and Quebec's jurisdiction in this matter and that recognizes the expertise we have developed.

●(1355)

Today, a quick look at every province reveals that there is one province where payday lending is not a problem: Quebec. The other provinces have a serious problem. That is clear from the members' eagerness to pass this bill even if it means encroaching on Quebec's jurisdiction in committee.

Today's debate in this House will make the public aware of this situation. Quebec is being treated like a child with respect to this practice. Quebec has the expertise, the jurisdiction and the power to implement its legislation, but the federal government is imposing its own way of dealing with the payday loan issue.

I hope that the members of this House will pay attention to what we are saying. I will be available to answer any questions and address any comments from colleagues who are not members of the committee but who would like to have a say in this matter.

STATEMENTS BY MEMBERS

[English]

FIREFIGHTERS

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, firefighters risk their lives every day in the line of duty protecting Canadians. Without hesitation they enter dangerous situations because they are dedicated to preserving the lives of others. They serve their communities with courage and uncompromising devotion.

It is with great sorrow that I rise today in the House of Commons to announce that two firefighters lost their lives while battling a fire in Winnipeg last evening. Both gentlemen were captains, each with over 30 years experience.

I would like to extend my deepest sympathies to the families of these two heroic firefighters, along with their families at Fire Station 1 and Fire Station 2.

There are no words to express my gratitude for their bravery. Their heroic actions remind us of the risks they all face every day. This is a sad day for Winnipeg and for Canada. I ask that we all remember.

●(1400)

JACK FROST WINTERFEST

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, I would like to inform the House and all Canadians about an exciting event that will soon be taking place in my riding of Charlottetown.

From February 16 to 18 the third annual Jack Frost Children's WinterFest will be taking place in various venues around our city. This event has grown to be the biggest winter weekend east of Quebec City.

Activities for all ages are planned. There will be a snow kingdom, an indoor playground, sled runs, children's entertainers, snow and ice sculpting, outdoor skating and numerous concerts, to name a few.

I would like at this time to applaud the organizing committee for its tremendous efforts in arranging this year's Jack Frost Winterfest.

Offering world class children's entertainment and winter activities for all ages, this event is sure to be the highlight of Charlottetown's winter season.

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[Translation]

GHISLAIN PICARD

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I am pleased to acknowledge in this House the re-election by acclamation of Ghislain Picard as Regional Chief of the Assembly of First Nations of Quebec and Labrador. For the sixth time, the first nations chiefs of Quebec and Labrador have placed their trust in him and I sincerely believe he deserves it. Mr. Picard is a remarkable leader, which is certainly one of the qualities that resulted in him being inducted as a Knight of the National Order of Quebec.

During his last term of office, and for the first time in history, the First Nations of Quebec held a socio-economic summit in Mashteuiatsh, and it was a great success. For more than 15 years, Mr. Picard has worked to improve living conditions for aboriginal peoples and help them achieve greater autonomy. The Bloc Québécois congratulates Mr. Picard on his re-election and will continue to work with him.

* * *

[English]

BORDER CROSSINGS

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, with the passage and royal assent of the International Bridges and Tunnel Act, the Windsor-Detroit gateway, Canada's largest trade corridor, has finally started to receive some of the governmental oversight and regulation that was sorely lacking for the last 80 years.

Now is the time to move to the next stage, one of governance and mitigation, which is necessary to end the chaos once and for all. A public border authority needs to be established to manage and coordinate all crossings. This is the only way the public interest will be served while ensuring that the profiteer's greed is not overridden by political weakness.

Statements by Members

A community reinvestment fund is also needed to create the mitigation of the negative impacts of the border crossing, but also to compensate the communities for hosting these border crossings. These are not novel or unique ideas, but rather what other communities are receiving across this country.

In the weeks and months that follow, I will introduce legislation for a public border authority and a reinvestment fund. Now that the glass is half full, I am even more determined to ensure that the job is completed and done.

* * *

PASSPORTS

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, in preparation for the introduction of the U.S. western hemisphere travel initiative I hosted four passport clinics in my riding of Tobique—Mactaquac.

I want to thank the towns of Woodstock, Grand Falls, Hartland and the village of Perth-Andover for hosting us.

In addition, without the help of the volunteers from the Woodstock Chamber of Commerce and its president Dana Harper, the Grand Falls Chamber of Commerce and its president Curtis Halley, along with mayor Karen Titus of Perth-Andover and the member of the village office, we would not have been able to process the hundreds of documents as we did.

I also want to take the opportunity to thank my staff, Wendy Marr, Gilberte Michaud, Denise Pelletier and Sandy Martin for giving their time and expertise to assist the hundreds of people who attended these clinics.

What a great way an MP's office can work with the municipalities and the chambers of commerce. I am happy to say that based on demand we will be holding more of these in the future. I invite residents to contact my office and my website.

* * *

CRUELTY TO ANIMALS

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, more than 100,000 Canadians have signed petitions supporting effective animal cruelty legislation such as Bill C-373. They reject Senate Bill S-213 as inadequate and a step backwards.

I wish to thank Tamara Chaney, Saranna Arthur-Erickson, Miles Albrecht, Ron Watmough and many others for all their hard work to raise awareness on this issue.

One of these advocates, 12-year old Shyanna Albrecht from Medicine Hat, asked me to read her letter to the House. She wrote:

I am writing to you because on Friday, October 13, 2006, somebody came into our yard, took my rabbit Midnight out of his cage, stepped on him and mutilated him. I'm also writing to you because of the incident that happened in Didsbury where a dog got dragged behind a car and then got beaten almost to her death. Frustrated and mad is how I feel toward the killers. I am a very strong supporter of the petition to have tougher penalties for cruelty toward pets. It would be wonderful if Bill C-373 could be made into law before the government changes or an election is called.

●(1405)

INTERNATIONAL DEVELOPMENT WEEK

Mr. Ted Menzies (Macleod, CPC): Mr. Speaker, I rise today to draw attention to International Development Week, February 4 to 10, which celebrates the difference Canada and Canadians are making in the world. International Development Week has as its theme this year: "Equality between women and men. To have a voice. To have a choice".

Through CIDA, the Government of Canada works in tandem with its many Canadian and international partners for the equal participation of women and men in the development of their societies.

Canada has and will continue to demonstrate international leadership in promoting equality between men and women. What this requires is increasing the participation of women in decision-making; promoting the rights of women and girls, including their right to health and education; and providing women with access to and control over resources.

The policies and programs of Canada's government and its partners aim to achieve no less than this.

* * *

[*Translation*]

AFGHANISTAN

Ms. Caroline St-Hilaire (Longueuil—Pierre-Boucher, BQ): Mr. Speaker, one year after the London Conference, we have to admit that nothing has really changed in Kandahar. In the words of CIDA's development director in Kandahar, aid is being granted far too slowly. Out of the \$400 million promised for 2002 to 2006, Canada has, so far, committed just \$290 million.

"Where did CIDA go?" asks a desperate humanitarian worker in a refugee camp near Kandahar who is overwhelmed by the extent of the problems. We are concerned about this slow pace.

The minister seems to be denying reality and is doing nothing to remedy the situation. The government keeps using the lack of security as an excuse for the slow pace of humanitarian aid and reconstruction. It is precisely this slow humanitarian action that explains the return of the Taliban. This vicious cycle urgently needs to be broken.

During this International Development Week, the minister should do more than give fine speeches. She should keep her promises and those of her government and take action as soon as possible.

* * *

[*English*]

OIL AND GAS INDUSTRY

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, as one who is opposed to the Liberal leader who claims that working in the oil patch is easy money, I would like to commend these dedicated workers.

It is all too easy for the Liberals to assume that there is nothing to do but wait for the oil to spurt out of the ground, like some low budget western film. In reality, the typical day for an employee in the oil patch begins well before 5 a.m., lasts for 10 to 12 hours, and can only be described as back-breaking, heavy and dangerous work.

In this most Canadian of ways, those who are willing to roll up their sleeves, work hard, wake up early in the morning and work late into the evening, spend weeks away from their families and their loved ones, for those who are willing to do this, they can succeed.

From coast to coast, young Canadians are building their lives and their dreams through the energy sector. Let those of us who are fortunate to work here indoors in the halls of power instead of the tar sands and in the freezing wilderness of the north never forget that it is because of these Canadians, these real people and their unsurpassable spirit, that Canada is free and prosperous.

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[Translation]

PIERRE FORTIER

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, it is with sadness that I rise today to recognize the passing of Mr. Pierre Fortier, at the age of 75, on January 30, following a brief illness.

Emeritus professor of French and French Canadian literature in Saint-Boniface, at Laurentian University, and for 30 years at York University's Glendon College, Mr. Fortier worked relentlessly for the francophone communities of Ontario and Toronto. In 1984, he co-founded the Toronto Historical Society, to which he dedicated time and energy until the very last few weeks. He also did volunteer work for over 20 years with the Centres d'accueil Héritage.

Mr. Fortier was honoured on a number of occasions for his excellent work and contribution to Toronto's francophone community. In 2004, he received the Ontario senior achievement award from the Lieutenant Governor of Ontario for his major contribution to the francophone community after the age of 65.

On behalf of that same community, we thank Mr. Fortier for everything that he did throughout his life.

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ÉMILIE PAQUET AND ARIANE FORTIN

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, it takes discipline, talent, willpower, courage and perseverance to join the elite and become world champions. Today, I want to mention the achievements of two athletes from Lévis-Bellechasse, who are the best in their fields.

First, there is Émilie Paquet, from Pintendre, who recently won the traditional kata competition at the worlds, in Spain. Émilie, who is only 12 years old, has been practising karate since the age of 5 and, through perseverance and determination, she is continuing to aim for nothing less than the ultimate level.

Ariane Fortin, a member of Lévis' olympic boxing club, is the new world champion, following her victory at the world championships held in New Delhi, India. The 22-year-old athlete is increasingly establishing herself as a leader on the Canadian team.

Statements by Members

These two young women are examples for us all. I wish to highlight their victory, because, in addition to excelling in strength and power disciplines, they are making efforts and sacrifices while also displaying maturity to reach the world's top levels.

We thank Émilie and Ariane for making us so proud and we wish them good luck.

* * *

● (1410)

[English]

FIREFIGHTERS

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, today we are all reeling with the news of the terrible house fire in Winnipeg that resulted in a flashover and saw the death of two brave veteran Winnipeg firefighters, and resulted in the injury of at least four others, one very seriously.

Our thoughts and prayers today go out to the families of those who died and those who were injured, and to the members of the United Firefighters of Winnipeg Local 867, who are in mourning for their comrades.

This incident is a vivid reminder of the extraordinary bravery and sacrifice that firefighters offer to our communities year in and year out to keep Canadians safe. They know the risks yet that does not stop these brave men and women in Winnipeg and across the nation from stepping forward to put their lives on the line.

Today we acknowledge this heroism to ensure that we never view the extraordinary as ordinary. Today we honour their memory. We will never take this sacrifice for granted.

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STUDENT ACTIVISTS

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, I would like to congratulate members of the JACTivists, a student run advocacy group at John Abbott College in my riding that campaigns for human rights and environmental sustainability.

The JACTivists have come together under the leadership of Devon Willis to push the Government of Canada to rally countries around the world toward strong, coordinated international political, diplomatic and military action to save the people of Darfur from further genocide and crimes against humanity. The JACTivists have gathered over 1,400 names on a petition in support of this goal.

I support the JACTivists in this call for action on Darfur. I urge the government to take note and show greater international leadership on this most vital of issues.

Oral Questions

[Translation]

CANADA POST

Mr. Luc Malo (Verchères—Les Patriotes, BQ): Mr. Speaker, for the past several months, Canada Post's famous slogan "From anywhere... to anyone" has been sounding pretty ironic to more than 5,000 constituents from the Domaine des Hauts-Bois, in the city of Sainte-Julie, in the riding of Verchères—Les Patriotes. Since the postal outlet serving their neighbourhood closed down, these citizens have had to cross a highway to get to their brand new point of service, located near the main post office.

The people concerned, who can rely on the support of the municipal authorities, which recognize that their demands are legitimate, have mobilized. A petition signed by more than 900 citizens was recently sent to the president of the Canada Post Corporation, asking her to intervene. Despite the clearly expressed public discontent, she has turned a deaf ear to the petitioners' request and will not take any action to open a postal outlet in the Domaine des Hauts-Bois area.

I urge the minister responsible for Canada Post to remind its president that such a close-minded attitude is unacceptable.

* * *

[English]

CHILD CARE

Hon. Ken Dryden (York Centre, Lib.): Mr. Speaker, code blue for child care has spoken. The Conservatives' child care allowance does not work because it could never work. The average cost of child care in this country is \$8,000, even at the Billy Bee Daycare down the street.

Does \$1,200 before taxes allow one to put a child into child care? No. Into better child care? No. Does it allow mothers earning an average woman's salary of \$25,000 to stay at home? No.

What about new spaces? With the subsidies, the middle class and poor cannot afford these spaces anyway so they do not get built. This is child care for people who do not believe in child care. They cannot do what they do not believe in.

It is the same for climate change and for aboriginal people. In the Prime Minister's own clear, decisive words, he does not believe. His approach is to take on the smaller stuff instead, set the bar low, really, really low, then by George hit it, get the job done. But get what job done? That is the question.

Real leadership is not decisiveness, it is direction. Canadians want and need as a Prime Minister, a real believer, a real leader.

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● (1415)

SENATE TENURE LEGISLATION

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, the Liberal culture of entitlement lives on and the Liberal leader is too weak to do anything about it.

Last year the Conservative government introduced a bill to limit Senate terms to eight years. The opposition leader said he was on

side. However, the Liberal Senate has now taken 261 days on the 66-word bill. That is an average of four days for every single word.

We know Liberal senators would rather keep a 45 year guarantee on their jobs. Why will the Liberal leader not step in and force them to get it done? Is it because he is too weak to get the job done?

He was a minister during ad scam. He is now inviting back all the ad scam criminals to take part in his party. When it comes to entitlement, it is clear that the Liberal leader is still too weak to get the job done.

Let us not go back.

ORAL QUESTIONS

[English]

THE ENVIRONMENT

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, tonight this House will vote on the motion of the official opposition that calls on the government to recognize that climate change is the worst ecological threat that humanity is facing, that we need to meet our Kyoto obligations, our international obligations, and that we need also to have a comprehensive plan to fight it with a cap and trade system and regulations for the industry and CEPA is available for that.

Will the Prime Minister recognize that he was wrong about climate change and will he vote for the motion of the official opposition?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, what is wrong is a Leader of the Opposition putting forward this motion who says himself that he will not be able to meet the Kyoto targets.

The *National Post* has a commentary on this today. It notes that the leader of the Liberal Party "has invested so much of his public image in his unwavering belief...in Kyoto as a necessary step to reversing global warming, that he cannot afford to have voters thinking that just seven...months ago he was prepared to admit Kyoto was a bust".

He needs to get his own position straight.

[Translation]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, my position is very clear. If we continue to waste our time with a Conservative government, we will fail to meet our obligations. That is obvious.

The other problem is that the Prime Minister cut the partnership fund that enabled us to work with the provinces. It would have helped Ontario close the coal-fired plants. It would have helped the Government of Quebec go ahead with at least \$328 million—and that was a minimum—in projects.

Oral Questions

Why did the Prime Minister cut the partnership fund? Why did he abandon the provinces?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it is the Leader of the Liberal Party who was incapable of developing a realistic plan to reduce greenhouse gas emissions in order to achieve the Kyoto targets and to negotiate with the provinces.

He now wants to change his mind and convince Canadians that he can achieve the Kyoto targets. The *National Post* said that in order to rescue his strategy for the next election, he is denying his confession that he cannot achieve the Kyoto targets.

[English]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, if we do not have a strong green budget this year, it will be very difficult to be on time for 2012. I will repeat that. The Prime Minister knows that.

Will the Prime Minister recognize that it is a mistake for him to ignore that, not only a mistake for the environment but also a mistake for the economy? The green economy is booming around the world. This is the way to be competitive. If we do not make the link between the environment and the economy, we will miss the next industrial revolution because of him.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the audacity of the Liberal leader is incredible. He says that he could not make the targets from 1997 to 2006 and he will not be able to meet them from 2008 to 2012. It turns out the only year he can meet them actually happens to be this year, when he does not have the responsibility.

We finally have a government that is prepared to take realistic action to actually deal with this problem in the long term. Rather than being a naysayer, he should get on board and support these efforts.

• (1420)

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, this weekend the Prime Minister said it is impossible for Canada to cut greenhouse gas emissions in the short term. Why does he believe this?

The Canadian Environmental Protection Act has all the authority that he needs to take action now. Why is this government not immediately introducing regulations that would cut greenhouse gas emissions today?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, if there was some magic solution to reducing greenhouse gas emissions in the statute books of Canada, I say to the deputy leader of the Liberal Party, why did they not avail themselves of this silver bullet?

I have been reading about the Liberal motion in the *Globe and Mail*. In a great column, Jeffrey Simpson wrote a story called “Why I’m laughing at the Liberals’ Kyoto motion”, saying that the Leader of the Opposition and his colleagues “are being political[ly] disingenuous or intellectually dishonest or, worse, both...this motion came from a [Liberal] party that presented four—four, count ‘em—’actions plans’ that did squat to reduce emissions”.

[Translation]

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, Canadian industry must take the lead in developing technologies to reduce greenhouse gas emissions. Yet the Prime Minister says that any attempt to reduce our emissions will hurt the Canadian economy.

Why is there such a lack of leadership from this government? Why not encourage the Canadian economy to take advantage of the new economic opportunities that are opening up?

[English]

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, the deputy leader of the Liberal Party has said that Canadian industry can take leadership on reducing greenhouse gas emissions. What Canadians want is for the Canadian government to take leadership, which the Liberal Party failed to provide for 10 long years after Kyoto was signed.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister is showing boundless bad faith on climate change. He recently stated that it was unrealistic to have to stop driving a car and turn the heat down in winter to achieve the Kyoto protocol targets.

He should stop trying to deflect attention. We are not asking him to turn the heat down in winter; we are asking him to cut oil company subsidies.

I would like to know when he is going to stop subsidizing the “poor” oil companies.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it was this government that put an end to energy trusts, yet the Bloc leader and his party want to revisit that decision.

If the Bloc Québécois is opposed to the oil industry, why is it not criticizing André Boisclair’s plans? According to the October 20, 2006, issue of *Cyberpresse*, Mr. Boisclair wants to explore and develop oil and gas in the Gulf of St. Lawrence.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the BAPE still has to give its approval, which is by no means certain. He neglected to mention that, just as he always neglects to mention things.

The Prime Minister just said that we have to reduce the intensity of greenhouse gas emissions, which amounts to saying that we are going to increase pollution levels, but more slowly. Increasing emissions is out of the question. The government has to set definite targets to reduce emissions.

Will he, yes or no, set clear, precise emission reduction targets so that a carbon exchange can be set up?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government is clear. We intend to have short-term, medium-term and long-term targets.

As for the government’s approach, I note that the chair of the Liberal caucus’s sustainable environment committee agrees that we can have intensity targets with reductions later. This is necessary in order to control emissions, then reduce them.

Oral Questions

● (1425)

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, we thought we had seen it all from this government's environment ministers. But, no. The new minister is back from Paris, telling us that he was very surprised to learn that human activity is responsible for climate change. This is completely ridiculous. Everyone knew that, except the Minister of the Environment. I cannot believe this.

Will the minister get over his astonishment and finally set some fixed targets for the reduction of greenhouse gases, which we so urgently need?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, on Friday, I very clearly said that it was quite surprising that 400 scientific experts are talking unequivocally about the reality of global warming. It is extraordinary for these 400 scientific leaders. That is the truth.

It was very clearly stated that this government wanted to study the true statistics for industry, and that the government was prepared to work hard and put its efforts into its bill.

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, the Minister of the Environment stated that all parties in the House of Commons agreed with the intensity rules set out by his government.

How can this government justify the disgraceful populism demonstrated by the Prime Minister when he talks about the environment, along with the misinformation constantly put forth by the Minister of the Environment, who is trying to justify intensity rules, which no one agrees with, apart from his buddies in the oil industry?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, air quality and action to fight climate change are very important to this government.

I would like to add that the economic growth of Canada and Quebec is also very important to this government. We can work on both files at the same time, to ensure that Canada and Quebec enjoy strong economic growth, so that everyone in this country can be employed.

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[English]

HEALTH

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, we know the Prime Minister breaks his promises. We have seen it on lobbyists. We have seen it on appointments. We have seen it on the income trusts.

I think we expected better when it comes to something as important as health wait times. Despite what the peanut gallery over there on the other side might comment on all of this, I think Canadians are actually concerned about wait times, but now we hear from the health minister that he has no intention of delivering on that fundamental promise that was made. This is the same health minister who supervised the privatization of hospitals, clinics, long term care and home care in his own province when he served there.

The government is in full reverse. Why will the Prime Minister not honour his word to Canadians on health care?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government has every intention of keeping its promise on health care. The fact of the matter is that the government has introduced, with the provinces and on its own, a number of pilot projects on wait times, and we see data out today indicating that wait times are beginning to come down across the country.

This is a long term objective. This government did not promise a quick fix for a generation. That was tried a while back. It did not work out. We are making a serious long term effort and we will have results.

* * *

CHILD CARE

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, I think Canadians will listen to their doctors and judge this on their own experience. The doctors of Canada are saying that the government has failed to keep its commitment on wait times.

Here is another failure. Today we have the child care organizations across the country, called Code Blue, pointing out that the government gets a failing grade on its so-called universal child care plan. It is neither a plan nor universal.

The fact is that the Prime Minister promised 25,000 new child care spaces each and every year. The fact is that he has delivered none. Can the Prime Minister explain why he broke his promise to our kids?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this party has delivered a universal child care benefit that Code Blue and the NDP may want to take away, but this party will make sure they cannot take it away.

Once again, as for health care, I know the way the NDP leader wants to shorten wait times: he wants to go to the private clinics himself. I am not going to do that. I am going to keep using the public health care system.

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● (1430)

AEROSPACE INDUSTRY

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, Canadians have grave concerns about the lack of leadership being displayed by the Prime Minister. In his rush to spend billions of dollars without any competition, he has sold out Canada's sovereignty.

Because he has signed a made in the White House plan to buy the Boeing C-17, Canadians who have dual citizenship from one of the 25 countries are banned by the U.S.A. from working in Canada on some of the aerospace contracts. How can the Prime Minister pretend that he stands up for Canada when he does not stand up for Canadians?

Oral Questions

[Translation]

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, we said very clearly last week that for every dollar invested in military purchases there will be a dollar in economic spinoffs. What is most important to remember is that this dollar invested in economic spinoffs will be a dollar invested in quality to help the aerospace industry continue to position itself well on the world scene.

It is all the more important, therefore, to hear my hon. colleague in the opposition say last week that he would tear up the contract with Boeing. What does that mean? That means zero for quality and zero for investment in Canada. That is what it means.

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, he is totally out to lunch.

The Minister of Industry and his unelected colleague, Michael Fortier, whom he affectionately calls the patronage boss, was not smiling very much on Friday and for just reason: they had been too cowardly to protect the aeronautical industry.

All the maintenance contracts for 20 years will go to the United States and the discriminatory U.S. rules on dual citizenship will still be there.

What guarantees did the Minister of Industry get when he went to Washington, other than winning the title of employee of the month at Boeing U.S.A.?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, it is too bad to see that the opposition member has no confidence in the Canadian aerospace industry. That is what he is telling us now. The Canadian aerospace industry is one of the four largest in the world. It does business with other world-class companies. The aerospace industry in Canada and Quebec will therefore be able to position itself very well for military purchases.

In contrast to the previous government, we have invested in the Canadian Armed Forces after 13 years of neglect, and this will create economic benefits for Canadians.

* * *

[English]

PASSPORTS

Hon. Belinda Stronach (Newmarket—Aurora, Lib.): Mr. Speaker, because of the lack of leadership shown by the Conservatives on the passport issue, provincial premiers have had to take the lead in lobbying the United States. As the new passport rules threaten to devastate border communities and cost tourism billions of dollars, the Conservatives are doing nothing.

When it is actually time to stand up for Canadians on the passport issue, why is it that the only ones left standing are the premiers and not Canada's not so new government?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, we are very pleased to see a number of premiers finally getting on board on this issue. That will be helpful.

I am also pleased to see the progress that has been made, first, with air traffic. We had a delay that was put in place to allow people more time. We also had special arrangements made for people

returning from the United States later on who traditionally go south. We made progress in moving the implementation date back further. We have alternative documents that are acceptable. We have a province and a state working on a driver's licence project. Great progress is being made.

Hon. Belinda Stronach (Newmarket—Aurora, Lib.): Mr. Speaker, the passport problem has become so large that the Minister of Public Safety has called for a brand new passport facility. Guess where? In his riding.

American border politicians, premiers, the Liberal opposition and Canadians all have tried to tell the government it was not getting the job done when it came to making the passport case to the U.S. If the Conservatives will not listen to taxpayers, why will they not at least listen to their backbench? At least six Conservative MPs have had to hold passport clinics to deal with the anger and confusion over the change in the rules.

The government was unable to convince the U.S. to change its decision. It was unable to staff the passport offices in time. It did not even listen to its own backbench. Why was it so unprepared?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I am pleased to report that two weeks ago I attended meetings in Washington, along with our ambassador, meeting most of the chairs of the new democratic committees, both in the Senate and in the House of Representatives, and also Secretary Chertoff and Attorney General Gonzales.

Again, it is interesting that Conservative MPs, even before this U.S. law was brought into place, were attending to the needs of their constituents, not just on passport issues but others, another area where we are setting examples for the Liberals who left this whole area untouched and did nothing.

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● (1435)

[Translation]

AEROSPACE INDUSTRY

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, contrary to what the Minister of Industry said, a Boeing spokesperson, Eddy Morin, told *Le Devoir* that his company believes that it will be difficult for it to spin off economic benefits in Quebec proportionate to its weight in the aerospace industry because of the presence of Bombardier, its direct competitor.

Does the Minister of Industry not understand that by refusing to require a fair distribution of the spinoffs from the contract with Boeing, he is directly relegating Quebec to less than its share of this contract and thus depriving it of many jobs?

Oral Questions

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, what we are requiring from Boeing is very simple: that it invest in research and development contracts and industrial benefits for Canada as a whole, in high technology.

However, I would like to ask my colleague what the Bloc Québécois can demand of Boeing. The Bloc Québécois cannot demand anything of Boeing and cannot provide Quebecers with anything, because the Bloc Québécois will never be in power to be able to demand anything at all.

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, it is up to the Minister of Industry to stand up for Quebec's interests. He has just proved that he is in no way responding to the demands of Quebecers at present.

This minister's inexplicable refusal to get involved in the economic spinoffs from the Boeing contract gives that company free rein to decide where the economic benefits will go.

How can the Minister of Industry abdicate his responsibilities to a private company like Boeing by giving it the power to influence Canadian aerospace strategy so significantly, however it pleases? Since when does a company decide government policy?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, this government decides Canada's industrial policy when it comes to the aerospace and defence industries. That is very clear.

The Bloc denounced the softwood lumber agreement but, after a few weeks of waffling, it supported the agreement. The Bloc denounced the motion on the Quebec nation but after a few days it came to its senses and supported the motion to recognize Quebec. Now, the Bloc is denouncing the C-17 contracts awarded to Boeing. I think, I am certain, that in a few days the Bloc will be supporting our demands.

* * *

CHILD CARE

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, we can see that the child care program proposed by the Conservatives is not working.

Last Thursday, Radio-Canada announced that the advisory committee set up by the government is unanimously in favour of establishing an integrated child care system, thus confirming once again the failure of the Conservative initiative.

As part of a possible national child care program, will the government take into consideration Quebec's exclusive jurisdiction regarding child care and, consequently, allow Quebec to opt out unconditionally with full compensation?

[English]

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, I do not think it is profitable for the member to speculate about what might be in that report. These are experts in their field. They will release that report in the near future and we will certainly consider their recommendations and take them very seriously.

[Translation]

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, we would love to know the minister's vision. How can the government, on the one hand, state that it intends to restrict its spending power and, on the other hand, refuse to tell us whether it is prepared to give Quebec the \$270 million that it lost because of the cancellation, by the Conservatives, of the child care agreement?

[English]

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the fact is, under this government, we have delivered choice in child care to parents across the country, including in Quebec. In fact, the universal child care benefit now goes to 1.4 million families, representing 1.9 million children, more than double the amount of money that would have gone into the old Liberal plan. We believe in choice for parents.

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, the Prime Minister has failed to show leadership. Today, the Prime Minister received his report card from child care advocates and parents: Universal child care, F; Parent choice, D-; Honouring agreements, F. It says:

The [Prime Minister] uses scissors and words carelessly. He cut funds to child care and hasn't delivered promised new spaces.

When will the Prime Minister deliver the child care spaces he promised Canadian parents?

• (1440)

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, we know there are vested interests out there who oppose choice in child care, but that does not represent the view of this government. The government is delivering choice in child care to 1.4 million families, representing 1.9 million children.

However, the real question is this. Where does the Liberal Party stand on the issue of the universal child benefit? On October 21, the leader of the Liberal Party said that he would take that away from parents. He would take choice away from Canadian parents.

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, the bottom line is no action, no plan, no leadership equals no choice and no spaces.

He has also failed first nations communities when it comes to child care. When the government cancelled Kelowna, it cut \$200 million from the children of first nations communities. Now things are so bad that the international aid group, Save the Children, which normally works in developing countries, has been called in to clean up the government's mess in first nations communities.

Why is the Prime Minister turning his back on the children of Canada?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, this government has acted for all Canadians, including for aboriginals on reserves. The universal child care benefit goes to every family with children under the age of six. Our plan will deliver twice as much money for child care as the plan that was proposed by the Liberals.

However, the question is this. Is the member saying that she would do like her leader has said and take that money away from aboriginals on reserve? Is that their plan? Why does she not answer the question?

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HEALTH

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, the government is failing to show leadership on health care. A year has passed and the minority Conservative government has yet to make any real progress on improving Canada's health care system. This is a far cry from its promise to make wait times reduction a priority.

Will the Minister of Health now admit that his government has broken yet another promise to Canadians?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, it is quite the opposite. According to the latest report from the Canadian Institute for Health Information, the most recent data indicated that 42,000 more surgeries were performed than in the previous year in five key surgery areas. In fact, more surgeries were performed overall.

This shows real improvement. It shows that the leadership this government is showing in terms of patient wait time guarantees, both on reserve and for child surgeries, is making a difference for the future as well. In contrast, the Liberal record was to talk a lot, do nothing and get nothing done for Canadians.

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, perhaps the minister could erect a banner on an aircraft carrier saying, "Mission Accomplished".

Let us review the facts. The Prime Minister's own deadline of December 2006 to set wait times targets was not met. The wait times guarantee was promised for all Canadians, but so far nothing. Not a single new dollar has been put into wait times. No wonder there is no real progress.

When will the Minister of Health admit that when it comes to wait times, he just cannot get the job done?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, let me correct the record for the hon. member.

In fact, 85% of the Canadian population has wait time targets that were not in place under his government. We are working on the other 15%. When it came to priorities, the leader of the official opposition, in his maiden speech to the Toronto Board of Trade, mentioned a whole host of priorities. Where did health care stand? It stood nowhere. He did not mention health care once.

The Liberals are not getting it done. They did not get it done in the past. They will not get it done in the future either.

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Mr. Speaker, wait times nearly doubled under the watch of the previous Liberal government. This morning, the Canadian Institute for Health Information issued a positive report on the number of surgeries performed last year.

Oral Questions

Could the Minister of Health update the House on the progress the government is making to increase the number of surgeries performed?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I would be happy to put into the record, yet again, CIHI's most recent information on the studied year, which indicates there are 42,000 more surgeries in five key surgery areas. That is an increase in accessibility of 7%. It also indicates an increase of over 2% in surgeries performed outside these five key areas.

These are the facts. We are meeting our wait times targets. We are acting with leadership on behalf of all Canadians. That is the record of this government and we are darn proud of it.

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●(1445)

THE ENVIRONMENT

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, Canadians are confused when they hear Conservatives profess their new found love for the environment. What they really need, however, are a few basic commitments.

The president of France is creating a panel of watchdogs to force governments like the Conservative government to keep its international commitments. That is because the minister, like the Liberal leader before him, failed to get the job done.

Will the minister commit today that Canada will be part of this international panel proposed by President Chirac so the government gets the adult supervision it so desperately needs?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, France is currently pursuing a proposal to increase the status of the United Nations environmental program to full status. I was the only minister to attend the request. Forty-five other countries attended, but had already previously committed. We are very much engaged in the process. We look forward to learning more about this initiative and about what we can do in Canada to ensure that we deliver on the environment.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, apparently the environment minister's road to Damascus led him all the way to Paris where he woke up with the astounding revelation that humans were, in fact, causing global warming. Now that he has finally passed through climate change 100, perhaps the minister is ready to lean over and teach the Prime Minister a few things about this.

The time for action is now. Now that we are all in agreement that we are in the middle of an environmental crisis, Canadians want to see action. Will the Prime Minister agree to keep our Kyoto commitments, yes or no?

Oral Questions

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, Kyoto is all about a global effort to reduce greenhouse gas emissions around the world and right here in Canada. Those of us on this side of the House support reducing greenhouse gas emissions and we are prepared to take real and meaningful action to do so.

Let us look at a recent story I read in the newspaper. A former Liberal cabinet colleague said that the Liberal leader was not so hot on warming. He said of the Liberal leader, "Dion not always hot about global warming". It goes on to say:

Indeed, David Anderson says that when the previous Liberal government initially signed on to the Kyoto [protocol]...Dion was more focused on keeping the peace with the provinces—

The Speaker: I would remind the hon. Minister of the Environment to be careful when reading something and not to use members' names and to stick with their titles. I am aware it is in print, but you cannot do indirectly what you cannot do directly.

The hon. member for Churchill.

* * *

BROADCASTING INDUSTRY

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, the Minister of Canadian Heritage has failed the test of leadership when it comes to the Canadian television fund. Exempting Vidéotron and Shaw from their contractual obligations to support the CTF has made television producers and other stakeholders across Canada furious and fearful about the future of the Canadian television industry.

Why will the minister not stand up for the CTF and enforce the licensing requirements of Canada's big cable companies?

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, let me be clear. This government has always been in favour of and supports the system for Canadian producers and Canadian productions because we need a strong broadcasting system. That is why I am proud that we announced \$200 million over the next two years for Canadian production. As members know, I have been holding meetings and we are working toward resolution of the matter.

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, the script changes almost daily on this issue, but these cable companies have to pay their dues. It is a condition of the licence that allows them to operate. We know the minister was against the CTF when she was with the CRTC, but now she is a minister with a duty to uphold the law.

Will the minister now admit her inaction is putting the domestic television industry and even our Canadian identity at risk?

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, first of all, I would ask the hon. opposition member to be correct in her information. This is a regulation. We have an independent body, the CRTC, that we have given the responsibility to enforce the regulations and ensure that everybody contributes to the system.

• (1450)

CANADIAN HERITAGE

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, clearly the Minister of Canadian Heritage wanted to arrive in style at last year's Juno awards in Halifax. Rather than just borrow a fancy car for her red carpet entrance, access to information shows that the minister was chauffeured around Halifax for three days in a stretch limousine.

When people started asking questions, the minister's conscience apparently got the better of her and she cut a cheque for \$2,200, but when will the minister cough up another \$3,200 to cover the rest of the cost of her Juno joyride?

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, in carrying out my ministerial duties, I followed all the guidelines appropriately. The member is quite right. I did cover the additional costs that were not related to ministerial duties.

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, I do not begrudge the minister a little transportation, but one vehicle a day should be sufficient. Why did the censored ATIP documents also show that the minister sent back a minivan she had already rented on March 31 and ordered two different limos to chauffeur her to meetings when the Junos did not happen until two days later? Did she need time to practise her red carpet walk?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, this government is a great supporter of arts and culture and the Juno awards are an important part of that.

Some hon. members: Oh, oh!

The Speaker: Order, order. I am sure the government House leader appreciates all the assistance he is receiving in giving his answer, but he has the floor and members will want to hear the answer. The member for Dartmouth—Cole Harbour is waiting and we will have some order.

The hon. government House leader has the floor.

Hon. Peter Van Loan: Mr. Speaker, we are proud to stand up and support Canadian arts and culture in every way we can and the minister has done an excellent job of doing that, at the same time following all the rules in place by Treasury Board in doing so.

* * *

[Translation]

INDUSTRY

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Mr. Speaker, last weekend, over 4,000 people demonstrated in support of Goodyear workers. The company is planning to cut 800 jobs over the next few weeks. The Save Goodyear Committee is preparing to go to the company's headquarters in Akron, Ohio, to persuade Goodyear to review its decision.

The Minister of Industry must be aware of what is going on. How does he plan to help the Save Goodyear Committee?

Oral Questions

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, the House returned a week ago, and it has taken the member a whole week to ask a question about Goodyear, a company in her riding.

That said, as Minister of the Economic Development Agency of Canada for the Regions of Quebec, I went to the authorities; I met with the mayor and union representatives, and we are working together to support the community.

We at Canada Economic Development have offered our best tools to support entrepreneurs who want to start businesses in the region.

Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ): Mr. Speaker, the minister refused to do anything about the Boeing file because he said he did not want to engage in political interference. Is the minister planning to adopt the same attitude toward Goodyear workers, that is, use that as a pretext for refusing to intervene and abandoning them to their fate? The minister must know that it is his duty as minister to intervene.

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, we have already offered Goodyear a \$6 million contribution toward acquiring a new mixer. That offer is still on the table and we are working with our counterparts in the Quebec government to put forward even better proposals that will enable Goodyear to stay in business in the city of Salaberry-de-Valleyfield.

* * *

[English]

AIRPORTS

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, the Greater Moncton International Airport serves over half a million customers.

Today, many Atlantic airports are refusing international carriers as the Canada Border Services Agency refuses to extend the hours of customs operations.

The only culture of defeat, to use the Prime Minister's own words about our region is the one that is coming from the Conservative cabinet table.

Why does the Minister of Public Safety refuse to recognize the importance of maritime and Atlantic Canadian airports to the economy and when will he fix this problem?

• (1455)

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, it is good to see Liberals finally awakening to the issue that because of increased demand and a vibrant economy there are pressures at these airports. That is just one of the reasons I was in Newfoundland and Labrador three weeks ago looking at the situation at the airport at Deer Lake and also the one at Stephenville and only today again looking at the situation in Moncton.

It is going to require some increased capacity from CBSA and also some discussions on cost recovery. I think that working together we

can get something done, whereas the Liberals just could not get it done.

* * *

ORGANIZED CRIME

Mr. Patrick Brown (Barrie, CPC): Mr. Speaker, over the winter recess my constituents raised many issues of concern with me. One of the issues troubling them the most was the growing influence of gangs and organized crime in our country, including the drugs and violence that threaten the lives of our young people.

Could the Minister of Justice tell the House what the government is doing to address the very serious problem of gangs, guns and organized crime?

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I want to thank the hon. member for his question and also for his very hard work on the justice committee.

Gangs and criminal organizations have been growing in size, strength and wealth in this country over the past decade. This government has a very clear legislative package to address this problem. For example, Bill C-10 presently before the justice committee has targeted measures to disrupt criminal enterprises by establishing mandatory minimum sentences for gangsters and organized criminals who use guns, particularly prohibited weapons, to commit violent crimes.

* * *

IMMIGRATION

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Mohammad Mahjoub is on the 74th day of his hunger strike at Kingston Immigration Holding Centre. Mahmoud Jaballah and Hassan Almrei are on day 63.

The Minister of Public Safety has taken no initiative to find an end to this situation. Is the minister prepared to let these men die in his custody, never having been charged, never having been convicted and not knowing the evidence against them?

Will he immediately today appoint the Correctional Investigator Canada as an ombudsperson to speak to the men and make recommendations about their grievances?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I cannot talk about individuals whose cases are before the Supreme Court but I can tell the public about the facility, which I visited about two weeks ago. It is a brand new \$3.2 million facility with six cells in it. The doors open on to a common area where there is a large kitchen. Detainees have their own washer and dryer, microwave, and a refrigerator stocked with a variety of juices, soups, soy milk, chocolate sauce and honey.

Also available to them is a separate unit where they have their own office space. They have a medical room. They have an exercise room with modern universal equipment. They are visited by a health care practitioner at 10 o'clock every morning.

Oral Questions

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, a full refrigerator does no good if one feels the only option is to starve oneself to death.

Medical experts have pointed out that hunger strikers should be monitored daily after day 10 and that after day 49, serious health issues like heart failure, renal failure, and heart arrhythmia are very likely. Still the hunger strikers in Kingston are not being monitored. A request for a doctor today by Mr. Mahjoub has been ignored.

Will the minister ensure daily monitoring takes place at the living unit and that a full examination of these men by an independent medical doctor is urgently arranged?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, again I cannot speak about individuals who may be detained and have cases before the Supreme Court.

Going further, it would have helped if the member had actually visited the facility once, instead of giving a very discredited picture to Canadians. It is not the case at all as he suggests.

There is also a medical practitioner on call. There is a psychologist on call. As I said, the unit is visited daily at 10 o'clock every morning by a health care practitioner. There is also a common area where families can have visits seven days a week.

It is also designed so that any detainees who are there can have their spiritual needs met by visits from their spiritual leaders and even constructed in a way in which they can pray in the right—

The Speaker: The hon. member for Yukon.

* * *

NATIONAL DEFENCE

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, in the last election the centrepiece of the Prime Minister's Arctic sovereignty strategy was a promise to build a deep water Arctic port and a fleet of icebreakers. Several communities are now actively lobbying and preparing construction for this deep water port.

Leaked documents suggest the Conservatives will now only build a refuelling site for naval ships and the construction of six small Arctic patrol vessels that cannot even go in the ice. This is a far cry from a deep water Arctic port and a fleet of icebreakers.

Why is the Conservative government breaking yet another promise and failing to protect our Arctic sovereignty and our northern resources?

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, this is a case where one cannot always believe what one reads.

This government will meet its commitments. The commitment to the north is at the centre of our defence policy. We will enforce our sovereignty. We will ensure that the air force, army and navy are there in increased capacity in the north.

• (1500)

HOMELESSNESS

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, Conservatives believe it is important to help our neighbours when they are struggling. Nowhere is this more important than when it comes to providing housing for the homeless, particularly when it affects our youth.

I know that our government invested money in housing trusts in budget 2006 and we announced a new homelessness partnering strategy in December. Just last week there was a funding announcement in my province of Manitoba.

Could the Minister of Human Resources and Social Development tell this House and Canadians more about this project and our government's plan to help with shelters and homes?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the Conservative government does believe that we have an obligation to help the homeless, which is why we have announced \$270 million in the homelessness partnering strategy, \$1.4 billion in the budget for a housing trust. We did announce \$80,000 for the U-Turn project in Steinbach, Manitoba to help youth who are without shelter in the evening. It is very cold these days.

This new Conservative government is happy to help those who need help.

* * *

TAXATION

Hon. Garth Turner (Halton, Ind.): Mr. Speaker, people from across the country who wish to see income splitting for families came here to debate it last week. Two days later a finance official told the media:

It's highly unlikely income splitting will be in the next budget. It's nowhere near the top of the list.

He also said that the government prefers personal income tax cuts and that it wants to lighten the burden on businesses.

Does this guy speak for the Minister of Finance? Did the minister authorize this leak of budget information? Is this what families can expect?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, no decision has been taken with respect to issues, including income splitting and other important tax policy issues, that are being reviewed in preparation for the budget.

I am pleased that we have proceeded with pension splitting, which is a very important step forward. It has been demanded for a long time in Canada. It is excellent for pensioners and seniors.

My friend from Halton will have to await the budget with respect to other tax items.

ROUTINE PROCEEDINGS

[English]

TABLING OF DOCUMENT

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, last week the member for Ottawa—Vanier requested the tabling of a letter that was referred to by the Minister of Canadian Heritage and Status of Women during question period. I am now able to table a copy of that letter in both English and French.

POINT OF ORDER

[Translation]

KYOTO PROTOCOL IMPLEMENTATION ACT

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, just before the debate on my Bill C-288, which would force the government to respect the Kyoto protocol, the Parliamentary Secretary to the Leader of the Government in the House of Commons rose on a point of order to argue, once again, that my bill would make it necessary to spend public funds and, therefore, requires a royal recommendation.

This shows how afraid they are of the Kyoto protocol, but it does not give them the right to say anything they want about the bill.

Mr. Speaker, you have already rejected, and rightly so, a similar argument that had been used by the government regarding the same bill. The arguments presented today and on Friday are the same ones that were used unsuccessfully at second reading stage.

On Friday, when they were making their new attempt, the Parliamentary Secretary to the Leader of the Government in the House of Commons raised two points that I am going to address here.

The first point deals with two amendments made in committee. The Parliamentary Secretary to the Leader of the Government in the House of Commons referred to two minor amendments made in committee, stating that they call for the expenditure of public funds and, consequently, require a royal recommendation. That argument is unfounded. In fact, the two amendments do not require any expenditure. These are minor amendments that complement perfectly the original version of Bill C-288 which, as you have ruled, does not require expenditures.

The first amendment referred to by the government inserts subparagraph 5(1)a)iii.1, which states that the Climate Change Plan must contain:

Measures to provide for a just transition for workers affected by greenhouse gas emission reductions,

Nothing in this amendment requires expenditures. The amendment simply calls for measures. It is up to the government to decide what those measures will be. In fact—and this is important—the committee clearly rejected a motion seeking to include the word “funds” in this amendment, because the committee did not want to make it necessary to have expenditures. Paragraph 5(1)(a) already provides a series of measures to be included in the plan and you have

Point of Order

already ruled—quite properly—that paragraph did not require expenditures. This amendment only adds one measure to this series of measures. There is absolutely nothing new in that.

The second amendment raised by the government is subclause 10 (1) of the bill. Once again, the amendment that has been made involves no expenditures. It does exactly what the original version of the bill did. That is to say, it requires that an existing government agency examine and comment on the Climate Change Plan.

In other words, it calls for an accounting. The only change consists in assigning that examination to the National Round Table on the Environment and the Economy instead of the Commissioner of the Environment and Sustainable Development. That change was made at the request of the Auditor General of Canada, who considered that the examination of a government plan prior to its implementation went beyond the audit role of her office. Thus, no new allocation of funds and no reassignment of funds is necessary.

You have stated that the fact of assigning the duty of examining the Climate Change Plan to the Commissioner of the Environment and Sustainable Development—as was provided in the first version of the bill—did not involve an expenditure. This amendment simply replaces the government agency charged with that examination by another existing governmental agency. The original provision did not call for expenditures and neither does the amendment.

You stated previously that having the plan reviewed by a federal entity, the Commissioner of the Environment and Sustainable Development, did not require spending or reallocating public funds. It is therefore illogical to imply that having another federal agency conduct the same sort of review would require spending.

The government is grasping at straws and trying to find ways to avoid having the House vote on this important bill, which would require the government to draw up a plan to meet Canada's obligations under the Kyoto protocol.

The Conservatives' second argument hangs on a statement I made on the radio and is even more far-fetched. They are referring to something I said in an interview on CBC radio and trying to put words in my mouth.

● (1505)

During the interview, I said that, if it chose, the government “could” spend money to meet Canada's obligations under the Kyoto protocol. The bill does not require any expenditures by the government. It can do so by regulation. The bill simply requires that the government establish a plan to indicate how it intends to proceed and to make regulations. It is up to the government to decide how it will comply with the Kyoto protocol. It does not have to spend or reallocate public funds if it does not wish to do so. The decision is up to the government and only the government. The bill has been clear on that from the start.

The amendments the Conservatives mention are minor ones that do not necessitate any spending. There are no expenditures and no reallocations of funds. The government wants to drop a bill that is very important to our country, which shows bad faith on its part, and it is embarrassed to vote against it.

Routine Proceedings

•(1510)

[English]

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, we have heard the arguments. I presented the need for royal recommendation on Friday. I know you are taking that under consideration and that we can expect a ruling sometime in the near future.

However, let me just respond to my hon. colleague by saying, as he well knows, that should the private member's bill, Bill C-288, be passed into law, it will require the government to perform certain obligations and, as he pointed out in a CBC interview, it will probably be in the \$4 billion range. Perhaps the member does not think that \$4 billion is an amount that we should be concerned about but, quite clearly, it is consistent with the royal recommendation argument that we presented saying that there will be new expenditures required should Bill C-288 come into force, and that obviously requires a royal recommendation.

However, we are not here for debate, Mr. Speaker. I know that you are taking this under very serious consideration and we look forward to your ruling in the near future.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, this may be more from a procedural standpoint, which could be very helpful. As we know, a decision was rendered on September 27, 2006, that Bill C-288 on Kyoto did not require a royal recommendation.

We are also aware, based on the work of the committee, that there were a couple of amendments. I think they were well-represented, in terms of the intent of the committee, one with regard to the national round table work, which appears to be totally within the purview of its scope of mandated activity and the funding therefore, and the first one with regard to the just transition for affected workers, which is the responsibility of all government programs that affect workers to ensure that it is fair and just.

We are quite confident that these are principles and criteria that should be taken into account.

Mr. Speaker, the normal practice procedurally, as I understand it, and I ask for your feedback on this, is that bills would receive a final disposition from the Chair with regard to the need for a royal recommendation at the commencement of third reading and, should a royal recommendation be required, the debate would continue at third reading but a vote not be put at the end.

The House is aware that two amendments were made at committee which do affect and can affect the need for a royal recommendation if they were not considered in advance and certainly when the Officers of the House had done their review and due diligence on the whole aspect and to opine on whether or not there was a likelihood of a royal recommendation.

We have not heard anything since the opinion of the Chair on September 27, 2006 that a royal recommendation was not required. We can only assume that the Table properly reviewed the two amendments that were made at committee and, as a consequence of not having made a final decision on royal recommendation, we can

only assume that their due diligence had not indicated any changes in the assessment of that need for a royal recommendation on this bill.

If that is the case, then I would like to advise the Chair that we would like to have full argument and reasons therefore on a decision on this matter expeditiously. The reason we are asking for that is that today, if appropriate, there will be a swap arranged so that this bill will come back again for its final hour of debate this coming Friday. That exchange has been already arranged for and the papers will be filed today.

I would ask the Chair if we could please have a clarification and a clear decision on this. It does affect the decisions that we intend to take in regard to this important bill, Bill C-288.

The Speaker: The Chair has already indicated that it had taken the matter under advisement last week. The hon. member for Honoré-Mercier indicated earlier today that he wished to make further submissions on the matter.

[Translation]

We have heard those submissions on this point and also the submissions of the member for Mississauga South and the Parliamentary Secretary to the Leader of the Government in the House of Commons on the point.

•(1515)

[English]

I will take the matter under advisement again with the additional submissions that have been made and I intend to get back to the House as soon as practicable with a decision in respect of this matter.

As I have indicated, the bill was held to be one that did not require a royal recommendation, and I am not doubting the correctness of that decision. What we are doing is looking at the amendments to see if they have changed the bill in order to make it one that requires a royal recommendation and that is the point that we are considering at the moment.

ROUTINE PROCEEDINGS

[English]

CANADA POST-SECONDARY EDUCATION ACT

Ms. Denise Savoie (Victoria, NDP) moved for leave to introduce Bill C-398, An Act to establish criteria and conditions in respect of funding for post-secondary education programs in order to ensure the quality, accessibility, public administration and accountability of those programs.

She said: Mr. Speaker, this act would guarantee stable core funding for post-secondary education and enshrine the principles of accessibility, affordability and quality for Canadian students in a public not for profit education system.

The PSE act would also provide for the Canada social transfer to be split, creating a dedicated post-secondary education transfer. This action would ensure that funding is more transparent and that federal and provincial governments are more accountable.

The Canadian Council on Learning's December report stated that Canada lacked a national strategy to coordinate quality post-secondary education and that we will be left behind if we do not develop a national focus on post-secondary education. This legislation is the first step to achieve this.

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

* * *

[*Translation*]

COMMITTEES OF THE HOUSE

JUSTICE AND HUMAN RIGHTS

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I move, seconded by my colleague from Gaspésie—Îles-de-la-Madeleine, that the Fourth report of the Standing Committee on Justice and Human Rights, presented on Monday, November 5, be concurred in.

It will be readily understood not only that the debate that begins today goes back a long way for a very honourable family, a family who have spent their lives in the Gaspé region, the Coffin family, but also that it is a debate that reminds us how fallible and implacable our human justice system is.

With the execution of Wilbert Coffin in February 1956, a terrible injustice was committed. That injustice has had to be worn as a stigma by an entire group. As long as it has not been repaired, and the memory of Wilbert Coffin has not been restored, a family will not be able to find the peace to which it is entitled. In my opinion, we must all feel a duty to respond.

The Coffin case reminds us clearly of a way of doing things that, we must hope, will never return.

The manner in which he was detained and evidence was admitted, and the very unfairness of the trial, remind us clearly of how much things have changed and how sad it is that in 1953, 1954, 1955 and 1956 there were people who were deaf to the appeal voiced by many others, including the former journalist and senator Jacques Hébert.

I want to take this opportunity—and I am sure that my colleagues will join me—to thank the member for Gaspésie—Îles-de-la-Madeleine. He has done his job as a member. He is the kind of member we like to see, someone who stays close to the people, someone who does not shirk his responsibilities.

I repeat: in the Coffin case, there is no statute of limitations, there is no chance that it will be forgotten and there is no possibility that time will erase the injustices.

What is this about? Three Americans who loved to hunt traveled to the Gaspé. The Gaspé played host to an impressive number of tourists at the time. Obviously, we hope that the Gaspé will continue to host large numbers of tourists, because it is one of the most beautiful places in Quebec, with all that nature has to offer, and all of the hospitality that the people who live there show to tourists.

Wilbert Coffin, a mining prospector, was the guide for a party of people who wanted to go on a hunting trip that was to last about ten days. These Americans had come here, to the Gaspé, to go on a hunting trip and to have a holiday that, we might think, they hoped would provide them with tranquility and relaxation. Members must

Routine Proceedings

remember that at the time, Americans were regular visitors to the Gaspé and tourism was a major industry in that region.

These hunters, namely an American by the name of Lindsay, his son Richard and a family friend, set up camp and prepared for their hunting expedition. A few days later, they were found dead. This resulted in Wilbert Coffin's arrest in August 1953.

That is when parliamentarians should step in.

● (1520)

That is when the mechanisms provided for in the Criminal Code should be applied to ensure that justice is done. Under section 696, one such mechanism may be set into motion when there are reasonable grounds to believe that a miscarriage of justice has occurred, that the process did not take its due course. There is a long list of irregularities, starting with the conditions of detention, with Wilbert Coffin being detained for dozens of days in conditions that were just plain horrible, where he was subjected to physical abuse and intimidation, was kicked around and assaulted.

Of course, the worst irregularity, which in and of itself should justify reconsidering the whole Coffin affair, was the ties between the prosecutor in charge of Mr. Coffin's case and Maurice Duplessis' government. We recall and point out that Maurice Le Noblet Duplessis, the member for Trois-Rivières, was also the attorney general. As we know, in his capacity as attorney general, Maurice Duplessis directed not only that Coffin be found guilty, but also that he be executed because they did not want the tourism industry in the region of Quebec where this affair took place, namely the Gaspé, to be adversely affected.

Not only did Wilbert Coffin's last two counsels—he changed counsel along the way—did not summon any witnesses, but they did not even allow Wilbert Coffin to take the stand to explain his version of the facts. They arranged the entire defence submissions without Wilbert Coffin having a chance to speak.

Such unfair rules, which constitute a denial of the most fundamental principles of natural justice, would immediately result in a stay of proceedings and a new trial, if this happened under today's rules.

Not only was Wilbert Coffin denied a fair trial and the opportunity to take the stand, not only was the crown prosecutor in connivance with Premier Duplessis, but Coffin was not even allowed to give what is now known as proof of his good repute.

Obviously the Coffin family, which had lived in the Gaspé for many years, could have had friends and acquaintances testify for Wilbert Coffin, a mining prospector who had spent his life in the Carleton area of the Gaspé. These witnesses could have testified about how this man was such a law-abiding citizen. No one is saying he did not have any faults—everyone has faults—or that he was not one to party a little bit sometimes, but to make a criminal out of him for it is totally unacceptable. Some of the evidence was withheld and some investigative tools were not used.

Routine Proceedings

The Coffin case is a stigma, a black mark on the administration of justice in Quebec. I can completely understand that Wilbert Coffin's sister, Mary Coffin, and his nieces and nephews and his son, Jimmy, will never rest or be at peace until the memory of Wilbert Coffin has been restored.

On October 25, when I tabled the motion in the Standing Committee on Justice and Human Rights, I asked this section of the Department of Justice, which is independent from the minister—I know—and handles judicial review, to use the new evidence, under section 696 of the Criminal Code. I know that my colleague, the hon. member for Gaspésie—Îles-de-la-Madeleine, is going to talk about new facts that have come to light, so that we can engage the process, ask for a new trial, ask the Court of Appeal to intervene and restore the memory of Wilbert Coffin.

That is what this House is entitled to ask the Minister of Justice to do.

• (1525)

The Coffin family is entitled to ask Parliament for this restoration. I believe this has gone on for far too long. As long as justice has not been served, as long as we have not exposed the despicable way things were handled, when the attorney general of Quebec interfered in the administration of justice, we cannot be proud of ourselves. We expect reparation as soon as possible.

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, this is the first time that I have risen as the official opposition critic to speak about a report of the Standing Committee on Justice and Human Rights. It is a real honour for me to support the report of the Standing Committee on Justice and Human Rights in response to a motion that was tabled before the committee by my hon. colleague, the Bloc member for Hochelaga, and subsequently passed by the committee.

Although I am a Quebecker, I was obviously not aware of the Coffin affair at the time when it was happening because I was too young, barely a year old. Since then, though, the story has resurfaced in the media and the consciousness of Quebeckers every 10 years. There is a consensus now in Quebec on this cause célèbre. People think that the police investigation and the trial were botched and an injustice was done to Mr. Coffin.

My hon. colleague from Hochelaga related a few of the facts. Mr. Wilbert Coffin was arrested and accused of murdering three Americans. A man named Eugene Lindsey, his 17-year-old son and a friend of his son had come to the Gaspé to hunt, and one month after they had left the United States, they were found dead very close to their truck. A police investigation was launched.

As my hon. colleague from Hochelaga mentioned, this happened in a tourist area and the government was eager to ensure that Americans, who accounted for most of the tourism, would not be frightened away. Therefore, a number of little schemes were hatched.

The most touching aspect, though, is the fact that at that time in Canada, there was still capital punishment for first degree murder. Mr. Coffin paid the ultimate price. He paid with his life for what was probably a parody of justice.

In my opinion, Canada's elimination of the death penalty is a good thing. Guy-Paul Morin, Donald Marshall and David Milgaard were also the victims of judicial errors during their trials. When they were each convicted of murder, the death penalty had already fortunately been abolished. The ultimate penalty was 25 years of imprisonment before any chance of conditional release. That said, they spent nearly 25 years of their lives in prison before society, through the government, acknowledged the judicial error, recognizing that they should not have been convicted because they were innocent, and before they were released.

Unfortunately, Mr. Coffin did not have this opportunity, because the death penalty existed. Mr. Coffin's trial was so full of irregularities that I believe the government, through its Attorney General and Minister of Justice, should immediately act on the committee's report and recommendation. It should ask the criminal conviction review group to thoroughly review the file and make a recommendation to the minister following their investigation, that is, to dismiss the application for a judicial review and to proceed with a new trial, or to submit the case to the Court of Appeal.

• (1530)

The Liberal Party supported this motion in committee and supports this motion here in the House. We call on all members to support the motion debated here today and to push this government to act quickly, so that some light can finally be shed on this file.

[*English*]

I will not speak much longer, but I do wish to insist how important it is that we no longer have the death penalty. Should the minister put into place the group which will revise the case and which can then say that it merits a new trial or it merits the court of appeal to examine it, and in fact Mr. Coffin is found to have been wrongfully convicted, we cannot bring him back.

Thankfully, when the wrongfully convicted Guy Paul Morin, Donald Marshall and David Milgaard were convicted, there was no death penalty, so once we recognized and established the wrongful convictions, we have been able to make some reparations. It will never be sufficient but we have been able to do that.

Happily for Steven Truscott, who was convicted when the death penalty still existed and was condemned to be executed, because of his youthful age, only 14 years old, there was a public outcry at the thought of Canadian society and Canadian government executing him, and the government commuted his sentence to life. He therefore now has the possibility before the courts to determine whether in fact he as well was wrongfully convicted.

Wilbert Coffin has not had that opportunity and we as parliamentarians and as Canadians have to ensure that his family has the right and the possibility that all light be shed on the entire affair from the police investigation, to the actual trial, to the conduct of the attorney general, to the conduct of the crown prosecutor, and possibly that of the premier at the time, but definitely in terms of the legal process, in order to determine whether or not Mr. Wilbert Coffin was wrongfully convicted.

I and most Quebeckers are convinced that in fact he was wrongfully convicted, so I ask members to vote in favour of this concurrence motion.

Routine Proceedings

•(1535)

[*Translation*]

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, first, I would like to thank the member for Notre-Dame-de-Grâce—Lachine for her contribution to the discussion of this subject which is very close to the hearts of residents of the Gaspé and the Îles-de-la-Madeleine and, of course, to the members of the family, who are in my thoughts right now. They came to my office about a year ago to ask that we pursue this matter to shed light on this case and, if possible, to clear the name of Wilbert Coffin.

I hope that the Conservative government will have something to say on this matter. I believe that it has a responsibility in this case. As the member for Hochelaga has said, there is a black mark on the history of the Gaspé, and also on the life of Wilbert Coffin and the history of the Coffin family.

In my view, the current government now has a responsibility to shed light on this case. I am very glad to have the member's support, and I imagine that she now expects a great deal from the government, specifically, how it intends to deal with this matter.

We need to move quickly. I would say that the murder of Wilbert Coffin, because murder it was, took place February 10, 1956. The 50th anniversary is next Saturday. The crime took place 53 years ago and there were witnesses. The witnesses are no longer with us. Each passing day makes a review more difficult. For that reason, I imagine that she is waiting for news from the government.

Hon. Marlene Jennings: Mr. Speaker, I do expect a lot of this government, as do all Quebecers in fact, and as does the Coffin family. We are right to expect a lot of this government. It is a government whose prime minister, ministers and parliamentary secretaries and all of whose members constantly tell us that they will stand up for justice and to fight crime. But the crime is sometimes committed by the state itself, as we have seen in the cases of David Milgaard, Guy-Paul Morin and Donald Marshall, and as I am convinced we have seen in the Coffin case. Unfortunately, the Coffin family will never be able to have the stain wiped away completely. Mr. Coffin's reputation may perhaps be restored, but he was executed, he paid the ultimate price for something that was a judicial error, a botched police investigation, as we are convinced.

On that point, I know what I am talking about; I was a member of the police commission in Quebec. I had to preside at public inquiries into allegations of police misconduct. The allegations are not always true, but still I have had to make that decision myself in the case of someone who was sentenced to life imprisonment; I had to assess the police investigation. This was not the police in the Gaspé or the Sûreté du Québec, it was a municipal police force in another region of Quebec. The police force, the prosecutor and I prepared a report that made it possible for the inmate to go to the Court of Appeal. That Court quashed the conviction and ordered a new trial, and with the evidence in the hands of the police commission, that man was found not guilty at his new trial. I know what I am talking about when I say that sometimes mistakes are made.

We believe that a mistake was made in this case. Unfortunately, Mr. Coffin paid with his life. Let this government at least offer the family some comfort by acting speedily. "Speedily" means setting up the review group immediately so that it can conduct its investigation.

That group will then have to make recommendations to the Minister of Justice, who will have to decide whether to go to the Court of Appeal or whether there will be a new trial. We are waiting. This is a government that pats itself on the back and says it is always in action. Let us see the action this time. It would be the first time.

•(1540)

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, I listened the Liberal member and my colleague from the Bloc. There is no doubt that we are touched by that story which happened many years ago. The Coffin case remains one of the most controversial case in Canadian criminal law.

I would like to ask the hon. member if she thinks that the Conservative Party, which has 10 elected members in Quebec, should play a more important role in the debate and see that justice is done. It seems to me that the government is advocating law and order in our society and in all of Canada. Almost half of the bills introduced so far relate to law and order, crime and criminal law. We have seen many and varied bills. I think that it would be important to serve justice in the Coffin case. I would like to hear the hon. member on that.

Hon. Marlene Jennings: Mr. Speaker, I am very surprised that not one Conservative member from Quebec has yet spoken on the issue. I would have expected the hon. member for Charlesbourg—Haute-Saint-Charles, who is a member of the Standing Committee on Justice, to take this opportunity to express his opinion on the issue. I find it unfortunate that he remained silent.

However, I am glad to speak for my party, the Liberal Party of Canada, and particularly for the Liberal members from Quebec.

•(1545)

[*English*]

Mr. Myron Thompson (Wild Rose, CPC): Mr. Speaker, having emigrated to this country in 1968, I am not all that familiar with this entire situation. I noticed in the fourth report that some people had come forward and did shed some light on irregularities surrounding that particular case. It is unfortunate if there was wrongdoing of any kind, and I am certainly in favour of trying to correct these things later.

I remember the Milgaard case and cases like that. These wrongs have to be corrected. I do not have any problem with that. It is too bad that the political nonsense has to come into the debate, like what I heard from that member about how those guys over there who promote being tough on crime and all that are not the ones who are going to or can do anything. I get tired of listening to that coming out of their mouths all the time from that side.

However, I want to know, when was some of this light shed on these irregularities? This particular crime or incident took place 50 years ago. How long had there been suspicions that there were irregularities? Am I to understand that it was only this year and that the Conservative Party is to blame for the fact that nothing has been done? It was just brought out this year. Surely there must have been more information earlier. I am quite confused about the timeline. If the member could straighten me out on that, I would appreciate it.

Routine Proceedings

Hon. Marlene Jennings: Mr. Speaker, first of all, if the member finds that I was playing with partisanship with regard to the member for Charlesbourg—Haute-Saint-Charles, I learned it from the Conservatives, who never cease to say that Liberals are soft on crime when in fact we are smart on crime and we are effective on crime and the reasons of crime.

However, let me provide the information that the member for Wild Rose asked for. Mr. Coffin was arrested in 1953. He underwent his trial. He was found guilty. He was convicted in February 1956. Jacques Hébert, who was a senator and is now a retired senator, was a journalist at the time and followed the case very closely. As a result of his own investigation, he wrote two books, one in 1958, *Coffin était innocent*, and then in 1963, *J'accuse les assassins de Coffin*.

As a result of evidence that he at that time was able to uncover, there was a royal commission inquiry in 1964. The judge heard over 210 people, including the juries at the time, and confirmed the procedure and the verdict, but since then, more information has come to light in recent times. That is what we are asking—

The Acting Speaker (Mr. Royal Galipeau): Resuming debate.

Is the hon. member for Wild Rose rising on a point of order?

Mr. Myron Thompson: Mr. Speaker, I just want to point out that what I am trying to get at is this constant saying that the Conservative government now is not doing anything about something that, it almost seems, had just come to light. It has been going on for a long time. Where were the other governments? Why was something not done?

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Wild Rose is rising on a point of debate, not a point of order.

Resuming debate, the hon. member for Windsor—Tecumseh.

[*Translation*]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I wish to commend the member for Hochelaga for introducing this motion at the Standing Committee on Justice, which has resulted in the report before us this afternoon.

[*English*]

I want to say to the member for Hochelaga, because I have heard this before and I say this as a practising lawyer who followed the Coffin case from the time I was very young, that much like the Truscott case in Ontario, which was seven or eight years after the Coffin case, I believe Canadians right across the country were concerned about the adequacy of our criminal justice system in the Truscott case and similarly in the Coffin case.

There is no question that a great number of issues have been raised. It is important to point out that, as recently as September of last year, the Association in Defence of the Wrongly Convicted took up the Coffin case. In addition, in the last few months the federal government has finally recognized the need to investigate this, and the Criminal Conviction Review Group is now investigating it.

In terms of some of the specifics, much like other members, I cannot help but juxtapose the Truscott case with the Coffin case. If the Coffin case had gone through the criminal justice system in the early to mid-1960s, I cannot help but wonder if his conviction would have been overturned or, at the very least, if the order for the death

penalty imposed at the time of the trial would have been dispensed with and he would have been given a sentence of life in prison, like Mr. Truscott received, therefore preserving his life.

I want to make a significant point: for the first time, a case of wrongful conviction is being considered after the person is deceased. I think it is important that this occur given the discrepancies. There are all sorts of very clear and strong allegations of overt partisan political interference in the province of Quebec at that time, by as high an office as that of the premier and certainly of the attorney general. The conduct of the prosecutor in the case is certainly suspect, from what we are getting from the Association in Defence of the Wrongly Convicted. Also suspect is the role the defence counsel played and how he came to be involved in the trial.

We can look back at it and say that if we had not had the death penalty Mr. Coffin would probably still be alive, and perhaps his wrongful conviction, if in fact that is what ultimately comes to the fore, would have been dealt with a long time ago. Similarly, when we look at some of the facts of what occurred in the defence in that period of time, if we had had a legal aid plan at that time perhaps the results would have been significantly different.

There is no question that as a Parliament we could simply sit back and say that we are going to allow the Criminal Conviction Review Group to do its work. The problem is that the parameters within which this group works and its mandate under the code are much more restrictive than the mandate the government could assign to a judicial inquiry.

For instance, the issue of how much interference there was at the political level could be raised much more extensively, if in fact it was there and it had some significant consequence in the way this trial was handled. The review group has a much more limited mandate in terms of investigating that. I could point out several more issues that could be more properly dealt with under the Inquiries Act than would be dealt with by the review group.

● (1550)

What can happen is that the review group can recommend that this matter be dealt with in the form of an inquiry by our courts. What I am really suggesting, and I believe this is to some degree the theory behind the member for Hochelaga moving this motion in committee and doing so now before the House in the form of this concurrence motion, is that we try to speed up the process so that the inquiry could be appointed now by the government. It could get under way immediately, have a broader mandate to get at the truth, and hopefully overturn what most of us believe is an injustice.

There is obviously no way of adequately compensating Mr. Coffin post-death. The very minimum we can do is rehabilitate his reputation and in effect say to the family, his son and his wife, that yes, the criminal justice system in Canada failed them, we are acknowledging that, we are apologizing for that, and we are rehabilitating the reputation of their husband and father.

It seems to me that adopting this motion would be a way for the House to say that we want this process speeded up and this is a better way of doing it. I would urge all members of the House to support the motion.

Routine Proceedings

• (1555)

[*Translation*]

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, I would like to ask a question of my NDP colleague who just spoke.

I would like to point out that there is currently a public servant at the Department of Justice studying this matter and eventually he will make his recommendations to the minister. We do not know exactly when this will take place nor what he will recommend. However, we have a pretty good idea. We also do not know what the minister's decision will be.

I believe it is important to note that, during the debate, the government did not venture an opinion or convey any message. To date, I have not heard from the Conservatives and I may not hear from them. I hope this will not happen because it would be irresponsible to remain silent about such a process at this time.

The government is now being asked, by means of the House of Commons, to act quickly. That means to speed things up. It does not make sense to wait any longer. These are people who, in time, will no longer be with us. We are also dealing with the memories of the family, of the people from the Gaspé who firmly believe in the innocence of Wilbert Coffin.

The speech by my NDP colleague has reassured me as to his party's position. I believe the government would be acting responsibly by stating its position soon on this matter.

Do they want to speed up the process, yes or no? Do they want to shed light on the matter, yes or no? This is what we are debating today. I am disappointed that I am not hearing from those in government. I would not want what we are doing to be considered partisan politics. That is not at all the case. We are partisans of justice and nothing else. It would be quite natural and normal to hear from the Conservative members on this matter, just as we heard from the Liberal members and the NDP member, who spoke so eloquently a few moments ago.

Mr. Joe Comartin: Mr. Speaker, I would like to thank the member for Gaspésie—Îles-de-la-Madeleine for his comments.

I think the Conservative government will tell us that the minister will receive a report from his officials and that our comments must not influence him or something like that. However, the government might also say that it wants things to happen fast and that enough time has passed. The government might say that this is not the best way to go about this review and that we could do it some other way. In that case, it might say that it is up to the government to decide whether to continue with the review or to replace it with another that will move faster and have a broader mandate.

This is why I suggest we support this motion today.

Mr. Steven Blaney: Mr. Speaker, it is with some humility that I rise today to ask—

The Acting Speaker (Mr. Royal Galipeau): Is the hon. member for Lévis—Bellechasse rising to ask a question?

• (1600)

Mr. Steven Blaney: Mr. Speaker, I would like to ask a question.

The Acting Speaker (Mr. Royal Galipeau): We are in the period for questions and comments.

Resuming debate.

The hon. member for Lévis—Bellechasse has the floor.

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, as you see, we are still getting used to parliamentary procedures.

It is with some humility that I rise today to speak of an event that took place February 10, 1956. It is a tragic event that also sowed the seeds for an apparent injustice.

I want to state in this House, and in particular to my colleague, as a representative of the Conservative members from Quebec, that we are concerned about this matter. We have listened to the debate with great attention.

Of course, a great deal has been written in Quebec about the Coffin affair, but more important, it sowed the seeds for an injustice. Whether it happens today or took place in the past, injustice is unacceptable in a democratic society such as ours. Where this occurs, we must rise above partisan considerations to ensure that the State assumes its full responsibilities and that justice is seen to be done.

This motion has been presented at a time when our government has clearly demonstrated its desire to restore public confidence in our legal and judicial institutions. In that light, the minister will take note of the motion and, if that is the will of the House of Commons, will act in a timely manner and within his powers. Under the law, for the minister to initiate such a procedure, there must be new information or significant information that was not necessarily brought to the attention of the court and that raises a reasonable doubt, namely, that an improper judgment may have been rendered.

The issue before us today is really to ensure that justice has been done. Naturally, that is what our government intends to do.

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, I feel obliged to address some questions to the member for Lévis—Bellechasse.

First, I understand that he is not necessarily familiar with this case, and I can understand that. That is one thing; however, he must be very careful what he says.

He appears to be saying that we should leave this matter with the government, and that they will make a very good decision on this matter. I would like to believe him, but that is not what we are discussing today. It is not a matter of whether or not the government will make a good decision.

There is a process of analysis that calls for an official to review this file and, after doing so, to submit one or more recommendations to the minister, who will make a decision. At that point, one may or may not criticize the minister's decision.

Routine Proceedings

We are saying today that this debate seeks to ensure that the minister's decision or the review takes place quickly. We do not want to intervene in the judicial or administrative procedures involved in analysis of this case. But we do want to ensure that the minister does not delay in rendering a decision on this matter, given the controversial and historic nature of this event that took place more than 50 years ago. That is why I said every day that we wait is a day lost that could mean the loss of possible evidence.

I do not know if my colleague for Lévis—Bellechasse has been made aware of the latest news, but some people were talking to the media and they said their father was the killer of the American hunters. Several books have been written on this subject, including one by Alton Price and two books by Senator Jacques Hébert. They, too, are part of this story.

I invite the member for Lévis—Bellechasse to make a commitment but of a different kind.

• (1605)

Mr. Steven Blaney: Mr. Speaker, I thank my colleague for his question and comments. Members will certainly understand that I cannot necessarily speak for the minister, who must look closely at all the implications of the motion before us. However, I believe there is no problem in recognizing the historic reality of this event which, as I mentioned earlier, goes beyond any partisan considerations.

Of course, we now have the will as well as the process. I can assure my colleague opposite that the political will is there to ensure that justice is finally done. Unfortunately, in this case, these events happened over 50 years ago. In a way, I think it is important to take all the necessary steps to ensure that people have confidence in our justice system.

Mr. Raynald Blais: Mr. Speaker, I do not want this to become a dialogue, but I do want to have a clear understanding of what the member for Lévis—Bellechasse was saying in his remarks.

Did I understand correctly? Does he intend to vote in favour of this motion?

Mr. Steven Blaney: Mr. Speaker, the answer is yes.

The Acting Speaker (Mr. Royal Galipeau): Resuming debate. The hon. member for Gaspésie—Îles-de-la-Madeleine.

Mr. Raynald Blais: Mr. Speaker, do I have the floor for my speech? I heard that we were resuming debate. Therefore I am rising on debate.

The Acting Speaker (Mr. Royal Galipeau): If you rise now, it will close the debate.

Mr. Raynald Blais: Mr. Speaker, am I to understand that no other member wishes to speak? Is that correct?

The Acting Speaker (Mr. Royal Galipeau): That is correct.

Mr. Raynald Blais: Mr. Speaker, I will use my time to—

The Acting Speaker (Mr. Royal Galipeau): You are the last speaker and you have 20 minutes for your speech.

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, I will make the best of that time.

First, I am honoured and very proud to address this issue today, for a number of reasons.

I was born in the Gaspé Peninsula, and I was only a few years old when these events occurred. Therefore, I do not actually remember those events, but I do remember my parents and people in my community talking about them. I remember that people from the Gaspé region expressed their views about this issue on a number of occasions. I also remember that, at one point in our history, that event took place and several books were written about what really happened. Titles such as *I accuse the assassins of Coffin* and *To Build a Noose* are telling enough to give an idea of what really happened.

More recently, I do remember a family, Wilbert Coffin's family, coming to my office, in February of last year. I was a bit familiar with the case, because I had had the opportunity to discuss it with Cynthia Patterson a few times.

Today, I am taking part in the possible rehabilitation of Wilbert Coffin, long after an event which, in my opinion and in the opinion of my community, of people in the region and of Wilbert Coffin's family, was very much an injustice done to that individual. In this sense, I feel very proud and honoured. When I met family members for the first time, I met people who were bitter towards the justice system. However, I saw in the eyes of Marie Stewart, Wilbert Coffin's sister, and in the eyes of Jim, Wilbert Coffin's son, that they still had a bit of confidence left in that system. They feel it is not too late to rehabilitate Wilbert Coffin's name.

That is how I felt, and I think it is important that I be able to express that feeling now. In such instances, you feel like there is a big burden on your shoulders, but at the same time you realize that you are part of a wonderful family, that of the Bloc Québécois. I imagine that the same is true in the other political families. We know that we can rely on colleagues to give us a hand. The first person who lent me a hand was the hon. member for Hochelaga, our justice critic. When I knocked on his door to inquire about his interest and intentions, he immediately got on board and, in March, we met with the Coffin family together. We looked into the case with a very open mind, given the need to consider every possible way of ensuring that justice is done, purely and simply.

When the hon. member for Hochelaga agreed to meet the family, this made us, namely the family members and myself, feel much greater solidarity with the cause of justice.

I am well aware of the fact that, before us, many have looked into the Coffin affair to try to have justice done. I can think, for example, of Alton Price, who wrote *To Build a Noose*, and of Jacques Hébert, who wrote two books and took a public stand on this issue.

• (1610)

I would like to take advantage of this opportunity to pay tribute to them because there were people before us who tried to ensure that justice was done. Unfortunately, that did not happen.

Routine Proceedings

It is never too late, though, to do what is right. There is good reason, as well, to do it now in light of all that has happened recently, particularly when we heard Mr. Cabot's daughter say publicly that "the man who killed the American hunters was my father". That says a lot. It is not just anyone saying anything. It is a daughter saying that her own father was the killer. That is the situation we face today. We should pay special tribute to Ms. Micheline Cabot, who spoke out so that justice could be done. She showed a lot of courage.

Other people have also worked on this case, such as family members. I am thinking in particular of the four series of petitions that I submitted, and soon I will be submitting a fifth. People all across Quebec signed them, but especially those in the Gaspé region. With the petition I received today from the hands of Wilbert Coffin's very own sister, Marie Coffin, 1317 names have been added to the nearly 2000 we already had. In all there are nearly 4000 names. That is very significant in a region like ours because the total possible number of signatures is not huge. We do not live in the middle of a big centre or a city like Montreal, Toronto or Vancouver, where there are millions of people. In our region, only a few thousand names are possible. Nearly 4000 people have already signed the petition and simply requested that this matter be reviewed in order to clear Mr. Coffin's name.

All these messages are focused on one objective, that justice be done. This requires a number of procedures. That is why the debate today is intended at most to present the case in its full context—a context in which a mistake was made that can now be set right, at least to some extent, a situation in which there is a family, the Coffin family, that is still living today with these terrible memories of something that no one would wish on his worst enemy, that is, to see someone headed for the gallows and executed for a crime he did not commit. That is the situation in which this family finds itself. That is how the members of this family feel. That is why these people have to be able to count on us and on Parliament to ensure that justice is done. As I said earlier, Jim and Marie still have some sparkle in their eyes. They both say they still have confidence in the justice system. It did them a great wrong, but they still have confidence in it. That is the message I am getting from these people that I wanted to convey to the House today.

When the time comes to vote on this motion, I hope the vote will be unanimous. We will be able to vote freely according to our conscience. The idea here today is not to fix everything, but to rectify a historical injustice. We cannot change the past.

• (1615)

I was reading a book a few moments ago. I have already read many books on the history of Gaspésie that explore the Coffin affair. Obviously, this file is very important locally, within Gaspésie, but also nationally, thanks to media coverage. Of course, the case has received extensive media coverage in Gaspésie and Îles-de-la-Madeleine. It was also talked about in Quebec City, but is even being talked about throughout Canada. This is part of our history, and at the same time, concerns the last person executed in Canada. The death penalty was eliminated afterwards, because we realized, rightly, that that was going too far. I do not think we will ever return to such a time.

It is very interesting to note the support that is coming in from all over. I know that Mary, Jim and the other individuals currently involved in this struggle can count on me and the Bloc Québécois, but I hope they can also count on the other parties. Unfortunately, the Conservative Party, the government, has not spoken out as a party. I cannot understand this. I dare say, it is making a mistake by not speaking out at this time, and is behaving irresponsibly. However, the government still has time to voice an opinion and to assume its responsibility.

I would like to know how much time I have left, Mr. Speaker.

The Acting Speaker (Mr. Royal Galipeau): You still have eight and a half minutes.

Mr. Raynald Blais: That is what I thought but I also thought that you wanted me to conclude.

That will allow me to express again the opinion of the people from the area who remember that story. In short, their impression is that yes, a horrendous event took place and three persons died; yes, there was a murder; but no, the murderer is not Wilbert Coffin; and yes, the trial was badly handled.

That is how I would summarize the situation. And that is where we find ourselves 50 years later: there is evidence that unfortunately cannot be used again. Furthermore, it would be difficult to hold a new trial since almost all the actors in the events are dead.

I know that for the people in the area who still believe in justice, and there are many of us, it is important that the House of Commons, here in Ottawa, support the initiative that has been taken so that the process can run its course. However, it might be necessary to go faster. I fear further delays.

I want to believe that the person who is currently working on this matter at the Department of Justice is doing it professionally and certainly very rigorously. At the same time, however, I want to be sure that there is no room for any unreasonable delay. As I said earlier, and I will repeat it, every day that passes is one day less, one day when evidence may disappear.

Earlier, the question was asked whether there had recently been any new events. That is a dangerous question. What it speaks to is what is new, what is not new, what would justify this thing or that thing. I seriously think that on the face of it, of what has happened and what has been written to date, and the facts that we know, we have no choice but to review this case, not just for Wilbert Coffin and for the family and the people of the Gaspé whom I represent, but at the same time, very simply, for the justice system.

It was not so long ago, after Christmas, that I was sitting with the family in a church. We were just beside the cemetery where Wilbert Coffin was laid to rest. The family members and I went to visit Wilbert Coffin's grave.

Routine Proceedings

•(1620)

We might say this is heating up somewhat, because what I felt from the community and the family is the crucial need to always believe that the truth will always win out and justice will be done. The words must not be spoken in vain, just like that.

I do think that there have in fact been mistakes made and horrible things done in the history of the world. But there came a time when we were able to remedy them, when we were able to make sure that justice prevailed. We have come to that time. We have almost reached that point. Given these circumstances, I urge all members, my colleagues, to give their strong, perhaps unanimous support for the motion before us today. Eventually, there will be a vote on this motion to ensure that we are able to move forward on the matter, so that justice can be done and the truth can win out at last.

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, I listened closely to my colleague's speech and I now would like to ask him a question and remind him that I clearly indicated—I believe—that we are already engaged in the process to restore justice and that our minister was actively working on this before the motion was tabled, which was not done by the previous government, nor by my colleague on the opposition benches.

First, our minister is gathering material on this case. The material is quite extensive and a lot of time is required for classifying the documents. Second, we have to understand that the minister is not a replacement for the justice system, but that he is involved in a review process that includes various stages: preliminary hearing, investigation, report, notice to the minister and then a ruling that will be made by the minister. It is clear that our minister became involved in this process because its purpose is to rebuild trust.

In my colleague's opinion, will being involved in this process and seeing it through rebuild the trust of Quebecers in their legal institutions?

•(1625)

Mr. Raynald Blais: Mr. Speaker, I would just like to say that trust is earned. Trust is not based on any single action or event; it is based on a history of actions and events. I can see that this situation will force the minister to make a decision sooner or later. It seems to me that the member for Lévis—Bellechasse was expressing a point of view similar to the current government's. Nevertheless, I feel we must seek to achieve the ultimate goal, which is to ensure that justice is done and that truth triumphs. That is all.

People are smart enough to understand when someone is saying one thing and doing another, or the other way around, and people are old enough and informed enough to know who they can trust. I myself trust the family that came to my office one day, a family I have met with several times since then. Their message is that they still believe in justice.

That is why they are doing what they are doing now. Imagine their situation. They go to the mall day after day, asking people to sign a petition about one of their ancestors who was hanged and telling everyone that they are ready to accept their support. You do not see that kind of courage often. They are opening themselves up to the public, sharing their deepest and most important thoughts.

What Marie and Jim are doing is very difficult for them. They kept quiet about it for quite a while, but it takes courage to do this kind of thing, to stand and take up the fight again. They are doing this after 30, 40, 50 years.

Hats off to these people for doing what they are doing. I still have faith in truth, in justice, but what happens next will determine whether that faith is well placed.

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, I am not from Gaspé, but near there. When this colossal mistake was made, I was a student in Quebec City. I knew students from Lac Saint-Jean and Quebec City. The Matapedia valley was part of Gaspé, although it is no longer considered to be today. People felt terrible when the court handed down its verdict and when the hanging took place. This feeling lasted for many years.

My colleague gave a very good presentation and has done a huge amount of work on this case. I have a great deal of admiration for him and for the family, which has demanded justice for Mr. Coffin. This event was a major factor in the government's decision to abolish the death penalty, because there was a feeling that a terrible miscarriage of justice had occurred.

I would like to ask my colleague—even though he is a little younger than I am—whether this is still true and whether the Coffin affair weighed heavily in the government's decision to do away with the death penalty.

•(1630)

Mr. Raynald Blais: Mr. Speaker, I thank my colleague for his question. The answer is yes, without a doubt.

Mr. Coffin was executed on February 10, 1956. Today is February 5, and Saturday, February 10, will mark 51 years since he was hanged. When a judicial error is made—and the expression does not begin to describe the seriousness of the consequences—it is always possible to correct that error when the person was not killed. In this case, he was killed; he was hanged. A week later, someone else confessed to murdering the three American hunters, but it was too late. Mr. Coffin was already dead.

The events of 1956 weighed heavily in the balance. Fortunately, there were noises in the press at the time, but unfortunately, the political context was not very receptive. It is important to remember who was in power in Quebec at the time; that, too, was part of the history of this case. Wilbert Coffin's hanging weighed heavily in the balance. The government decided that it no longer wanted to find itself in situations where it wondered whether an error had been made and, more importantly, whether it could be corrected.

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, I am moved when I hear the hon. member for Gaspésie—Îles-de-la-Madeleine ask that Mr. Coffin's name be cleared and that justice be done in this case. In Quebec, the Coffin case is etched in our collective memory. I too was not born when these events took place, but I did hear about them.

Routine Proceedings

A motion was adopted in committee by a number of members representing the various parties. I heard the Conservative member speak to this issue today. I suppose there were other government members sitting on that committee. Yet, we are hearing little from the government side on this issue today. I wonder if the hon. member for Gaspésie—Îles-de-la-Madeleine could tell us what he expects from government members, so that some pressure can be exerted to ensure that justice is done in this case.

The Acting Speaker (Mr. Royal Galipeau): I wish to inform the hon. member for Gaspésie—Îles-de-la-Madeleine that he has 10 seconds left to reply.

Mr. Raynald Blais: Mr. Speaker, I want very quick and unanimous action on this issue. It is as simple as that. Everyone must cooperate, so that truth and justice will prevail.

[*English*]

The Acting Speaker (Mr. Royal Galipeau): Order, please. It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Saint John, Ports and Harbours.

• (1635)

[*Translation*]

Mr. Raynald Blais: Mr. Speaker, I would simply like to better understand and give the Chair the opportunity to make its point on this. I was under the impression that, at the end of my speech, we would give a yes or a no, and that the question would be put to the House to decide the outcome of the debate. Otherwise, I have a hard time figuring out what is going on.

The Acting Speaker (Mr. Royal Galipeau): This is precisely what we are about to do, but I just want to make sure that no other member wants to address this issue.

[*English*]

Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Royal Galipeau): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Acting Speaker (Mr. Royal Galipeau): Call in the members.

And the bells having rung:

The Acting Speaker (Mr. Royal Galipeau): A recorded division on the motion stands deferred until tomorrow.

* * *

PETITIONS

CO-OP HOUSING

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am pleased to table a petition today that was circulated by residents of the many housing co-ops in my riding of Hamilton Mountain.

As the House can imagine, these residents are incensed about the financial crisis caused in many co-ops by the cuts to subsidies as a result of a flawed section 95 program.

They are keenly aware of the fact that over two million Canadians are still in desperate need of decent, affordable housing and are petitioning the House to first, repay all law subsidies to section 95 housing co-ops; second, to provide new assistance so these co-ops can help low income residents thereby making up to 10,000 co-op homes affordable again for people in need; third, to build 200,000 affordable and co-op housing units, renovate 100,000 existing units and provide rent supplements to 40,000 low income tenants; and fourth, to extend the supporting communities partnership initiative, known as SCPI, that funds successful homelessness prevention programs.

I am pleased to support their efforts both here in the House of Commons and in our community, and I full endorse their petition.

• (1640)

The Speaker: The hon. member for Hamilton Mountain knows that in presenting petitions a member is not to indicate whether or not the member supports the petition. She should refrain from such comment in future. I am sure she will.

* * *

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. David Anderson (Parliamentary Secretary to the Minister for the Canadian Wheat Board, CPC): Mr. Speaker, if Question No. 121 supplementary could be made an order for return, this return would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[*Text*]

Question No. 121—**Mr. Gilles Duceppe:**

With regard to each of the grants and contributions awarded by Canada Economic Development for Quebec Regions since the beginning of the fiscal year 2004-2005: (a) which were the recipient organizations; (b) on what dates were they awarded; (c) what were the amounts of the grants and contributions; (d) what were the names of the programs being supported; (e) in what federal ridings were the recipient organizations located; and (f) what was the nature of the grants and contributions?

(Return tabled)

[*English*]

Mr. David Anderson: Mr. Speaker, I ask that all remaining questions be allowed to stand.

Government Orders

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

REQUEST FOR EMERGENCY DEBATE

CITIZENSHIP AND IMMIGRATION

The Speaker: The Chair has received a request for an emergency debate from the hon. member for Burnaby—Douglas. I will hear his submissions on this matter now.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I am requesting an emergency debate on the hunger strike that is currently happening at the Kingston Immigration Holding Centre where Mohammad Mahjoub, Mahmoud Jaballah and Hassan Almrei are on a hunger strike regarding the conditions of their detention at the holding centre. We need an emergency debate on this issue because I think the situation is a serious one. Their health condition is deteriorating day by day.

Medical evidence shows that serious health issues can be possible after a hunger strike of only 10 days and that after 49 days there is a significant risk of renal failure, heart failure, heart arrhythmia, severe hypotension and hypertension.

Mr. Speaker, you might also recall some of the famous hunger strikes of the early 1980s and especially those at the Maze prison in Belfast. Those hunger strikers actually passed away after hunger strikes of 45 to 61 days. We are certainly within a period of parameter where there is very serious concern about the health of the hunger strikers in Kingston.

Mr. Mahjoub is on day 74 of his hunger strike and Mr. Jaballah and Mr. Almrei are on day 63, putting them well beyond the parameters noted above.

There has been no resolution to the grievances raised by the men at Kingston and no ombudsperson is available to them. Unlike other prisoners in the Canadian penitentiary system who have access to an ombudsperson and unlike other prisoners in our provincial system who have access to provincial ombudsperson for their grievances in the prison system, the men being held at the Kingston Immigration Holding Centre have no access to an independent grievance procedure or ombudsperson.

I also believe these men now risk dying in custody because of these very serious health issues that they face, given the length of their hunger strike and given the fact that there has been no movement to resolve the issues that they have been raising. Furthermore, I am concerned that they have never been charged or convicted of any crime and have no idea of the evidence against them.

Given the length of time that these hunger strikes have gone on and the serious consequences that stem from a hunger strike, when push comes to shove I think the House needs to put some attention toward this matter given that these men are being held in a federal facility at the Kingston Immigration Holding Centre.

SPEAKER'S RULING

The Speaker: The Chair wishes to thank the hon. member for Burnaby—Douglas for his very able submissions on this subject.

Clearly the matter he raises is one of importance. It is a question of whether it constitutes an emergency within the meaning of the Standing Orders of the House.

I am not satisfied that at this time he has made a case that would justify setting a time for an emergency debate. Accordingly, I am declining his request at this time.

I appreciate the fact that in question period today he raised this issue. It became evident in the course of the debate that both he and the minister had visited the facility recently and are therefore cognizant of what is going on and have recognized the importance of the events that are unfolding at that centre at Millhaven Penitentiary.

I thank him for his submissions but I am declining the request for an emergency debate at this time.

GOVERNMENT ORDERS

● (1645)

[English]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-26, An Act to amend the Criminal Code (criminal interest rate), be read the third time and passed.

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, this is a day to celebrate. We have reached the end of a long hard process to get some justice in the area of fringe financial services. Today, we are debating the final stage of a bill that will bring us closer to moment when payday lenders are regulated across the country.

Getting here was no easy feat, but it happened after a great deal of work on the part of members of the House. It happened after enormous pressure from community groups across the country. It happened because we found a way to cooperate when push came to shove. I think that tells Canadians everything they need to know on how to make Parliament work, especially in a minority situation.

Here we are today with Bill C-26, at its final stage, that will give provinces a mechanism, a means by which they can regulate payday lenders without leaving it up to a system that has largely failed Canadians over the last decade or more.

With the bill, we have an ability to set aside the Criminal Code pertaining to what is an acceptable rate of interest, that being 60%, so provinces can put in place a regulatory framework to put an end to usurious rates and to lending practices that take advantage of the most vulnerable in our society.

This has come after considerable debate in the House and at the industry committee. General approval and support for the idea has come from all sides, except for the Bloc. Most of us are still trying to figure out the position of the Bloc on this important issue. We know the province of Quebec has a system that works, a system that deals with this matter on the basis of consumer protection. Members of the Bloc feel that the province of Quebec has dealt with the problem of those who prey on individuals through payday lending operations.

Government Orders

Therefore, the question for the House has to be this. Why can we not simply agree among ourselves to get this passed so that all provinces can have some way to protect consumers in the most expeditious way possible? To this day, we are still trying to understand why the Bloc chose to use some methods at committee and in the House to hold up the bill when, at the outset, there was almost unanimous support to have the bill, which is a one paragraph, proceed through all stages as quickly as possible so provinces, waiting with legislation, could do so.

In terms of the Quebec situation, we cannot figure out the reasons for the obstruction from the Bloc members, especially in the context of the Quebec media. Just in the last week or so, when my leader and our caucus spoke out vehemently against the use by banks of what we would consider exorbitant fees at ATM machines, the Quebec media responded and said that it was a silly issue. *Le Droit* suggested that there were things far worse than ATMs. I will read from *Le Droit* of January 30 of this year. It says:

[Translation]

Come to think of it, there are things worse than the fees charged for using ATMs...

[English]

The article goes on to say:

[Translation]

If he had really wanted to do something for the poor in Canada, the member for Toronto—Danforth would have targeted the some 1,300 financial service outlets such as Money Mart—the payday lenders—that lend small amounts of money to some two million Canadians annually, at such high rates that they are currently being sued in a class action in Ontario.

● (1650)

[English]

We have taken both issues very seriously. Obviously we feel there is a real need, and Canadians agree, to put some limits on the fees that banks can charge for accessing one's own money. We have spoken out about the exorbitant fees that Canadians are charged and we have asked the government to consider putting a lid on those charges or, in fact, to eliminate the charges we face to access our own money.

At the same, we have been fighting for years on the question of money marts, rent to owns, payday lenders and all fringe financial institutions. This has been a driving force of members in my caucus over the last four or five years.

I can go back to when we first started raising this years ago. We put forward motion after motion, asking the government to start to take action against payday lenders and those who preyed on people when they were most vulnerable. We worked long and hard to try to get the former government to recognize the need to take action.

I wrote to then minister of finance, now the House leader for the Liberal Party, to ask him to do what Manitoba and other provinces wanted, which was to have provisions to set aside the Criminal Code so provinces could finally take action to put a lid on these usurious fees and to try to deal with the vulnerabilities that people faced as a result of this explosion of alternative financial centres or alternative fringe financial centres in the absence of bank presence. We did not get very far with the previous government.

When the new government came in, we began the process all over again. It took a considerable period of time, but we finally are at the point where we have cooperated, one another in the House. We have developed legislation that would allow the job to be done. Is that not what matters? In the end it is not the politics and the games about how one can hold up the House for other purposes and who initiated what and how it came to be. It is about trying to get something done for Canadians.

This is an example of where the House is making a very significant initiative on the part of Canadians, many of whom are forced to deal with payday lenders and other fringe financial services.

I do not need to go over the statistics, we have had many of these during these debates. We know that just in a decade we have gone from zero payday lenders to over 1,300. We know the stories of people who have lost their life savings. They were in this vicious cycle of going to payday lenders, being taken advantage of and being trapped for the rest of their lives. Story after story portrays this tangled web of payday loans.

I will read one example that came from a number of years ago, back in 2004. It was reported by the *Toronto Star*. The article begins by saying, "Quick cash, creeping risk 'Pride was what I left behind'". It says:

Kim Elliott's Friday payday loan ritual that began as soon as her 12-year-old son was off to school.

First stop was the bank to withdraw \$700 from the freshly deposited \$900 paycheque from her job as a front desk manager at a Windsor hotel.

A short drive away, \$650 went to pay off a loan at Stop 'N' Cash, a payday lending store that offers high-interest, short-term loans. As soon as the teller had the cash in her hands, Elliott took out another loan, this time to pay off the interest on a loan at Cash Money, another payday loan store. The transaction was the same there—pay down, loan again, drive to the next lender.

Three hours and three to our loans later, the paycheque was gone. Elliott would then take out about \$350 in her final loan of the day, this one to have money to get through the next two weeks.

Does that not say why this day is so important and why Bill C-26 has to be passed as quickly as possible?

It is especially relevant in areas where the banks have abandoned entire communities. Whether one is looking at the question of ATMs or the issue of money marts and payday lenders, the root of the problem is the same: big banks have abandoned communities.

● (1655)

For the purpose of the House's understanding of the issue, I will once again describe what happened in Winnipeg North, my constituency. In the old Winnipeg north end, over a period of half a dozen years, all bank branches closed their doors and left that entire community without access to bank branches.

Government Orders

Yes, there are outlying branches, but we are talking about a community that has a high proportion of senior citizens, a very high level of low income earners, many people with disabilities, people who do not have access to cars or family members to drive them or access to computers and sometimes even telephones to do their banking. What do they do? In the case of trying to get cash, they have to go to a private white label ATM machine and they get charged up to \$6 to access maybe \$20 or \$30, whatever they can afford to take out of their accounts.

People in organizations, like the Bankers Association, and perhaps even some members in this place have suggested that the NDP is ridiculous for raising the question of ATMs and fees. When there is a situation like that, we are not talking about convenience. We are not talking about affluent people who should know better in terms of how much money they take out at one time. We are talking about people who do not have any other choice.

The same holds true when it comes to fringe financial services. The same holds true when it comes to payday lenders. When the banks left, they created prime conditions for money marts, rent to owns and payday lenders. Every aspect of the fringe financial service popped up. It took up the space and filled the vacuum.

People went to those places because they did not have any other choice. There was no place to do their banking. There was no place to access some short term cash without going to a place that charged exorbitant interest rates and all kinds of fees and additional arrangements on top of the 60% interest rate that is criminal.

Something had to be done. We needed a way to get this into the hands of consumer protection departments at the provincial level so regulatory schemes could be put in place to arrive at what would be a reasonable interest rate for these kinds of lending situations. That is exactly what this legislation aims to do and what provinces like Manitoba, which has been the pioneer in this field, aim to do. It is about putting in place a mechanism so one can assess what makes sense in terms of an interest rate.

No one is saying that we cannot look at this in terms of risk and not charge interest. We are talking about short term loans where there is some risk, so there has to be an interest rate structure that is reasonable and allows for people not to lose the shirts off their backs.

However, in that context, why should we allow people to charge a 1000% or \$2000% interest rate? Is there not a limit? Is there not something government can do? Is this not the best way to do it, given the fact that we could not over the last number of years get the provinces to agree on one standard? We could not get the federal government to pull those ministers from the provincial and territorial governments together to arrive at one standard. It dragged on for too long, to the point where the provincial NDP government in Manitoba finally brought in legislation of its own that then began this ripple effect where other provinces followed suit.

As we speak today, the Manitoba NDP government and the New Brunswick government have legislation ready to go the minute Bill C-26 is receives royal assent. They are waiting desperately for immediate action by the House. I hope we can get there very quickly, finish this debate, have the vote, get it to the Senate and get it back here, with royal assent.

● (1700)

In the face of banks leaving communities like Winnipeg North, the community had to take charge of the situation. People in Manitoba and in my own community of Winnipeg North finally said that they had been hurt by the banks too many times. They could not seem to hold the banks to account. They could not make the banks come to them with their statements before they shut the doors. They could not seem to convince the banks that there was some merit in having access to personalized banking services in every community across the country.

After 10 bank closures and after trying everything possible, people in the community basically said that they were going to take matters into their own hands and work with the folks who really care about the community to make a difference. That is what happened. It was not necessarily with great help from government, although there was some financial support of course. It was not with the help of any of the banks, although the last bank to close its doors in Winnipeg did give some money for a pilot project to study an alternative financial community services arrangement. That bank did give its building to the community for \$1. That has made a difference and we thank the CIBC for that, but the CIBC left a whole community. It abandoned a whole area. Small businesses, local community activists, organizations, many seniors and hard-working families were suddenly left without anything. I think the CIBC actually owed it to the community to do that.

I hope other banks who abandon us will look at that as an example of their responsibilities. I hope they will consider doing so before we have to go to the next step which is to try to bring in what is so workable in the United States, a community reinvestment act which forces banks to carry out their responsibilities to the community and to give something back for the loyalty of consumers over those years. Rather than go that route, I hope banks will start to realize that they have a responsibility to Canadians, to the consumers and clients who built up those banks over the years and made such huge profits for them that the banks owe something to those communities.

Today we have a chance to make up for the downfall, for the failings of a banking system that has ignored consumer concerns. Today we have an opportunity to protect consumers from exorbitant interest rates. Today we have a chance to say to communities that we believe that a community needs to have a say in its own destiny.

The whole origin of the project in Bill C-26 came not from government, although the Manitoba NDP government was vital and central to the whole evolution of this wonderful legislation, but it came from the community. It came from organizations that felt the impact of the banks abandoning them. It came from community activists and research groups who well documented every step of the way what was happening to our community. It is only right that we pay tribute to those studies which documented this problem.

Government Orders

I refer to the work of Jerry Buckland, who is with the Winnipeg Inner-City Research Alliance, and to Nancy Barbour, who came out of the community and worked on this research, who has since passed away, and to whom we owe a great debt of gratitude. They did the study, “The Rise of Fringe Financial Services in Winnipeg's North End”. They put together detailed studies on fringe banking in Winnipeg's North End. Going back to September 2005 there is the paper, “There Are No Banks Here” regarding financial and insurance exclusion in Winnipeg's north end.

The situation in Winnipeg's north end is not peculiar. Many older neighbourhoods, inner city communities and rural communities have gone through the same phenomenon where banks have abandoned the communities and gone to where they say it is more profitable. The banks have left people at the whim of payday lenders and to pay exorbitant fees at ATM machines.

Today we are taking a step to correct this. Today we are actually making a difference in terms of the lives of Canadians. I urge all members of Parliament from all sides and all walks of life to support this bill. Let us get it through the House as quickly as possible so that it can receive royal assent. Let us put into place legislation that makes a real difference for ordinary families.

• (1705)

[Translation]

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, with all due respect to the hon. member for Winnipeg North, I wish to remind her that she is well aware of what is preventing Bloc Québécois members from supporting this bill. It is because the Quebec legislation is far better.

I remind hon. members that it is now my turn to speak and they should listen.

I also want to stress the centralizing attitude of both the New Democratic Party and the Conservative Party of Canada. I understand her decision to belong to a national party that feels compelled to support each province, even though it may be against its voters' best interests. The Bloc Québécois has the advantage of representing only the interests of Quebec.

So, the bill now before us goes against the interests of Quebec.

The hon. member talked about petty politics. She should look at herself, instead of accusing Bloc Québécois members of engaging in partisan rhetoric.

We had a fine example last weekend. Indeed, we saw two government ministers go so low as to betray their voters by signing a contract that deprives Quebec of huge revenues and that is evidence of yielding to Canada. Such is the vision of major national parties. This is why the Bloc Québécois will never support a bill that will downgrade what already exists in Quebec.

Remember during the election campaign, when the Conservatives were going on about being open and respectful. Today, we can only conclude that the Harper government is pursuing the federal objective of infringing on—

The Acting Speaker (Mr. Royal Galipeau): Order, please. The hon. member for Abitibi—Baie-James—Nunavik—Eeyou knows

that other hon. members cannot be referred to by their surnames or given names, just by their title or the name of their riding.

So a word to the wise.

Mr. Yvon Lévesque: Mr. Speaker, I just referred to the government by the name of its leader, but I meant the Conservative government, if you prefer that view of things.

So it arrogated unto itself the override power in section 347, which has now led to the Bloc Québécois opposing this bill.

Ms. Judy Wasylycia-Leis: Mr. Speaker, I simply cannot understand the position taken by the Bloc member here in the House of Commons. It is a fact that this bill does not change a thing in the province of Quebec. If Quebec has effective laws for dealing with money mart-type problems, that is well and good. That is very good for Quebecers. There is a problem, though, in the rest of Canada. It does not have a bill of this kind or a way of protecting the victims of payday lenders and money marts.

This bill is therefore an opportunity for all us to make a difference everywhere in Canada. This is not a jurisdictional problem. Nothing in this bill affects the ability of the Bloc members or the PQ or anyone else in Quebec to determine their future. This is really a bill that addresses the problems of people who have been victimized by money marts and payday lenders. That is all.

Why does the Bloc want to turn every bill into a jurisdictional debate, even when that is not the case?

Our support for this bill does not mean that we support the Conservative government in general, but we will work together with anyone in the House to make changes that are important for people everywhere in Canada. That is all.

The Bloc's position simply does not make sense. I want to go back to the article written by Pierre Jury in *Le Droit*:

If he had really wanted to do something for poor people in this country—

I imagine that that is what the Bloc members in the House really want. They want to work on solving the problems of poor people. Consequently, as other people in Quebec say, if we are interested in changing the conditions that cause poverty in Canada, we must deal with the financial service operators that victimize people. They are like vultures. They are going to set ultra-high interest rates that push people into poverty.

• (1710)

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, I listened to the member from the NDP and, as my colleague from the Bloc mentioned, with proposed clause 347 in the bill, the federal government could encroach on Quebec's jurisdiction. It could interfere with what we do. In Quebec, we have the Office de la protection du consommateur and it set the maximum interest rate at 35%.

Government Orders

What I do not understand in the position of my colleague from the NDP is that she compares that kind of loans to loans from automatic teller machines and to other kind of loans and she purports to defend the interests of the poorest in our society. However, the bill talks about interest rates of 60% over two weeks. That means that the person who borrows money could be charged up to 60% interest after two weeks and that would be legal according to the bill. Are you really asking for that? I cannot believe it. How can you say that and still claim that you defend the poorest in our society? Are there no other solutions?

Ms. Judy Wasylycia-Leis: Mr. Speaker, I realize that the members from the Bloc do not understand the bill. The member said that we are in favour of the 60% interest rate mentioned in the bill. That is not the case. The situation is quite the opposite. We reject the idea that we should simply talk about a 60% interest rate.

[English]

We have said the opposite. We have said it does not work in the rest of Canada. Maybe there is a good system in Quebec, but it does not work in the rest of Canada because all of these payday lenders have managed to put together all kinds of other fees, so that 300%, 400% or 1,000% interest ends up being paid. There is no way around it because of the way this area is regulated.

This is not about kow-towing to the federal government. We are simply saying that we would like the federal government and the provinces, not Quebec because it has its own system, to agree that they will put aside the criminal rate of interest, which is 60%, when a province has a better system to manage this area.

[Translation]

It is as simple as that. That is the way things are. That is all. The issue is not one of restrictions, it is not about the weakness of provinces like Manitoba. The issue is an issue of fairness for all people throughout Canada.

• (1715)

[English]

Hon. Charles Hubbard (Miramichi, Lib.): Mr. Speaker, with your permission and the consent of the House, I would like to share my time with the hon. member for Etobicoke North.

As I listen to the debate between the two parties, and we think of the bill, Bill C-26 is a very small bill. Most of the sections in it deal with the concept that the bill will only be effective in terms of trying to regulate the industry if the provinces request assistance. It is not something that is going to be driven by the federal government, but rather it is in response to concerns that the provinces have had that they are not able to regulate the same day or payday loan activity.

We have to assume that there are people out there who want to borrow money for a short period of time. This morning I was checking with one of those groups and I found that it seemed so simple. If one wants to borrow \$500, the indication was that one would pay only 16¢ per day for each \$100 borrowed, but there is also a \$10 fee in order to register with the company.

It sounds like a very small amount of money to pay back, borrowing \$500 for 10 days, but when we consider it in terms of the Criminal Code, that interest rate without the fee would be nearly

60%. I am concerned that if I were working for one of those companies today, listening to the debate in the House, it must be rather a slimy feeling they have about our attitudes about the type of activity that they have in those communities.

They are all pointed out as being terrible organizations and we see them as being people who are trying to rip off the poor. In fact, many of them do rip off the poor. I asked the parliamentary secretary this morning, in terms of the other fees that are associated with payday loans because those loans are often given to people who are very short of money, who do not have friends and who have no opportunity to borrow from a bank or from another financial institution.

I dealt with a case in my own riding on Friday of a person who applied for EI. He had been out of work. It took him a few days to get his record of employment from his employer and then he put his request in to draw his EI. After waiting nearly 30 days, his claim had still not been processed. I am glad to say we found out today that his claim has been processed, but an individual who has been without a paycheque for nearly five weeks is in need of money. He said that he had no money because he had medical needs in terms of prescriptions and on Friday afternoon he was very desperate. I would think that he might be a person who would go to a same day lender to get a short term loan until his first EI cheque arrived.

Other people in the country might be working for an employer and would have to wait two or three weeks to get their paycheques. If they could borrow the \$500 and get it at a reasonable rate, then it would be a service that our banks and other financial institutions often do not offer.

We know that the sad cases that we hear of usually deal with other penalties that are associated with the initial loans. We know that the costs that they put in, in terms of administrative fees, in terms of whether or not one is able to pay the loan after the 10 or 14 days are up, cause heavy penalties that are built into the amount of money that has to be paid when the loan is up.

We find, as some speakers have indicated, that in many cases companies that are involved in these franchises are able to rollover those loans, to keep the person in a rut until that loan has become so great that it is almost impossible to pay back.

We are talking today about some form of consumer protection. We are trying to avoid the idea of predatory lenders. We have the old system of pawn shops. We have various other financial agencies that cost 30% to get money from them. We have credit cards which sometimes run as high as 28% and we try to regulate those in terms of our various regulations, policies and laws.

• (1720)

This particular bill, Bill C-26, goes to section 347 of the Criminal Code and with it we are placing those organizations not in terms of the financial arrangements that our country has within our finance but more importantly, within the Criminal Code. We are dealing with it in terms of people who would be assessed very heavy penalties, in fact penalties that would put them in the criminal group.

Government Orders

Why do we have it? We as Liberals want to say that we have this on the fast track. We have indicated to the Minister of Justice that there are six bills that he has before the House that we want to be sure that they proceed quickly.

I felt badly today that in terms of some time that we took after question period we dealt with a very difficult case of justice. Wilbert Coffin was a person from Quebec, a riding in fact just north of my own, and to think that we had to debate that issue and bring it in at the same time as we are bringing in another type of criminal activity which is actually causing people to pay too much interest and to cause them financial hardship.

I want to assure the House that as Liberals we strongly support the bill. We want to see that the provinces have the opportunity to bring in legislation that will enable them to effectively regulate not only the same day loans or the payday loans but hopefully to regulate a lot of those activities within our provinces and within our country that cause so much hardship to the people who are less able to afford it.

Being poor is a terrible thing in this country. I know as a party and as the House we all want to work to see that we can end poverty, but we also know that many people are poor on a weekly basis in terms of having some particular problem which causes them to get a same day loan.

As a party we support this venture. We want to see the bill become law as quickly as possible. I can assure you, Mr. Speaker, that our members on this side of the House will support the effort of the Minister of Justice and the minority Conservative government as they proceed with this piece of legislation.

[*Translation*]

Hon. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, I am very pleased to speak to Bill C-26, An Act to amend the Criminal Code (criminal interest rate).

The purpose of this bill is to amend the Criminal Code to exempt payday lenders doing business in provinces and territories that have legislative measures in place that protect borrowers from section 347 of the Criminal Code of Canada, and to require that the competent authorities set limits on what the consumer is charged for a payday loan.

[*English*]

It was our Liberal government that put the wheels in motion for this bill by starting consultations with the provinces and territories and other stakeholders to deal with this very important issue.

If we look at it, we have these payday loan operations that fill a certain market niche, but unfortunately they really gouge consumers and some of the interest rates, as many have cited in the chamber today, can reach 1,200% per annum, whereas the Criminal Code in section 347 makes it a criminal offence to charge more than 60% interest per annum.

Some might ask, if the Criminal Code already says that, why would the police not arrest people or the crown prosecutors prosecute people who are charging clearly more than this?

That is a good question and one that I have wondered about myself. I think we really need to look at the origin of section 347 of

the Criminal Code which was designed primarily to deal with what we now call loan sharks. Loan sharking is an activity carried out mostly by the underworld or by organized crime, where people who are in a desperate need of a loan would go to a criminal like this and be prepared to pay a very large amount to get a loan because perhaps they had to pay back another debt, a drug debt, a gambling debt or whatever it might be. Therefore, it became known and is known today as loan sharking and that was really the origin of this provision in the Criminal Code.

The reality is that there are many Canadians who really need the benefit of these payday loan operations because between paydays they find themselves stretched for whatever reason and they need to obtain a loan from one of these particular operations.

• (1725)

[*Translation*]

A payday loan is a short-term loan for a relatively small sum of money provided by a non-traditional lender. Statistics from the Canadian payday loan industry suggest that the average payday loan is valued at \$280 and is extended for a period of 10 days. In order to qualify for a loan, the borrower generally must have identification, a personal chequing account, and a pay stub or alternative proof of a regular income. Payday lenders typically extend credit based on a percentage of the borrower's net pay until his or her next payday, generally within two weeks or less. The borrower provides the payday lender with a post-dated cheque, or authorizes a direct withdrawal, for the value of the loan plus any interest or fees charged.

[*English*]

There we have it: small loans of very short duration that help people meet their needs from payday to payday. By decriminalizing it, so to speak, which is the effect of Bill C-26, the provinces and territories will agree to regulate these same-day loan enterprises, which is part and parcel of this particular bill. The provinces and territories will regulate the interest rates charged on these payday loans. I think most Canadians would agree that 1200% per annum is exorbitant and unjustified. It puts people deeper into debt instead of helping them find their way out of a position like that.

It also begs the question of why it is that people cannot live between paydays. There are many reasons. We hear a lot about poverty in Canada, of course, and we have done many things to try to alleviate poverty, one of which was to have a strong economy. Certainly our Liberal government cut taxes for low income and medium income Canadians.

The Liberals also introduced a number of programs like the national child benefit, which is an example that I would like to highlight. We brought in the federal child tax credit, but unfortunately, the province of Ontario, where my constituency is located, has clawed back the federal child tax credit 100%. From the point of view of the recipient, that makes it neutral. The benefit that we tried to convey was clawed back by the government in Ontario. That was done by the Harris Conservative government. The Liberal government ran on a platform to take back the clawback, but it has not done that. That affects many groups in the province and certainly does not help families and the working poor. We should begin to address it.

Government Orders

I have been talking about working families in the low to medium end of the income spectrum and I am sure we can find individuals like that who need loans to get them from one payday to the next; it might be monthly or, depending on how they are paid, bi-weekly. They may need to make a large capital acquisition. Maybe their stove has crashed. Maybe they have other urgent expenses. They need help from payday to payday with a loan so they go to one of these payday loan companies. We have seen these companies grow in large numbers and in size and scope across Canada.

Another group I would like to touch on is seniors. In my riding of Etobicoke North, I encounter many seniors. Many of them are living on fixed incomes with old age security and the Canada pension plan. Some might benefit from a company pension as well. I think these people are facing rather unique cost pressures. Old age security is indexed every year, but it is indexed to the general cost of living.

I have done some research on this. I am going to be coming to Parliament with an initiative in the not too distant future. What has been found is that the cost of living index that is presented to seniors is not the same as the cost of living index or the cost pressures facing Canadians in general. We can see a number of reasons for that. We could look at property taxes, rents, insurance rates, energy costs and food costs. These are cost pressures that seniors face. If one is on a fixed income, this can create quite a problem.

Our Liberal government brought in the guaranteed income supplement and made some one-time changes to it. This is another area that we should look at. I believe that we may need to develop a particular cost of living index for seniors, one that reflects the basket of goods and services they must deal with.

● (1730)

Given that, we should also look at perhaps a one-time change in the old age security and then index it to this new index. I appreciate that this would cost the federal treasury some money. I do not mean to minimize that, but I think it is an area we need to look at. Our seniors built this country and we need to respect that. We need to help them deal with the cost pressures they face and the standard of living they are entitled to.

I will be supporting Bill C-26.

[*Translation*]

Mr. Robert Vincent (Shefford, BQ): Mr. Speaker, the member said that the amount of the old age pension would probably have to be increased. If a certain income level is needed to obtain payday loans and people can at the same time borrow money on their pension cheques, that is going to have perverse effects. What it means is that people who need money will be spending their cheques even before they receive them.

Are we going to go against the welfare of senior citizens in order to solve the payday lender problem? Will the member find an unequivocal way of getting the old age pension raised? I would like to hear what he has to say on that subject.

Hon. Roy Cullen: Mr. Speaker, I thank the member for Shefford for his question.

Bill C-26 addresses a subject that we have discussed today: the very high interest rates charged.

[*English*]

Frankly, I am not sure if these payday loan organizations will accept pension cheques. Perhaps they do.

I think there are two different issues. If pensioners have problems getting from payday to payday and a pension is their only source of income, increasing their pension will not expose them to further difficulties. It will keep them away from the payday loan organizations. I do not see the two as running contrary to each other.

I think if we were to do something with seniors that could help them with their pensions, it could keep them away from payday loan organizations. In fact, I suspect many seniors are not aware of the proliferation of payday loan organizations. Some may be, but some may have difficulty finding their way to the payday loan organizations and dealing with some of the complexities. I am not sure that they are big customers, but I am only saying that. I do not have any research or information to support that.

I do not think that what I am suggesting here with respect to old age security and what Bill C-26 does conflict with one another in any way shape or form.

● (1735)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, my colleague's concern for pensioners tweaked my interest. I think he will agree with me that one of the root causes for the proliferation of these payday loans is that there have been so many bank closures, at least especially in the inner city in the riding I represent. As the banks closed, that void was filled with these fringe banking outfits that actually charge to cash cheques. I did not know this until recently, but it is against the law to charge to cash a government cheque. Some of these places charge 3%, 4% or 5% to cash even government pension cheques.

As for my question, I wonder if my colleague is aware that the plight of pensioners who rely solely on OAS-GIS has actually gotten worse. In the last federal budget, the government decreased the basic personal exemption from \$9,039 to \$8,639, I believe, so it was decreased by \$400. That means \$400 more that a senior is paying taxes on. Even at the lowest rate of taxation, which I believe is 15.5%, seniors are now paying taxes on \$400 more than they ever used to before.

I did some quick math, and my colleague is probably better at math than I am, but that is \$60 or \$61 a year, which only looks like \$5 a month, except that because this came into effect on July 1, the government doubled it for the remaining six months to spread it out over the whole year, so it is a cut in pay of \$10 a month. When a lot of seniors voted for the Tories to form the government, I do not think they knew they would get their pay cut by ten bucks a month for that six month period and five bucks a month thereafter. Was my colleague aware of that? Does he run into that issue in his own riding?

Government Orders

Hon. Roy Cullen: Mr. Speaker, to make room for the cut in the GST reduction, the Conservative government in its last budget increased personal income taxes and the basic rate to 15.5%. That would affect many seniors. I am not sure if that deals with the specific point the member was making, and I have not heard that specifically, but clearly the government is not quite so caring of low and middle income Canadians. A GST cut of 1%, and now I presume in the next budget it will be another 1%, will not really benefit the poor and the medium income families.

[*Translation*]

Mr. Robert Vincent (Shefford, BQ): Mr. Speaker, I will share my time with the member for Berthier—Maskinongé. First, I am very pleased to speak to Bill C-26. I totally disagree with my colleagues' assertions, as do all Bloc Québécois members. Bill C-26 is an underhanded means to help people who have difficulty getting a loan to get money from payday lenders. These payday lenders have put pressure on the government to legalize their existence with a clause in the law, clause 347, which allows them to demand up to 60% in interest, and this can be verified. Indeed, it is the interest rate that appears in section 347 of the Criminal Code.

However, the major problem in this issue is the fact that the federal government is once again intruding into Quebec's areas of jurisdiction. In Quebec, there is already an act that deals with these loans, and the entire loan is at a maximum interest rate of 35%. Thus, any other loan with an interest rate of more than 35% is loansharking. The best way to gouge people is to lend them money at an interest rate of 60%.

Which group will take over the payday loan market? I believe it will not be the merchant who owns the corner store or the butcher down the street. The member was talking earlier about organized crime. This is the best way to launder money. It is obvious that these people will take the legal road to do something that is illegal. If the House of Commons is not aware of this, it will open the door to these people, who will be able to demand interest rates of up to 60%.

In addition, I sit on the Standing Committee on Industry, Science and Technology, where Bill C-26 was debated. How long was the debate? An hour. Why? Because the people in the other political parties agreed that it is a great bill. We are therefore going to pass it without wondering what people in Quebec or other provinces think, whether or not they think it is good or whether it encroaches on provincial jurisdictions. I should even mention that, in committee, we asked whether any of the provinces were opposed to this bill. To our great surprise, none were.

During that same meeting, we received a communiqué from Quebec saying that Quebec disagreed with Bill C-26.

Why should Quebecers, who already have legislation covering these sorts of loans that caps interest rates at 35%, have to ask the federal government for an exemption from the bill?

Why should we let the government interfere in our jurisdictions?

If the rest of Canada thinks this is fine and dandy and wants to endorse this system, it can do so. But Quebec's position is that this is not how it is going to be and that we will fight tooth and nail to make sure this system is not put in place.

On both sides of the House, Conservative and Liberal defenders of the bill are saying that they represent Quebecers. What they are really saying is that they are not listening and that they have bills and will adopt them at everyone's expense.

They are saying in the House and in the newspapers that they represent Quebec's interests and are going to stand up for Quebec. I cannot say what I am thinking, because I would be reprimanded, but I can say that that is not true.

● (1740)

There are members opposite who say: "This is good, we are able to make progress for Quebec". I think they are wrong. They do not know what they are talking about and they will say just about anything.

What is more, this bill addresses people who earn a salary, including seniors. Why? Because they receive an income every month and are able to certify to payday lenders that they have a salary. They can borrow against their income. How far will we go with these measures to give them a chance to spend their money? If a problem arises, these people have to turn to payday lenders to borrow money. As I was saying earlier when I asked the Liberal member, is there a problem? Are our seniors not being paid enough money? They built our country, Quebec especially. Are we going to abandon them like this? If they need \$100 to fix their broken washing machine, will they have to turn to payday lenders? There were no payday lenders before. Why would we need them now? To give others a chance to become wealthy and launder money? I do not believe this is a good solution.

Furthermore, the designation process—and this is the problem—requires that the province write the federal Minister of Justice to inform him that it has a law and is seeking a designation. If, on the recommendation of the federal Minister of Industry, the Minister of Justice feels that the province meets the requirements, the Governor in Council will receive recommendation to grant the exemption. This process should be relatively simple.

Why should get on our knees to ask the federal government for permission to be exempt? We have nothing to ask of it. We have our own laws. We are capable of respecting them and enforcing them. We do not need anyone to be a big brother and tell us what to do.

I strongly believe that this bill is not appropriate in that legislation is generally left to the discretion of the provinces. It is as simple as that.

When we talk about legislative measures, especially measures on consumer protection that generally cover payday loans, I do not think that consumers would agree with the way the government wants to encourage them to consume even more and have the opportunity to get money easily. It is easy to get money from payday lenders.

Government Orders

Much worse could be said. Michael Jenkin, director general of the office of consumer affairs and co-chair of Industry Canada's federal-provincial-territorial consumer measures committee, said, "I have a few words, just for a moment, on payday lending. It's a form of short-term lending through which the consumer typically borrows several hundred dollars for 10 days to two weeks. The borrowing costs are very high, as you probably know. They are usually in the range of, for example, \$40 to \$75 for a \$300 loan for two weeks..."

He told us the costs were very high. Imagine paying \$40 to \$75 interest on a \$300 loan for two weeks. It is not usurious, but it sure is close. It is not far off. I can see the Quebec members nodding off on the other side of the House. They should listen more rather than think about their next snooze. That way, they might understand this a little better.

That is not all. In 2004, the federal, provincial and territorial ministers responsible for consumer affairs expressed concern about the abusive practices and high costs consumers encounter in this parallel market, such as with payday lending. One study showed that payday loans were far too expensive and that the interest rates were too high. That was in 2004. It is now 2007. Now, a bill has been introduced to confirm that everything is just fine.

I would like to conclude by saying that we will vote against this bill. We in Quebec will take care of this responsibility ourselves.

• (1745)

[English]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am one member of Parliament opposite who was not sleeping. I was listening very carefully and with great interest because I am trying, for the life of me, to understand why the Bloc is so opposed to this bill when the rest of the country needs it so very much.

My colleague said there is no room for it, there is no need for it, speaking about this bill. In actual fact, this bill is the legislation which would allow my province of Manitoba to do something about the thieves, the criminals, who are ripping off the people in my riding.

A lot of the payday loan industry are charging rates of interest that are illegal, that are criminal. They are gouging them and they are sucking the life right out of the inner city of Winnipeg; however, the federal government has jurisdiction over this. This bill would give the jurisdiction to the provinces, so that my province of Manitoba could do something about these, as I say, blood-sucking leeches who are profiting from human misery, from low income people.

I should tell my colleague that these payday loan outfits are charging as much as 10,000% interest. Not even a cocaine dealer, not even the Hells Angels, gets 10,000% interest. But in actual fact, we now know some of the payday loan industry is in fact run by organized crime because where else could one get that kind of money? So, we went to the federal government and said to cede this federal jurisdiction to the provinces so that we can clean up this mess within our own jurisdiction.

I thought that was exactly what the Bloc Québécois wanted, for the federal government to give jurisdiction to the provinces. In every speech I have ever heard from my colleagues from the Bloc, they have demanded for the federal government to get out of their

business and for them to have jurisdiction over their own issues. In this case, I agree with them. We should pass this bill, so that the provinces could solve their own problems within their jurisdiction.

This reminds me, in a way, of the ban on pesticides. The NDP tried to get pesticides banned in Canada. Most members of the House of Commons agreed. The Bloc voted against it, and the bill was defeated, because Quebec has already banned pesticides. Well, just because Quebec has already solved its problem, please do not stand in the way of the rest of us who are trying to solve the same problem in the rest of Canada.

• (1750)

[Translation]

Mr. Robert Vincent: Mr. Speaker, as we all know, the Constitution grants provincial and territorial governments jurisdiction in matters of consumer protection, by virtue of their powers in the area of property and civil law. If a province does not yet have such legislation, its leaders have the option of creating it. If they have not done so and wait for Canada's big brothers to enact legislation—whether they agree with it or not—section 347 of the Criminal Code imposes an interest rate of 60%.

While criminal organizations, as we just heard, demand 10,000% interest, the rate would be set at only 60%. If the rate of 60% suits Albertans, that is fine. In Quebec, however, we already have legislation that covers payday lenders, and the interest rate is set at 35%. Any loan that has an interest rate higher than 35% is considered loansharking.

We have already enacted legislation in Quebec to deal with this type of loan. What we object to is that we have to ask for an exemption in order not to be subject to this legislation. The province must prove that it already has legislation, which must be sent to the governor in council, and the governor in council or Prime Minister must decide if the province should be subject to this legislation, and must ensure that the province's legislation conforms.

Clearly, Quebec already has such legislation and does not need anyone to tell it how to manage that legislation.

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, it is a pleasure to speak on Bill C-26, An Act to amend the Criminal Code (criminal interest rate), following the remarks of my colleague, the hon. member for Shefford.

According to the government, the purpose of Bill C-26, which we are debating today at third reading, is to respond to the concerns of some provinces and territories as well as several consumer advocacy associations which believe that it is urgent and necessary to regulate more strictly payday lending, which is a growing industry in some provinces.

While it may seem simple and even generous, this bill is, as the hon. member for Shefford aptly explained, yet another attempt at interfering in jurisdictions that belong to Quebec and the provinces. The Conservative members across the way are shaking their heads saying no. They should read the bill.

Government Orders

Even if the government's intent was to supervise better at the federal level to prevent interference in provincial jurisdictions, it is once again interfering in an area that we, in Quebec, are managing superbly.

Members will understand that the Bloc Québécois will oppose this bill which opens the door to a federal veto on tools currently used in Quebec to regulate such activities through the Consumer Protection Act, among others. I do hope that government members from Quebec are familiar with that piece of legislation. Have they forgotten about it since coming to this place, the House of Commons? I am not sure, but I think so.

As I said, the government described this bill as a response to many concerns raised about the payday lending industry. Granted, this is an industry that has been accused of all sorts of questionable practices, including high lending rates on future pay, insufficient disclosure on contractual terms, if any, and all too often unfair debt collection practices.

Before getting into the details of our reasons for opposing this bill, I would like to say a few words about these increasingly popular payday loans.

This is a disturbing phenomenon because it reflects a troublesome reality, the increasing presence of poverty. The people who borrow from these payday lenders often find themselves short of money. At present, the Criminal Code sets limits on payday lenders. Interest rates may be as high as 60%. I am sure that no member of this House would borrow a portion of his or her salary at such a high interest rate. The target is people without resources. That is why such activities are governed in Quebec by the consumer protection act, and the interest rate can be no higher than 35%, while here 60% is mentioned. I think 35% interest is already high.

In Quebec, payday loans are becoming less and less common. Mechanisms have been put in place; support groups for the poor have been created. There are even some CLSCs that loan money to clients with temporary needs, such as food for a week. All sorts of social measures, such as food banks, have been set up to help these people, all so they will not have to take out loans they cannot pay back. When someone borrows a portion of their salary at that kind of interest, for two or three weeks, they repeat the same scenario and keep getting deeper into debt. It affects quality of life for the borrowers and their families.

According to the Canadian Payday Loan Association, payday loans are unsecured small-sum short-term loans typically for a few hundred dollars. As we know, they are usually for two weeks. Payday loans are specifically designed to help customers with one-time, unanticipated expenses. The average payday loan is around \$280 for a period of 10 days.

●(1755)

We can see that these loans are for small amounts to meet what are supposed to be one-time needs but are often related to rent, accommodation and housing. Payday loans are really designed for the low income earners in our society.

As I have said, I am sure that government officials, our ministers, members of Parliament and other members of society do not take out payday loans. We are talking about the poorest people in our society

here today. I heard what my NDP colleague said, that we were doing this to help the least fortunate. It is incredible!

This Conservative government tends to minimize and sometimes even ignore the problems associated with poverty. We saw this recently, when the government cut funding for literacy programs and Status of Women Canada programs. My colleague and I recently toured New Brunswick and Newfoundland. People were offended at the cuts to programs that contribute to our social fabric. Once again, the government is introducing a bill to squeeze these people further.

Payday loans, also called wage advances, are a very expensive way for consumers to meet a temporary need for credit. This type of loan is expensive, because lenders charge numerous, often excessive administrative fees, not to mention high interest rates.

In return for making the loan, payday lenders will require a post-dated cheque or a preauthorized debit for the loan amount and will charge applicable fees as well as interest. With the addition of the various fees, the amount to be repaid is greater than the amount of the initial loan.

This puts the squeeze on borrowers. Here in the House of Commons, we are trying to help people in provinces where payday loans are not regulated at present. I understand that, but I do not believe that a measure such as this is the best way to help people in need. It is important to remember that these are the people this bill targets.

As you know, we are opposed to this new bill. It contains two main measures. First, it adds a definition of a payday loan to the Criminal Code. Second, it amends section 347.1 of the Criminal Code to allow exemptions from that section.

There are two parts to the new exemption mechanism. The first part specifies that section 347 of the Criminal Code and section 2 of the Interest Act no longer apply to the payday loan industry of a province when the amount of money advanced is \$1,500 or less and the term of the loan is 62 days or less, and the lending company is licensed under the laws of a province to provide such loans.

The second part—and this is where we have a problem—involves a political decision by the federal government.

The federal government exempts from the application of section 347 of the Criminal Code and section 2 of the Interest Act provinces designated by the federal government for passing legislation that the federal government considers to be consistent with its objectives for regulating this industry.

In conclusion, why should Quebec submit to the rules established by the federal government in order not to be subject to criminal interest rates, when Quebec already has consumer protection legislation that properly regulates this activity, which is in fact all but non-existent in Quebec? The members from Quebec now in this House know this. We believe that 60% is an almost criminal rate of interest. In our view, it is usurious.

Government Orders

I have explained in my speech that we have found other ways of helping those in need.

• (1800)

The Bloc Québécois therefore opposes, in principle, the bill—

The Acting Speaker (Mr. Royal Galipeau): Order.

For questions and comments, the hon. member for Yukon.

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I have essentially the same question as my colleague from the NDP. I have a hard time understanding how the Bloc Québécois could be against the bill. My understanding is Quebec has its own very good legislation and it would like that to prevail. However, right now Quebec is subject to section 347 of the Criminal Code and there could be a conflict. My understanding is the Bloc would like Quebec to be exempt from these provisions.

The bill would exempt Quebec. It removes any conflict that there might be, in which of course the federal law would prevail. If we have a bill that would give the authority to Quebec, would remove it from falling under section 347, why would Quebec not want more autonomy?

• (1805)

[*Translation*]

Mr. Guy André: Mr. Speaker, as I was saying earlier in my speech, given that Bloc Québécois members define themselves as defenders of Quebec's real interests—not like certain other members in this House from other parties who sometimes say they are defending the interests of Quebecers—we cannot vote for a bill that gives the federal government power, whereby Quebec has to seek exemption from the federal government in a jurisdiction that is currently being well taken care of by Quebecers.

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, we have just seen further proof of the Bloc's powerlessness and arrogance. Indeed, we can see just how blinded they are by their obsession to achieve independence. They are refusing any progress for the least fortunate, in the name of an ideology and a sacrosanct principle. This time, they are refusing to fill a legal void that exists.

My question is simple. How can the members of the Bloc Québécois oppose a bill that aims to help those least fortunate, whether from Quebec, Alberta, Manitoba or Prince Edward Island? How can they justify such stubbornness? Are we in the wrong House here? We are duly mandated not only to represent our constituents, but also to ensure that our government implements Canada-wide measures to protect those least fortunate.

The Bloc has an opportunity here to reach out to those least fortunate across Canada. Yet, rather than saying that this is a good bill, here is the Bloc pulling back, hiding behind its sacrosanct principles and, in the end, refusing to help ensure that we can all live in a better country.

Here on this side of the House, our position is clear. We support all measures that will help those least fortunate, no matter what province they come from. We are acting and action is being taken. Of course, as usual, the Bloc is criticizing and talking a lot, but it consistently fails to act and delivers no results.

What are the Bloc and its members waiting for before they support a bill that aims to help those least fortunate, regardless of what province they are from?

Mr. Guy André: Mr. Speaker, I am taken aback by the fiery speech of this new Conservative member who claims to be here to help the least fortunate.

The Conservatives have just cut student summer employment by half and slashed funding for literacy programs. These are the least fortunate people, yet the Conservatives rise in this House and claim to be further helping the least fortunate by putting forward a bill to charge a 60% interest rate to individuals who need interim financing to meet their needs.

The member said that we are in the wrong House. For his information, the Bloc Québécois is in the right House. Perhaps our friend is in the wrong one. We can see what is going on in the aerospace industry these days and how the Conservative members from Quebec are failing totally to defend the interests of Quebecers, let alone those of the least fortunate.

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to participate in the debate on Bill C-26. It is an act to amend the Criminal Code (criminal interest rate). We refer to it as the payday loans.

I want to give a little background, which I found very interesting. The payday lending industry is a growth industry in Canada. It was virtually non-existent until 1994. The payday lending industry is believed to have grown to more than 1,300 outlets. Canada's new government, the so-called—

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): Order please.

The hon. member for Mississauga South.

If other members wish to talk amongst themselves, I would prefer they did so in the lobby. Thank you.

[*English*]

Mr. Paul Szabo: Mr. Speaker, the government has again seen fit to reintroduce another bill, which was introduced by the previous government, on payday loans. I believe we will find there is some extensive support for this because of the implication it has to ordinary Canadians.

A payday loan is a short term loan for a relatively small amount of money to be repaid at the time of the borrower's next payday. In order to qualify for a payday loan, the borrower must have a steady source of income, usually from employment but also from pensions or other sources, and a bank account. The lender will typically lend up to a specific percentage of the net pay for a period of up to 14 days, ending on the next pay day.

Government Orders

The borrower provides the lender a cheque, postdated to the borrower's next expected income payment date, for the total amount of principal, plus interest and other fees. Members have indicated that when we take the fees, interest and insurance, the cumulative cost is in effect an interest rate of as much as 60%, which by any criteria is usury and inappropriate.

One might ask who would want to pay these exorbitant rates of interest. This is the crux of the reason why I wanted to speak on the bill. It is again a demonstration that there are people out there who, in the absence of the protection of the laws of Canada, will be taken advantage of by people who see these little pockets of opportunities to take money away from them simply because they are torn between needing cash today to buy food or to pay the balance of their rent, and the only opportunity they have is to go to payday lending institutions.

This is a problem because people who are in those situations find themselves without any credit rating. This means they have no line of credit and no opportunity to borrow from a bank. They probably have a bad credit rating for that matter. In addition, they would not have a credit card. Although credit card interest rates are very high, they are not 60%.

One might ask why they would borrow a net paycheque from someone at those rates when they could simply draw on a credit card. That is not even an option. We are talking about vulnerable Canadians who are faced with the only opportunity to get the cash they need to take care of the basic necessities of life such as food, clothing and shelter. The only opportunity for them is to go to the payday loan industry. The bill has to deal with that. It is the reason why the bill was brought forward in the last Parliament. I am pleased that we have had an opportunity to bring it forward in this Parliament and I hope to see it passed very quickly.

Provincial and territorial governments, as well as consumer advocacy groups, have raised concerns. The government should take solace in the fact that this is a matter which has been seen at all levels of government and society. They have raised concerns over incidents of questionable practices within the industry. It calls for the question about why the industry has not been totally regulated. That is another issue totally. The concerns involve the high cost of borrowing, insufficient disclosure of the contractual terms, unfair collection practices and the spiraling debt loads resulting from rolling over loans.

When people are prepared to charge usurious rates of up to 60%, when they want their money, they will go after people in a very draconian fashion. This all of a sudden becomes a risk to the safety and security of the people involved. Sometimes things happen, people start to go downhill and they cannot stop. They have exhausted every opportunity. They may have stumbled across this so-called payday loan opportunity, but they still cannot get out of it. What is the recourse to them? There is none. They go to jail, I suppose, if that is possible. However, in terms of the collection practices, even on ordinary consumer debt, we have seen badgering, threatening and all kinds of terrible things. One can imagine what happens out there.

There is no question that something has to be done. We get this situation where usurious people will tend to say that if they cannot

pay now, they will roll it over and double the rate. All of a sudden, people are getting pennies on the dollar from moneys that they acquired through their employment.

• (1810)

The approach of the bill is to deal through the Criminal Code. Section 347 of the Criminal Code of Canada makes it an offence to enter into an agreement or arrangement to receive interest at a criminal rate. It is defined as exceeding 60% per year. When I looked through the speaking notes provided by the research staff of the Library of Parliament, I noted the definition of interest. I thought it was worthwhile mentioning because we are talking about the rate of interest.

Bill C-26 defines interest in the same way it is defined in subsection 347(2) of the Criminal Code. The existing definition of interest is, however, problematic in a sense that payday lenders have tried to avoid the provisions of section 347 by disguising interest as various fees and charges. Not only is there a prescribed interest rate on the loan, there are also fees for processing and other charges for things like insurance. Payday loan associations want to be sure that if they never collect, they will be able to recoup some of the money through the insurance, which is paid by the person who takes the loan in the first place.

In one business model, payday lenders incurred the operating costs associated with providing payday loans and charged customers a fixed fee and insurance type premium on each loan transaction. The premium was designed to cover the cost of providing the loan as well as the risk of loan default as assumed by the insurance company that may be owed by the payday lender.

If the insurance charges argument were to be accepted before a Canadian court, it is unclear whether the exemption proposed under Bill C-26 would apply. This could result in problematic jurisdictional challenges of provincially imposed limits on the cost of borrowing. Regrettably, it appears there still may be some difficulty from a jurisdictional standpoint to address some of the issues here.

As I indicated, the interest rate is covered under section 347 of the Criminal Code. It was not intended to be a consumer protection tool for economic price regulation. Despite its intended purpose, section 347 has been interpreted as applying to most lending arrangements in Canada, including payday lending.

The penalties under section 347 are significant: a maximum penalty of five years imprisonment on indictment, or a maximum penalty of six months imprisonment; and/or a fine not exceeding \$25,000 on summary conviction.

With respect to the proposed amendments in Bill C-26, the payday lending industry can continue to operate but with controls. This is not to put them out of business, but there will be some controls should Bill C-26 be passed and given royal assent.

The proposed amendments will exempt payday lenders, which operate in provinces and territories and have measures in place to protect borrowers, from the application of section 347 of the Criminal Code of Canada. Second, they will require the jurisdictions that regulate the industry to place a limit on the cost to consumers of payday borrowing.

Government Orders

Some of the detractors of the legislation will say that the federal government has basically said that it does not want to deal with this and that it will instead pass the problem on to the provinces. That is not exactly the intent of the proposed bill. Making the amendment to the Criminal Code will allow everything else to continue to operate but carves this out. For those provincial jurisdictions that already have laws in place, those laws can stay in place without being affected by the bill. All it will take under the bill is for the government to designate those provinces in which the particular provisions of Bill C-26 will be applicable. Those that do not have the designation will continue to utilize their own laws. It does work.

The amendments would not apply to federally regulated financial institutions such as banks. They are intended to facilitate the provincial regulation of an industry that is not currently regulated.

• (1815)

Banks and other federal financial institutions are already subject to legislation, including the Bank Act, the Trust and Loan Companies Act, the Cooperative Credit Associations Act and the Insurance Companies Act.

As can be seen, there is an attempt here to deal with it and I must admit, in looking at some of the debate which took place in the first session of the 38th Parliament, I did see some argument that there still were some concerns.

We are debating this bill at second reading and we could bring forward some of those concerns in an attempt to promote questions and to raise issues at committee. On the termination of the debate at second reading we will vote on the basic principles of the bill. The committee that deals with the bill is where we will have the opportunity to hear from representatives of the payday loan industry and all the stakeholders. I am sure there will be some case studies. People have found themselves in a situation where usurious rates have been charged.

Very briefly I want to go over a couple of the clauses. Clause 1 updates the wording of section 347 of the Criminal Code with respect to the fine not exceeding \$25,000 and changes “notwithstanding” to “despite”.

Clause 2 amends the Criminal Code by adding subsection 347.1(1) which retains the definition of interest found in subsection 347(2) and adds the definition of a payday loan. It is important to have that in there. The definition is:

“payday loan” means an advancement of money in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature but not for any guarantee, suretyship, overdraft protection or security on property and not through a margin loan, pawnbroking, a line of credit or a credit card.

Clause 2 of the bill introduces new subsection 347.1(2) which exempts a person who makes a payday loan from criminal prosecution in the following circumstances; first, that the loan is for \$1,500 or less and the term of the agreement is for 62 days or less; second, that the person is licensed by the province to enter into the agreement ; and third, that the province has been designated by the governor in council under new subsection 347.1(3). Subsection 347.1(2) does not apply to regulated financial institutions such as banks.

Subsection 347.1(3) states that the provisions outlined will apply to provinces that are designated by the governor in council at the request of the province. This is an opt in by the province.

The only area I would like to comment on has to do with the payday loan industry. The growth of this industry has focused attention on the industry and its practice of charging relatively high rates of interest. The industry really has brought it on itself. The critics have called for prosecution of the payday lenders under the Criminal Code provisions, even if such action reduces the profitability of the industry or results in its abolition.

Proponents of the industry point to the growth of payday loan companies as evidence that the industry is fulfilling an otherwise unmet need for short term credit and/or convenience. I am not sure that the case studies of individuals will show that there is a high demand in the marketplace for this service by people who just need a little short term credit. Anybody who is prepared to pay effectively a 60% interest rate on a cash advance clearly has no credit and no options. This is a serious problem which I believe is already creating great harm in communities across the country.

• (1820)

Proponents have argued that instead of an outright ban on payday loans the federal government should allow the provinces to regulate the industry in the interests of restricting some of the more abusive industry practices, such as insufficient disclosure of contractual terms, aggressive and unfair collection practices, and the rolling over of loans. The payday loan industry itself has proposed self-regulation as a means of addressing some of the concerns associated with the lending practices.

There is obviously room for discussion. Even the industry itself is a proponent of self-regulation, but for this issue, the more the public learns about the usurious practices and the lack of protection for people who are vulnerable and put under duress to pay usurious rates, the more I think Parliament and the Government of Canada must take action.

Some commentators have suggested that the federal government is merely transferring the problem to the provinces, which may or may not adequately regulate this industry, but already there are provinces that do so. Transferring the responsibility to the provinces may also lead to a patchwork of different laws and regulations and a lack of uniformity and enforcement, some suggest. It is true that the provinces are the masters of their own legislation and also in terms of the mode in which they operate.

They also take into account the fact that there are credit organizations that do provide the same or similar products but do not charge usurious rates. This allows the flexibility that may be necessary so that it does not deal with businesses that are operated in a fair manner.

Some commentators have advocated reforms to section 347 of the Criminal Code beyond those provided by Bill C-26. The Supreme Court of Canada stated that section 347 “is a deeply problematic law”. In addition, there is concern that the provisions set out in Bill C-26 could cause legal uncertainty in relation to negotiating larger scale financial transactions such as bridge loans and convertible debentures.

Clearly this is not as straightforward as might first be thought. Members will be aware of that. I think it is going to be important for our members on committee to seek appropriate witnesses to make sure that we have the facts and that we do in fact, as we pray at the start of every day in the House, make good laws and wise decisions.

Finally, a number of other stakeholders have made recommendations that they believe would reduce the need for payday loan companies, including: first, government led education programs designed to promote financial literacy; second, the promotion of competition from traditional banks and other financial institutions in order to better control costs in the alternative consumer credit market; third, reforms to make the process of bank closure in low income and rural neighbourhoods more onerous; and finally, government aid for the establishment of community banking operations in low income neighbourhoods.

It is clear that there is a problem out there in terms of the usurious rates being charged on payday loans. It is also very clear that there are many stakeholders, including community groups and organizations and all levels of government, that have expressed a concern and support for changes to be made. I believe that we will find solid support for Bill C-26 to bring forward some constructive ways in which we can address the problem. In referring this matter to the justice committee, I suspect that we may even have some excellent witnesses there to provide some of the answers to the concerns raised with regard to potential jurisdictional or legal problems as prosecutions may come forward.

In summary, I support Bill C-26. I am pleased that the current government saw fit to bring forward a good Liberal bill from the last Parliament.

* * *

• (1825)

[*Translation*]

BUSINESS OF SUPPLY

OPPOSITION MOTION—THE ENVIRONMENT

The House resumed from February 1 consideration of the motion.

The Acting Speaker (Mr. Royal Galipeau): It being 6:30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion of the member for Saint-Laurent—Cartierville relating to the business of supply. Call in the members.

• (1900)

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 98*)

YEAS

Members

Alghabra
Angus
Atamanenko
Bagnell
Barnes
Bélangier
Bellavance
Bevilacqua
Bigras

André
Asselin
Bachand
Bains
Beaumier
Bell (Vancouver Island North)
Bennett
Bevington
Black

Blaikie
Bonin
Boshcoff
Brunelle
Cannis
Carrier
Chan
Chow
Coderre
Comuzzi
Crête
Cullen (Skeena—Bulkley Valley)
Cuzner
Davies
Demers
Dewar
Dhalla
Dryden
Easter
Folco
Gagnon
Gauthier
Godin
Gravel
Guay
Holland
Ignatieff
Julian
Karetak-Lindell
Keeper
Laforest
Lalonde
Layton
Lee
Lessard
Lussier
Malhi
Maloney
Marston
Martin (Winnipeg Centre)
Masse
Matthews
McGuinty
McKay (Scarborough—Guildwood)
Ménard (Hochelaga)
Merasty
Murphy (Moncton—Riverview—Dieppe)
Nadeau
Neville
Owen
Paquette
Peterson
Proulx
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Charlton
Christopherson
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Cullen (Etobicoke North)
D'Amours
DeBellefeuille
Deschamps
Dhaliwal
Dion
Duceppe
Faille
Freeman
Gaudet
Godfrey
Goodale
Guarnieri
Guimond
Hubbard
Jennings
Kadis
Karygiannis
Kotto
Laframboise
Lavallée
LeBlanc
Lemay
Lévesque
MacAulay
Malo
Marleau
Martin (Esquimalt—Juan de Fuca)
Martin (Sault Ste. Marie)
Mathysen
McCallum
McGuire
McTeague
Ménard (Marc-Aurèle-Fortin)
Minna
Murphy (Charlottetown)
Nash
Ouellet
Pacetti
Perron
Picard
Ratansi
Regan
Rodriguez
Russell
Savoie
Scott
Siksay
Simard
St-Cyr
St. Amand
Steele
Stronach
Telegdi
Thibault (Rimouski-Neigette—Témiscouata—Les
Tonks
Valley
Volpe
Wilfert
Wrzesnewskyj

NAYS

Members

Abblonczy
Allen
Ambrose
Baird
Benoit
Bezan

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Boucher	Breitkreuz
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooog	Calkins
Cannan (Kelowna—Lake Country)	Cannon (Pontiac)
Carrie	Casson
Chong	Clement
Davidson	Day
Del Mastro	Devolin
Doyle	Dykstra
Emerson	Epp
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Galipeau
Gallant	Goodyear
Gourde	Grewal
Guergis	Hanger
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hinton	Jaffer
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Khan	Komaricki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lemieux
Lukiwski	Lunn
Lunney	MacKenzie
Manning	Mayes
Menzies	Merrifield
Mills	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
Oda	Pallister
Paradis	Petit
Poilievre	Prentice
Preston	Rajotte
Reid	Richardson
Ritz	Scheer
Schellenberger	Shiplay
Skelton	Smith
Solberg	Stanton
Storseth	Strahl
Sweet	Thompson (New Brunswick Southwest)
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Goldring	Loubier
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The Speaker: I declare the motion carried.

ADJOURNMENT PROCEEDINGS

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

[*English*]

PORTS AND HARBOURS

Mr. Paul Zed (Saint John, Lib.): Mr. Speaker, my question today is a follow up to my question in the House of Commons on

October 5, 2006 when I had the opportunity to ask the government when it would fulfill its commitment to fund the Saint John Harbour cleanup.

Each and every day in Saint John, 16 million litres of raw sewage is pumped into our harbour, raw sewage that flows through open creeks and travels through school properties. It even includes waste from the Saint John Regional Hospital.

In this day and age, anywhere in Canada, or in the world for that matter, it is unacceptable. This is a public health issue, an environmental issue, a quality of life issue, a tourism issue and an economic development issue. We cannot continue to dump our untreated waste into the harbour.

As the official opposition critic for cities and communities, clean water and waste water treatment are some of the major concerns that we will continue to pursue.

We have been working as part of a team in Saint John to get Saint John Harbour cleaned up and funded. We have made some progress. Our approach began in 2004 as a direct request from the City of Saint John Council which undertook a waste water study and put it forward with the waste water treatment plan.

On March 27, a trilateral agreement for \$8.5 million was announced by the City of Saint John, the provincial government and the federal government through the municipal rural infrastructure fund. I do not believe this is the appropriate program to fund this project due to its large dollar size.

More recently, this past fall, within 24 hours of being sworn in as New Brunswick's premier, Shawn Graham delivered a signed memorandum of understanding on harbour cleanup to the City of Saint John outlining the Province of New Brunswick's commitment to one-third of the cost of harbour cleanup.

The memorandum of understanding represents a commitment from the provincial government of \$26.6 million. It is my understanding that the funding for this project will come through the Canada strategic infrastructure fund.

Budget 2006 renewed this program. I have met with the Minister of Transport, Infrastructure and Communities and he has assured me that the federal government will live up to its commitment of funds for the Saint John Harbour cleanup. I take the minister at his word.

If the money for this project is coming from the Canada strategic infrastructure fund, could the minister tell us when we can expect the money to start to flow to our city? If the money is not coming from this program, I would like to know from where it will come and when the citizens of Saint John, New Brunswick and Atlantic Canada can expect the money to be reinvested in this critical piece of community infrastructure for Atlantic Canada. We simply cannot afford any further delay.

Adjournment Proceedings

•(1905)

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I want to thank the hon. member for the opportunity to address an issue that is important to the people of his riding and indeed many New Brunswickers. I commend the member for his work on this file over the past several years. I also want to recognize the members for New Brunswick Southwest and Fundy Royal who have made countless representations to the Minister of Transport, Infrastructure and Communities as well as the Prime Minister in support of this project.

I assure the hon. member and his constituents that the government understands that the Saint John harbour cleanup is a priority for the citizens of Saint John. We are committed to taking actions that will provide Canadians with clean water and a clean environment.

My colleague, the member for Saint John, will recall that the Prime Minister was in Saint John in March 2006, shortly after he was sworn in as Prime Minister. He was there to see firsthand the details of the project. The Prime Minister announced that the new Government of Canada was committed to the cleanup of the harbour. On that occasion the Prime Minister announced a commitment of \$8.5 million as an important first step.

The first phase of the harbour cleanup is ongoing and we are actively working on phase 2 which represents a contribution of \$27 million from all three levels of government.

As we committed to doing so with budget 2006, over the summer we consulted with provinces, territories and the municipal sector to seek views on a long term framework for infrastructure as part of fiscal balance consultations.

The Government of Canada and the Government of New Brunswick discussed the cleanup of the Saint John harbour which we recognize as a priority for the province. Budget 2006 provided an unprecedented level of support for infrastructure in Canada. Leading up to budget 2007 "Advantage Canada" reinforced this commitment. We are working on a comprehensive infrastructure plan that will include long term predictable funding as well as programing to support: first, improvements to the core national highway system; second, large scale provincial, territorial and municipal projects such as public transit; and, third, small scale municipal projects in addition to waste water management projects.

Once policy and program designs have been approved for the infrastructure plan, we look forward to moving forward on specific projects in New Brunswick as well as elsewhere in Canada.

The work we are doing now will ensure that federal infrastructure programs are accountable to Canadians and provide value for money,

and meet the top priorities of provinces and cities, such as New Brunswick and Saint John.

I want to reiterate our commitment for the cleanup of the Saint John harbour. The government looks forward to working with the province and the city of Saint John on this project in the months and years to come.

•(1910)

Mr. Paul Zed: Mr. Speaker, I want to thank my hon. colleague for his kind remarks and also publicly acknowledge the members for Fredericton and Miramichi and the other members of the Liberal caucus in the House of Commons. The members for New Brunswick Southwest and Fundy Royal have also expressed an interest in this file.

As the member quite properly pointed out, this is not a partisan issue. We are all working together in the community.

My understanding was that the money was going to come from the Canada strategic infrastructure fund. It was allocated in the 2006 budget and there were no funds available until March 2007 but the new 2007 fiscal year begins in April.

If the monies are not available in that fund, could my hon. colleague let the people of Atlantic Canada, and specifically the people of Saint John and New Brunswick, know where their tax dollars are going to be reinvested? From which fund does the government intend to move forward with this project and how quickly would that happen?

Mr. Tom Lukiwski: Mr. Speaker, as I mentioned in my earlier presentation, details as to the type of infrastructure funding and the criteria surrounding that will be announced shortly. I would suggest to my hon. colleague that coming up in budget 2007 there will be details surrounding infrastructure funding.

I know also, speaking from my experience, that in my home community of Regina, Saskatchewan there is also a great need for many infrastructure projects there. I have been speaking with the finance minister and the Prime Minister on infrastructure projects such as those. The information I have been receiving is very comforting to me, knowing that there will be as promised long term predictable and sustainable funding for municipalities as well as provinces and territories. Those details, I am sure, will be forthcoming in budget 2007.

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:12 p.m.)

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