



CANADA

House of Commons Debates

VOLUME 141 • NUMBER 159 • 1st SESSION • 39th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Tuesday, May 29, 2007

—

Speaker: The Honourable Peter Milliken

CONTENTS

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

Also available on the Parliament of Canada Web Site at the following address:

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

HOUSE OF COMMONS

Tuesday, May 29, 2007

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*Translation*]

INFORMATION COMMISSIONER

The Speaker: Pursuant to section 38 of the Access to Information Act, I have the honour to table the report of the Information Commissioner for the year ending March 31, 2007.

[*English*]

Pursuant to Standing Order 108(3)(h), this document is deemed to have been permanently referred to the Standing Committee on Access to Information, Privacy and Ethics.

* * *

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to six petitions.

* * *

INTERPARLIAMENTARY DELEGATIONS

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the report of the annual visit by the co-chairs of the Canada-Japan Inter-Parliamentary Group, held in Tokyo, Hiroshima and Miyajima, Japan, from March 10-16, 2007.

* * *

COMMITTEES OF THE HOUSE

PUBLIC ACCOUNTS

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 15th report of the Standing Committee on Public Accounts on Chapter 5 of the November 2006 report of the Auditor General of Canada,

“Relocating Members of the Canadian Forces, RCMP, and Federal Public Service”; the 16th report on the 2005-06 departmental performance report and the 2006-07 report on plans and priorities of the Office of the Auditor General of Canada; and the 17th report on the main estimates, 2007-08.

In addition, pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to the 15th and 16th reports.

FISHERIES AND OCEANS

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Fisheries and Oceans on the main estimates for the fiscal year ending March 31, 2008.

* * *

PETITIONS

NATURAL HEALTH PRODUCTS

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Mr. Speaker, I rise to present a petition from my constituents of Okanagan—Shuswap. The petitioners are calling on Parliament to provide Canadians with greater access to natural health products by removing the goods and services tax on them and enacting Bill C-404, An Act to amend the Excise Tax Act.

HUMAN TRAFFICKING

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, this morning it is my honour to present hundreds of names on two petitions from people who are calling on the government to continue its good work to combat the trafficking of persons worldwide. This is a crime that is growing in Canada and organizations throughout our nation are amalgamating to combat this horrendous crime against humanity.

INCOME TRUSTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I present this income trust broken promise petition on behalf of Mr. David Sands of Mississauga, Ontario, who remembers the Prime Minister boasting about his apparent commitment to accountability when he said that the greatest fraud is “a promise not kept”. The petitioners remind the Prime Minister that he promised never to tax income trusts, but he recklessly broke that promise by imposing a 31.5% punitive tax, which permanently wiped out over \$25 billion of hard-earned retirement savings of over two million Canadians, particularly seniors.

Government Orders

The petitioners therefore call upon the Conservative minority government, first, to admit that the decision to tax income trusts was based on flawed methodology and incorrect assumptions, second, to apologize to those who were unfairly harmed by this broken promise, and finally, to repeal the punitive 31.5% tax on income trusts.

OLD AGE SECURITY ACT

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, it is my honour to table petitions from many seniors across the greater Toronto area. These seniors believe that the unification of seniors with their families in Canada through immigration is a core aspect of forming strong, healthy and vibrant families and communities in Canada and that newcomer seniors currently suffer unfairly from the 10 year residency requirement under Canada's income security programs.

They say that Canada's old age security, guaranteed income supplement and social assistance programs are age, capacity, and needs based benefit programs, not income security plans based on individual contributions. Therefore, the petitioners call upon the Government of Canada to amend the Old Age Security Act regulations and policies to eliminate the 10 year residency requirement for the OAS and guaranteed income supplement.

CANADIAN WHEAT BOARD

Mr. Merv Tweed (Brandon—Souris, CPC): Mr. Speaker, I am pleased to present a petition on behalf of some of my constituents. The petitioners urge the Minister of Agriculture to allow farmers to determine their future in regard to the Canadian Wheat Board.

* * *

• (1010)

QUESTIONS ON THE ORDER PAPER

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 ask that all questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

FISHERIES ACT, 2007

The House resumed from February 23 consideration of the motion that Bill C-45, An Act respecting the sustainable development of Canada's seacoast and inland fisheries, be read the second time and referred to a committee, and of the amendment.

Hon. Robert Thibault (West Nova, Lib.): Mr. Speaker, I am pleased to rise today to discuss Bill C-45. This is a very ambitious bill designed to replace the current Fisheries Act, which has undergone some changes but is more than 136 years old. There is general agreement that the current legislation is flawed and must be amended. However, there are problems associated with amending this sort of legislation.

People in the fishing industry will often say that they do not like the legislation as it stands, but that they can survive nonetheless. They have an industry and are getting by. If this legislation is replaced, it must be replaced with a better bill that will improve the fishery for families, fishers and coastal communities.

This bill contains several provisions to that end, but it also has some weaknesses. I am finding resistance and fear in the fishing communities in my riding and elsewhere. People are asking me to vote against this bill. I think this is unfortunate, because with a few amendments, the bill could be very good for the fishing industry and could bring stability.

But the government is refusing to make those amendments. We are being asked to adopt the bill at second reading in order to introduce the necessary amendments, but we know that they will not be in order. They would be now, but they will not be after second reading, in committee. I think this is unfortunate.

Now, the minister controls the wording of the bill. I believe he should hold consultations on the bill's wording in coastal communities, in fishing communities, with the groups concerned, and make amendments. They are not major amendments. The bill the minister is introducing does not have to be rejected. With minor changes, it would be an excellent bill.

The minister could do that. According to the motion introduced by the Liberal fisheries critic, the minister could make the amendments that have been introduced. I therefore encourage him to do so.

[*English*]

However, what we have here and what we are going to discuss is the bill in its current form. Again, I do not think this is a bad deal. I think it has some weaknesses. I participated, as many others did, in the Atlantic fisheries policy review, a wide-ranging session of consultations with the industry, communities and the provinces, and we came to the acceptance of a document. We accepted the proposals of the review and I see pretty well all of them within this bill.

As for where I have problems with the bill, I am going to talk about two areas. Other colleagues will talk about other areas. I am going to talk about two areas that are problematic. They are not easy to resolve. Now that he has the text of the act, I would encourage the minister to consult, based on the text he received from the communities, on the modifications that would improve that act and that he consider bringing them forward to Parliament, as the committee will not be able to do it at second reading.

Government Orders

One problem is the question of licence ownership. It has been stated by the courts in decisions that a licence is not a property. It is a permit. It is not property. That is understood. It has been understood in jurisprudence. However, in the evolution of our fisheries it has become an asset. It has value. It is often the pension plan of the family participating in that fishery. When the family leaves the fishery, it transfers the right to exercise that licence for a consideration of capital, of money, and that forms the pension plan for that family.

Now the proposed act states directly that the licence is not transferrable. The minister has said in the media, and he probably will say it again in the House, that his intent is that it continue as it was in the past and that people be permitted to transfer or sell their interest, to sell their right to apply for that annual permit. I believe he is sincere in that desire.

What worries me is what a judge will say in 5, 15 or 20 years when he is presented with a case wherein people are objecting to a transfer of a licence. He will be presented with a case and with an act which specifically states that the licence is not transferrable. If an organization, a petitioner to the court, wants a licence to cease existing on the retirement of a fisherman because it thinks cute little crabs should be swimming around the bottom of the ocean forever and should not be harvested, what then would a judge say in that instance? I believe there is some work to be done there.

The other area that I want to discuss is the question of the tribunals. Currently in the act if there is an offence or allegations of an offence under the act, the choice of the department is to charge the fisherman or fisher person or company and take them to court. It is a long, arduous and expensive process that clogs Canadian courts. This proposed act wants to bring back the way it was a while back and which had been successfully challenged in court, that is, the administrative sanctions. It would bring them back in the form of a tribunal, so that rather than going to court, sanctions could be imposed by the department with agreement of the offender or after a trial before the tribunal.

That is all good. I think that is excellent. What is lacking is a method of appeal. I hear concerns in fishing communities that the people on these tribunals are going to be named by the government of the day and are going to be political hacks. I do not have a problem with the government of the day naming the people on the tribunal. As a government is replaced, people will be named by the new government.

What I am concerned about is that the people on the tribunal have the ability and ethical values to do their job properly, that is, that they are able to do it and that they do it properly. The only way we can ensure that is if their decisions can be appealed to a higher instance. If their decisions cannot be appealed, then they stand, whether the decisions are good or bad. Rather than properly exercising their judicial or quasi-judicial responsibilities, their master remains the person who appointed them, the minister. As long as they make the minister and the deputy minister happy, they will continue to be reappointed. I believe there should be an appeal process. It would ensure that their job is done with integrity and transparency.

●(1015)

I want to return to the licensing and give an example of a good principle poorly applied and its negative impact. I want to give an example of the ministerial order given by the minister a few weeks ago with respect to trust agreements.

Trust agreements exist in my part of the world in two areas. They exist in the groundfish industry and the lobster industry.

The minister has stated that it is his intention to legitimize the existing process and permit vertical integration within the groundfish industry. I applaud him for that. That is the direction I was suggesting. It is the direction in which we have been going. I think that is excellent.

In the lobster industry there are 1,000 licences in Digby County, Yarmouth County, Shelburne County and in part of my colleague's riding across the way, South Shore, in St. Margaret's.

Twenty or 30 years ago the cost of getting involved in that industry would have been \$20,000 to \$100,000. A young person who wanted to enter that fishery would use the old backing system. He would see a lobster broker or buyer and the lobster buyer would sign at the bank or lend the young person \$15,000 or \$20,000. The young person would have to find another \$10,000 and then he would be in. By a gentleman's agreement the harvester would sell his product to that buyer. That buyer would have security of supply. The young person starting in the industry would have a reasonable source of capital. Over time, times were very good in that industry.

The Marshall decision created the government buying lobster licences and other licences which quickly inflated the prices. All of a sudden, with the combination of the Marshall decision implementation and the economic benefits of that industry, licences hit \$200,000, \$300,000, \$400,000, \$500,000, \$600,000 up to \$800,000. The vessel and the gear would cost another \$300,000 to \$600,000.

The gentleman's agreement did not work any more. The person who was going to shell out or guarantee up to \$1 million had to have some security. He needed two things. As a broker he needed security of supply; he needed lobster. He was not going to spend hundreds of thousands or millions of dollars marketing lobster if he could not be guaranteed supply. The other thing is he needed to be sure that if he lent \$1 million to somebody that he would get it back.

The lawyers worked behind the scenes and they found ways around the policy and they came to the trust agreement. DFO policy continues to state that the licence must be held by an individual. They did the beneficial use or trust agreements. They were able to integrate in that way. In the beginning it worked fine, but with time there was movement by a few companies toward accumulation of a disproportionate share of the licences. It put fear in the community that no longer would it be an independently held industry contributing its maximum to the economy, creating riches for a lot of people.

There is another type of trust agreement. Of 1,000 licences my estimation would be that there are a couple of hundred in corporate trusts and probably 300 in individual and family trusts.

Government Orders

A lobster fisherman wants to turn over his assets to his son or daughter but it is \$1 million and that is his pension plan. He is worried because he has to protect himself in case it does not work out, so he creates a trust and he turns the shares over bit by bit to the second generation and gets his pension. As people retire, a father or mother might want to buy licences in the market for two or three of their children. They will create trusts for those purposes. Those are not seen in the community as being dangerous. They are not seen as undermining the independence of the industry.

The minister, based on the good principle that the independence of the fishery has to be protected, said that only the banks would be able to mortgage and that within seven years all the other corporate trusts would have to be dissolved. The principle is good but what happened with the implementation of that is that the other 300 what I call reasonable trusts got caught in that trap. The average fisherman who was preparing to retire saw his licence value decrease from \$600,000 to \$300,000 overnight. About \$600 million disappeared in capital value of fishing families, people preparing for retirement, in western Nova Scotia.

I have written to the minister asking him to reconsider. I understand there is a question of extending the sellout period or the dissolving period of those trusts to 17 years.

●(1020)

I would ask the minister to go further. I would ask him to look at the underlying causes that created those trusts. How do we change our policies in a way that would promote reasonable economic development of the fishery and maintain as much as possible the independent nature of the fishery? There are four points that I continually raise.

The first is the elimination of the capital gains tax. I congratulate the government for having done that. The government went further with this year's budget than it did with last year's budget and it came to what was in our Liberal policy platform. That was the responsible action to take and I thank the government for doing that.

The second point is access to capital. For an independent fishery to exist, the individual has to be able to compete with anybody else who would be trying to integrate into that fishery.

I should point out that what scares me under the tribunal system is the tribunal could decide who could and could not be a fisherman. That is risky. A fisherman should be a person who can acquire a licence or be entrusted with a licence and leave the wharf. It should be decided like that. It should evolve naturally and normally as it always has. A fisherman needs access to capital. He needs to be able to compete for it.

Then there is the brokerage sector. The brokerage sector, or the lobster buyers as we know them, need security of supply. They need to know they will be able to buy lobster in the future. They should have a reasonable way of competing with everybody else who is trying to do the same. That maximizes the value of lobster. It maximizes the revenue to the fisherman. It maximizes the return to the country and to the community.

I suggest that the licences be under a financial instrument. Because a licence is not property, it is difficult to call it a mortgage so I call it a financial instrument. We should let the banks enter into a

financial instrument, or whatever the proper term would be, with the fisherman, so if he does not make repayment, the bank can get the licence, force its sale, and recover that way. The courts have found that to be okay and it is under appeal now.

I would suggest that we go further and let lobster buyers and the marketing industry get into those types of instruments. Then they would not have to do a trust. It would also cost them a lot less money. They would have more financial security as long as the person whose name the licence is in could buy out of the obligation in a reasonable manner as a person would on a mortgage on any other business or real property. That would help a lot.

Families or lobster fishermen should be permitted to create companies and put their licences under companies. Partnerships should be permitted. However, holding more than one lobster licence within a corporation or any individual or corporate entity having shares or interests in more than one of these corporations should not be permitted. Any one of those corporations or any fisherman should not be permitted to have licences in more than one lobster fishery area. We see that now in areas where they do very well. Fishermen use the capital to compete with larger vessels in other fisheries in their off season. That has a huge risk.

Existing trusts could be grandfathered. They should not be stale dated. If ever the fisherman sold his assets of the company holding the trusts, he could not sell those trusts with them. The fisherman could not sell one company to another. Any time those licences were moved, they would have to go under the new rules. I think that the market would level off.

People holding 20 or 30 licences in trust would have \$20 million or \$30 million tied up and they could not use that asset at the bank. They could not because of their trust agreements, their counter-policy with the department; with the signature on an order, the minister could dissolve the licence so it would have no value at the bank. The person could not use it to negotiate working capital in his corporation, but if the person sold the licences to the captains, if he got a financial instrument with the captains who owned the licences now, with an agreement that they sell their lobster to him at market value, they could buy out the person anytime, but the person would have a reasonable security of supply. The person could go to the bank freed up of the \$20 million or \$30 million obligation and as he negotiated his working capital, he could tell the bank what he expected in the amount of product he would be selling on the market in the next five years based on those things. Suddenly that business plan makes sense.

●(1025)

That broker has the ability to market Canadian product in the Japanese, oriental and European markets. The independence of the fishery is maintained and there is competition to buy that product from the fisherman maximizing in value.

Government Orders

Those four points, and there can be variations, would take away the underlying circumstances that have forced these trusts. These trusts were not some diabolical plan of people to take over the lobster fishery. If we talked to the people who are the beneficial owners of these trust agreements, they would tell us that they are not efficient at harvesting. The captains would tell us that it is not the most efficient way. The most efficient way is for the captain to own and operate his vessel. He will take care of things. He will fish when the conditions are right. He will take decisions that are appropriate for the safety of his crew and he will bring in the product.

People get involved in these trusts to have that security of supply. Lobster brokers need one thing. They need lobster. That is what they do very well.

As a young man growing up in Comeauville and fishing in the spring, I remember when there were two buyers who would come to Comeauville wharf. Essentially they were selling to two brokers in the U.S. The buyers would buy the lobster at the cheapest price possible. The price would be fixed in the spring and fixed in the fall and they would sell the lobster at a quarter a pound profit on the American market. The broker would make whatever money there was in marketing it on the American side and our fishermen lived in poverty.

Twenty or 30 years ago there started to be competition on the brokerage side. All of a sudden people were paying 15¢ to 20¢ more per pound. There were large fluctuations during the season. Fishermen themselves were brokering, developing lobster holding ponds and the lobster fishermen have done very well. They have very good family revenues. Their children are being well educated. They are contributing greatly to the economy. It is important that we protect that.

I hope the minister will give my reflections some consideration in protecting the retirement assets of these families as they approach the time to leave the fishery, as well as protecting the future of the fishery and the economy of western Nova Scotia.

• (1030)

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, I want to thank the member for his remarks about the bill. I believe he and his colleagues are starting to learn that even though there may be certain things in the bill with which they do not agree or with which they have concerns, and I appreciate that because it has always been that way and that is why we developed the legislation, he has admitted that there is a lot of good in the bill.

In every fishing province, the ministers and the governments involved have said to get on with it, get this bill to committee so we can get into the nuts and bolts and make the changes.

I want to refer quickly to a couple of things the hon. member mentioned. He talked about his concerns about the tribunal and no recourse to tribunal decisions. There is recourse. If a decision is made that will negatively affect somebody, there is the Federal Court. The main reason the tribunal was put in place was to have an arm's length, independent group that would take the politics out of who gets the licence and who does not. I am sure the hon. member would agree with me that too often in the past we saw games played along those lines.

In relation to the word "transfer", I fully appreciate his concern. However, there is no change at all from the old act, none whatsoever. Transfer is just a term of practice. We cancel a licence and reissue it to somebody else, because the person receiving the licence has to be somebody who qualifies. He has to be a core fisherman. We just cannot transfer a licence on a whim to somebody who is not connected. That is the problem in the fishery, where people are trying to get other people out of it so that those who remain can make a living. The wording in the new bill in clause 30(1) is the same as the fishing regulations in the old act. The word "practice", to practice itself on change, but if there is wording that can give the member more security, absolutely. It is not crucial that it has to be written like that if it is not clear.

On the other issues he talked about in relation to trust agreements and so on, we are aware of that. We have had discussions with groups. Some I have sympathy with, some I do not. As the member knows, people took advantage of that over the years for personal gain. People involved in the fishery want to benefit from it. They do not want people who are not necessarily connected raking in profits when they should be going to those on the ground. There are things that can be done, but these are done in regulations. They have nothing to do with the act, so—

The Deputy Speaker: Order, please. The minister has had three minutes. We need to give the member some time to respond.

Hon. Robert Thibault: Mr. Speaker, I appreciate the points made but part of my fear is that a true tribunal decides who is and who is not a fisherman, and that definition of what a core fisherman is.

I remember growing up in Comeauville and it was the same at every wharf where the local fishermen would decide by intimidation who could integrate the fishery and who could not, and then we sort of opened that up.

I remember a gentleman moving to western Nova Scotia from New Zealand. There was no way he would be encouraged to get in the fishery and no way that he would ever be defined as a core fisherman. Nobody would give him his first job but the guy had gumption. He bought the oldest boat he could find and got a licence before they were expensive. Bit by bit he learned to fish and within 15 or 20 years he was heading up the organization. He was representing those fishermen at that wharf.

A fisherman becomes a fisherman by leaving the dock at the helm of a vessel, baiting a hook and catching a fish. That makes him a fisherman. It is not by some definition nor by a judgment of a tribunal or by decisions by another group as to who is a fisherman or that the person must be the grandson of a fisherman to be a fisherman.

Things change and evolve but those types of directions and those types of claustrophobic things make me nervous.

Government Orders

I know a young man who started fishing this year, his first year as a captain in Comeauville, out of Meteghan, with his own rig. His father was not a fisherman nor was his grandfather, but he got the courage to try it. He got fishing under a trust agreement the first year, the first year that he was able to and the first year he could get out of the wharf. Now he is a fisherman. He has bought a rig and he is fishing. I hope he will do very well. I want to encourage young people to have that same opportunity.

• (1035)

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the Conservatives and Liberals say that they are tough on crime and yet here they are allowing corporate polluters who commit serious environmental crimes to get off easy, allowing them to have alternative measures agreements rather than guilty pleas and criminal records.

Corporate offenders who put toxic substances into water, which destroys fish habitats, should face stiff fines or even jail time if they are convicted. Canada needs tougher legislation to protect fish habitat and our lakes, rivers and oceans. The fishing industry needs clear standards that are applied equally to every polluter.

We need to protect our coastlines and our aquatic ecosystems. The biological integrity of the Great Lakes is already under stress by the invasive species and climate change.

Why is the Liberal Party not opposing this terrible Bill C-45, the new fisheries act that declares our water and our environment open season for corporate polluters? Where is the Liberal leader who claims that environmental integrity and protection are supremely important? Why is the Liberal Party supporting this bill?

Hon. Robert Thibault: Mr. Speaker, the member has made the assumption that the Liberal Party is supporting this bill. I would point out that one of the problems with presenting a bill like this, and it has been done in the past, is that if we make the environmentalists all happy, the fishermen cannot leave the dock. To make the fishermen 100% happy, it is a disaster environmentally, so it is tough. We need to find a balance.

The tribunal process has some good elements in it. If we look on the environmental side of it or on the fisheries side, depending on the severity of the offence, there is a severity of the sanctions and we can choose to go to criminal areas. Plus, it does not override any other act. It does not override the Canadian Environmental Protection Act or all the other conditions. We need to take those things into consideration.

We do not want to bog down our courts and our governments in endless court cases if we can settle and give the punitive penalties a lot quicker and stop the negative actions a lot quicker.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the current Fisheries Act is some 138 years old and I think it has been about 35 or 36 years since it was amended. There has been a substantial amount of correspondence from provincial jurisdictions on this matter and I believe there is support for the review and update of the Fisheries Act.

However, it has been such a long time since there have been amendments to this act and there are so many issues, I am a little concerned. Would the member know why this bill was not referred to

committee to hear the substantive concerns that people have about the legislation tabled at first reading and to have that input prior to second reading?

Hon. Robert Thibault: Mr. Speaker, I think the government had choices and one choice would have been to refer the bill after first reading to the committee. There are also reasonable arguments as to why the government would not do that.

However, there are interim positions. One is that once members have the text of the bill, either before or after it has been presented in the House, we could consult based on that text. If the text were sent to the committee for study it could consult with the Canadian public and make recommendations to the minister for changes prior to the introduction of the bill. It could have been done by the department itself, by the minister or by the provinces. There are a thousand ways it could be done.

It is a shame that there were no consultations on the text prior to the bill being introduced in the House. We know that at second reading the necessary substantive changes cannot be made to certain parts of the bill.

What we have in the communities is a lot of anxiety. People do not understand the bill and they are not sure of what certain wording would mean and whether the bill is good or bad. Therefore, constituents are asking us to not support the bill. They suggest that, while the act is bad now, they can live with it. They say that at present they have an industry but with this bill they may not.

• (1040)

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, I rise today on behalf of our federal party with sort of mixed feelings. The reality is that it is always good to talk about the fisheries policy of Canada. The unfortunate part is that we need to take a little history test before we go into the context of the bill, the future of the bill and what we believe the bill means for Canadian fishermen and their families across the country.

The bill was tabled in the House of Commons for first reading on December 13, 2006. It was heralded as a bill that would modernize the fishery. It is 138 years old and it needs to be modernized. I agree with the department and I agree with the government that any bill that old needs to be looked at again and needs to be modernized.

However, we are not fishermen. We are politicians. One would think that something this important to fishermen and their families across the country would have had their valuable input into the bill prior to its tabling.

The government said, on many occasions, that this bill was brought to the House of Commons based on extensive consultations but that is simply not true.

What the consultations were on were specific regions of the country and the policies of those regions, for example, the Atlantic policy review and the west coast Fraser River review. Areas of the country where there were certain specific problems were dealt with in a consultative form in terms of various policies. It was those policies from across the country that were brought to bureaucrats and, thus, they came up with the bill that was introduced on December 13, 2006.

Government Orders

I would remind my Liberal colleagues that this is similar to a bill that was tried to be introduced in the mid-nineties but there was such pressure by the then Conservative Party, the Reformers at that time, that the bill was dropped, died on the order paper and did not see the light of day until last December.

Based on the minister's own comments about consultation, I asked for a list of all the people who were consulted on the bill prior to its tabling on December 13, 2006. I am still waiting for the list.

Therefore, I called fishermen, their organizations and provinces across the country and I asked them one simple question: "Were you consulted on the new fisheries act prior to its tabling on December 13 for your input?" I have spoken to aboriginal groups, to the provinces and to various fishing groups right across the country.

At the last Maritime Fishermen's Union convention in Moncton, the Minister of Fisheries stood and told everybody in the crowd that this bill was based on extensive consultation. I spoke after the minister and, with the minister in the audience, I asked the people in the audience to raise their hands if they were consulted on the new fisheries act prior to its tabling. Not one person in that room put up a hand.

If we are not going to consult with the fishermen on something that is that important in their lives then right away we have a problem.

The government, of course, has said that we should get it to second reading and then we can have consultations after the fact. The danger of that, and why we support the Liberal hoist amendment, is that after second reading there are certain clauses and amendments that cannot be brought forward. They will be ruled out of order.

The government talks about the fact that the Fisheries Act maintains the publicness of the fishery. However, I would remind the government of the 1997 Supreme Court decision in *Comeau's Sea Foods Ltd. v. Canada* where the Supreme Court unanimously stated that the fisheries was a common property resource going back to the Magna Carta days. The fish and the resources are owned by the Canadian people, not the government. There is no reference at all in the bill to the Supreme Court decision of 1997. In fact, the only thing the bill says is that Parliament is committed to maintaining the public character of the management of fish and fish habitat. Those are two different things. Any corporate lawyer can tell us that as well.

In fact, Chris Harvey, a QC lawyer from British Columbia, said that this bill was the greatest expropriation of a public resource in the history of Canada. I did not say that. That was said by a very well-qualified lawyer who understands the constitutional aspects of fish law in this country.

• (1045)

I also remind the Conservative Party of Canada that there is only one commercial fisherman who is a member of Parliament, and that is the member for Delta—Richmond East. Naturally one would assume that individual would have some knowledge of the commercial fishery.

This individual who cannot be named is a Conservative member, has been here since 1993, has been on the Standing Committee on Fisheries and Oceans since 1993, and voiced his concerns about this

report quite loudly. Because of his objections, the Conservative Party of Canada removed him from the committee.

If the Conservatives are so proud of this act but say they understand there are problems with it that can be changed in committee, then why would they remove the only commercial fisherman in the House of Commons from the Standing Committee on Fisheries and Oceans? Why would they do that? It is because they do not like the idea of dissent within the ranks.

The reality is that the member for Delta—Richmond East, who I have differences of opinion with obviously being that he is a Conservative and I am a New Democrat, is right in his objections to this bill. He was removed from the committee because of his objections.

I have travelled the country and spoken to many fishermen and their organizations. They have very serious objections to the method of this bill. I have also spoken to many environmental groups. I have held press conferences with environmental groups across the country. This bill does little to protect the integrity of fish and fish habitat. We see the direction the government is going in terms of what it is doing in the way of protection of fish habitat.

Let us look at Trout Pond in central Newfoundland, a lake that had five species of fish. What did the government allow the province to do under schedule 2 of the Mining Act? It allowed that healthy lake to become a tailings pond for a mining company. Instead of telling the mining company to keep its tailing pond separate from the water system, it allowed this lake to be destroyed, with the intention of course that it would restore something else so that there is no so-called net loss of fish and fish habitat. We have yet to see that in this country.

If we look at the bill very carefully, it says the government must take into account certain aspects of habitat management. If we turn over a couple of pages it says the governor in council may do something completely different.

Let us look at the bill. On page 22 clause 48 says very clearly, and I love this, "No person shall kill fish by any means other than fishing". It seems fairly straightforward. If we turn over the page, we see that it says the governor in council may authorize "the killing of fish by means other than fishing".

What is the government trying to tell us? It says, "You can only kill fish by methods of fishing, but don't worry, the governor in council can override the department, the minister, the government, Parliament and committees and say you can kill fish by other means", which means pollution and destroying fish habitat. For anyone in this country to say DFO has done a good job maintaining the habitat of our fish stocks is simply out to lunch.

Government Orders

I remind Parliament and those who may be listening, the Conservatives were in power in 1992 when the greatest collapse of a natural resource happened just off our east coast shores and that was the northern cod. Over \$4 billion have been spent readjusting the east coast fishery and not one person at DFO or in government was ever held accountable. Even though the Hutchings and late Ransom Myers report said very clearly in the late 1990s that there was manipulation of their scientific reports within the department, not one person was ever held accountable for that act.

It cost \$4 billion tax dollars. There was the readjustment of many people, who had to move away from the great province of Newfoundland and Labrador to central and western Canada. One would think somebody would have the honour to stand and say the government screwed up, but no one has. Now this same department and the same Conservatives are saying, "Trust us, we know what we are doing. Just get it to a committee after second reading and we will fix the problems that have been addressed".

• (1050)

I reiterate one more time that there are certain amendments and certain clauses that cannot be passed after second reading. This is why we have offered the government the olive branch prior to Christmas and again in January. The olive branch was offered again with the hoist amendment to allow this bill to come to committee prior to the vote at second reading, so that we can have consultations with fishermen, the provinces and aboriginal groups and come up with an act that definitely works for the majority of fishermen and people across the country.

I have been on the fisheries committee now since 1997. With the removal of the member for Delta—Richmond East, I am now the longest serving member on that committee. I am very proud to be on that committee working with members of other parties. We tabled well over 27 reports I believe and almost 23 of them have been unanimous.

If the Conservatives, the Liberals, the Bloc and the NDP agree time and time again on various fishing reports throughout this country, that shows that the committee process works. It shows that the recommendations can be dealt with within committee and the committee can deal with proper evidence and analysis, so we can come up with the recommendations that will help government.

We want to help the minister come up with a new act, but if this goes to committee after second reading, we simply will not be able to do it and thus will have no choice but to defeat the bill any way that we can. We would love to be able to work with the department and the government prior to that to put in the amendments that definitely work.

We suspect that the intention of the government is what has been going on for a long time and that is the corporatization of the public resource. I remind the House that just recently in committee Larry Murray, the deputy minister of Fisheries and Oceans, rightfully said that the debate in this country is going to have to be about the future of the fishery. What he is basically saying is, do we retain it as a common property resource or do we go more to an ITQ system which means individual transferable quotas?

Two countries have recently moved toward that system: New Zealand and Iceland. Those are smaller countries with different fishing areas than we have, but they went from a common property resource to a more private managed resource. Both of them say they have had success with those systems although many people had to get out of the industry. It made other people very wealthy and there is still dissension within those countries on that type of system. I do not fear debate on an ITQ system. We need to have an open, honest debate and dialogue across the country, not slip it through the back door as we have been saying over the years.

The Supreme Court said in 1997 that the fisheries is a common property resource owned by the people of Canada. If that is the case, why does the Jim Pattison Group control most of the wild salmon stocks on the west coast? Why does it control most of the herring stocks on the west coast? Why is it that the Barry Group controls most of the redfish stocks on the east coast? How is it that the Clearwater company managed to get just about all the scallop stocks on the east coast?

Why is that just the other day the Department of Fisheries and Oceans, along with the minister of fisheries in the province of Nova Scotia, allocated a 10 year allocation for clams on a particular beach in the Annapolis Valley? It is restricted now. Only this one company has access to those clams for a 10 year period. Everybody else, out the door. If it is a common property resource, how does the government consistently give a fisheries resource to private hands?

We see that happening over and over again, and this bill will just entrench that. We will not be able to change the direction of that bill after second reading. The government knows it and we know it. We have had it on legal advice from the Library of Parliament, and from the lawyers who said very clearly that certain amendments cannot and will not be accepted after second reading. That is not the way to conduct open and transparent government, and open and transparent processes.

We have asked consistently that the bill be brought to fishermen and their families for active consultation. Let us bring in the amendments and we can make the bill actually work. As my colleague from West Nova said, there are some good aspects in the bill. Just on a percentage basis, I would accept 40% of the bill right now having studied it very carefully.

• (1055)

However, we have concerns with other aspects of the bill, namely, the relationship between the minister and the governor in council in terms of fish habitat, the fishery management orders and how allocations are done.

The government is now talking about 15 year allocations. It is saying that a licence is a privilege and not a right. If that is the case, then how does someone take something that is a privilege to a bank to get a loan for something that may be a 15 year allocation? It is going to be very difficult to do that.

Government Orders

I have spoken with members of the Canadian Bankers Association and they have looked at this. They say that without sound collateral and something tangible in their hands, they simply will not loan the money that these fishermen need. That is a different topic related to fishery loan boards with the provinces and it is something that can be discussed at a later date.

These are some of the major problems with the bill. The thing is that we cannot say, as the minister or the government state, that a bill was brought to the House of Commons based on wide and active consultation when that simply is not true. That is simply unacceptable.

We know that the minister comes from Newfoundland. He has worked in the fishing areas for most of his younger life, as did the previous minister of fisheries. We respect them for what they did while working in those small communities.

The Minister of Fisheries and Oceans should know more than anybody else about the plight of fishermen in his own province. Over 50,000 people have had to leave the outports of Newfoundland and Labrador to find work elsewhere because of the collapse of a common property, the northern cod.

We now see on the Northumberland Strait between Prince Edward Island, New Brunswick and Cape Breton Island that many lobster fishermen are having a difficult time meeting their catches this year, although catches are up in other areas.

We know about the problem with trust agreements. I must give credit to the government that recently it came out with an agenda on how to deal with those trust agreements separate from the bill. I say to the minister right now that I am willing to work with him on that specific issue. The minister is correct that the last thing we need in this country are slipper skippers.

If the bill were to pass the way it is now without putting in the strong Canadian content that we want it to have in terms of the public access and public right to the fishery, there would be nothing stopping John Risely of the Clearwater Group from selling his entire operation to foreign interests. What we would have down the road is what is now a common property resource owned and controlled by foreigners. That is what scares the hell out of fishermen and their families.

I look at the plight of the great people of Canso, Nova Scotia. My hon. colleague from Cape Breton—Canso knows the area extremely well. Here is a community that has been fishing for over 400 years and had fish processed in the town of Canso. What happened this year? Nothing. What happened to the people of those areas? They are gone or they will leave. Hopefully, they will try to find something else. Hopefully, they will retire with some dignity.

This is the plight of fishing communities in this country when the fish are turned over to the corporations that now are looking at China and other areas for processing of their fish. We know that pickerel from Lake Winnipeg is caught on the shores of Gimli, Manitoba. The corporations take that fish and freeze it, and send it to China, process it, freeze it again, send it back, and sell it in the Safeway stores in Winnipeg. That is apparently cheaper than processing it right there in Transcona. The package says “Product of Canada”, “Made in China”. The fish was caught in Lake Winnipeg and sold in

Winnipeg. We are talking here about exporting our jobs and also the environmental aspect of that.

In conclusion, I want to say to the government that it has missed a terrific opportunity to work with the opposition, to work with the committee in order to ascertain a proper, brand new, modern fisheries act that would meet the needs of fishermen in the communities from coast to coast and address the issues of our first nations people.

This is why we ask one more time for the government to delay the proceedings of this bill, bring it before the committee, so that we can have those true consultations that the fishermen and their families have asked for. We can then come up with a modern bill, reach an agreement in the House of Commons, and have something of which we can be very proud.

● (1100)

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans, CPC): Mr. Speaker, I know my colleague is very interested in fisheries issues and makes an important contribution to the Standing Committee on Fisheries and Oceans.

I have many questions for him, but I probably only have time for a couple.

He said that the Supreme Court of Canada had indicated that fisheries resources were a common property resource in Canada. In fact, we agree completely with that fundamental principle. We think the wording in the bill and the public character of the management of the fishery supports this fundamental principle.

Whether that language or any other language is in the bill, the law of the land is clear that it is a common property resource. Could the member point out for me anywhere in the bill where it contradicts that fundamental principle of it being a common property resource?

My second question is this. The member has crossed the country, holding poorly attended press conferences and talking to people here and there. In my opinion, he has been spreading misinformation from time to time about what is in the bill. He simply continues to complain about things, about the lack of consultation and so on, which I will address in a few moments. He talks about things that are not to his liking in terms of wording or things that are not in the bill.

Could the member be more explicit on what changes he would like to make to the bill? He said that he had talked to fishermen. Could he tell us what they are saying in terms of specifics, what they would like to see in the bill and which of those things he knows for sure could not be amended at committee?

Mr. Peter Stoffer: Mr. Speaker, I will start off by asking the parliamentary secretary to put in the entire text of the Supreme Court decision in the whereas section of the bill. Take out the part where it states that Parliament is committed to maintaining the public character and replace that with the common property resource. We will see if that is acceptable after second reading. I think he will find out it is not. If it were, we should put it in right now.

Many sports fishermen on the west coast have expressed serious concerns about clauses 43 to 46. The parliamentary secretary knows clearly that Mr. Bill Otway and others have stated this.

Government Orders

What I would remove is the 15 year allocation comments. I would also remove the aspect of the governor in council authorizing the killing of fish by other means. These are things that we would remove.

As well, the word “may” appears well over 100 times. I would take the word “may” out and put in the word “must” or “shall” in many of the circumstances.

Because of time permitting, I do not have all day unfortunately to go back and forth with the hon. parliamentary secretary. By the way, he represents his party well in our committee, although I fundamentally could not disagree with him more.

If the parliamentary secretary is so confident that it is a good bill, he should bring it to the committee now, before second reading, so we can put in those amendments and not have to worry about what may or may not be acceptable after second reading.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the member gave a very interesting presentation and a good argument about the concerns of stakeholders and what they would tend to support. He talked about aboriginal groups, environmental groups, fishers and industry. He basically said that there was a lack of consultation. He also indicated some information about environmental groups claiming that the existing laws had not prevented the degrading of the fishery habitats.

Then comes the question about the implications of dealing with this at second reading and what is possible after second reading. There certainly is some latitude but not very much on certain fundamental issues.

One of the examples that I have looked at has to do with the authority of the minister to delegate to DFO officials the granting or refusing of licences. This seems like a significant change of policy. It is a major step in the delegation of authority.

Is the member concerned that these kinds of things could be changed? I suspect the stakeholders will have something to say about it at committee.

•(1105)

Mr. Peter Stoffer: Mr. Speaker, the pros and cons of that argument are quite varied, and this is something that would take an awful lot of discussion at committee. The minute the minister designates any of his authority to other people, there would be major problems.

I will take, for example, the seismic testing off the west coast of Cape Breton. DFO's own scientists said that if the precautionary principle was used, then seismic testing should not be used on the west coast of Cape Breton Island because it could harm crab and larvae stocks. There was evidence that it may happen.

At that time the Liberal minister from Halifax West allowed the Canada-Nova Scotia Offshore Petroleum Board the right to make the final decision on whether that testing should go ahead. We argued the point that it was fish habitat and that it was the minister's sole authority to stop that activity from happening. The minister said no. We allowed that decision to be made somewhere else. The same thing could happen with fisheries licences. In some of these communities, nepotism is extremely rampant.

I also remind my hon. Conservative colleagues that Mr. Bagnall, the fisheries minister for Prince Edward Island, was one of the first people to support the bill prior to reading it. After he read it, he said that he would still support it but he had reservations. Look what happened to that government yesterday in the election.

Mr. Randy Kamp: Mr. Speaker, I would like further clarification from the member. Is he or is he not in favour of the principle that the new bill would follow, which is the minister would be involved in setting principles for licensing criteria and so on? Once those principles are set, then licensing officers would be obligated by law to follow them, rather than getting involved in the political games that have tended to happen over the last many years.

If it were completely up to the discretion of the minister, does he not think the approach of greater accountability and transparency that is built into Bill C-45 would be a much better system?

Mr. Peter Stoffer: Mr. Speaker, he talks about accountability and transparency, but the bill was never discussed with fishermen prior to its tabling. If he thinks that is the way to go, then why were fishermen not asked for their opinion on those specific issues? The bill was tabled on December 13, 2006, and not one fishing group, to which I spoke across the country, well over 400 different organizations and individuals, was consulted on it prior to its tabling.

With great respect, if the parliamentary secretary thinks that this is the way to go, then fishermen should have decide this, not parliamentarians.

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the bill contains the alternative measures agreement from clauses 130 to 143. It basically states that the government would give all corporate polluters a really excellent deal. If these alternative measures are used, then the court must dismiss the charge laid against the alleged offender in respect of that offence. Also, a corporate polluter could admit guilt, but no admission, confession or statement accepting responsibility for a given act or omission made by an alleged offender as a condition of being dealt with by alternate measures would be admissible in evidence against them in any civil or criminal proceedings. Basically, corporate polluters can walk away. A company or an environmental group that wants to sue a corporate polluter is unable to do so and whatever admission it makes cannot be taken into court.

That is grossly unfair because it allows corporate polluters a free hand. Is that fair?

•(1110)

Mr. Peter Stoffer: Mr. Speaker, the hon. member brings up some valid points. I also remind the government that it talks about habitat protection and what the minister shall, must and might do. However, clause 63 says that the governor in council “may” make regulation for the conservation and protection of fish and fish habitat. The minister might think about it or get around to it.

The word “may” is extremely dangerous. No matter what the minister or the parliamentary secretary states, if the bill goes through the way it is, the governor in council can override that and do something completely different.

Government Orders

We do not believe that fish should get out of the way of other development. We believe that if there are going to be mining or other activities regarding fish habitat, the fish must be protected to the very best of our ability.

Right now fish are stressed in lakes, rivers and oceans across the country. Report after report have stated very seriously the decline of our ocean aquatic species and our lake and river species. They are under threat consistently. What we need is an act that protects the integrity of fish and fish habitat so future generations can have a lively income.

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans, CPC): Mr. Speaker, I am pleased to rise to speak in this debate on Bill C-45, but in reality we are on the hoist amendment, and I have less pleasure in speaking to this amendment made on February 23 by the member for Bonavista—Gander—Grand Falls—Windsor. I think it has done a disservice to the lives of fishermen and those who are engaged in the debate.

We find ourselves debating a hoist amendment which, if passed, will have a result that is exactly the opposite of what we want to do here. I think we all want to do what the purpose of the act is and that is to strengthen the fisheries and the sustainability of the fisheries. I do not see us getting there with this amendment. We all understand that it is the opposition's role to oppose, even if it does so just for the sake of opposing, but it seems to me that in this case the member has chosen a poor route.

Let me clarify this for some members, because I think there is some confusion on this score, and certainly for those who may be watching. In fact, to an outsider, the member's motion might be construed as relatively benign. After all, how could a further delay of six months hurt? It could hurt the fishery stakeholders a lot if the majority of hon. members vote in favour of the amendment. We are not talking about a delay in proceedings with the amendment. Rather, hon. members would be killing Bill C-45 in its entirety, period. Those are the facts.

How so? It is very important to fully understand what would happen if this amendment should pass. Allow me to quote from the authoritative House of Commons Compendium of parliamentary procedures, which can be found on our parliamentary website:

The hoist is an amendment that may be moved to a motion for the second or third reading of a bill. It requires no notice, may be debated and may not be amended. A hoist amendment requests that a bill not "now" be read a second time, but instead that second reading be postponed for three or six months.

A hoist amendment must meet a number of requirements. The purpose of the amendment is to neutralize the word "now" in the motion for reading. It must therefore amend the motion by eliminating all of the words following the word "That" and replacing them with the following proposition: "Bill (number and title)—

In this case, it is Bill C-45:

—be not now read a second...time, but that it be read a second...time this day three months (or six months) hence.

I notice that the hon. member has been very careful with the wording of his amendment to meet those requirements. I commend his research staff for getting that part right. However, what we do not notice in his remarks is the following, and I quote again from the Compendium:

The adoption of a hoist amendment is tantamount to defeating the bill by postponing its consideration. Consequently, the bill disappears from the *Order Paper* and cannot be introduced again, even after the postponement period has elapsed.

Some might say that a better word for a "hoist" amendment would be "hijack" amendment.

I find it very hard to believe that members in good standing would effectively want to defeat the bill without letting it go through the normal parliamentary channels of debate, second reading, committee debate, clause by clause review and so on, all on a purported pretense that not enough consultation has taken place.

Let me turn to that matter of consultation, which has been raised this morning a couple of times already, and the truth of what has or has not taken place in the last number of months and even years.

During the debate on February 23, 2007, the member for Sackville—Eastern Shore, as he said again this morning, said that there is this myth of consultation.

Let me preface my remarks by saying that if certain members are suggesting that stakeholders were not asked to comment on the actual text and specific clauses of Bill C-45 before it was tabled, I would say that of course they were not. In fact, it is parliamentary tradition to present the bill to Parliament for its consideration and it is up to Parliament to consult on draft legislation.

However, if we ask if stakeholders were consulted on the principles, themes and common sense ideas contained in Bill C-45, I can only say yes.

Did interested parties, ranging from unions to aboriginal groups, know in advance the broad tenets of the proposed bill? Did they know it would highlight expanded roles for them in decision making? Did they know that a renewed Fisheries Act would more carefully take into account the conservation and protection of fish and fish habitat when fisheries management decisions were made? Did they know that it would provide for greater stability, transparency and predictability in fishery access and allocation?

•(1115)

Of course they did. It was the stakeholders themselves who put these items on the consultation table and implored us to act accordingly.

Veterans of this place should know that work on a new act has been ongoing for a number of years. Indeed, much of the initial consultative work was carried out under the watch of the previous government. We commend the previous government for that and for the incredibly valuable input from the standing committee over the years.

The fact is that Bill C-45 grew out of hundreds of fisheries renewal consultations and information sessions from coast to coast to coast, all designed to build a modern fisheries management regime that meets the challenges of the 21st century. These consultation efforts included: the Atlantic fisheries policy review, the Pacific new directions report, the Pearse-MacRae report on the future of the Pacific salmon fishery, the aboriginal fisheries strategy review, and the environmental process modernization plan, to name just a few.

Government Orders

Therefore, to say that the minister had an extraordinarily strong basis for proposing changes to the act is really an understatement. Bill C-45 reflects most of the significant findings and policy directions stemming from these and other consultation initiatives.

To talk a little about just two of these initiatives is quite illustrative of my point, so let me talk first of all about the Atlantic fisheries policy review. In fact, it was a huge consultation exercise that lasted over five years and much of it informed the provisions that we now find in Bill C-45.

The review was actually initiated in May 1999 to create a framework for managing east coast fisheries and to build consensus around a renewed vision for the fishery. It was a collaborative process with a broad citizen engagement approach through which advice and feedback were continuously sought from fish harvesters, processors and industry representatives, from the governments of the Atlantic provinces, Quebec and Nunavut, from aboriginal groups, community representatives and environmental groups, and from academics and other interested individuals. This is a very high level overview that I have given of a very comprehensive process that has lasted a long time. Therefore, in the interests of time, I would like to table a document listing in detail the consultations undertaken during the Atlantic fisheries policy review.

In February 2001, DFO released a comprehensive discussion document that served as a springboard for public discussion and debate. The department subsequently sought advice and feedback based on the discussion document during in-depth public consultations in 19 communities across the region. Out of that exercise came the Atlantic fisheries policy framework and it reflects the many voices heard during consultations.

In June of the same year, the independent panel on access criteria was established to review and make recommendations on access criteria for providing new or additional access in increasing Atlantic commercial fisheries. The panel sought input from industry, the Atlantic provinces, Quebec, Nunavut and aboriginal organizations and released its report in April 2002.

The minister of the day responded to the IPAC report in November 2002 and adopted the new access framework to guide all decisions on new or additional access to Atlantic commercial fisheries that have undergone substantial increases in resource abundance or landed value.

DFO has begun implementation of some of the key strategies of the policy framework that I have mentioned. However, it is only through a modernized fisheries act, which we have here before us in Bill C-45, that we can provide the tools and authorities to both DFO and industry to make significant strides in our achieving of the vision in these two policy documents. Here is how.

The objectives of the Atlantic fisheries policy framework address the major fisheries management challenges. They include: threats to conservation, excess participation and impediments to economic viability, ineffectiveness of top-down management, uncertainty in access and allocation, and closed decision making processes.

Legislative proposals in Bill C-45 directly address these fisheries management challenges through a number of specific proposals within the bill. They include provisions concerning conservation and

sustainable use, self-reliance and collaboration, shared stewardship, and stable and transparent access and allocation.

• (1120)

However, consultations have also taken place with environmental and conservation NGOs. In fact, the environmental conservation and habitat protection provisions found in Bill C-45 were equally informed by the process with non-fishery stakeholders, as I have mentioned, so I think it would be useful to touch upon NGO engagement in what is known as the environmental process modernization plan, or EPMP. It is an engagement that actually connects the dots back to Bill C-45.

Building on the results of an earlier national habitat blueprint initiative, DFO launched the EPMP in early 2004. It was aimed at making the habitat management program more effective in the conservation and protection of fish and fish habitat, more efficient in the delivery of its services to Canadians, and more integrated with the interests and priorities of partners and stakeholders.

Shortly after launching the EPMP, 13 national or regional conservation and environmental NGOs were invited to a consultation meeting held on June 15, 2004. All participants expressed support for the direction that DFO was taking on the EPMP and made a number of suggestions on how they could help. In September 2004 eight NGOs agreed to establish a steering committee to identify common areas of interest and priorities for fish habitat management and the development of an agreement.

Throughout 2005 and 2006 the steering committee held numerous meetings, prepared discussion papers, and organized and conducted a national workshop. The purpose was to confirm areas of common interest, to set short, medium and long term priorities, and to establish objectives to be addressed through an agreement expected to be signed in 2007.

On October 12, 2005 the department held a session with environmental NGOs on the EPMP and Fisheries Act renewal. The meeting took place in Ottawa and via webcast across the country.

In April 2006 DFO wrote to the Canadian Environmental Network and several prominent ENGOS proposing that a joint committee be established to organize a major national workshop on these and related matters. The joint committee was established and a workshop was held in October 2006 with 25 conservation and environmental NGO representatives from across Canada, the Canadian Environmental Assessment Agency, an observer from the Assembly of First Nations, and staff from DFO's regional offices and national headquarters.

Government Orders

Among other things, and I stress this, the workshop discussed renewal of the Fisheries Act. Following the workshop, an ENGO delegation met with staff from the minister's office and senior DFO officials. The workshop provided a sound base for establishing an important dialogue on habitat management with ENGOs and has resulted in the establishment of a national fish habitat management coordinating committee to pursue its recommendations.

Further, throughout 2006, DFO regional and headquarters staff held sessions on the modernization plans and Fisheries Act renewal across Canada, with municipalities, industry associations, aboriginal groups, federal government departments, provincial agencies, consultants, associations of professionals, community and voluntary groups, and NGOs.

I know that I have gone into what some members might consider tedious detail on such endeavours to outline just how significant and comprehensive the consultation process has been. It is equally clear that broader based consultations have been just as rigorous.

As I reiterated in the debate held on February 23 in this place, between August 2005 and December 2006, DFO officials met over 300 different Canadian stakeholder groups to discuss the modernization initiative. They represented a very substantial cross-section of first nations interests, recreational and commercial fishers and processors, natural resource industries, ENGOs and the public.

Following meetings with provincial and territorial fisheries and aquaculture ministers in March and May 2006, it was evident that there was a strong desire from our provincial and territorial partners to push for changes to the Fisheries Act. As we have said many times already, it is 138 or 139 years old.

Then, at a meeting of the Canadian Council of Fisheries and Aquaculture Ministers in Yellowknife in October 2006, we were urged to introduce changes to the Fisheries Act that would foster enhanced federal, provincial and territorial collaboration and help promote a stable, transparent and predictable decision making environment. So much for the consultation myth.

● (1125)

Further, it is not as if the consultation process ended with the introduction of the bill. Following the tabling of the bill, DFO sent thousands of letters to stakeholders and provided over 100 detailed information sessions to a vast number of groups to help them understand the parliamentary process, details of the bill and how they could provide input. The department has also met with almost all the provinces and territories to provide technical briefings.

DFO headquarters, as well as regional offices, either held telephone conferences or met with about 125 key stakeholders within 48 hours of tabling. These stakeholders included the commercial fishing industry, the recreational fishing industry, ENGOs, resource industries, aboriginal groups, other federal government departments, as well as representatives from provincial and territorial governments. The department continues to hold follow-up information sessions.

The minister himself sent out over 1,000 letters to stakeholders in mid-December, including about half to first nation and aboriginal groups, alerting them to the fact that the bill was tabled and where to find it. Canadians across the country are making their views known

now by communicating with their MPs, their minister, myself, the media and so on, which is exactly how the democratic process should work.

In short, we took and are taking extraordinary steps to engage our stakeholders and seek their input into the policy directions on the new legislation.

If the process should be allowed to go forward, formal consultation on Bill C-45 will take place through the parliamentary process. The standing committee may invite individuals and representatives of organizations who have an interest in the legislation to provide comments either in writing or by personal appearance. The public will also have an opportunity for input as the bill goes through a similar process in the Senate.

Once the bill becomes law, stakeholders and anyone who has an interest in the issue will have a further opportunity to provide input and offer views of how the various sections of this legislation should be made operational, that is, through the regulations. This will be done through a transparent and open process.

Under the renewed Fisheries Act, the commitment to encourage the participation of Canadians in the making of decisions that affect the management of the fisheries and the conservation or protection of fish or fish habitat will be a principle that the minister and every person engaged in the administration of the new act will take into account.

In addition to the ongoing engagement of stakeholders, this principle will be made a reality through general power for the minister to establish advisory panels for a wide variety of purposes. We find that in the bill.

Finally, stakeholders now have had more than four months to digest the information and few have indicated that there are elements of the bill that surprise them. They may disagree with some of the details on how certain sections are worded but there is no new policy change in the bill that has not been heard or seen before. Therefore, we strongly believe that it is now up to the parliamentary committee to consult on the wording of the bill after second reading.

Do we pretend that the bill is perfect? Of course not. However, we believe that it is as close to perfect that six years of consultation and compromise will allow.

If this amendment goes through, resulting in the killing of Bill C-45, then the tens of thousands of hours of consultation with stakeholders that have taken place under our watch and under the watch of the previous government will have gone on for nothing. I cannot imagine anything more disrespectful to those stakeholders, not to mention the whole notion of parliamentary procedure, process and democracy.

It is time to move forward now. Fishery stakeholders cannot afford to wait any longer. The fishery has changed, the industry has changed and resource users have changed. The current act no longer gets the job done and Bill C-45 would.

Government Orders

I encourage all hon. members to not let this hoist amendment become a hijack amendment. What is on the line here are six years of intense consultations and the time and trust of stakeholders.

What is ultimately at stake here? Nothing less than the lives and livelihoods of countless thousands of Canadians, as well as the critical measures in the bill that would help preserve and protect our precious rivers, streams and ocean waters.

If we let Bill C-45 die on the order paper, who can predict when another version of the bill will see the light of day? It is time to move forward now. Fishery stakeholders cannot afford to wait any longer and we want to get the job done.

• (1130)

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, the member obviously has his bureaucratic notes to read, which is what he is paid to do, but, as I said in my discussion today, the reality is that I asked for the list of the people they consulted with before, not after, the tabling of the bill, and I am still waiting for that list.

If what the hon. member is saying is true, and I will take him at his word, then he should provide this House with a list of all the individuals and groups that were consulted on a new fisheries act prior to December 13, 2006.

I do not think Shawn A-in-chut Atleo, head of the B.C. First Nations people, lied to me when he said that he was not consulted. I do not think Phil Morlock, head of the Canadian Sportfishing Industry Association representing a \$7 billion industry, lied to me when he said that he was not consulted. When I asked members of the Maritime Fishermen's Union, with the minister present, if they were consulted before the bill was tabled, I do not think they lied to me when they did not put up their hands.

Somewhere along the way someone is not telling the truth. If there were consultations on the bill prior to December 13, then I would ask the parliamentary secretary to table the list in this House right now so we can cross-check and double-check.

Also, the member said, incorrectly, that the hoist amendment would kill the bill. That is simply not true. What the hon. member for Bonavista—Gander—Grand Falls—Windsor asked is that we take the bill, go to the fishing groups that he talks about and consult with them, get the changes to the bill that we want to see before second reading, bring it to the committee and then, hopefully, we will be able to unanimously support the minister in his efforts for a new modern fisheries act.

The one correct thing the member said is that we need a new fisheries act but it should not be done by bureaucrats from the Department of Fisheries and Oceans, an organization that is definitely not trustworthy, although there are good people working there, because of its history on fish and fish management. The reality is that we in the committee would like to work with the government to get a new act that really meets the needs of fishermen and their families.

What the parliamentary secretary is really saying or not saying is that there is an opportunity, if the bill goes to committee after second reading, to have consultations across the country. However, what

may happen is that the bill may die in committee if we do not get the amendments we like.

Mr. Randy Kamp: Mr. Speaker, I hardly know what to say. The member just needs to get better facts. Maybe his party needs a bigger budget or something but it needs to get better information on this.

A hoist amendment is based on parliamentary tradition in that we either had a hoist amendment for three months because we were nearing the end of a session or for six months because sessions only lasted about six months in those days. It was a way to get a piece of legislation out of the way but it is not a way to bring consultation, and that is very clear.

I am sure the department would be glad to provide the member or anyone else who wants a list of those sessions that provided input for the bill. We have had this discussion before. If the member thinks that we have the right as parliamentarians or as a department of government to write a bill and then to take it and go around to every fishery stakeholder group or aboriginal group and ask them what they think of it, that is not how it works and he should know that.

• (1135)

Mr. Peter Stoffer: Mr. Speaker, if there were active and proper consultations, even discussions with fishermen and their families and the organizations across the country prior to the tabling of the bill on December 13, 2006, I would like to see the list. I have asked, quite clearly, for this list in writing. I have asked the department and I have asked in committee for the list of the people who were consulted on the new fisheries act prior to its tabling.

The hon. member from British Columbia should have no problem standing now and tabling the document in the House of Commons because there are many other aspects to this. We did not even get into the Laroque decision but that is a discussion for another day.

I fundamentally disagree with the parliamentary secretary when he says that the hoist amendment would kill the bill. What would kill the bill is when it goes to committee where we have consultations with fishermen and then try to move amendments that are not accepted because of the laws of Parliament. That would be a terrific waste of our time, the fishermen's time and the resources of this Parliament.

Mr. Randy Kamp: Mr. Speaker, the member spoke earlier about members of the Maritime Fishermen's Union. He should go back to them and ask them if they were involved, for example, in the Atlantic fisheries policy review.

Those stakeholders, in a variety of consultation sessions, were the ones who told us how they thought the fisheries should work. They told us what kind of regime they thought would make the fisheries more productive, sustainable, stable and all of those things that all fishery stakeholders want. Those suggestions now form the basis of the bill.

If the member somehow thinks that this fisheries bill was dreamed up by bureaucrats sitting in a room without going around and talking to anybody, then he is sadly mistaken.

Government Orders

If the member is able to get past the consultation issue, are there things in the bill that he does not like and which he thinks cannot be changed? Everything I have heard him say that he thinks needs to be changed, the information we have received is that these changes can easily be made at committee.

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, in listening to the exchange between the member for Sackville—Eastern Shore and my colleague, it amazes me how the NDP member, during the first few months that we were talking about the bill, went around saying that we were going to give away the fish and privatize it. The people in the field educated him when he would not listen to us that it was not the intent at all. In fact, we said here in the House that we were more than willing to use the exact wording in the bill that the courts used.

The member talked about no consultation. I think the last time a change was made was back in the days of Bernard Valcourt, a good Conservative fisheries minister, and nothing has been done minuscularly ever since.

Consultations have been held since a new bill was attempted to be introduced in the House by then Minister Crosbie at the time. Ever since then for 15 years consultations have been held across the country on ways to improve the act demanded by the people in the field.

Consequently, saying that no consultations have been held, of course not on the act, nor on the bill. We are not allowed to go out with the bill, as the member well knows but has not learned yet.

On top of that, he talked about the fact that we cannot make amendments as we moved forward. Of course we can. We just need to look at the clean air act or the Federal Accountability Act to see all the amendments that can be made. Some amendments need to be made and we will make some because of the demand from the field.

The hoist motion would kill the bill. We cannot take the bill out around the country and the member has been here long enough to know the difference. Maybe my colleague would like to comment on that.

● (1140)

Mr. Randy Kamp: Mr. Speaker, the minister is right. Those who have been around this place for a long time, like you, Mr. Speaker, know that it is a fairly recent procedure to allow a bill to go to committee after first reading and before second reading.

What did we do for over 100 when we needed to make changes to bills? We did it in the normal parliamentary process. We got it as right as we could, took it to committee and then we made those changes, just the same way that the committee will with this bill when it passes at second reading.

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, I want to speak a little bit about my riding and the problems I have with Bill C-45.

My riding is Sydney—Victoria in Cape Breton. It is substantially a large riding and fisheries is a big industry in my riding. I have what I call two bookend harbours: Pleasant Bay at one end of my riding and at the other end of my riding is New Waterford. There are approximately 300 kilometres of coastline between those two communities and probably 30 communities that rely on the fishery.

Those 30 communities along with the fishers are a substantial amount and probably close to 1,000 families rely directly on the fishery.

In those communities we have fish plant workers, people selling supplies to the fishers, truckers, buyers, and even the tourist industry hinges on our fisheries industry in my riding and in Cape Breton. Many people come to Cape Breton Island to see the fishing communities. There are almost \$100 million worth of products sold in Cape Breton. This is why the fishing industry is important and why we have to be careful with this bill.

The Liberal Party is not against changes to the Fisheries Act. The act is over 138 years old. The previous minister of fisheries from the Liberal Party said he instigated some changes to the act. He made it very clear in 2005 that he wanted the committee to do a proper job with an assessment of the fishery. He also wanted to make sure that the fishers and all the stakeholders were properly consulted. Problems arise today as they did in the spring of 2007 because consultations were not done. We had no choice but to decide that we had to hoist the bill. That was hoisted, as many know, on February 23.

On the home front, my colleague from Cape Breton—Canso and I received many calls over the winter about the concerns that the fishers were having and what was going to happen. We hosted a town hall meeting in Sydney River which is pretty well in the middle of our two ridings. We had a great turnout for that winter meeting. April 12 is still winter on Cape Breton Island. We had over a hundred fishers and they were very concerned. They were also very upset. They were overwhelmingly against Bill C-45. There was a lot of opposition to the bill.

The people were very concerned about the bill and wanted it shelved. Our constituents at that meeting were very satisfied with what we did in February by hoisting the bill. The people wanted more consultation.

We were told that fisheries and oceans did not include how the fishermen would be impacted with this new act. A new fisheries act would place too much power in the bureaucracy and many fishermen felt the act was already dysfunctional. They were not comfortable with this bill at all from their previous experience.

The fishermen pointed out that the wording in clauses dealing with the transfer of licences was too vague. Fishermen need some assurances that the act will not take away the value of their licence. Sometimes that is all they have at the end of the day is the value of their licence. Many fishermen had no trust in DFO. This is largely a result of this ill-conceived legislation.

I do not want to get off the topic too much, but time and time again we see how this Conservative government puts bills forward in the House. When good bills are put forward and the committee does its work, the government squashes it. I have seen this with Bill C-278.

Government Orders

I will not go into the problems we had with the previous government and dealing with bills. I want to stick to the facts, especially about the meeting we had in Cape Breton on April 12. Many of the people in that room also thought there needed to be changes.

One very eloquent spokesperson for a lot of the fishers, especially the crab fishers, was Josephine Burke-Kennedy. She stated at the meeting that she worried about what the bill would say about transferring licences, as I previously mentioned. She said that in time she wanted her son to be able to take over his father's licence if he wanted to and not have interference. She also took issue with the proposed bill's lack of clarity with trust agreements and the right of the department to refuse a licence based on suspicion in the licence transfer.

This is a very legitimate concern. She spoke on behalf of most of the people at that meeting. They wanted to make sure that fishers have a right to fish. They should also be allowed to sell their licence to whomever they want to. The fisheries minister has no right to take the quota away from anybody.

• (1145)

The new bill has impact. Fishers are concerned about their licences being taken up by large corporations. We can say that they should not fear that, but they do.

Now is not the time for consultation. As many of my colleagues from Atlantic Canada, and even those from the west coast realize, this time of the year many fishers get up at 4 o'clock in the morning and they are lucky to be done before 5 o'clock in the evening. They really have no time for consulting now. They are in a stressful situation and it is dangerous, but they have to make their money in a few months. Now is not the time of course. The time will be in the fall.

We agree that the Fisheries Act needs to be changed because it is over 100 years old.

A lot of things have changed in the fishery over the last 20 years. The fish population has changed dramatically, especially on the Atlantic coast where there used to be a lot of groundfish, but as a result of overfishing and the use of draggers that has changed.

As a result of the diminishing cod stock, which is a predator to shellfish, there is a lot more shellfish in our region, which is good. We want to administer that and regulate it properly because it is the fishing industry's salvation. The window is short when a fisher is in the shellfish business because he probably has to make his money in two months.

A lot of fishers go out west to work in the oil patch in between seasons in order to make ends meet. The business is not as good as people perceive it to be. It is a risky business; prices go up and down. One thing is for sure though and that is that the fishers have a licence. They believe they should keep their licence and it should retain value.

Let us look at the act a bit because it is not all bad. The new act would give fishers a greater say in their quotas and a greater say in conservation. Conservation is one of the key points for fishers involved with maintaining and dealing with the habitat of the fish

stocks. This is a good part of the act. We agree that all is not bad here.

The tribunal system has been mentioned here many times today, and that really makes fishers nervous. Who is really going to have a say in dealing with the fish stocks? Who is going to have a say with respect to their fish licence? Are they just going to bring in some person? Fishers have a really major concern with that.

If that is not bad enough, provincial ministers are having a problem with the bill, and that really makes fishing communities nervous. This tribunal is probably one of the biggest concerns because fishers do not understand what the repercussions are going to be. There is too much uncertainty out there now.

There are some good things in the bill, but there are some major problems with it. The Fisheries Act is over 100 years old. Let us stop and think about what we should be doing. Why do we not take another year? Why does the committee not bring this up in the fall, make it a priority? The committee could bring in stakeholders from all around and get to the bottom of it. The committee could talk to fishermen throughout winter. We could have a good piece of legislation for next spring. There is nothing wrong with that. Everybody is comfortable with that. People are still going to fish this year. People are still going to have the same livelihood. Communities will still prosper when the fishing is good. Why not wait a year? That is the whole point here.

We are concerned about the rush job that is happening here. We are concerned about the economy in Atlantic Canada. These communities drive our economy. Whether it is a car dealership or teachers who teach kids, everybody has a connection in our communities.

I think that at the end of the day fishers and fish families want to be more in charge of their destiny. They want to have more say. They want to have a say in who is going to be on these tribunals. They want to have a say on how their stocks are going to be managed so they will continue to have a livelihood many years down the road.

Fishers definitely want their licence because it is a main value to have. Many times when a fisher retires he still owes some money on his boat; he still owes some money on his gear. A fisher's licence is value and it is a value he wants to pass on. It is very important.

• (1150)

As members know, my hon. colleague from Cape Breton—Canso and I did our due diligence. We had a meeting in Sydney River and the people spoke. The fishers spoke to us and they told us to get back here and shelve this thing until proper consultations were done, they have a say and are comfortable with it, because we hope this new act can last another 100 years and be an act for the future of our fishing industry.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, as my hon. colleague knows, the name Josephine Kennedy comes up now and then, a good woman from Cape Breton who represents a fair number of fishermen in the Cape Breton and Nova Scotia area.

Government Orders

This is an individual who cares about one thing and one thing only: the livelihood of fishermen and their families in these small coastal communities in Nova Scotia. She has said exactly what the hon. member has said, that what we want is that strategic pause. We want a chance to seriously look at this bill and what it means for them, their families, their communities and their futures.

They have already had this since December. It is almost June and they do not like what they see.

I would remind the Minister of Fisheries that he talked about consultations on Bill C-30. That was the clean air act which we in the NDP took to a committee before second reading, rewrote it and brought it back, so the minister may want to correct himself on that one.

I would like to ask my hon. colleague from Sydney—Victoria a question. Does he think that it should be the fishermen, their families and their communities from coast to coast to coast, especially those first nations individuals in Cape Breton and others right across the country, who should have a say? They are the ones who should write the act. They are the ones who should come before us and say, “Here is how we want to see the fish habitat protected. Here is how we want to see the fish managed for our future, because we are the ones who do the fishing”.

Does he not believe that it should be up to them, in a parliamentary democracy, to tell us that they want to see and how their lives should be managed in the future?

Hon. Mark Eyking: Mr. Speaker, I thank the hon. member for Sackville—Eastern Shore for his comments and his vision for the industry.

He is a member of the fisheries committee, as are many members sitting here today and they do a good job. The committee does a great job and the members do a lot of hard work. They go across the country consulting and that is very key. That should be a priority this fall, as soon as the House comes back. That is when the committee should start talking to fishing families and groups right across the country and get a proper assessment of where it should go.

What is one year? We should do this properly. We want to make this bulletproof. We want this act to be flexible enough for the fishing communities and flexible enough for our changes of habitat. This is what we want. We want the ownership in their hands.

There is a big mistrust out there and it is a shame. I have not seen it in other departments as with the fishers and the bureaucracies. It should not happen. They should be working together. The bureaucracy should be collecting the data and presenting it to the fishers. They should be working together, and that is the way they want it, but this bill seems to skate away from that.

The hon. member for Sackville—Eastern Shore is well aware, because he visits us once in a while in Cape Breton, that Cape Breton is the same as many other communities, whether in Newfoundland or throughout the Maritimes and the west coast.

This is a great opportunity. If we do this bill right, it is a great opportunity for our communities. It is a great opportunity for the fisheries committee. It could also be a great opportunity for the minister, whoever that may be, to come to this House with some

proper legislation that everybody can live with and is good for the future of the fishers.

• (1155)

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, I listened to the hon. member talk about his riding and some of the concerns, similar to my own area. I appreciate all that. I listened to him talk about the concerns people have about the act. I agree with that. I also heard him mention that provincial ministers had expressed concern. I remind him that the ministers from British Columbia, Yukon, Nunavut, Ontario, New Brunswick, Nova Scotia and Prince Edward Island have all publicly supported the act and have asked him and others to get on with the job for which they came here.

Imagine taking any piece of legislation, going around the country and consulting with everybody who wants to have a say in it. We would never get anything done. The member and I were elected to come here to deal with legislation.

We have had consultations for 139 years on this very act. Since 1992, 15 years, we have had all kinds of consultations. For the 13 years, the member's party was in power. It did not have the intestinal fortitude to introduce a solid piece of legislation. We need changes. He has agreed that there are a lot of good things. Let us get them in here and change the few minuscule things that he says need to be changed.

I agree we can make changes, but I have yet to have anybody, including the member for Sackville—Eastern Shore, explain to me any part of the bill which cannot be clarified and explained to his or anybody else's satisfaction. It is just a charade, playing games and trying to hoist, which is what members opposite have done, a good initiative. Let us move it on to committee where the members can really do a job if they are serious.

Hon. Mark Eyking: Mr. Speaker, I do not know if there was a question there.

The minister talks about all the provincial ministers, but the PEI people have chosen. They have shown what kind of confidence they have in the Conservative government of PEI. Maybe that is why the Conservative governments are having problems in these provinces, because they are rubber stamping what is happening here.

I wish the minister had been in Sydney River on April 12 at the town hall meeting. Maybe sometimes the best thing for a minister and some of the bureaucracy is to go to town hall meetings and listen to the people, listen to their concerns and fears. They are the people. If the government does not listen to them, the people will speak again.

It is very simple. Bring it before the committee. Let the committee do its work. That would be the simple way to do it. The committees are here for that. The committee should talk to the fishermen over the winter and then next spring have some proper legislation with which everybody can agree. If the Conservatives drive it through now and people are not comfortable with it, they will not buy into it. Then we will have more problems on the wharf.

Government Orders

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, not many people in the House know or realize that next year will be my 35th anniversary of being a commercial fisherman. I have the unique opportunity of fishing in the inland fishery, right in the middle of Canada.

We talk about licences, tenure and the value that is there. I am a second generation fisherman. The business has been in our family for 55 years. We have very little tenure and protection.

I want to ask the member about what he sees and feels. He touched on it briefly. When we shake the hands of the fishermen, we feel how hard they work and how tough it can be on them.

How does he feel when he looks into their eyes? Fishermen feel they will be run down this road by the government that does not want consultation, consultation in a time when it can actually be done.

• (1200)

Hon. Mark Eyking: Mr. Speaker, I have to apologize. I should have mentioned, because it is very important, our inland fisheries and our recreation fishers. They will be greatly impacted by the bill.

What I saw in their eyes was concern and fear. They are looking at their MPs and saying that we have a big opportunity to make right things happen for them and for the next generations.

At a lot of town hall meetings, we saw two generations. It could be a guy who started in a little dory and built up a business. He might be 70 or 75 years old. His son and his grandson are there. They are all thinking, what about the next generations? Will there be something there? They are looking at us and telling us to stop for one minute and bring this back to the table.

It is amazing how knowledgeable the fishers are about how the committee works. The fisheries committee came to their communities. They have a lot of faith in it. They want it to go back to committee and then they would like their representatives to make presentations and travel the country.

I have never heard a fisher yet say to me “Let us get it done now. Push it through”. Fishers want to wait a year. They want to have proper consultation. They entrust us as MPs to do that. They are proud that we have hoisted it and we are pushing it forward to do the proper consultation.

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, I am pleased to join in the debate today. I think anybody following it can certainly see the theme that is running through it and the concern that is being expressed by the opposition parties today. We are not at odds with the principles or with the understanding that we have to modernize the Fisheries Act. It is the way the government has approached this. It has been wrong-minded and we are here to help.

I think people do not have a great deal of confidence in being told that someone is from the government and is there to help. That is what we want to do with this legislation.

A number of the speakers referred to the work of the Standing Committee on Fisheries and Oceans. My friend and colleague, the member for Sackville—Eastern Shore, is the longest serving member

of that committee, and I guess I would be the second. Over the last seven years, I have been on and off that committee.

I have sat on about eight different committees in the House and I am very confident in saying that the Standing Committee on Fisheries and Oceans would be the least partisan. All members work every day. At each meeting and on each issue we undertake, we work in the best interests of those in the fishery. Members from the west coast are just as interested and as knowledgeable about the issues that impact on the people of Atlantic Canada and the members from Atlantic Canada understand a lot of the challenges faced by those in the fishery on the west coast.

It was mentioned in the House before that my colleague worked on 26 different studies done by the committee over his time and 22 of them were presented unanimously. All members on the committee supported those reports going forward.

We just completed a fairly extensive study on the concerns around sealing. It was a unanimous report. We went to Newfoundland and were out on the ice in the southern gulf. We witnessed it and stood together, shoulder to shoulder. When we come and stand behind the minister now, that gives the minister's position even greater strength. Canada and the House speak with a unified voice.

I think there is an opportunity and a willingness to do that with this legislation. The principles are not out of whack, but there is so much concern. My colleague from Sydney—Victoria has mentioned some of the concerns we have.

I am concerned myself. I know in the last Parliament the previous fisheries and oceans minister had corresponded with the standing committee and requested it undertake a full and complete study so when legislation was presented, there would be a body of information from which we could draw on in order to develop the legislation for a new fisheries act.

The steering committee of the Standing Committee on Fisheries and Oceans agreed to go forward with it, but the then opposition critic, the current Minister of Fisheries and Oceans, changed his mind, and the study died. He did not want to go forward with a study on the new fisheries act so we pursued another issue.

It was mentioned already in this debate that our colleague, the member for Delta—Richmond East, a commercial fisherman, probably one of the most knowledgeable members in the House on the commercial fishery, is no longer on the committee because he voiced his concern over aspects of the new fisheries act. He was removed from the committee. That is a great disservice not only to the government, but also to the people in the industry from coast to coast.

• (1205)

The Parliamentary Secretary to the Minister of Fisheries and Oceans said that we were opposing this just for the sake of opposing. That is not what is going on. We approve of many of these things, and I will talk about some of them.

Government Orders

Going forward, we approve so much of this in principle. A number of the ministers in the past government had tried to advance the new Fisheries Act and ran into some opposition, but in principle I think we can come out of this with a much better act should we bring this to committee prior to second reading.

A number of groups have approached us in opposition. Anybody opposed to government legislation were the first to be notified. As my colleague from Sydney—Victoria mentioned, we hosted a round of meetings within the constituency. We met with a group in Sydney River not that long ago and the concerns were broad and deep.

I spoke with a group of fishermen in Canso just last week, representatives of the Guysborough County Inshore Fishermen's Association. Although they supported it, there were still a number of reservations that they wanted to register with me. It is deep.

I want to read from correspondence from the Atlantic Salmon Federation, which has done incredible work for decades on the salmon fishery. I know the minister would like to put himself out as a great supporter of Atlantic salmon. With the release of the Atlantic salmon endowment fund, it now can go forward. When we were in government, we established a \$30 million fund that would go toward a number of community initiatives to support Atlantic salmon.

It is funny that when the \$30 million were being peeled out and allocated to the endowment fund, the current Minister of Fisheries and Oceans voted against that budget. In fact, he had not supported Atlantic salmon at all. I know when he was ready to receive requests for funding and made that announcement, he pretty much separated his shoulders, patting himself on the back for all the great work that he did on Atlantic salmon. We know that is not the truth.

I know the Atlantic Salmon Federation has registered its concerns about this legislation. I will read from the correspondence. It states, "The Atlantic Salmon Federation is requesting that Bill C-45 be withdrawn and that a meaningful consultation process be put in place that allows the public the time to study changes that are being proposed in the Fisheries Act and provide considered input to the act".

We understand the importance of Atlantic salmon in our recreational fisheries. We know the price per pound for salmon commercially, but recreationally it is over \$300 per pound. When we talk about anglers going into a community, staying overnight or whatever, it is a very substantive component of our tourism industry. For them to voice their concern, the minister has to sit up and take notice.

We have received a great number of interventions by environmental groups. A couple of the members from the NDP had cited a few before. They are calling for us right away to withdraw Bill C-45. These include the Alberta Wilderness Association, BC Federation of Fly Fishers, BC Nature, Canadian Parks and Wilderness Society, Fisheries Recovery Action Committee and Georgia Strait Alliance. These are freshwater fisheries as well as east and west coast fisheries. Other groups are Watershed Watch Salmon Society, Yukon Conservation Society, the David Suzuki Foundation, Sierra Club and Ecology Action Centre. These groups say that the new act has no teeth to protect fish or fish habitat.

●(1210)

It does get a resounding endorsement from the Canadian Mining Association. I think that if I were a fisher and the only endorsement I could really hold in the window was from the Canadian Mining Association that would offer me a little concern.

What we have been getting from the government throughout this is the following: "Leave it with us. Trust us. We're going to look after this. It's not a problem. Don't be scared. We're okay. We're cool with that because we're going to look after it. We're going to look after the best interests of the fishers of this country."

We have seen what has happened when we leave that trust in the hands of this government. We know how well the government supported its promise on income trusts. As for the Atlantic accord, where the greatest fraud was "a promise not kept", we know that promise was not kept with regard to the Atlantic accord. We know that deal was torn up and thrown away. We can ask the people of Newfoundland and Labrador and the people of Nova Scotia how much faith they have in this government keeping its word.

I see it personally, too, from people in my riding, people such as Joyce Carter. She is a great lady, a beautiful lady, and the widow of a second world war vet, who was promised by the then leader of the opposition, our current Prime Minister, that the veterans independence program was going to be instituted as soon as the Conservative government took power. We know where that promise went as well. It was just thrown away.

There is no trust in the fishing community that the government can deliver on what it said, which was that the fishing community should leave it with the government and it would look after them. There is no trust there. I think we saw that last night with the election results in Prince Edward Island.

I have just one final point on this, which is about the hilarity of last week and the Minister of Human Resources and Social Development. The students of this country, the young people of this country, left their trust with the government and we saw how 80% of the student funding that was there last year no longer exists. We saw that millions were peeled out of the student summer job placement fund. We saw community groups that for decades have sponsored work opportunities for summer students in this country left stranded and out in the cold.

However, that minister stood here and said that everything was fine, everything was wonderful, and that we could look at the groups that got funding. He said there were five groups in my riding that got funding. If I had asked him seven more questions, and he gave me five groups, that would have covered the entire number of grants issued in my riding. But the minister said that everything was fine, everything was wonderful.

That has to be the playbook of this government.

There is a Conservative candidate in my riding who said the other day said that this new round of funding for the students is just typical second-round funding. There was never any second-round funding, but if the truth does not fit, let us make up an answer. That seems to be the modus operandi for this government, but people are not buying it.

Government Orders

With regard to the act, we have heard a number of great concerns. What we heard from the fishermen and what I have been hearing from the fishermen over the last while is with regard to the position on trust agreements. With DFO, under a past minister, we have just gone through a whole redevelopment of a crab plan in Cape Breton and the Eastern Shore. One of the rulings that came out was that some of the temporary access holders were forced by DFO, by the government of the time, to move toward trust agreements. In order to qualify for a licence, they were to band together and make a trust agreement. It was about two years ago that this provision came forward.

● (1215)

Now we are being told by the government that trust agreements are no more, that trust agreements will not be recognized and we have seven years to get out of them, but all trust agreements are not bad. There are people in the industry who would never have had an opportunity to get into the industry if it were not for trust agreements.

There should be some type of grandfathering. There is now so much uncertainty with regard to what is going on around the trust agreements. I know that we do not want big corporations holding the lion's share of quota allocations. That is not what we want for the industry. We believe in an independent industry.

All trust agreements are not bad. We need more consultation on the trust agreements. We have to find out what is right, what works, and what is best for the industry, and that is done through consultation. We must show the fishers some respect. Let us consult with the fishers.

It is the same for access to capital. My colleague from West Nova talked about that as well. I think that sort of spills right over to the trust agreements.

On B class lobster licence holders, we do not know where they are going to land after the new act comes out.

On tribunals, my colleague from the city of Victoria registered some concerns about the tribunals, so this is where the discussion takes place because I do not think the tribunals are going to be a bad thing.

There is a concern that there is no appeal after a tribunal decision is made, but I think that if we give tribunals the power to address violations in the Fisheries Act, it would make it more expedient. We know that there are people out there who abuse their privileges. They are caught the first, the second and the third time. There are abuses within the fishery, but they are minor.

The number of fishers who abuse their privileges is minor, I would think, but there has to be some kind of recourse. I think these tribunals certainly would be well positioned. I think they would make it a little more expedient. They would cut down on the wait times. They would take some pressure off the courts. However, I believe there should still be some type of appeal process. I hope that we can address this through the committee and through interventions with the committee.

The minister talked about the transfer of responsibility to the provinces. He listed a number of provinces that support this in

principle. I really question where the provinces are coming from on this because I would be concerned. I know that the opposition members in those provinces are expressing concern.

Is this more downloading on the provinces, with increased responsibility? If the government is looking at an increased responsibility for provinces in habitat and in enforcement in these particular areas, we see no sign in the estimates of any transfer of money over to the provinces. Where are the provinces going to get the money to deliver on these additional responsibilities? I do not see that in the legislation.

I would think that a little bit of the spillover, as referenced earlier, is in the outcome in P.E.I. There is a fairly substantive fishing community around P.E.I., and I would think that a little bit of the spillover there lies in the lap of the fisheries minister and the federal government in trying to ram this down the throats of the fishers in this country and certainly the fishers in P.E.I. I am concerned about the transfer of those responsibilities to the provinces and the provinces' ability to execute on those responsibilities.

The cost of science has not been mentioned here so far today. I do not think it has been addressed. I think the cost of science and where we are going with the science is going to be a substantive aspect of where the fishery is going in the future, coming out of the Larocque decision. What we are hearing from fishermen, the guys who go out and harvest the resource, is that they are pretty much fed up with it. They bought into this. They know that in order to have a successful and sustainable industry science has to be the basis.

As I have only a minute left, I will try to wrap up with this. We have put so much on the backs of the fishermen. We have expected so much. They bought into it in that the allocations would go toward a portion of paying for the science, but it seems to be the slippery slope. More and more allocation is going toward science. We know now through the Larocque decision that this is not going to hold water any longer. Where are the moneys for that?

I think we should be playing a greater role in helping our fishermen with the provision of science, but I think that has to be addressed through the committee and committee hearings. We would like to see the bill go to committee prior to second reading, so that when we go forward the principles could be maintained, but we could have a fisheries act that serves this industry in a much better way.

● (1220)

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans, CPC): Mr. Speaker, I thank my colleague for his comments and for his good work on the fisheries committee as well.

To begin, I wanted to bring to his attention clause 23 of Bill C-45, the new Fisheries Act, which states:

The Governor in Council may delegate, subject to any conditions that the delegation specifies, any or all of the powers conferred on the Minister by sections 15 to 18 or by Parts 1 and 3, or by the regulations made under any of those sections or those Parts, to a minister of a provincial government responsible for fisheries.

Government Orders

The bill specifically mentions Parts 1 and 3. Part 2 of the act, as he will know when he refreshes his memory on this, is the part about habitat, pollution prevention, conservation and so on. That part in the new act cannot be delegated to the provinces, so he should be less concerned about that.

My main question for the member is about something that is still not clear to me. It should be clear by now, because there have been a number of speakers from his party, but it is not. Where we are at this point is that we have had a second reading motion. We have begun debate at second reading on Bill C-45. That was interrupted by a hoist amendment. We are now debating the hoist amendment. It is still not clear to me what those members think we should be doing with this.

If the amendment passes, the bill is dead. If the amendment is defeated, we go forward and we decide what to do at second reading on Bill C-45. The member seems to think the bill should get into committee. Is the member saying we should pass or not pass this hoist amendment? Then what should we do? Should we vote on Bill C-45? Because the bill can get into committee only if this amendment is defeated and the second reading motion is passed.

Mr. Rodger Cuzner: Mr. Speaker, I appreciate the parliamentary secretary's question because I think what has come out in the debate today is that there are different opinions and perspectives on just what can be done. We believe that if we support the hoist amendment and if then we were to engage the standing committee to go forward with its study we would have some real consultation.

I know that the member has made reference throughout the debate to the fact that ample consultation has been done. That is not our sense at all. It is not the sense of several others who have spoken here today about the consultation myth. Sasquatch is a myth, the Loch Ness monster is a myth, and that is what this consultation is. The member talks about having had consultation, but nobody has really seen it. Last month we had a meeting of a hundred fishermen and two of them said they got some kind of a questionnaire. That was the extent of the consultation among a group of about a hundred.

The member asks me what we can do. If we support this hoist amendment and then go and engage the committee and come forward with a solid package of information and something substantive that can go toward the legislation, that is our understanding of what can happen.

I think that probably this being committee business between the members here that we should have officials from the Table and the Clerk's office sit down with us. What concerns us is that when I look at things such as what we can do, even the minister himself today referred to the clean air act. We know that the clean air act went to committee before second reading. That was clarified by my colleague from Sackville—Eastern Shore.

We understand that all that can be done is that the bill can be tweaked and that is it. We want to hoist the bill and let the work of the committee be done. Then we can put forward some legislation that is going to be positive and will serve the fishery.

• (1225)

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, it was quite evident by the minister's comments that to

bring an bill of this nature before fishermen and their families is simply not on. I simply could not believe that the Minister of Fisheries, who is responsible for the protection of fish and fish habitat, would not allow proper consultative input from fishermen prior to the tabling of a bill, or even after second reading.

The hon. Parliamentary Secretary to the Minister of Fisheries and Oceans asked what he would like to see that could not be done after second reading. Allow me to give him a classic example.

First of all, the 1997 Supreme Court decision of *Comeau's Sea Foods Ltd. v. Canada* should be verbatim in the preamble.

As well, clause 37(1) of the bill states:

For any species of fish that is not managed by a province, the Minister may by order, with respect to any area that the order specifies and subject to any condition that the order specifies, allocate any combination of quantities or shares of the fish that may be fished among any groups or communities that the order specifies—

This means that if the bill goes through the way it is, the minister could designate fish to anybody he or she deemed likely. We would like to see something in the preamble of the bill to prevent that from happening. The parliamentary secretary can take note of this, bring it to the lawyers and see if we are right or wrong. We would like to see something of this nature stated, "Nothing in the act or the amendments made by the act shall be construed to require a reallocation or re-evaluation of individual quota shares, processor quota shares, cooperative programs or any other programs, including sector allocations".

I would like to have the hon. member's comments on it, because we do not want to see fish transferred from one area to another on the whim of the minister.

Mr. Rodger Cuzner: Mr. Speaker, my colleague from Sackville—Eastern Shore has brought up a very important point. How much latitude does the committee have to make changes following second reading?

We saw it here in the House with the replacement worker legislation that was brought forward by the Bloc. My hon. colleague from Davenport put forward some fairly substantive amendments which, when they came to the House, were ruled out of order by the Speaker.

My sense is that anything substantive, anything that we deem necessary, would not be changeable should this not go to committee prior to second reading.

I believe my colleague's concerns are valid. We need some clarification if that is not true, because for the parliamentary secretary to say that is not the way it is and to trust the government, that trust is not there.

Government Orders

● (1230)

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, a fishery that does not get enough mention is the inland fishery. We have heard of the hesitation by all fishermen and fisherwomen. My wife is also a commercial fisher and has been for a number of years. We talked about the investment and what fishermen think will happen to their investment.

I would point out that inland we use airplanes. For more than 30 years we had two airplanes involved in our operations. It is very expensive, a huge investment, without a lot of tenure or surety about our licences.

The hon. member talked about research and science. In the middle of Canada there is the Experimental Lakes Area. It is the largest inland research centre for Canada. It has been going for more than five decades. My riding happens to be almost in the dead centre of Canada.

We have heard nothing about consultation. As the member talks about consultation, has there been any with inland fisheries, the people in the centre of Canada, or anywhere in Canada? If we propose new consultations, will they come to the centre of Canada so we can have some input?

Mr. Rodger Cuzner: Mr. Speaker, our sense is that DFO officials are for the most part in constant contact with those in the fishery, but it is not consultations about the new fisheries act. Whether it is on different aspects of requirements, regulations or conditions on their fishing licences, or whatever it might be, they are in consultation, but it is not specific to the development of legislation such as the new fisheries act.

I would hope that if we could do one thing here today it would be to send a message to the government that fishers want in, Canadians want in, the good people in Kenora want in and the freshwater fishery wants in. They want to provide their input. If we are to have another act that lasts 136 years, let us make it one that works for those people involved so that we can have a successful and sustainable industry. That is our hope with the discussion here today.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, although I do not have a fishery in my riding, it does border on Lake Ontario where there is a fair bit of recreational fishing going on. I listened to the debate this morning and there obviously is some disagreement among the members with regard to the appropriate process which Bill C-45 should undertake. Let me address a couple of the points that have been raised in debate which deserve some comment.

First of all, the issue of a bill going to committee prior to second reading has been the representation of a number of members with regard to this bill. It has to do with the fact that the bill has not been amended in some 36 years. It has to do with the fact that there are numerous stakeholders. Fisheries in Canada are extremely complex and there are many stakeholders as has been pointed out.

We have heard the argument that the bill should be hoisted and go to committee for some consultations. The allegation is there have not been consultations and it would appear that representations made by various stakeholder groups would tend to support that allegation, that

consultations should have taken place. I should note that even in the summary of the bill it is stated:

This enactment repeals and replaces the Fisheries Act. It seeks to provide for the sustainable development of Canadian fisheries and fish habitat in collaboration with fishers, the provinces, aboriginal groups and other Canadians.

I do not know how some members define collaboration, but I would suspect that it does constitute to some extent, maybe a great extent, that there has been ample consultation with regard to a draft text or at least the principal issues.

The question with regard to second reading has to do with once the House has passed a bill at second reading, Parliament has given the bill approval in principle. The bill then goes to committee where witnesses are called. There is an opportunity at committee stage to propose amendments from time to time. Sometimes there are an enormous number of amendments made and many of them are ruled out of order. The reason they would be ruled out of order is that they would be contradictory to the decision of Parliament that the bill had received approval in principle. Effectively committee stage amendments are meant only to correct errors or to make certain modifications which are compatible with the fundamental principles of the bill.

Today in debate members have provided a number of examples of changes they would like to see to the bill as it is right now as we debate it at second reading, which in their view and I suspect in the view of the committee clerk, would be out of order because they are beyond the scope of the bill or amend the fundamental principle of the bill which has been approved by Parliament.

It is a very important question. I wanted to comment on this because the fisheries minister himself rose in the House in posing a question in which he dismissed referring the bill to committee prior to second reading. Subject to checking the record, if I could recall his statement, it was basically that it would be an opportunity for a whole bunch of people and virtually everybody would want to come before committee and hijack the process and we would be subjected to listening to all the input from various stakeholders who might be environmentalists, fisher persons, regulators, jurisdictional representatives from the provinces or whatever.

● (1235)

I have two points to make. The first point is that is consultation. That is listening. That is an important part of the process of making good laws and wise decisions. On my second point, I would refer to what the member who is now the Deputy Speaker said in the House, that delay is an essential part of the legislative process. It is part of democracy to filibuster, to debate fully, to raise as many questions as one may have. To some it may be viewed as disruptive to the flow of business, and apparently the minister views it that way.

When members feel strongly enough about an issue related to a bill, they have tools they can use. They have the tools of debate. They have the tools to make motions. They have the tools to call witnesses. Under our Standing Orders, they have the tools to be very thorough and exhaustive in their attention to a piece of legislation.

Government Orders

The minister has made it clear on the record that he does not want to hear from all the stakeholders in any great detail. This bill was tabled in December 2006 and has been languishing around. I do not know why it did not come up sooner, because it is an important bill. There are a number of outstanding issues and it is very important that they be dealt with. The minister clearly did not want to hear from all of the stakeholders who would have all kinds of questions, ideas and concerns. That is what the legislative process is all about.

I dare say that many members in this place will not have had an opportunity to read Bill C-45 in its totality. It is over 100 pages long. This bill replaces the existing act fully. It repeals the old act. If we are going to do the job properly, we have to go through the bill clause by clause to determine what has changed and to determine whether or not there is an understanding of why it may have changed. It is very difficult. Even in the brief 20 minutes that each member is given to speak at second reading, a member would not get into very much in terms of the essence of some of the details.

The first speaker raised some very important points. One had to do with transferring a licence on retirement. Another was the role of the tribunals. Another one that I thought was quite interesting was the delegation of the minister's responsibilities to DFO officials. This is a whole new regime. There was a suggestion that there have been cases in the past of abusing that authority to grant or to refuse licences.

If we think about it, there is a lot on the table for parliamentarians. There is a hoist motion, which basically asks Parliament to cease this process at second reading and to send the bill to committee for consideration. Interesting enough, when the minister made his argument on why we should not do that because he did not want to hear from all the stakeholders, from the various groups, aboriginals or commercial fishermen or jurisdictional individuals, et cetera, he forgot about bills like Bill C-30.

Bill C-30, when it was first tabled in the House, was the government's alternative to Kyoto. It is the environmental plan. It was leaked to environmental groups so that they could have an opportunity to respond. A week before the bill was even tabled in the House, they critiqued it in its totality and it was unanimous that Bill C-30 was a failure and it was never going to get anywhere. The bill was tabled in the House, but we did not have a debate on it. We have never had a debate on that bill because the government decided to send it to committee before second reading.

• (1240)

As we know, Bill C-30, a very bad bill, the clean air act, was totally rewritten by parliamentarians who heard a plethora of witnesses to make sure the bill was going to deliver in terms of our international commitments, and the appropriate processes and targets for our greenhouse gas emission undertakings.

That bill was totally rewritten by the committee. It was based on expert testimony and the best work possible by the members who were selected by each of the parties to be on this special legislative committee.

If consulting with Canadians on the clean air act is appropriate before second reading because it is complicated, there are a lot of diverging views, there are areas in which it is not overtly clear to

members why certain steps have been taken, sending it to committee is the place to do it.

The minister makes his argument about it not going to committee before second reading because the Conservatives do not want to hear from these people and yet the government itself referred another bill to committee before second reading. In fact, that is not the only one. One cannot have it both ways. One either recognizes the circumstances a bill is in or one risks losing the bill and having to find another way to do it.

We cannot afford, quite frankly, to lose this new Fisheries Act because there are many changes that have taken place and many new areas that should be dealt with that are currently not in the existing legislation. One that I happened to notice and something that I have spent a fair bit of time on in my involvement with the International Joint Commission has to do with alien invasive species. In part 3 of this bill it actually refers to aquatic invasive species.

Canadians may be familiar, for instance, with zebra mussels, which are an alien invasive species or what is called an aquatic invasive species. I understand there are some 30 of these species in the Great Lakes system and they destroy the fish habitat. In the work that is being done so far, for every one alien invasive species that is treated, dealt with and gotten rid of, another one appears. How does it appear? There is certainly speculation about how they come in but it has to do with ship ballast. They are brought in by ships that come from abroad.

I noted in this area that it is an offence to transport an aquatic invasive species. I wonder what would happen if a ship coming to Canada has a listed aquatic invasive species that it is not aware of but is discovered. I am going to be very interested in seeing the regulations on how to deal with it. I suppose it could even involve a court case in terms of whether the ship owners knew or ought to have known that in the normal practice of managing the ballast of a ship, they would have probably collected certain species that would be classified as an aquatic invasive species.

There is certainly that area. The International Joint Commission is a group made up of representation from Canada and the United States which share common waterways. It is responsible for conducting studies and making observations to determine what the issues are and to suggest and discuss possible solutions.

The only problem with the IJC though is that it has no authority and no power because half of its members represent the U.S. government and the other half represent the Canadian government. It cannot unilaterally take charge of a situation and do something about it, so it takes a lot more work. I would be very interested to see how the responsibilities and the authorities that the minister has in the bill would be able to dovetail with the responsibilities of the IJC.

• (1245)

In part 3 clause 69.(1) states that: "No person shall export, import or transport any member of a prescribed aquatic invasive species". When I read further, clause 70 states:

The minister may, subject to the regulations—

And regulations will be made at some future date.

—destroy or authorize any person to destroy, in accordance with any conditions imposed by the Minister, any member of

Government Orders

- (a) a prescribed aquatic invasive species; or
 (b) any other species that the Minister considers to be an aquatic invasive species as defined in the regulations.

I would think that this may be a problem because when the minister now has the authority to designate any other species to be an aquatic invasive species, we are probably making law through regulations and I am not sure that is going to get by the scrutiny of regulations committee but we will have to see on that.

In any event, even the small section which is only about four clauses in part 3 on aquatic invasive species, I could think of numerous questions that I would have of the IJC, that I would have of those who import and export and have ships using the waterways of Canada.

The other area that I want to comment on has to do with what was raised by one hon. member as an example of what can happen during second reading. As the member had indicated, we had Bill C-257 which was a bill related to replacement workers. It was to be amended at committee. There were some amendments. Ultimately, it came back that in the opinion of the Speaker, in consultation with the clerks, that the amendments made at committee were beyond the scope of the bill. Even though they were certainly directly related but what they did was they touched upon another bill which was not mentioned in Bill C-257.

Therefore, there are even good amendments which do not get incorporated into a bill on technical reasons. This is a very good example. In fact, right now a new bill on the same subject matter related to replacement workers, Bill C-415, has been ruled to be non-votable by a subcommittee of procedure and House affairs for the reasons that it is same or similar.

I can understand the argument that the vast majority of Bill C-415 is identical to Bill C-257 which was defeated by the House. Therefore, we could argue that the majority of that bill has already been defeated by the House and to put the question on those provisions again would be redundant and therefore the bill in the subcommittee's view is not votable.

It has now been appealed and it is still under review, but even something as simple as a reference to another piece of legislation may be enough to undermine the acceptability of changes at the committee stage.

I have to say in my experience of almost 14 years now that it is extremely difficult to get changes made at committee which are substantive. I think the members know that. I think the minister knows that. I think the minister also knows that should we have the kind of consultations that members have been asking for, that changes are going to be required here. He should also know that there is a great deal of support for the vast majority of the bill but there are some areas of weakness and members have raised those.

• (1250)

I believe that in a minority situation, this is a prime example of where the parties should be collaborating on the areas in which the bill can be improved. With that, I will conclude my remarks.

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans, CPC): Mr. Speaker, my colleague and I continue to disagree on some issues, particularly what the committee

can do with this piece of legislation. Obviously, it has to do with the scope and principles of the bill. The scope refers to the schemes or mechanisms by which the principle, purpose or objective of the bill is realized. We think that significant changes can be made to those mechanisms.

We agree on the principle of the bill, that it has to do with providing for a sustainable fishery, but the member has been around a fairly long time, so I can ask him this question. As has been pointed out earlier in debate, there have been a couple of other major amendments to the Fisheries Act that were proposed in the mid-nineties, Bill C-62 and Bill C-115, neither of which made it very far. There are some similarities to those bills that were presented by a Liberal government, and to this one, although we have made some very significant and substantive changes, but there are some similarities.

Does the hon. member recall the kind of consultation that the Liberals went through, both the government and perhaps the Department of Fisheries and Oceans, before they presented those two bills, the renewed Fisheries Act? If he could just enlighten us on that, I would appreciate it.

Mr. Paul Szabo: Mr. Speaker, the member is right, there have been some attempts to address the needs of updating the Fisheries Act, and that is why all the members who have spoken have made it clear that there are substantial areas of concurrence, but there are some that are not.

The member will know that I brought before the House a disallowance motion with regard to an aspect of the current Fisheries Act with regard to basically law made through a regulation.

I can read into the record the quotes from the current Minister of Fisheries and Oceans who berated the then government for breaking the law, but when the legislation came back again in this Parliament, the same person, now the fisheries minister, argued totally on the other side, saying that the government will take care of everything, but there is some disagreement there.

When the Fisheries Minister came before the joint Commons-Senate scrutiny of regulations committee, he promised that we would deal with this stuff.

The bill is already in difficulty. I am hoping that the minister will recognize that he still has an existing Fisheries Act which is in violation of the laws because it makes laws through the regulations and it should not. It is a simple amendment. A two line amendment to the existing Fisheries Act would solve it, but it has significant implications to licensing.

The minister has had different positions, depending on where he is at the time of day. He will tell us one thing, but is not afraid to tell us a different thing if he happens to be in government or in opposition. He will tell us that it is okay to send a bill to committee before second reading if it suits his purpose. This one does not suit his purpose and he is not afraid to say that right here, even though Bill C-30 goes to committee.

The minister needs to come clean. The minister has to understand that there are significant areas of question and possible weakness in the bill that members would like to have resolved. Those things may have to be resolved prior to a second reading vote.

Government Orders

•(1255)

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the bill before us has not only not gone through any consultations prior to being tabled in the House but many environmental groups and people are concerned about clean water and about our various lakes and oceans. Whether it be Lake Ontario or Lake Superior, people are very concerned about the bill.

In Lake Superior, for example, there have been U.S. companies trying to mine the quarries all along the lake area. If the bill proceeds to second reading, there will be quite a few clauses that cannot be amended because they will probably be ruled out of order.

What are some of the concerns of the hon. member? If he wants to have an amendment at second reading, why would it not be possible? Why would corporate polluters not be fined and that could go toward an alternate mechanism? Is that a concern that he also has regarding the bill?

Mr. Paul Szabo: Mr. Speaker, I will not have an opportunity to give my full list but I will be working with my colleagues to ensure that no matter how we deal with this question, that all of the questions that we can raise, on which we could use additional information and guidance so we can make an informed decision, will be raised.

The member talked about Lake Ontario or Lake Superior. I mentioned the alien invasive species. Asian carp is another one. It is a very serious problem in our inland fisheries.

However, with regard to what could not be changed, as an example, the whole tribunal mechanism is now a significant change in the way that matters are handled. How about the transfer of licences on retirement? This is now becoming a little bit more complicated and it has significant influence on the lives of people and their families.

If it can be demonstrated that these changes will not seriously impact or even change the bill at all, as long as those undertakings are made and as long as there is an opinion, but I must say that the minister says that he does not want change. I have heard him say different things at different times. He contradicts himself as it suits his purpose. I would like to hear the answers to some of our questions from officials, not just from the minister.

•(1300)

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, I am sure anybody following the debate at home today is happy to see the member stand up and represent the viewpoint of the fleet from Mississauga South. However, I think the member's intervention today is probably one of the most important of all the speakers who have voiced their concerns because there is nobody in the chamber who is more respected when it comes to procedure and House affairs than the member. He lives it.

The concerns that he has expressed in his intervention today are very important. I have tried to equate it to something similar to the replacement worker legislation that came forward where substantive amendments were made in committee but were ruled out of order by the chair. Are we looking at potentially the same thing in this instance if the current bill does not go to committee before second

reading? Is it only minor changes that will be able to be made on the legislation?

Mr. Paul Szabo: Mr. Speaker, I certainly can vouch for the member's commitment to his community and the strong voice that he provides in this place with regard to issues that are important to families that he represents.

The fundamental point is that I do not think we will find in this place or in any of the books sitting at the table there, the precise definition of what constitutes the basic principles of a piece of legislation. How much of the detail do we want and how deep do we go? To some extent, it is discretionary. However, I would say that members may want to reconsider their position on this matter simply from the standpoint that it is my observation that there is significant support for a new fisheries act in the greatest scope of what we have been talking about.

I would suggest that there is a handful of areas that could be problematic to amend at committee but I believe they could be dealt with if the government is prepared to enter into a dialogue with the House leaders of the other parties to determine a mechanism by which we can have the necessary consultations, make the bill acceptable to all parties and then get it passed quickly.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I am pleased to stand in the House today to speak to Bill C-45. I want to acknowledge the very good work that my colleague, the member for Sackville—Eastern Shore, has done on this. Following his lead, I too will be speaking against the bill.

The bill would amend an act that was first proclaimed in 1868. Many who work on the Hill will understand this comment when I say that I work in West Block, which is just a few years older than the act, and we know the terrible state that building is in after 139 years. We, therefore, agree that we need a new Fisheries Act but the devil truly is in the details.

Although I agree with the premise that the Fisheries Act needs amendment to create a modern act that is responsive to the needs of conservation, habitat enhancement, community control and that accommodates the treaty rights of aboriginal peoples in Canada, this bill does not provide those amendments, which is why the NDP cannot support it.

My colleague from Sackville—Eastern Shore has consulted groups from coast to coast on this issue and the overwhelming response has been to oppose this bill. I have consulted with recreational and aboriginal fishers in British Columbia and I would like to share some of their responses with the House today.

Recreational fishing in British Columbia is the largest single fishery in the province. It includes: over 330,000 individuals who purchase saltwater fishing licences; 125 lodges catering to recreational anglers; 500 charter boat operators; and hundreds of businesses and industries that equip and cater to the sportfishing industry, including businesses like the St. Jean's Cannery & Smokehouse in Nanaimo which has created a niche industry canning the salmon caught by recreational anglers.

Government Orders

Coming from the riding of Nanaimo—Cowichan that has a coastline and had a proud tradition of fisheries, I can understand how absolutely important it is, not only to the fishing industry itself, but to all the other spinoff industries that support those fishers. In fact, we actually have a number to quantify that. This means over \$600 million in economic activity while catching less than 6% of the annual Pacific salmon harvest and less than 12% of the annual Pacific halibut harvest.

I do not think it is unexpected that such an important fishery would expect some consideration when a wholesale revision of the Fisheries Act is planned. However, sadly, that was not the case.

Bill C-45 does not acknowledge the fishery as a common property resource, nor does it acknowledge the public's right to fish as a key value. Instead, Bill C-45 says that Parliament is committed to maintaining the public character of the management of fisheries and of fish habitat, and that is a distinctly different concept.

The Supreme Court of Canada has confirmed that fishing is a right not a privilege and that the fishery is a common property resource. The premise that the fishery is a common property resource with the public right to fish must be included in any reform of the Fisheries Act. A failure to do so would open the door to greater privatization and the concentration of a public resource.

The Sportfishing Defence Alliance explains it this way:

...we also see an attempt here to usurp the "Right To Fish" held by all Canadians under the Common Law of this land that has existed from time immemorial. The record of this right begins with Roman Emperor Justinian. It was further recognized and affirmed by English King John in the Magna Carta on the fields of Runnymede in 1215. Since that time there have been many findings by the various Canadian commissions and courts ranging all the way up through the Supreme Court of Canada. ...the majority ruling in *Nikal*, where Cory J. stated, "It is for the Federal Government to ensure that all users who are entitled to partake of the salmon harvest have the opportunity to obtain an allotment pursuant to the scheme of priorities set out in *Sparrow*." In *Comeau's Seafoods*, Major J., for the court, stated: "Canada's fisheries are a 'common property resource' belonging to all the people of Canada. Under the Fisheries Act it is the Minister's duty to manage, conserve and develop the fishery on behalf of Canadians in the public interest."

As the NDP's aboriginal affairs critic, I have been coming up against the issue of consultation and how little consultation the government does with groups. In a media release in December 2006, DFO claimed that the new bill stemmed from extensive cross-country consultations and discussions. That is simply not true. Discussions and consultations did not take place across the country, specifically on the new ideas and the changes outlined in Bill C-45.

Rather, Bill C-45 is the outcome of several major public engagement processes on fisheries management and policy that took place over the last several years, including the Pacific new directions and *Pearse-McRae* report, as well as the aboriginal fisheries strategy and the first nations panel on post-treaty issues.

• (1305)

It is very important to make the distinction that fishermen, commercial fishing groups, aboriginal people and other stakeholders were not consulted directly on the changes proposed in this bill. It is also interesting to note that last fall the provincial and territorial fisheries ministers urged the federal government to table new legislation that recognizes their important role in fisheries manage-

ment but they also were not consulted on Bill C-45 prior to its release.

All stakeholders, including aboriginal people and fishermen, should have had an opportunity to participate in an extensive consultation process to recommend appropriate changes to a new fisheries act. I know we often talk about consultation in the context of aboriginal rights and I have a couple of papers here that are important to quote from.

In a letter from the Nuu-chah-nulth Tribal Council dated February 12 to the Minister of Fisheries and Oceans it talks about the fact that the council was not consulted in any kind of fashion. The letter reads:

Nuu-chah-nulth are also concerned about the timeline that you have set for this initiative given that you have not approached Nuu-chah-nulth First Nations to discuss a proper consultation process.

Later on in the letter it states:

Merely appearing before a Parliamentary Committee with comments on the proposed Fisheries Act is not sufficient to meet the test of full and meaningful consultation and accommodation.

Oftentimes when we are asked what we mean by consultation, I have commented in the House that talk is not consultation and it is not. Simply sitting down and speaking to someone does not constitute consultation. I want to quote what the experts in consultation have outlined what a due consultation process would look like.

A recent report on matrimonial real property, written by Wendy Grant-John, identified the need for full consultation on any amendments to matrimonial property because it would affect aboriginal rights just as any full scale amendment to the Fisheries Act directly affects aboriginal rights.

In a very a deliberative and thoughtful way, Ms. Grant-John and the others who worked with her on this report outlined what a consultation process would look like. I would argue that a consultation process that is suitable for Indian and Northern Affairs would also be suitable for fishery. She outlines the following:

The Department should develop, as soon as possible, specific procedures relating to consultation in order to ensure that future consultation activities can identify and discharge any legal duty to consult while also fulfilling objectives of good governance and public policy by:

1) Ensuring First Nations have relevant information to the issues for decision in a timely manner;

When we are talking about first nations I would argue that we would have any stakeholders involved in fishery also have relevant information to the issues in a timely manner.

Ms. Grant-John continues to state:

2) Providing an opportunity for First Nations to express their concerns and views on potential impacts of the legislative proposal and issues relating to the existence of a duty to consult;

3) Listening to, analyzing and seriously considering the representations and concerns of First Nations in the context of relevant legal and policy principles including their relationship to other constitutional and human rights principles;

4) Ensuring proper analyses by the Department of Justice of section 35 issues relating to any proposed legislative initiative are thoroughly canvassed before, during and after consultations;

Government Orders

5) Seriously considering proposals for mitigating potentially negative impacts on aboriginal and treaty rights or other rights and interests of First Nations and making necessary accommodations by changing the government's proposal;

6) Establishing, in consultation with First Nations, a protocol for the development of legislative proposals.

As members can see from this very thoughtful and lengthy list, consultation is not an ad hoc process. It is a complex process that involves dialogue, that involves taking information and analyzing it, and including those people who are affected in that decision making process.

Consultation also needs to be well thought out and a well communicated plan. As was indicated by the Nuu-chah-nulth council, many people were surprised when Bill C-45, the amendments to the Fisheries Act, was brought forward because their understanding was there would be a process that included some of those key stakeholders.

The other issue is that the government cannot declare previous meetings, which were not specifically focussed on a piece of proposed legislation, as consultation, especially if the people in those meetings were not aware that part of the purpose and intent of those meetings was to develop legislation.

● (1310)

I hardly call it consultation if the people in those meetings did not know the consultation was happening. People were not aware that their involvement in that meeting constituted consultation on this legislation.

Although the piece I read on matrimonial real property is specific to first nations, these considerations should also be in place for consultation with all Canadians on public resources, especially the idea that one cannot declare something was consultation when it happened in the past.

The Assembly of First Nations has examined the bill carefully and has a number of recommendations. I encourage other members to go to its website and look for this paper, "A Scoping of Aboriginal Implications of Renewal of the Fisheries Act 1985". I will quote one of the priorities for governance issues from that paper because I feel Bill C-45 misses this point completely. It states:

Ensure meaningful references to Aboriginal and treaty rights with linkages to modern treaties, self-government, and the right to manage fisheries

New legislation needs to recognize the special relationship between Canada and First Nations. DFO suggests that language be added to recognize protection of Aboriginal rights and treaties...The purpose of "acknowledging" aboriginal and treaty rights in other legislation seems largely to be to avoid laws being struck down rather than to address Aboriginal and treaty rights. DFO obligations to involve First Nations in fisheries management are more than just good governance practice. The legislation should provide guidance on how regulators and policy makers need to recognize and accommodate Aboriginal and treaty rights and title in management.

As well, self-government is a core First Nations' value that could be supported in a reformed *Fisheries Act*. Self-government in fisheries may include involvement in decisions on management of First Nation, recreational and commercial fisheries, sharing of fish in a First Nations traditional territory and protection of habitat. First Nations may participate in advisory processes but should have a larger role in decision-making as discussed in the upcoming co-management subsection.

Finally, I will talk about the lack of habitat protection in the bill.

The new bill fails to strengthen conservation and protection measures for fish and fish habitat. There are far too many loopholes in Bill C-45 that would place the fishery and its habitat at risk.

Under the old Fisheries Act, development projects like the Tulsequah Chief mine in British Columbia, which is a large mining project that will impact on the Taku River watershed, were allowed to proceed even though they would have significant impact on fish and fish habitat. Under Bill C-45, these projects would still be given a green light. The new bill simply does not strengthen opportunities to conserve and protect fish and fish habitat, and this must remain our top priority.

I need to mention my own recent experience with DFO and habitat protection. There are some concerns in my community over some contaminated soil being dumped on an industrial site near the Koksilah River by Kelvin Creek, near Duncan.

This is a really important issue in the riding of Nanaimo—Cowichan because the Cowichan River has been designated as a heritage river. The elders from the Cowichan people used to talk about the fact that the Cowichan River was so rich in salmon that people could walk across the backs of the salmon from one side of the river to the other. Sadly, nowadays the river is in trouble. Although certain fish return, they are not nearly in the numbers that they once were. Part of the struggle has been around the protection of the habitat.

We acknowledge the fact that it was a good thing that the river was designated as a heritage river, but the sad reality is it is simply in name only. There are no resources available to look at some of the very serious issues confronting the river. There are many users of the Cowichan River. The first nations people get fish for food and use it for ceremonial purposes. Agricultural lands abut the river. There are important recreational issues on that river. Yet we do not have a good plan in place to look at habitat protection and conservation for fish. I would argue that when we do not protect the river for fish, we do not protect it for any of the other users as well.

I digress slightly from the Koksilah River by Kelvin Creek, but Koksilah is also a fish-bearing stream. An industrial site abuts Kelvin Creek and the Koksilah River. This site allows contaminated soil, which needs an industrial standard, to be trucked from outside the riding and dumped in a gravel pit there.

● (1315)

Everyone will quickly point out that this is a perfectly legal use. It meets the provincial ministry permits. The larger question is this. Is this a suitable site when potential leachate could end up in the Koksilah River and Kelvin Creek? This is a question that nobody has been able to answer.

Part of my responsibility, as the member representing the riding, is to go and find out information and to work with the citizens in the riding who have raised a number of concerns about this site. This is just one example of the need for a stronger habitat protection for fish. I am sure this story is being repeated across the country.

Government Orders

When we started inquiring around who would take some responsibility for this very important salmon bearing stream, we found the proverbial finger pointing where everybody pointed to somebody else who should take responsibility for it. That was very distressing.

When we went to the Department of Fisheries and Oceans, commonly referred to as DFO, it indicated that we needed to provide proof that habitat was being destroyed. It took the view that unless there was harm being done, it could not work proactively to protect that fish habitat.

We have something that many of us like to call the precautionary principle. The precautionary principle says that we should think ahead and prove that no harm will be done before we undertake an action that could have some serious impacts and long term consequences.

When we took a look at this, DFO could not do anything until we could demonstrate that the fish habitat was being destroyed. DFO also shares the responsibility with Environment Canada. We got the proverbial very thin wedge that it could do a tiny bit, but somebody else would have to do something else about it.

Although this new act aims to streamline projects that may alter fish habitat by making a distinction between small projects and large scale projects, the aim of these changes is to allow the department to focus on activities with more potential to cause harm. Streamlining projects in a new act could open the door more easily for industries that may pose a risk to fish and fish habitat.

We need to ensure that DFO streamlines projects for the enhancement of fish and fish habitat, not the other way around.

I want to go back again to the situation at Koksilah River and Kelvin Creek. Part of the frustration with this has been there are so many different levels of government involved in this situation. We have regional-municipal, or CVRD. The Cowichan Valley Regional District has responsibility for land use. It does not have in place a soil dumping bylaw.

Then there is the provincial ministry that takes a look at granting logging permits. Some logging is going on next to this river, which could have an impact on fish habitat. The provincial government has responsibility for the transportation and the dumping of soils, which it says meets an industrial standard that is perfectly suitable, but people cannot live on this soil.

Then we have the federal government where Environment Canada is responsible for water quality and the Department of Fisheries and Oceans is responsible for fish habitat.

Out of all those levels of government, there was not a coordinated response to the protection of fish habitat.

The bill now before the House does not provide that kind of assurance to Canadians and to the citizens of Nanaimo—Cowichan that fish habitat would be protected and conserved. I therefore I urge the members of the House to vote against the bill. The government should go back to the drawing board and do those meaningful consultations that will result in a Fisheries Act that protects the resource for future generations.

• (1320)

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans, CPC): Mr. Speaker, I appreciated much of what my colleague from British Columbia had to say and I think it provided some clarity, although we are speaking on the hoist amendment at the moment, not on the bill itself.

However, with respect to her comments regarding consultation, I take issue. I would like further clarification from her on what she means by this concept of public right to fish. I know it is a common concept and it is related somehow to the common property resource issue.

Does she think it means that any Canadian anywhere can fish for anything at any time? I doubt if she means that because she also indicated that she was interested in the resource and its sustainability and so on, and that would seem obviously to fly in the face of that. What does it mean?

The act and our tradition is that it cannot mean that. It is a constrained right. It is a regulated right. It has been since Confederation. What we say in the bill is that it is not that fishing is a privilege, but a licence is a privilege. That gives access to this common property resource under the principles that are laid down in the bill.

Further clarification on that would be appreciated.

Ms. Jean Crowder: Mr. Speaker, I was aware we were speaking on the hoist amendment, but it is also important to lay out the arguments why we would not want to consider the bill at this time and in this place.

The member raises a very good issue and this is an important example of why we need those appropriate consultations. I come from a part of the country where recreational and sports fishing is an extremely important part of what happens in British Columbia. It is an important addition to our economic well-being. It is an important part of what people would argue is their own culture. I know many fathers, mothers, daughters and sons have fished for generations in a recreational and sports way in British Columbia.

If we talk to the recreational and sports fishers, what we will hear from them is that they are absolutely conscious of the fact that when we talk about the right to fish, it does not mean unfettered access. It does not mean that somebody would go out at any time, in any season and fish. What they are asking, though, is that in the context of a responsible approach to the management of fisheries, they be included and acknowledged as having that right to fish.

I know that many of the sports and recreational fishers in British Columbia are actively involved in habitat protection and conservation. They are actively involved in ensuring that the very species remain healthy so they remain a resource for future generations.

I again argue that if we had those kinds of meaningful consultation processes, we would not need to have this conversation in the House.

• (1325)

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, my hon. colleague, the member for Nanaimo—Cowichan, represents an area from the west coast. I represent an area in the centre of Canada.

Government Orders

I have two questions for her today. The first one has been talked about somewhat, but I need to raise it from the position of someone who represents an inland fishery.

We know stakeholders feel that they have not been heard or listened to. In my riding I have a thriving commercial fishery, both in bait fish and standard commercial fishing, and a sport fishery. No one has talked to either of those.

In the north we have a huge area of about 2,500 square miles where there are only 21 first nations communities. At one time they had a thriving sturgeon fishery. Now they are working to regain that. No one has talked to them.

I mentioned earlier that we have one of the largest inland research centres in my riding, the Experimental Lakes Area, with more than a half century of data and research to ensure that the inland fishery will thrive. No one has talked to them.

What is she or is she not hearing about the inland fishery because of the lack of consultation?

My second question, and I know it is a concern for the NDP, is about the provisions that would allow DFO officials to grant or refuse licences.

I mentioned earlier in the chamber that my family has held licences for more than a half century. It is important to understand that there is very little tenure and protection for commercial fishing licences. Any chance that we get, when we are rewriting an act that is over 100 years old, to protect the fishery, the people who work in the fishery and the people who invest in the fishery is an opportunity we should take to get it done right, and we need to listen to the people and the stakeholders involved.

Ms. Jean Crowder: Mr. Speaker, I did not touch on the inland fisheries in my speech, but they have been a vital resource in this country. I was fortunate enough to live for a number of years in the Okanagan where there is a very important inland fishery. It is a sports and recreational fishery that draws people from all over the world.

There are two aspects to this, the sports and recreational fisheries aspect of it but certainly also the aboriginal treaty rights around inland fisheries. I laid out in detail the lack of consultation. The lack of consultation on the three coasts is reflective of the lack of consultation around inland fisheries and the impact it will have on communities if their voices are not heard. They are on the water and understand the issues that are facing them. We must have appropriate consultation.

With respect to the whole issue of getting it right around licensing, I am from the west coast where we have seen over several years a number of communities facing severe difficulties as the fisheries have been in transition. We have seen families surrender their licences for a variety of reasons. We saw some consolidation happening with the fleet. Those communities have been impacted as a result of some of those decisions.

I am sure all Canadians would say that they want that vital resource protected and preserved and that we need to consider the impact on communities. That includes all communities involved in fishing, whether one is a fisher or somebody who benefits by

providing the secondary and tertiary services. We absolutely need to get this right.

We do not want to see too much power and decision making concentrated with the minister. A number of concerns have been raised around how many times the bill refers to “the minister may”. We want to make sure that the decisions being made on behalf of this resource are being made in a manner that ensures the protection of that resource for future generations.

● (1330)

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans, CPC): Mr. Speaker, if my colleague reads the bill she will see in the preamble a number of times where there is reference to commercial, aboriginal and recreational fishers. Once or twice she will see processors mentioned as well, but she will see the first three mentioned time and time again.

When she gets to clause 25 of the bill, it lists those very important principles and I wonder if she agrees with them. I think they do everything she would like them to do. It says, “In exercising the powers under section 27 or 37”, which is basically the licensing or allocation sections of the act, “the Minister must take into account” and the third one is “the importance to fishers”, and fishers there refers to all three of those sectors, “of secure access to the fishery and of allocation stability”. That is a very important principle.

Ms. Jean Crowder: Mr. Speaker, fortunately I have read the preamble and sections of the bill. Where the disagreement comes about is whether the preamble is strong enough in terms of protecting the public right to access the resource. Clearly, the recreational and sports fishers in this country do not feel that is the case. If it is the users who are saying this is not strong enough language and does not protect the right to fish, I suggest we need to take a second look at it.

This argument often comes up in terms of a piece of legislation that may do some of what we think is important. The question then becomes whether we tinker with that piece of legislation at the margins to make it legislation that is going to do what we intended, which is to protect the resource, and there are all kinds of other things around enforcement and all of that, or do we go back to the drawing board and make sure we do the consultations to come up with the appropriate piece of legislation.

Again I would argue in this particular case, because the government did not do its homework and conduct those consultations, that we need to go back to the drawing board.

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Mr. Speaker, it is with some concern that I rise to speak about Bill C-45, the new Fisheries Act as proposed by the Minister of Fisheries and Oceans.

I certainly want to acknowledge the courage of the minister. The Fisheries Act is 138 years old. It has not been substantively changed in that period of time. However, as my late father used to say, caution has to be taken when judging actions. There is conventional wisdom that often takes place and one has to wonder whether a decision is taken based on convention or wisdom.

Government Orders

This bill, quite frankly, is quite flawed. All the stakeholders and anyone who has taken an opportunity to review it has come to the determination that it is substantially flawed and would endanger a \$4.3 billion annual enterprise to this country, an enterprise that sustains thousands of communities throughout Canada and well over 80,000 individuals and their families.

One of the key points that has to be raised on the floor is the decision that was taken by the minority Conservative government not to have the Standing Committee on Fisheries and Oceans review the legislation prior to second reading to enable the all-party committee to review the legislation, to conduct hearings and hear from Canadians from coast to coast on the impacts of the bill. That decision was taken because there was a reluctance, an absolute denial of any opportunity for change based on good advice.

While the minister has acted with some courage in bringing forth the legislation, I regret he did not complement his courage with wisdom. The bill is flawed for various reasons. I will not, however, throw out the baby with the bathwater. The sanctions process, the ticketing process, quite frankly, is very reasonable. In fact, it is long overdue. The establishment of allowing officers and the Department of Fisheries and Oceans to deal with relatively minor infractions of the Fisheries Act instead of through a court proceeding, through a ticket violation or sanctions process is a welcome change. It is welcomed by all fishers.

However, there are other elements to this which have to be viewed from the point of view of the law of unintended consequences. Unintended consequences can arise from the minister's decision to remove what is called his absolute discretion. A cornerstone that the minister brought forward when he tabled this bill is that he lauded the point that the absolute discretion, as was prescribed in the original act, would now be rescinded.

The minister tabled the bill on December 12, 24 hours before the House recessed for Christmas and January, not allowing any review from Parliament whatsoever. He did indicate that he was moving forward with very significant changes.

From my own constituents' point of view, what the minister had said was that the bill would now allow for fishers, industry stakeholders, to have a greater say in their own industry when it comes to management decisions, scientific decisions on allocation and who gets into their fishery.

When we look at it just at that broad brush, any reasonable person looking at that would say, "Imagine fishermen having a say in the management of their own fishery". Who could argue with something like that on the surface? That is exactly what the minister and the Department of Fisheries and Oceans concluded, that there would be a statutory, obligatory requirement that existing stakeholders would actually have a legally guaranteed role to play in decision making related to the fisheries in which they are directly involved, fishermen managing their own fishery.

I will present to the House a scenario of the law of unintended consequences, and I will use a very specific example. That principle equally applies to industrial stakeholder fishers: dentists from Nova Scotia who happen to own licences in the northern shrimp fishery; other corporations that really never set foot in a boat, that are called

slipper skippers simply because they own the enterprise and the licence and basically reap the benefits of it directly with no onshore, no adjacent benefits accruing to communities or to individual fishermen.

● (1335)

A case in point is the northern shrimp fishery. In 1997 there was a decision taken by the Minister of Fisheries and Oceans to allow inshore interests to participate, to prosecute the northern shrimp fishery. That was the first time ever. Since the late 1970s until 1997 the entire offshore shrimp industry was dominated exclusively by offshore factory freezer trawlers. Seventeen licences were issued, all of which were owned by large corporations or stakeholders that had no relevance to the adjacent communities to the fishery, with the exception of the Labrador Fishermen's Union Shrimp Company Limited.

That is a case in point. Under this bill the minister and the department would now have a legally binding requirement on them to listen to the views of the stakeholders. That would have been the 17 factory freezer licence holders, up until 1997, and those 17 factory freezer licence holders could effectively bar access to every inshore fishermen in Newfoundland and Labrador to gain access into this fishery. Why? Because that is exactly what this bill prescribes. As the minister says in the press release, the minister and every person engaged in the administration of this act or regulations must take into account the stakeholder interests. There is a case in point of the law of unintended consequences taking hold.

Another example of the law of unintended consequences that should have been reviewed by the Standing Committee on Fisheries and Oceans to hear expert witness testimony would be the requirement that the minister must take into account the principles of sustainable development and to seek to apply an ecosystem approach in the management of fisheries in the conservation and protection of fish and fish habitat and must—not shall or may—must seek to apply a precautionary approach such that if there is both high scientific uncertainty and a risk of serious harm they will not be engaged in any management decisions that could impact on that.

The key word is "must", not may, must. It is a complete removal of the absolute discretion of the minister that was applied under the previous act. That is a case in point of the law of unintended consequences.

Say, for example, a particular group wanted to challenge the validity of the minister's decision to maintain the harp seal quota throughout Atlantic Canada and Quebec. If a group came forward with substantial evidence from its point of view, and brought it forward to a federal court in Toronto, that particular NGO could actually challenge the minister's decision to maintain a harp seal fishery and could actually seek recourse through a federal court to actually shut down a particular fishery or challenge the minister's decision relating to quota or any specific management items. That particular court in a place very far away from where the fishery is actually prosecuted, very far away from the adjacent communities, could actually decide how an east coast, west coast, central or Arctic fishery was actually managed.

Government Orders

That is the law of unintended consequences that has to be understood by all members of the House before a formal vote is taken. That is why we asked that the Standing Committee on Fisheries and Oceans review this legislation and hear expert testimony from stakeholders.

The point was brought forward that there were extensive consultations on the act before the bill was brought forward. First off, the Standing Committee on Fisheries and Oceans put in a request to the minister and to the department to assist the department and the minister in crafting the bill before it was tabled so that we could bring forward as members key elements of the bill that we wanted to have included and key concerns. That request was denied. It was not acted upon.

On December 12, 2006, 24 hours before the close of the House, a bill was tabled. There were no further discussions for the next eight weeks.

We asked who exactly was consulted and what was the actual consultation that occurred. In my own constituency I found that next to no one was consulted and the few organizations that were were simply sent a letter from an official within the department indicating that a new fisheries act would be tabled soon.

• (1340)

There were no details about the act and no chance for input, with no relevance whatsoever to this act, and that is what has been put before us. It is an act that has been described as having endured extensive consultations when in fact no consultations whatsoever, no substantial consultations, have been conducted.

A third element of this that really gravely concerns me is the fisheries co-management process. Fishermen want to know exactly what that entails. They want to know if additional fees can be placed upon them as a result of a cooperative agreement or a trust arrangement being put in place between the Department of Fisheries and Oceans and an umbrella stakeholder group that states or claims it represents the interests of fishermen.

The first party would be the Department of Fisheries and Oceans, the second party would be the fishermen themselves, and the third party would be the organization in question. The fishermen want to know if that third party interest can apply for or create levies of additional fees on the fishermen themselves. That is a very important point, but I wish we could have had an opportunity to review this act in committee so that we could have put these facts on the table. This is a very substantial concern.

I appreciate the fact that the sanctions process, the ticketing process on relatively minor infractions, is a better process. It provides a substantial improvement to the current regime. However, there is the law of unintended consequences and possibilities. If there was nothing to fear from the concerns that I raised and that were raised by other members and industry stakeholders, this act should have been placed before committee for review before second reading. Witnesses and evidence should have been presented as to exactly where the act is going.

As well, I have grave concerns about the management process leading to extended terms. The minister will acknowledge that a recent agreement was just put in place with Ocean Choice of

Newfoundland and Labrador and High Liner Foods, allowing for greater long term tenure to certain resources based on certain criteria. However, that is one example.

There are other examples that may not be beneficial to the people of Atlantic Canada and to fishermen and fishing communities generally across the board. We want to know exactly where that process is taking us. That is a major concern that has been expressed by my constituents.

Key among this is information about specifically where it is that we are taking the legal and binding right of interest groups that now have a formal and legally binding say in the management of our fishery.

The minister himself will acknowledge that on the northeast coast of Newfoundland there was a decision that was taken in 2J3KL cod, a decision to allow a small commercial scale fishery to fishers there in a resource that, generally speaking, scientists had described as significantly depleted.

Today, as was the case when the minister made the decision, the point of view of very few scientists has changed. Their point of view was that the resource was depleted to the point where any commercial fishery could cause a serious and negative decline in the overall abundance and health of stocks. Biomass would not be allowed to increase and would not be allowed to recuperate. Therefore, science was against that particular decision, or some scientists were, I should say.

If Bill C-45 had been in place at the time of this decision an interest group could have had the capacity or capability of bringing the minister's decision before a federal court for judicial review, because the law specifically states that the minister is no longer capable of making a unilateral decision. He no longer has absolute discretion. He now must adhere to a set of principles that must take into account sustainable development and the scientific information that is available at the time, the scientific information but not the stakeholder information, the information from fishermen themselves.

The minister was proven correct. His decision was a valid one. However, I would remind every resident of the northeast coast of Newfoundland and southern Labrador and the northern peninsula area that I represent that if this act had been in place at the time of that decision, it could very well have been that an organization from outside of the province, outside of the country, could have put forward a judicial action to actually suspend the fishery. That is a very real possibility.

• (1345)

If I am incorrect in what I state, if the minister does not believe it and the department does not believe it, what I can say is that we would have had an opportunity to bring this before a committee and hear expert testimony as to exactly what was happening here. This had to be done. The stakeholders were depending on it. The industry interests were depending on it.

I am concerned about the co-management agreement. I am concerned about the potential for additional fees to be imposed upon fishermen and their communities as a result of the legally binding cooperative agreements that could be put in place between DFO and the stakeholder groups.

Government Orders

I am concerned about the loss of discretion by the minister to act appropriately in ways that he or she knows would be beneficial to the fishery. I use specifically the case of the northeast coast cod as an example that probably would not have happened. I use specifically the case of the seal fishery and all those advocacy groups, the interest groups that are out there that at chomping at the bit for a way to shut down our seal fishery.

This act may provide them with that very possibility or opportunity, in a federal court in a place very far away from this fishery, with evidence or testimony heard by a judge that could result in a decision that the minister did not act in accordance with the act he has tabled. That is a very real possibility.

I have many concerns, but the last major one that I need to speak about in this House is the concern about the exclusion of legitimate fishermen from new fisheries as they emerge or expand.

For example, on the co-management agreement that was reached in the Gulf of St. Lawrence on crab in area 12, would the existing full time fishermen in area 12 have allowed small boat permit fishermen to come into their fishery when the resource skyrocketed in abundance and the price went up? Would they have had an opportunity to boycott or basically veto through a court action the decision of the minister of the day back in the 1990s, not too many years ago, to allow small boat permit entrants into that fishery?

Could the interests of the northern coalition, the large offshore factory freezer trawlers, have prohibited access to inshore fishermen for prosecuting the northern shrimp fishery? After literally decades of dominance by the offshore factory freezer trawlers, could that have been a possibility under this act? The evidence that I am receiving and the input in legal opinions and by industry stakeholders is yes, it definitely could have been. That is why this act should have been presented to committee before second reading before it went any further.

• (1350)

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, I thank my hon. colleague from Newfoundland and Labrador for his presentation.

We have asked throughout today's debate about the consultative process and who was consulted on this act before it was tabled. I find it very amusing and quite astonishing that this bill was tabled on December 13, 2006. This bill is over 200 pages long, with a lot of legalese in it, but on December 14 the B.C. mining industry put out a press release saying it welcomed the new act. I do not know how anyone could have given the act a thorough analysis, whether against it or for it, prior to actually reading it, but one day later the mining industry said that it supported the act.

It is interesting that the senior director of the Mining Association of British Columbia is a gentleman named Byng Giraud, who says, "We support the act". Guess what? Byng Giraud also sits on the governing national council of the Conservative Party of Canada, representing British Columbia. It seems awfully close and very paternalistic that on December 14 the Mining Association of B.C. can say it supports the act without giving it a thorough analysis and the individual who says that is a member of the Conservative Party representing B.C.

It is obvious that fishermen were not consulted on this act, so I ask my hon. colleague, does he have any other evidence of people of this nature across the country who are not fishermen and who support the government's intention of really destroying the future livelihood of fishermen and their families in this country?

Hon. Gerry Byrne: Mr. Speaker, consultation is key. Whenever we deal with a common property resource, such as the fishery resources of Canada, consultation among stakeholders is absolutely essential.

However, I will give the hon. member an example of someone else who was not consulted, someone who spoke out publicly against the act, and that is the member for Delta—Richmond East. The Conservative member for Delta—Richmond East wrote a letter to my local newspaper and, I understand, to local newspapers right across this entire country, speaking out against this act.

The hon. member for Delta—Richmond East of course has been a long-time member of the Standing Committee on Fisheries and Oceans. Shortly after that letter was published in local newspapers across the country, he was no longer a member of the Standing Committee on Fisheries and Oceans. That is of strong concern, because of course he too represents a fishing constituency.

However, I can tell members that the 3K north shrimp committee in my riding was not consulted, the 2J committee was not consulted, and the 3K south shrimp committee was not consulted. Nor were the 4R shrimp committee or any inshore fishermen's organizations ever consulted on this particular initiative. I can think of no one in my constituency who was. I have fishermen's organizations throughout the entire coastline. In the 148 communities that I represent, not one consultation occurred that I am aware of, and I asked for any input that I could get.

What I do know in terms of consultation is that letters were sent out saying that a new act would be tabled. That was it.

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans, CPC): Mr. Speaker, I think I need more clarification, because I am having a hard time making sense of this. Is the member saying that he prefers the old regime, whereby the Minister of Fisheries and Oceans had absolute discretion with regard to every allocation decision and every licensing decision, just as the current act says?

Is the hon. member saying that he prefers that approach to this one in the bill, which would constrain the minister's discretion? The minister would still have accountability and responsibility, but, for example, must take into account the principles of sustainable development, seek to apply a consistent approach in the management of fisheries, seek to apply a precautionary approach, take into account scientific information, seek to manage fisheries and conserve and protect fish and fish habitat in a manner that is consistent with aboriginal protections, and so on?

Does the member really prefer that other system rather than letting the Minister of Fisheries and Oceans know what we expect from him?

• (1355)

Hon. Gerry Byrne: Mr. Speaker, if the parliamentary secretary is confused about the act, let us imagine how just about every other stakeholder is feeling about this particular act.

I will tell him what system I would prefer. When inshore fishers from the Gulf of St. Lawrence want access to a crab stock after being isolated from other fisheries, and when the crab stock in the Gulf of St. Lawrence skyrockets in biomass and abundance and the value of it increases, I would prefer a system whereby I would have a minister and an act that would enable a decision to be taken to allow temporary permitted access into that fishery.

I will him what else I want. I want a minister and an act that allows the northeast coast cod fishery to be open on a commercial basis when fishermen and stakeholders agree that there is enough resource there to be able to do so. This act would prevent that.

I want an act that enables the minister to be able to allow new entrants into the northern shrimp fishery, as the minister did in 1997. This act could potentially bar that through a legal action.

That is the kind of act I want.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, my question and comment for the member relate to the consultation, or the lack thereof, with first nations communities.

I would ask my colleague what his views are on the fact that no consultation resources were made available to the Assembly of First Nations people. There was no meaningful engagement with the AFN and communities on the changes in the Fisheries Act. There has been no broad consultation at all. In fact, the response from the Department of Fisheries has been that the consultation process can take place when committee hearings take place.

That is not, to our understanding, what consultation with first nations communities involves. I would be interested in hearing the member's comments.

Hon. Gerry Byrne: Mr. Speaker, the aboriginal community and first nations are justifiably concerned about the direction of this legislation. First nations are still reeling from the comment that was made by the Prime Minister about no race-based fisheries.

Without explanation or contemplation of exactly what that statement meant, that was the statement that was made, "an end to race-based fisheries". The Prime Minister has a duty to explain exactly what his intentions are and whether this bill provides an opportunity for him to fulfill that particular objective.

I am concerned, as well as first nations, as to exactly where this is going. There has been no consultation and first nations are placed in the same position as members of this legislature.

Without a reasonable opportunity to review the act prior to second reading, as all members of the committee had contemplated and requested, there is no reasonable opportunity to make substantive changes to the act should glaring flaws be identified. That is a concern not only to first nations as fishing stakeholders but to each and every one of us.

The Acting Speaker (Mr. Andrew Scheer): We will move on now to statements by members.

Statements by Members

The hon. member for Northumberland—Quinte West.

STATEMENTS BY MEMBERS

[*English*]

PEACEKEEPING

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I rise in the House today to pay tribute to the brave men and women, military and civilian, who have served on behalf of Canada in peacekeeping missions around the world.

Today is International Day of United Nations Peacekeepers and Canadians have much to be proud of. Canada has always been strongly committed to international peace and security, and has a proud history in United Nations peacekeeping from Cyprus to Bosnia and to the Golan Heights.

Today is no different. We currently have 129 Canadians serving with 9 United Nations missions, including 66 personnel with the UN stabilization mission in Haiti and 33 personnel in the UN mission in the Sudan.

Canadians owe a great deal of debt to all Canadians who have so proudly represented our country around the world.

Finally, I call upon all members of this House to take a moment to remember Major Hess-von Kruedener who died on July 25, 2006, while serving at the United Nations observation post in Lebanon.

This government extends its thanks to all those who are currently serving and those who have served in the past.

* * *

• (1400)

SMART REGULATION

Ms. Bonnie Brown (Oakville, Lib.): Mr. Speaker, I want to alert my colleagues to regulatory changes that are being made without parliamentary oversight.

Under the seemingly harmless name of "smart regulation", rules and standards are being weakened in ways that could threaten the health and safety of Canadians.

Whether it is therapeutic products, food safety or transportation safety, there is an effort to make our regulations more friendly to business and more profitable for them.

All this is part of the security and prosperity partnership of North America and its subset, the council on competitiveness. This entire partnership is so profoundly undemocratic that to date 14 American states have passed resolutions demanding that the American Congress act to cease American involvement in it.

It is time that we in this House took action as well to ensure democratic oversight of this ongoing effort to more deeply integrate our nation with our neighbours to the south.

*Statements by Members**[Translation]***CANADA SUMMER JOBS**

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, over the past few weeks, the Conservatives have demonstrated their improvisation skills in areas under provincial jurisdiction.

In the Canada summer jobs file, youth, organizations in Quebec and the Bloc Québécois all warned the government about its questionable choices concerning the criteria and the assessment of funding requests.

When it realized that it had made a mistake, the government backpedalled and returned to the way things used to be. Thanks to the Bloc Québécois' work, young people in Quebec will have better job opportunities and our organizations will be able to keep making valuable contributions to their communities.

We hope that the government has now learned its lesson. Worker training programs do not fall under its jurisdiction. It must therefore transfer all such programs to Quebec without delay.

* * *

*[English]***MANUFACTURING INDUSTRY**

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, the member for Windsor—Tecumseh and I marched with thousands of Windsor and Essex County residents in support of the need for provincial and federal action to protect the manufacturing heartland of this country.

The “Our Jobs, Our Communities, Our Future” rally demonstrated that Canadians are concerned about their jobs and the community consequences.

Consider the following facts. In four and a half years we have lost 250,000 manufacturing jobs in Canada. Over the past 10 years we now have a trade deficit of \$16 billion. Manufacturing accounts for 17% of the Canadian economy and is the highest value added sector, and trade agreements have decimated workers. Despite these facts, Liberal and Conservative policies have jeopardized this valuable industry and our national security.

Canadians want to compete, but how can we when Canada has the most open market in the world, yet places no expectations on other countries who dump into our market, have tariff and non-tariff barriers, subsidize their products through poor labour and environmental policies, and we have a dollar and energy prices that compromise our competitiveness.

The New Democrats believe it is time to show action and vision. Consider a new auto pact, challenge nations that undercut fair competition with dollar manipulation, and enhance social programs and sectoral strategies.

Consider these alternatives for a brighter future, one that proudly says Canadians are the best in manufacturing, and want and will compete in the world market, but it is government that has to provide them the tools to do so.

HUMAN TRAFFICKING

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, this past April in Washington, D.C., the Fain Award was presented to Liliane Kohl and Peggy Sakow, chairpersons of the temple committee against human trafficking on behalf of Temple Emanu-El-Beth Sholom in Montreal. The Fain Award is an international award presented every two years to congregations whose work in the area of social justice is exemplary.

Beginning in 2005, under the leadership of Rabbi Lerner, Liliane Kohl, Peggy Sakow and the temple committee against human trafficking have worked tirelessly to bring together Christians, Jews and secular human rights groups, as well as two countries, to combat one of the most horrific crimes of our time, human trafficking.

It is my great honour today to congratulate Rabbi Lerner, Ms. Kohl, Ms. Sakow and Temple Emanu-El-Beth Sholom on receiving this auspicious award that recognizes the outstanding dedication and commitment they have shown in confronting human trafficking, the modern day slavery.

* * *

MILLENNIUM SCHOLARSHIPS EXCELLENCE AWARD

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, the millennium excellence award program is one of Canada's most prestigious national scholarship initiatives.

Directed at Canadians preparing to enter college or university for the first time, the program's entrance award plays a crucial role in the recognition and encouragement of excellence in the classroom and beyond.

The millennium excellence award program seeks candidates with outstanding achievements in four key areas: academic performance, community service, leadership and innovation.

I am therefore very proud to announce that five students from my constituency of Don Valley East have earned this prestigious award: Heeba Abdullah, Ashley Booker, Safir Jamal, Naila Obaid and Arissa Sperou.

I ask all members of the House to join me in congratulating these outstanding students and future leaders of Canada.

* * *

● (1405)

MEMORIAL CUP

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, Canada has a new Memorial Cup champion. This past Sunday the Vancouver Giants beat the Medicine Hat Tigers by a score of 3-1 to win the 89th MasterCard Memorial Cup Tournament. The game was not settled until Michael Repik scored the winning goal with less than five minutes to play.

The Giants won the top prize in major junior hockey by beating a Tiger team that had beaten Vancouver in its three most recent games. Giants winger Milan Lucic was named the tournament's most valuable player.

The Giants are now the major junior hockey champions of Canada for the first time in their short six year history. The last time a Lower Mainland team won the coveted cup was when the legendary Punch McLean and his New Westminster Bruins did it in 1978.

Just over an hour from now our fans will be celebrating the Giants victory at Vancouver City Hall. Mayor Sam Sullivan will be declaring today, May 29, Vancouver Giants Day.

Congratulations to Coach Don Hay and the whole Giants organization for a job well done. Go Giants Go.

* * *

[Translation]

FIRST NATIONS SCHOOLS

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, nobody in 2007 can deny that education is a priority. Nevertheless, even today, the government is asking first nations schools that provide primary and secondary education to do things the same way they did 20 years ago. It is unacceptable that a school subsidized by Indian and Northern Affairs Canada cannot offer the same quality of education as those located off reserve.

Twenty years ago, nobody was talking about technology in schools. Now it is part of our everyday lives. Why should things be any different in aboriginal communities? Why do these communities not have 21st century technology like non-aboriginal schools?

Why have first nations budgets been limited to a 2% per year increase since 1996 even though the cost of living has risen faster than that?

The Bloc Québécois is asking the Minister of Indian Affairs and Northern Development to make education a priority. Every citizen should have access to the same quality of education.

* * *

[English]

HEPATITIS AWARENESS MONTH

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): Mr. Speaker, May is Hepatitis Awareness Month. This serves as an opportunity to promote awareness and understanding of the impact of hepatitis on Canadians affected by and living with this disease.

We can reduce the risk of hepatitis A by proper handwashing before preparing and eating food. Hepatitis B and C can be spread through direct contact with infected blood and the risk can be reduced by not sharing items that may be contaminated.

In July 2006, the Prime Minister demonstrated leadership and compassion when he announced compensation for the forgotten victims of hepatitis C. The forgotten victims are individuals who were infected through the blood system before 1986 and after 1990, and were denied compensation by the previous Liberal government.

The government also supports the long term funding of the hepatitis C prevention, support and research program and we have been investing \$10.6 million per year toward this effort. We look forward to continued collaboration with all stakeholders in the area of hepatitis C.

Statements by Members

MANUFACTURING INDUSTRY

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Mr. Speaker, workers in manufacturing have been losing their jobs across Canada and the Conservative government has done nothing to help stem the tide. It has also done nothing to help working families with support programs.

In the greater Vancouver area, including my riding, over 800 jobs are gone as a result of Air Canada's decision to take operations elsewhere. All this, while the federal government is scaling back or cancelling programs to support workers and their families.

I call upon the government to take action urgently to ensure the security of workers' pensions and ensure access to all the employment related benefits.

The government also has to work with provincial governments to develop an economic plan to enhance the manufacturing sector in Canada.

* * *

● (1410)

KOMAGATA MARU

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, last week marked the 93rd anniversary of a sad chapter in Canadian history, the *Komagata Maru* incident.

In May 1914, Canadian authorities forced out to sea a ship carrying 376 Indian migrants. While the passengers were citizens of the Commonwealth, they were unwelcome on Canadian shores.

Our Prime Minister is the first prime minister to acknowledge this tragedy. Last summer, in a speech in Surrey, B.C., he announced that our government would consult with the Indo-Canadian community to determine how best to commemorate this event.

We are now reviewing the report and its recommendations. We are finalizing details for appropriate redress, including a fitting memorial to the *Komagata Maru* and the events surrounding it.

For 13 years, the previous Liberal government refused to acknowledge the *Komagata Maru* tragedy and took no steps to observe the event. It is clear that while the Liberals and NDP pay lip service to Canada's cultural communities, our government achieves results.

* * *

MANUFACTURING INDUSTRY

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, last week, in my hometown of Hamilton, workers rallied to protest the Conservatives' lack of action over our disappearing jobs and that list is still growing.

Stelco's hot strip mill closed on May 10, taking 350 jobs with it. Hamilton Specialty Bar will shut down too, sending another 360 skilled workers to the unemployment line.

Statements by Members

Twenty years ago, over 14,000 men and women worked for Stelco in Hamilton and now there are fewer than 2,000.

What has been the Conservatives' response? They look the other way, just as the Liberals did.

The Canadian Labour Congress is here today in Ottawa to offer a practical five point plan to reverse this downward spiral, including a call for a national action plan on manufacturing.

Silence is not saving Canada's manufacturing heartland. It is time for Parliament to do its job so Canadians can keep their jobs.

* * *

[Translation]

WALL OF PEACE

Hon. Albina Guarnieri (Mississauga East—Cooksville, Lib.): Mr. Speaker, last Sunday, more than 400 people of various religious denominations gathered at the Canadian Museum of Hindu Civilization for the inauguration ceremony of the Wall of Peace.

[English]

This new and unique monument contrasts a chronology of war and conflict with those who stood apart by striving for justice without violence.

[Translation]

The Wall of Peace is the vision of Dr. Budhendra Doobay and Navin Chandaria.

[English]

These individuals have inspired a fleet of supporters, including leading business and community leader Michael Lee-Chin and peace advocate Dr. Deepak Chopra who spoke at the opening.

I commend the founders for raising this monument to those who scaled the walls of human conflict to rise above the centuries and become our icons of peace.

[Translation]

Congratulations to all.

* * *

GILBERT FILLION

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, we were very sad to learn about the death of Gilbert Fillion, former member of the Bloc Québécois, after a long battle with cancer.

A city councillor from 1981 to 1993 for the city of Chicoutimi, Gilbert was known for never giving up on those he represented and the issues that mattered to him.

As a staunch sovereignist, he was elected with the first team of the Bloc Québécois in the riding of Chicoutimi in 1993, and sat as a member in the House of Commons until 1997.

During his long battle with the disease, I had a few opportunities to speak with him. Even if his situation was not always easy, he always gave me across as a man who loved life and was prepared to put up a fight.

The Bloc Québécois would like to offer his wife, Louise, his family, his friends and his former colleagues its most sincere condolences during this difficult time.

* * *

[English]

ELECTION IN PRINCE EDWARD ISLAND

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, I rise in the House today to offer congratulations to premier-elect, Robert Ghiz, on his resounding victory yesterday in the Prince Edward Island general election. The Liberals took 23 of the 27 seats and received an astounding 53% of the popular vote.

Robert Ghiz and his Liberals offered Islanders a platform that aligned with the values, hopes, aspirations and dreams of all Islanders. They ran a great positive campaign. I want to assure everyone in the House that he will make a great premier.

I also want to thank and congratulate the outgoing premier, Pat Binns, for his service to the province during his reign as premier over the last ten and a half years.

Finally, I want to congratulate and offer my best wishes to all candidates, successful and unsuccessful, who stood for public office in yesterday's election. It is not an easy task. I wish them all success in their future endeavours.

* * *

• (1415)

[Translation]

CANADA SUMMER JOBS

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, over the past few days, community organizations from Lévis, Bellechasse and Etchemins have contacted me to express their great satisfaction since being granted one, two or sometimes even several summer jobs, thereby contributing to the betterment of our communities.

Contrary to the Bloc Québécois' claims, the new Canada summer jobs program is providing generous funding this year to non-profit organizations throughout Quebec and Canada.

I was in Lévis yesterday to announce \$37,000 in funding for Phars, an organization that provides care for people with disabilities. Thanks to that funding, 16 students, a record number, will be hired, thus giving them valuable work experience. This is in addition to the support given to Nouvel Essor in Lac-Etchemin, L'A-Droit de Chaudière-Appalaches in Lévis, the Société du Patrimoine de Sainte-Justine, Travail Jeunesse in Lévis, as well as jobs in Saint-Magloire and Sainte-Claire, to name only a few.

While the Bloc Québécois can only squawk on the opposition benches with no results, our government is taking action for our youth and our community organizations. We are keeping our word.

*Oral Questions***RURAL COMMUNITIES**

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, apparently, the, not so new, Conservative government does not seem to understand the term “rural community”. Perhaps they think it means neglect, abandonment, isolation, and unending vastness.

For the people in my region and in those of many of my colleagues, living in a rural area means continuing to play an active role in the decisions that contribute to our own development, as well as being supported by the government.

We do not scorn urban areas, because we provide them with resources, but we simply want a fair share of the taxes we invest in collective development to be invested in our right to live in rural areas.

Centralized programs, confined by their inflexible framework, frustrate our desire to be at the heart of the world, like anyone else. It is time for the Conservative government to stop playing the new kid on the block who knows only how to improvise. It is time for the government to discover, understand and respect the rural reality.

ORAL QUESTIONS

[*Translation*]

THE ENVIRONMENT

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, as in the case of Afghanistan, but this time it is the G-8, the government says one thing and then contradicts itself. This time the Minister of the Environment and the Prime Minister are at odds. The position of the Bush administration is quite clear. It is opposed to any reference in the final declaration to mandatory targets for greenhouse gas reductions.

Will the Prime Minister also be opposed? Will he continue to be part of the problem or will he finally be part of the solution?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I said yesterday, for the first time in history, a prime minister of Canada will be at the G-8 meeting with a plan in place to reduce greenhouse gases. This is the position that we are promoting to the international community, including the United States, China and the other major emitters. The contradiction rests with the leader of the Liberal Party, whose record for greenhouse gas reductions is much worse than that of Mr. Bush.

[*English*]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, the Prime Minister is misleading—

Some hon. members: Oh, oh!

The Speaker: We will have a little order.

Hon. Stéphane Dion: Mr. Speaker, it is not because the Prime Minister repeats and repeats a fallacy that it becomes a truth. There was a plan, which was seven times better than his plan, and he killed it. This is the truth.

The target that we are speaking about is to decrease emissions worldwide by 50% by 2050, starting with the baseline of 1990, not

2006. The Bush administration opposed it. Will the Prime Minister support it?

• (1420)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again the Leader of the Opposition can repeat these falsehoods but the fact is that there was no plan in effect when this government took office. This government has put a plan in effect.

The fact is that the record of the Leader of the Opposition when he was in government was the worst in the world, worse than the United States and President Bush. He can repeat the contrary until he is blue in the face but that will not give him the Conservative environmental record.

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, the last thing we want is—

Some hon. members: Oh, oh!

The Speaker: Order, please. I am sure the Leader of the Opposition appreciates all the help he is getting with the question but he has the floor and we need to have some order.

Hon. Stéphane Dion: Mr. Speaker, the Conservative record has been to present a plan seven times worse than the one it killed.

Germany, the host country, wants the leaders to acknowledge what the science tells us to do, which is to ensure the temperature of the planet does not rise by more than 2° Celsius. The Bush administration opposes this target. Will the Prime Minister also oppose it or will he be part of the solution for once?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I said yesterday, this government will be working to ensure there is an effective international protocol that includes all nations with real targets for the period past 2012.

When we do it, we actually will be doing it ourselves, unlike the previous government.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, four months ago, the Prime Minister was asked whether Canada would participate in the next round of UN talks on a global action plan for global climate change. He said then that Canada would be there and that “this is a serious environmental problem that needs immediate action”.

Now it is the moment of truth. The U.S. is seeking to gut this call for action from the forthcoming G-8 declaration.

Will the Prime Minister tell the House today whether Canada will support a call by the G-8 for an urgent action plan or was the last declaration just empty rhetoric?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I think I have been clear that Canada favours an effective international agreement that will include targets for everyone, especially targets for the major emitters of the planet, like the United States, China and India, and, if we do not have that, we will not have an effective international protocol.

Of course the government remains committed to participating in any international talks and that is what I told Ms. Brundtland when I talked to her recently.

Oral Questions

[Translation]

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, a UN report concluded that the global temperature rise must be limited to two degrees to avoid huge shortages of drinking water and the extinction of innumerable species.

The Minister of the Environment was very pleased with this report. But the United States is opposed to the two degree commitment contained in the G-8 declaration.

Will this government clearly support this commitment or will it continue to say one thing and do another?

[English]

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, the government and the Prime Minister have always been very clear. We support a workable plan to reduce greenhouse gases in the world. An effective plan has to include countries in Europe. It has to include the United States. It has to include China and India. It also has to include Canada.

I notice the member for Etobicoke—Lakeshore is asking this question. He is the one who said, “We’ve done all the blah, blah, blah about the environment”. He said, “I think our party got into a mess on the environment”. However, this is my favourite. He said, “We didn’t get it done”.

* * *

[Translation]

OPTION CANADA

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, at today’s press conference, Judge Grenier acknowledged that his mandate regarding Option Canada was limited since his jurisdiction did not cover the actions of the federal government. Major grey areas still exist in the scandal surrounding Option Canada.

Will the Prime Minister immediately launch a public inquiry, similar to the one conducted by Justice Gomery into the sponsorship scandal, in order to complete the work and shed light on the offences committed under Quebec’s Referendum Act?

• (1425)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, these events occurred 12 years ago under the previous Liberal government.

One of the first things this government did was to cut funding to the Canadian Unity Council, which was Option Canada’s source of funding. I think we have effectively investigated this matter.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, not at all. The Prime Minister is giving me the same answer the former prime minister did when he said he got rid of the sponsorships and there was no need for an inquiry. And yet, at the time, the current Prime Minister was the leader of the opposition and he, like me, was calling for a public inquiry into the sponsorships.

Will he now have the same courage and investigate things that happened, though it may have been 12 years ago? The sponsorships were also things of the past and look what happened. We want to know whether he has the same courage now.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the former government conducted an inquiry into these transfers. Quebec’s chief electoral officer also conducted an investigation. The facts are known and the current government has a new policy.

The leader of the Bloc Québécois wants another referendum. If he wants another referendum then maybe he should run for the Parti Québécois leadership.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, a few days before the 1995 referendum, thousands of Canadians came to supposedly declare their love for Quebecers. It was called a love-in in Montreal. Judge Grenier said he was unable to determine exactly how much money was spent on that event.

Does the Prime Minister, who says he is all for transparency, agree that a public inquiry is needed to fully investigate all the actions of the federalists during the 1995 referendum?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, as the Prime Minister just explained to this House, that was an event that occurred 12 years ago.

Since then, we have been practising a form of open federalism. We have put an end to the Canadian Unity Council; we have agreed to recognize Quebecers as a nation within Canada; we have resolved the fiscal imbalance; we have resolved the issue of UNESCO and we are continuing—

The Speaker: The hon. member for Montmorency—Charlevoix—Haute-Côte-Nord.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, there is open federalism that is not quite open enough to be transparent.

The report also reveals that two people who were being paid public money by the office of Jean Chrétien, the prime minister at the time, were not working for the Government of Canada, but for the No committee in offices rented by the No committee in the Côte-des-Neiges section of Montreal.

Will the Prime Minister finally agree to hold a public inquiry into the federal government’s involvement in the 1995 campaign or will he be complicit in what happened?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, during the last election, Quebecers were clear. Two thirds of Quebecers elected members to the Quebec National Assembly who are opposed to holding a referendum.

We have to ask ourselves whether the duo now known to the general public in Quebec will also be against a referendum.

THE ENVIRONMENT

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the government tried to convince us that at the G-8 summit it would support the demands to reduce greenhouse gases by 2050. However, in order for Canada to meet its obligations, there are only two plans to ensure that the 2° C global warming limit is not surpassed: our bill on climate change accountability, and Bill C-30, the amended clean air and climate change act.

Which of these two plans will the Prime Minister be taking with him to the G-8?

• (1430)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I will be taking the Minister of the Environment's plan. I understand that the long term targets are stricter than the targets proposed for the G-8.

[English]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the facts are otherwise. The proposal that the Prime Minister is suggesting he will take to the G-8 meeting will mean, as far as Canada is concerned, that it is all right if the global temperatures rise by more than 2° centigrade. Global scientists tell us that is not all right. It is not acceptable.

I know the Prime Minister will try to blame the Liberals, who kept their feet on the gas throughout the entire 13 years and caused part of the problem. My question is, will he do anything about it? Why is he trying to fool the G-8 leaders with his—

The Speaker: The right hon. the Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I do not need to blame the Liberals, since the leader of the NDP just did it for me.

The fact is, as I just said, the long term targets proposed by the Minister of the Environment for Canada are actually stricter than those being proposed at the G-8.

[Translation]

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, the Minister of the Environment's climate change plan does not cut it. An environmental group is suing the government, and the Pembina Institute is telling us that the emission reduction plan will not work, that it will not meet the targets and will not put an end to emission increases.

Will the minister immediately address the 20 shortcomings identified in his plan by the Pembina Institute?

[English]

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, the government is committed to taking real action to help fight harmful greenhouse gas emissions. We are seeing huge effects of global warming in our country, things like the pine beetle in northern British Columbia and schools coming off their foundations. In Inuvik we see a lot of flooding and intemperate weather.

It is time for Canada's national government to finally act on reducing greenhouse gas emissions. We do not want to study it more. We do not want more international conferences. The government is

Oral Questions

rolling out a comprehensive plan that will see an absolute 20% reduction in greenhouse gas emissions.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, the wheels are completely off the environment minister's plan.

For the record, the Pembina Institute notes that the Liberal project green would have led to real reductions, nearly seven times greater than what is outlined in the Conservative sham.

Yesterday, the provinces weighed in, and their number one criticism is the lack of leadership on the part of the government and its failure to impose absolute emission reduction targets.

Will the minister end the intensity based rhetoric that killed his credibility and place hard caps on emissions for 2012 and beyond, which reflect the actual science of climate change?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, I guess we have seen a little more Liberal math. The Liberals were great supporters of intensity based targets when they were in government. I can understand the concern of environmental groups about that. The leader of the Liberal Party came forward with a plan that saw a 12% intensity reduction. Somehow in Liberal math a Liberal 12% reduction is seven times better than a 33% Conservative intensity reduction.

Hon. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, in 2004 the current Prime Minister said:

I will always bear in mind that the people express their wishes as much through the opposition as through the government.

It is time he practised what he used to preach.

The opposition parties built a strong plan to fight global warming and wrote it into Bill C-30, but the government refuses to bring it back to Parliament for a vote.

When will the Prime Minister live up to his 2004 commitment and bring Bill C-30 back for a vote in the House?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, we saw two bad changes made to Bill C-30. Let me tell the House about each of them.

Bill C-30, as amended by the Liberal Party, contains an unlimited licence to pollute. That is wrong. If there is an unlimited licence to pollute, where countries can simply buy their way out of actual greenhouse gas reduction, that will not cut it.

I also take great offence and have great concern with the Liberal approach to allow the Minister of the Environment, with the stroke of a pen, to allow pollution to continue to rise in some parts of the country. That is wrong and it is bad for our environment.

• (1435)

Hon. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, Canadians are sick and tired of the eco-fraud that the government keeps dishing out.

Oral Questions

Yesterday the Pembina Institute punched holes through the environment minister's plan. Today the minister was caught saying there were fewer greenhouse gas emissions from coal plants while he was a member of the Ontario government, when in fact there were more. The government's environmental agenda has no credibility.

Why will the Prime Minister not admit that Parliament created a better plan than his minister did? Why will he not bring back Bill C-30 for a vote in the House?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, very directly for my friend opposite, I will tell her who was caught with eco-fraud this morning in committee.

We saw the Liberal members of the environment committee try to suggest that the leader of the Liberal Party was somehow responsible for warmer weather back in 2005, leading to a reduction in greenhouse gases.

One of the big reasons why greenhouse gases did not go up as much as they previously had was because Mike Harris privatized the nuclear reactors and got more power online. However, instead of working with privatization czars, apparently Mike Harris, rather than working with his own ministers, was working with the leader of the Liberal Party on that.

* * *

[Translation]

OPTION CANADA

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Saint-Maurice—Champlain now has the floor.

Mr. Jean-Yves Laforest: Mr. Speaker, Option Canada and the Canadian Unity Council spent \$11 million and not \$5.2 million, as was believed, to support the federalist camp at the time of the Quebec referendum. Justice Grenier has reported that this small fortune came from one source: the federal Department of Canadian Heritage.

Does the involvement of the federal government, which spent at least twice as much as the limit imposed on the yes camp, not warrant that a commission of public inquiry get to the bottom of the matter?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, once again I must say that the truth will come out. In this context, I explained to the hon. colleagues of the Bloc Québécois that, on the one hand, this government is committed to one principle, respecting the jurisdictions of provinces and territories. On the other hand, it practices a form of open federalism, which has already had a very positive impact on federal provincial relations. I hope that we will continue exactly in that direction.

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, I would like to remind my colleague that the government also promised that there would be greater transparency.

In addition to the \$11 million identified by Justice Grenier, we must remember that Chuck Guité admitted to reserving billboards, at a cost of \$8 million, during the Quebec referendum campaign and that, according to information from the Canadian Unity Council, almost \$25 million was spent by the federal government in 1995 to promote Canadian unity.

Does the Prime Minister's promise to clean house also apply to Canadian unity? If so, what is he waiting for to set up a commission of public inquiry?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the honourable member, as well as the Bloc Québécois members should remember that the Gomery report has already determined that \$40 million went missing.

On this side of the House, we hope to discover the source of this information. We are waiting for the official opposition to provide clues leading to the recovery of the \$40 million.

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, we have also learned that the federal government violated Quebec's Referendum Act by illegally spending \$539,000 in federal money to influence the vote, and that there were close ties between the no committee, Option Canada and the federal government.

Will the Prime Minister acknowledge that the federal government's actions during the 1995 referendum were unacceptable, and does he agree that it is his duty to condemn those actions? Will he commit to respecting all of Quebec's laws in the future?

● (1440)

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, once again, I would like to remind my hon. colleague that these events took place 12 years ago.

As soon as we came to power, we took real action. We made the Canadian Unity Council a thing of the past. We put an end to its operations so that we could adopt a new approach to developing and maintaining relationships with the provinces: open federalism. It is clear that this new approach is producing results. The Bloc Québécois should acknowledge these real, clear results.

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, ever since he was elected, the Prime Minister has told us over and over that respecting provincial jurisdiction is important. He has recognized Quebec as a nation. Today he has an opportunity to put his pretty words and his big promises into action.

Will the Prime Minister apologize to Quebecers on behalf of Canada and commit to respecting Quebec's Referendum Act starting today?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, once again, I must remind the member that this event took place 12 years ago.

Oral Questions

There have been opportunities to verify that. Just now, a member mentioned the work of the Gomery commission, which analyzed a series of events, including events that led to a vacuum, a shortfall. We are still looking for that shortfall.

* * *

[English]

NATIONAL DEFENCE

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, yesterday the Minister of National Defence said that upon attaining office he directed his department to pay the full burial costs for fallen soldiers and to review the existing Treasury Board policy.

Would the minister like to correct another in his series of errors now that the families and his own officials say that he is wrong? Will he now admit that at least two families have not received assistance to cover the full cost of these funerals? Will he, as minister, also explain why his department is only now going to the Treasury Board for more funds when the minister in fact said that he undertook these measures a year ago?

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, I stand by every word I said yesterday.

Beyond that, defence officials are contacting families to make certain that nobody has been overlooked with respect to funeral expenses, and if they have, we will make sure that the difference is paid to them.

As I said, we are resolving this problem that was left to us by the Liberals and it will be resolved soon.

[Translation]

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, either the minister has no idea what is going on in his own department or he misled the House. Which is it?

Is the minister ready to admit that this fiasco is a shameful insult to all the families involved and to all Canadians who believed that the government would have the decency and the ability to pay for the funerals of our brave soldiers, yes or no?

[English]

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, our government stands behind our soldiers and our veterans. We will give them what they need and all the support they need. If we have to correct some of the errors of the Liberals in the past, we will do so.

* * *

AFGHANISTAN

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, the report released yesterday by the Senlis Council states that Canada's ineffective development efforts are compromising the hard-won victories of our soldiers in Afghanistan. It says that the government has articulated no objective for Kandahar province, that our development and aid strategies are incoherent and that there is a tremendous imbalance between our military mission and our humanitarian mission efforts.

When will the Prime Minister stop belittling his critics and address the concerns raised in this very important report?

[Translation]

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, the hon. member's question is extremely surprising considering that the previous government did not commit the funds needed for development in Afghanistan. Last year, it spent only \$5 million in Kandahar. This year, in Kandahar alone, we, the Conservatives, have spent \$39 million, or nearly eight times more.

Now, concerning the Senlis Council report, I would like to quote the director of the World Food Programme:

• (1445)

[English]

"It is untrue that there has been no substantial food assistance to the province since March 2006".

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, unlike the minister, I would not be partisan. I want to talk about the specifics while our men and women are making sacrifices in Afghanistan.

Despite the \$139 million CIDA has spent on development programs, the report states, among other things, that the Kandahar hospital is falling apart, is filthy and has no heat in the winter.

As a result of such failures we are losing the battle for the hearts and minds of the Afghan people. When will the government recognize that there is more to winning in Afghanistan than just combat?

[Translation]

Hon. Josée Verner (Minister of International Cooperation and Minister for la Francophonie and Official Languages, CPC): Mr. Speaker, I find the hon. member's comments rather curious, when he said he would not be partisan when it comes to Afghanistan.

How many times have those on the other side of the House changed their minds about our mission in Afghanistan? How many times have they contributed real support to the people of Afghanistan?

We have made a number of announcements. This year alone, \$139 million has been spent in Afghanistan: \$39 million in Kandahar, as well as food aid programs, women's programs, health programs and children's vaccination programs, to name only a few.

* * *

FESTIVALS AND SPECIAL EVENTS

Mr. Luc Harvey (Louis-Hébert, CPC): Mr. Speaker, a number of events in Quebec and across Canada celebrate arts and heritage.

Could the Minister of Canadian Heritage and Status of Women tell us whether festivals whose funding has been approved have to wait until the end of the summer to receive the money they have been promised?

Oral Questions

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, no, the festivals do not have to wait. Through various programs, our government is already supporting festivals like the Just for Laughs Festival and the Montreal International Jazz Festival.

We have announced \$60 million in new funding for a new program that will be in place at the end of the summer. This program will support small and medium size events that celebrate heritage and the arts, not just major festivals.

* * *

[English]

MANUFACTURING INDUSTRY

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, in less than 15 minutes American owned Hamilton Specialty Bar will be closing its doors for the final time. At the same time, the Hamilton port will receive and unload imported steel instead of Canadian steel being ready for export.

Liberal and Conservative governments have done nothing to save the over 11,000 manufacturing jobs lost in Hamilton or the over 250,000 jobs lost nationwide.

When will the government recognize that the crisis in the manufacturing sector is real and work with labour and business to develop a meaningful industrial strategy, protect jobs during foreign takeovers and create fair trade?

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, I have a press release in my hand from the Canadian Manufacturing Coalition. It said today that this government has acknowledged that manufacturing is the core driver of our economy with its commitment to follow up on practically every recommendation that the industry committee made.

The good news is that today I announced at a press conference that this government will follow all the recommendations that the industry committee gave us at the beginning of February.

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, that answer is cold comfort to the men who have to go home to their families tonight and tell them that dad has lost his job.

Thousands of unemployed workers are facing uncertain futures. It is time to put these working families first. Will the minister begin by telling the workers of Hamilton Specialty Bar today that they will have adequate EI benefits and retraining? Will he tell them that bankruptcy laws will be changed so that wages and pensions are protected? Will he tell them that he will not accept the decline of decent paying jobs as simply being inevitable? Will he at least tell them that?

[Translation]

Hon. Maxime Bernier (Minister of Industry, CPC): Mr. Speaker, what we are doing is simple: we are putting money back in the pockets of Canadian entrepreneurs and manufacturing industries. We are also reducing taxes and making sure there is a competitive environment for these industries. We believe that manufacturers create jobs. That is what the Canadian manufacturers federation is telling us and what all Canadians are telling us.

The most important thing to remember is that we have policies that are producing real results. Why? Because the unemployment rate here in Canada is at its lowest level in 30 years.

* * *

● (1450)

MINISTERIAL EXPENSES

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, the manipulation by the Minister of the Economic Development Agency of Canada for the Regions of Quebec is not surprising. We knew he had neglected to declare \$150,000 in travel expenditures. We learned that he had awarded a \$24,000 contract to his riding assistant. In addition, the minister said yesterday that it was just to add to the employee's salary, which is strictly illegal.

Will he repay the money he spent illegally?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, first, the member said that \$150,000 in expenditures were concealed, but this is not true, because they were posted in full on the Internet. He should take back what he said. I hope he will do the honourable thing, because all the expenditures were posted on the Internet, as required.

Second, I want to say that Mr. Giguère, who worked in my riding, divided his time between two types of work. He worked both for the riding office and for the cabinet, and he was paid out of the budget envelopes for those functions.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, the rule is clear. Treasury Board policies state that “ministers shall not enter into contracts for the services of individuals when the terms of the contract or the actual work situation would result in an employer-employee relationship”. The Standing Orders of the House of Commons also leave no room for doubt. They say that persons paid out of the consolidated revenue fund cannot provide members with contractual services.

Will the minister admit once and for all that the contract he awarded to his assistant violates the rules of Parliament?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, I repeat that this contract was duly approved by the department.

I would like the hon. member to respond to this: the member for Cardigan hired his official agent at a cost of \$70,000, but the agent never produced the work for which the minister had hired him.

Mr. Giguère produced speeches and statements that I used, and he was paid for what he did. Why does the member for Cardigan have different standards, and why did he pay \$70,000 for work that was never done?

Oral Questions

Hon. Diane Marleau (Sudbury, Lib.): Mr. Speaker, we have a policy on the mandatory disclosure of travel expenses. The Secretary of State for Multiculturalism and Canadian Identity told us that he had participated in over 100 meetings, events and celebrations with dozens of communities and organizations from coast to coast. Yet the Conservatives are still indulging in their shady practices. Where are these expenses disclosed?

Hon. Jason Kenney (Secretary of State (Multiculturalism and Canadian Identity), CPC): Mr. Speaker, I would like to thank the hon. member for once again highlighting my work with cultural communities to ensure that the government is aware of their concerns and priorities. That is why I travel a lot to attend events.

I have asked my departmental staff to post my travel expenses online as soon as possible.

[*English*]

Hon. Diane Marleau (Sudbury, Lib.): Mr. Speaker, the Conservatives say one thing but they do another. If the Secretary of State for Multiculturalism and Canadian Identity has glad-handed at over 100 official meetings in the last five months, he is required by law to disclose all the costs. As of this morning, there was not one disclosure for any expenses for this period on the government website.

Instead of allowing his ministers to launder their expenses, when will the Prime Minister act accountably and force all ministers to fully disclose all their expenses as prescribed by law?

Some hon. members: Oh, oh!

The Speaker: Order, please. It is clear that everybody wants to hear the government House leader's answer but we cannot if there is this much noise. He has the floor. Order, please.

• (1455)

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I love it when we get to talk about expenses of ministers because the contrast between the Liberals and the Conservatives is like day and night. When they were doing their heists it was during the day and they were spending extraordinary amounts of money.

The Secretary of State for Multiculturalism has said that he has instructed that those expenditures be disclosed. However, members will not find things like this: the Liberal ministers of health, 289% more spending than the Conservative ministers of health. It is just typical of how they spent on expenses.

* * *

[*Translation*]

OPTION CANADA

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, the government is using as an excuse the fact that the events surrounding the Option Canada scandal happened 12 years ago. However, 23 years after the Air India disaster, a commission of inquiry was set up.

Let us now talk about excuses. Several decades went by before Chinese Canadians and Japanese Canadians received apologies from the federal government.

Why is this possible for others, but never for Quebecers?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I would like to remind this House that in order to restore confidence in our institutions, there was a commission of inquiry. The Gomery commission allowed this government to have the accountability act passed. This legislation can be summed up in two words: never again; no patronage ever again, no illegal contracts ever again. We have done our job. We are practising open federalism and we will continue to do our job.

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, with a response like that, the Minister of Transport, Infrastructure and Communities is condoning the behaviour of Gagliano and Jean Chrétien.

When he was the president of the National Citizens Coalition, the Prime Minister called for third parties to have the right to unlimited spending during election campaigns and for donors to have the right to remain anonymous, which were two of Option Canada's objectives.

Is the Prime Minister's refusal to go down the only path that is consistent with respecting the Quebec nation and its laws not evidence that he is still thinking along the same lines and that he is siding with Jean Chrétien?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, before responding to those incendiary remarks, I would like to say that in no way are the actions of this government similar to those of our predecessors.

I would remind our colleagues that Quebecers said no twice. They are staying with Canada and forming a nation within Canada.

Will the Bloc Québécois recognize the decision of Quebecers?

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Mount Royal.

* * *

[*English*]

CITIZENSHIP AND IMMIGRATION

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, as the minister of—

Some hon. members: Oh, oh!

[*Translation*]

The Speaker: Order, please. The previous question was asked and the answer was given.

We will now move on to another question. The hon. member for Mount Royal.

[*English*]

Hon. Irwin Cotler: Mr. Speaker, as the Minister of Citizenship and Immigration is aware, a former Bangladesh diplomat with a Canadian connection is facing imminent deportation from the U.S. to Bangladesh where he will be executed after a political trial was held *in absentia*.

Oral Questions

Given this humanitarian issue and that Mr. Mohiuddin Ahmed has immediate family in Canada, would the minister be prepared to review this case, to provide Mr. Ahmed with the protection this case would warrant and help secure the suspension of his deportation until this case can be reviewed?

Hon. Diane Finley (Minister of Citizenship and Immigration, CPC): Mr. Speaker, as the member knows very well, I cannot comment on any specific case due to privacy reasons.

However, I can assure the member that Canada has one of the most welcoming and fair immigration systems in the world. Each case, whether it is on a refugee immigrant or on a humanitarian basis, is reviewed on its own merits and on all the facts.

* * *

NATIONAL REVENUE

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, our party has always believed that a strengthened taxpayer bill of rights and the creation of a taxpayers' ombudsman would reassure taxpayers that their voices would be heard and that their rights would be protected in their dealings with the CRA.

In 1996, the member for Calgary Southeast introduced a private member's bill for the creation of those initiatives. As usual, 10 years passed and the Liberals did nothing.

Could the Minister of National Revenue say what our Conservative government is doing for hard-working Canadian taxpayers?

• (1500)

Hon. Carol Skelton (Minister of National Revenue, CPC): Mr. Speaker, I would like to thank the hon. member and the member for Calgary Southeast for all the hard work they have done on these initiatives.

Yesterday I announced a new taxpayer bill of rights for taxpayers with special commitments for small business and also Canada's very first taxpayers' ombudsman.

Yesterday's announcement was welcomed by organizations such as the CFIB and the Canadian Taxpayers Federation. It was also welcomed by the Liberal revenue critic, but most of all, it was welcomed by Canadian taxpayers.

* * *

RCMP

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, there are allegations against some senior ranks of the RCMP and they just keep growing. Canadians are increasingly disturbed by these allegations.

Today the Toronto *Star* reported that up to 12 RCMP officers could provide information about cover-ups, illegal activities, harassment, and the list goes on and on. These officers want a public forum where they can provide this testimony about these allegations without fear of repercussion.

Will the Minister of Public Safety send these and the many other allegations that are out there to a public inquiry for a complete, open and formal hearing?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, we are very concerned about issues that have come to our attention over the last several months which largely took place under the former Liberal regime. We want to find out why certain things have happened, which is why an investigation is going on right now and why we are very close to seeing a new commissioner in place. We will be seeing changes to the way complaints are reviewed.

We need to do that quickly and effectively. We do not need to wait two or three years and spend millions of dollars for answers that we have now. That is how we want to proceed.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, Canadians would be prepared to spend that \$2 million or \$3 million. This is a national institution that is in crisis.

The Minister of Public Safety does not understand that and he cannot slough it off on the Liberals any more. This has been on his desk too long. If the minister will not do the public inquiry, what will he do?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I just catalogued a number of the things that we are doing right now. We are taking action on this.

As a matter of fact, I informed my hon. colleague that we were even looking at some of the recommendations and information that he brought forth. Not counting the one for a multi-year, multi-million dollar review, I think he will see some of his own suggestions coming out in the process that will deliver far better service to the RCMP that already is performing in an exemplary way from coast to coast and is known for that around the world.

* * *

RAIL TRANSPORTATION

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, yesterday, the Canada Safety Council called Canada's rail system a disaster waiting to happen. That is no surprise. The railway companies treat the Minister of Transport's rules with disdain. He does nothing.

Canadian National has an accident every three and a half days and yet no action is taken.

The Transportation Safety Board reported 95 train related fatalities and 181 railway accidents involving dangerous goods last year alone. It is only a question of time before a major accident will force the evacuation of a large city.

When will the minister prepare a plan—

The Speaker: The hon. the Minister of Transport.

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I am quite pleased that the hon. colleague has seen that there is no surprise in 13 years of Liberal mismanagement on this file.

A full review of the Railway Safety Act by an independent panel is currently under way. As I mentioned to the members of the committee the other day, its report is expected this fall and the government will move forward to protect Canadians and the employees who work in the rail sector.

Government Orders

● (1505)

AGRICULTURE

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, Canada's cattle industry continues to suffer from the impact of BSE since it was detected in 2003. Cattle producers are negatively affected by the trade sanctions imposed by other countries.

Would the Minister of Agriculture and Agri-Food tell the House what has been taking place to help eliminate this disease from Canada and what he has been doing to reopen beef and live cattle export markets with our trading partners around the world?

Hon. Chuck Strahl (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, we have been very active in helping to ensure this disease is eradicated from the cattle industry. Last summer we announced our enhanced feed ban which will help us to eradicate the disease completely within 10 years.

Federal and provincial governments have invested some \$130 million to help the industry with this.

Last week I was in Paris to speak at the OIE, which is the World Organization for Animal Health. At the end of that annual meeting, thanks to the efforts of ranchers, veterinarians, those in the feed industry and federal-provincial cooperation, it was announced that Canada had this disease under control. One hundred and sixty-eight countries agreed.

Canada has done the job, our borders will reopen and we look forward to competing around the world.

Mr. Gary Goodyear: Mr. Speaker, I rise on a point of order. There have been discussions and if you seek it, I believe you would find unanimous consent to revert to routine proceedings so I could table a report.

The Speaker: Does the hon. member have the unanimous consent of the House to revert to presenting reports from committees?

Some hon. members: Agreed.

Some hon. members: No.

GOVERNMENT ORDERS

[English]

FISHERIES ACT, 2007

The House resumed consideration of the motion that Bill C-45, An Act respecting the sustainable development of Canada's sea coast and inland fisheries, be read the second time and referred to a committee, and of the amendment.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, at long last I am able to speak to what has become known as a travesty on the high seas: the Conservative Party's attempt to, in its words, reform the Fisheries Act. Unfortunately it has led to greater concern and more stress and frustration in fishing communities across my riding.

When I am back in Skeena in the northwest of British Columbia talking to the fishing communities that I represent, both first nations

and non-first nations, there is an inordinate amount of concern for the future of our communities and for the future of the industry.

When the Conservatives put together this package, true and sincere consultations with the groups that would be most affected by the act were not taken up. When I asked the fishing industry groups, the recreational fishers, the residential fishers, people who are connected to this public resource, what level of consultation they enjoyed, the reply was often "none". They had no idea what was in the bill until it was presented.

People were stunned to see aspects that were absolutely contrary to the interests of fishing communities and families that depend upon those resources. They were mystified as to how a government could even pretend there were consultations. They realize that these things were done behind closed doors and with the input of very few people whose interest is to further privatize what has to be seen by all members of the House to be a national public resource, one that needs to be managed in the interests of the public good and not some corporate narrow interests of a few.

There are a number of significant things in this bill, a number of parts of the legislation that are contrary to the interests of wild fish stocks, in particular. In the brief time that I have this afternoon, I will go through some of the most significant issues for people in the northwest of British Columbia.

To place into context the importance of the wild fishery to us, it is the absolute foundation, the bedrock of our culture. Communities have relied on a wild fishery for thousands of years. According to historical data, going back more than 12,000 years in the Pacific northwest, the original aboriginal communities in North America relied on a viable wild fishery. It led to some of the strongest and most brilliant examples of human organization. The fish were abundant and returned with some consistency. The proud nations of the Haida, the Haisla, the Taku River Tlingit, the Tsimshian, nations which across the river at the Museum of Civilization are represented to the world in their art, in their culture, in their history, have always relied upon the wild fishery resource to sustain themselves, to maintain their cultures and vivid communities. These communities have been in threat for a long time.

Year in and year out the mismanagement of this resource by the federal and provincial governments has gone unabated, with very few positive reforms. Unfortunately, that legacy has continued today but we are attempting to address that and to reform this deeply flawed bill.

Support for this bill is scant. I have looked around the country for the validators, for those fishing groups and people who are most intimate with the issue and who know the history of the issue. Of the environmental groups that work on ocean issues, I cannot find a single one that is willing to support this bill publicly, that is willing to do anything other than condemn it to the highest heights. Among the industry groups that I work with on the west coast that are seeking consultation, that have sought input, I cannot find any that are able to support this bill either.

Government Orders

One of the essential tenets of the bill is to further privatize a resource that has gone through far too much privatization already. A resource such as salmon that moves across boundaries and across jurisdictions and is international in its scope needs to have oversight. Someone needs to be looking at the long term viability of what it is that our future generations will enjoy.

● (1510)

Unfortunately, we have seen with the DFO that these so-called test fisheries, these quota systems that are meant to run for only a year and then be seen against the traditional use are not tests. This is an ideology that has been pushed forward and presented year in and year out to ensure that those who are catching the fish, those who rely on the fish for their resource are no longer able to even own their own vessels in many cases and certainly not the licences under which they operate.

The minister should have taken the time to look at owner-operator principles. The person who owns the licence should actually operate the licence. The people who are on the water and who rely on this resource and who have a vested interest in ensuring its long term sustainability are those who are actually catching the fish. They should own the licences as opposed to the system that the current Conservative government and the previous Liberal government before it wants. The government seems hell-bent on expressing the idea that licences can be purchased like any stock on the stock market. They can be stacked up and then divvied out. When fishermen talk about delivering a pound of salmon at the dock and only receiving a dollar in actual pay, one starts to wonder about the long term viability.

Clearly, the Conservatives have very little interest in engaging in that conversation. They would rather engage in other conversations aside from those that affect the fishing communities, particularly in British Columbia, but all across this country. They seem interested in engaging in work of other interests in this country rather than the communities that have built our nation, rather than the outlying and port communities that absolutely depend on this resource for survival. The government seems to be infatuated with other interests and engaging in other conversations. It is symbolic that that is what is going on here today also.

When consultation is considered by government, one of the absolute essentials is that the conversation and the consultation actually affects the proposed law. I asked the fishing communities in my region how much input they had on the bill. I asked how supportive of it they could be and what changes they wanted. They were deeply frustrated with the flawed process that had allowed them no access in the first place.

The environmental groups that are considering the long term sustainability of this resource are deeply concerned about the viability of our oceans. I asked them how much input they had. They too expressed frustration and dismay that the government continues to act with belligerence when it comes to this issue, as if all the answers somehow exist within the thin benches of the Conservative caucus as opposed to the wider community, those who are engaged in the issue on a daily basis. One has to wonder why the government would not consult the people who are most interested, most aware

and most concerned with the issue. Why would it only consult with a select few?

It lowers the credibility of the legislation before it is even out the door. There is a tension that has to exist between conflicting views, between conflicting visions and opinions as to where our fishery will go. That tension is necessary in the creation of the law as opposed to a more narrow, one-sided approach.

I look at the efforts of the government to promote unsustainable fishing practices and use of our oceans to date, and it is well founded that Canadians lack trust in its ability to take care of the long term interests of our oceans.

No trust can be found for a government that randomly and recklessly adopts the notion that there is no moratorium on tanker traffic on the west coast suddenly. By some sort of arbitrary decision made during a mild conversation the Conservatives must have had over coffee, they will reverse a 35 year tradition in the history of the federal government to oppose, through moratorium, the idea of tanker traffic moving into the central and northern west coasts. Is this some kind of benevolent dictatorship that can decide and not decide when a moratorium exists and when it does not?

When the people of British Columbia are asked whether they seek to maintain this long held practice, they are in overwhelming support of it across political interests. The entire House, all of us, particularly those of us who come from British Columbia, represent people who are deeply disgusted with the notion that what happened in the case of the *Exxon Valdez*, what happened in the relatively recent B.C. Ferries tragedy could happen again.

The reason the moratorium was put in place in the first instance was to avoid the imminent catastrophe that could happen when a tanker spills. The margin of error is so slight on our coastal communities that a major oil spill hitting our coastal waters would be economically and socially devastating. That is without a doubt. The evidence is clear on this.

● (1515)

Not only is it enough for the Conservative government to willy-nilly deny a moratorium exists, but DFO documents support it. We have had briefings from up and down this department and others claiming that they arbitrarily change the rules as they see fit.

I remember the Minister of Natural Resources said in one of his very first statements upon being made minister that his top priority was to open up drilling in our coastal waters. What a magnificent statement from a minister who had consulted with nobody. I am sure he did not think of the Minister of Fisheries and Oceans. He simply decided that coastal drilling in British Columbia, which 80% of British Columbians in consistent poll after poll oppose, is suddenly at the purview of the federal government to decide. All this is taking place in light of a government that has committed to planning.

Government Orders

For Canadians watching and trying to understand this issue, when we ask what the plan is, oftentimes when we are dealing with land based issues, particularly in British Columbia but in other provinces as well, there is a long tradition of planning the competing interests over those resources. They plan the interests of conservation versus mining, the interests of forestry versus community development. That happens on the land base all the time, and we have great success with that.

One reason we do that is so government can weigh the options and give priorities to the various ideas being presented, while balancing the public interest and allowing the public to inform themselves and through the process communicate and change the course of government and change their immediate environment, their surroundings, their communities.

We do not do this in the oceans when it comes to ocean management and the planning. Whether the government is pushing for a pipeline, or coastal drilling, or more tanker traffic or open net fish farms, which it seems enthusiastically willing to support in regions such as mine, where the absolute and overwhelming opinion of bringing in open net fish farms into the northwest of British Columbia has decidedly been no, another issue that goes across partisan interests, it is not for political reasons. It must not be for some reason such as the government's attempt to gain more votes.

In the last number of elections in my riding, as the Conservative candidates pop up like gophers promoting unsustainable fishing practices, the public pounds them with a little hammer and asks them how can they be so thick? How can they be so obtuse as to continue to suggest things that the people do not want, when there are other things they do want such as sustainable energy and micro-lending for business enterprises? On the things that we want, the candidates remain so silent. It seems strange to me politically, but ideologically it might make sense.

I remember one of my first meetings here. It took place in the lobby. My esteemed colleague from Sackville—Eastern Shore might remember it. It was a couple of years ago when the Liberals were in power. A minister had been named and we gathered around the table in the government's lobby to discuss issues with department officials. I remember this fondly because I was new to the House and very interested in how this all worked. The dismissiveness of the DFO officials toward elected members of the House was astounding.

Later a ministerial official quietly described to me, when I left the fisheries and oceans committee hearing, that when a new minister came in there was a certain amount of training required by the department. There is a certain amount of indoctrination, letting the minister know how the DFO works because a unique and strange culture exists. There is this fortified mentality that it is the DFO. If on the water fisheries officers are cut, the enforcement officers who are meant to enforce the few rules that we have on our fisheries management, and more positions are moved to Ottawa, that is somehow a good thing. This has been done by the current government and the previous one.

I have not seen any fish counters on the Ottawa River lately. In terms of the productivity of a fishery, comparing the Ottawa River to the west coast, one of the few and most abundant fisheries left in the world, it seems to me that the balance of these positions and the

balance of effort from the government should be where the fish are. They should not be where the bureaucrats have easy access to the politicians and to each other. If more of the decisions were being made on the ground in the communities that care about these issues, better decisions would be made.

● (1520)

Instead we see the blinders being slapped on, the policies getting spit out and the communities being left high and dry with a fishery in continued decline and with more boats off the water and lower catch rates.

We can take the recent non-run of the eulachon fish in the northwest of British Columbia. For those not familiar with British Columbian history, there is a grease trail, a traditional trading trail, that runs all through British Columbia. One of the essential commodities traded was eulachon grease. It was absolutely precious and seen as one of the most advantageous things to access, either directly or through trade.

The eulachon do not return any more. These fish represent the foundation for what is to come. They are the indicator species. They show us what is about to happen. There is a total disregard for the collapse of this fish stock because folks in downtown restaurants in Toronto and Vancouver do not eat it. This again shows the arrogance and the lack of insight as to what is really going on in the water, what is really going on with communities.

The Mifflin plan pops out and we lose 75% of our fleet in the northwest of British Columbia. One would think that a 75% decrease in an industry would be a red flag for governments. We would think governments of all stripes, of whatever inclinations and indications, would come forward. If 75% of the oil and gas industry shut down tomorrow, we can bet the Prime Minister would be there front and centre, wondering how to fix things. However, that is not the case in this instance.

Instead, the motivations are shown to be different. We see it manifested in the bills that are presented to us. The corridor concept for pipelines, with no cumulative impact assessment at all, is being suggested as a viable option from the government. The notion of introducing open net fish farms into regions that do not want them is a viable option for the government.

Regarding breaking and running moratoriums, it is almost like the government is running blockades and hoping nobody notices, with these little tests it keeps running. Another ship goes in with no consideration of a moratorium, which survived eight prime ministers. Progressive Conservatives, and that might be part of the problem, and Liberals alike defended the moratorium. They have said that this thing existed. It is in cabinet notes of all stripes.

Government Orders

The government kind of woke up one day in office and said that it would decide what the public policy would be, with no consultation, no consideration and with not a lot of public fanfare. Lord knows, usually when the government announces something, it tells us about it until it is blue in the face. It announces it seven times and re-announce it another seven, just to ensure we heard what little is getting done. However, when it comes to busting up a moratorium and allowing tanker traffic through to the coast, that is another consideration. Maybe that one is done a little quieter because of the interests at play.

When we talk about the stewardship, that is truly what this resource is about. It is about managing the resources for the foreseeable future and beyond. We must act as a generation of which the generations to come will be proud.

We have the most recent experience of the absolute collapse and devastation of the east coast fish stocks and the communities that relied upon them. We have that experience. It is salient. It is real. It is practical. There are members in the House who went through it and are living through it still.

With that experience at hand, we have a government willing and interested in perpetuating a similar scenario and disaster on the west coast. For the life of me and the people of the northwest of British Columbia, we cannot understand it.

Regarding first nations consultation, we had the Haida and Tlingit court case a year ago. It demands in law, as a ruling by the courts, that in any major consideration, the government of a natural resource in which the first nations are implicated has a duty and obligation to consult. Was that done in this case? Were first nations consulted on this new fisheries act, which is incredibly important to the 30% of my region that are first nations? No, not at all.

That seems to me in contrivance to the law. It seems to me that the Supreme Court has told the government explicitly that it must reform its policies because it is based upon our Constitution. Yet the government, for some strange alchemy, has decided that it has to do it another way.

If the government will not stand up against high seas bottom trawling at the international level, if it refuses to promote the types of practices that we need and consider a co-management model, which we are promoting in the northwest of British Columbia, then we demand, we beg, we plead that it adopt some humility, learn from the mistakes of others and allow other voices at the table.

• (1525)

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, I listened with some attention to my colleague, the member for Skeena—Bulkley Valley, British Columbia. I am surprised what the member has said about this bill. Does he not realize that the act was one of the first passed by Parliament? The current Fisheries Act goes back to 1868, some 139 years ago.

He talked a lot about the north coast of British Columbia. Of course, British Columbia was not even part of Confederation when the act, which we are currently managing fisheries under, was passed by Parliament. The need for an updated fisheries act has been glaring for a long time. This bill is an attempt to correct it and make it

possible to manage the fisheries, about which he says he is concerned, more effectively.

Why does the member continue to persist with fearmongering that there has not been consultation? The member knows, as well as other members here, that consultation on how to fix this act has been going on, in a general sense, for at least seven years.

He also knows that it is not the normal parliamentary process to put a bill in circulation for broad consultations before it is presented in the House. It happens occasionally, but it is not the normal practice. In fact, I was involved in the health committee that took on an issue like that prior to a bill being tabled. It was presented in a draft form. That happens occasionally, but it is not the norm in this place.

Why does the member continue to fearmonger, as well as other members who are objecting to this, on the public's misunderstanding of the normal process? He knows full well that if the bill passes at second reading stage, it will go to committee and members of the fisheries committee will travel the country and hear from witnesses. They will come to Ottawa and we will go where they are. There will be extensive consultations with everybody who has something to say on this issue. Everyone will have a chance to state their views on the bill.

An old saying is that everybody is in favour of progress; it is change they do not like. Why do those members continue to play on people's fear of change when they know full well the parliamentary process will allow ample consultation in the months ahead?

• (1530)

Mr. Nathan Cullen: Oh, Mr. Speaker, where to begin? I have some respect for my colleague from Nanaimo—Alberni, who mentioned paying some attention to my comments. I will ask him to pay a little more to my next piece, because the fearmongering he speaks of presents a notion that there is some imminent doom to be presented to the fishing communities in my region.

I would suggest that he come to visit with me in the regions and communities of mine that have upwards of 85% and 90% unemployment and then talk to me about fearmongering. How dare he talk to me about fearmongering when I have community after community watching the steady and rapid decline of their fish stocks, in part due to the mismanagement not just of this government, but of those that have gone before?

One of the reasons that this mismanagement has been so consistent is that government comes to the point of changing law. Are we for an update? Are we for a revision of the Fisheries Act? Of course we are. Are we for this revision? Absolutely not.

Those communities have greater fear because they see the department act without intelligence, and I mean both the intelligence of the mind and the intelligence in terms of information as to what people are desperately seeking, which is some sense of influence and control over the resource that their livelihoods and communities depend upon.

Government Orders

To suggest that it is fearmongering, when the communities that I represent are consistently shut out of those consultations, is ridiculous. To suggest that, when I implore the government to listen to the communities and then take that listening and that intelligence and place it into the bills, which the government simply has not done in this case, I am reminded deeply of this Conservative government's first and clumsy attempts at getting environmental legislation correct. The Conservatives went internally to their own advisers, with three lines in their party platform about the environment, and thought that they knew enough to actually construct a sound environmental policy.

Lo and behold, they marched it out into the lobby, to the media and the waiting public, and dropped a dud that paid little attention to absolutely no attention to the details required to make sound environmental policy. So from this corner we negotiated to take that bill to committee prior to second reading, prior to agreeing to it in principle, which is the essence of this conversation, the agreeing and chucking this off to committee. When that is done we accept the principle of the bill, but when a bill is so deeply flawed as this one that the principle is wrong, that is not responsible.

It is not responsible for elected members who represent fishing communities to send a bill that they know is wrong in principle to a committee for some tweaking, some additions and some minor adjustments. It is not on. That is not salient. It is not responsible.

Of course there have been talks about fisheries renewal. That talk has gone on for longer than seven years, I would contest, but when it comes to the action, to the delivery, it was 12 hours after the government actually released its first initial new fisheries act that our dear friend Byng Giraud proclaimed a welcome, under the British Columbia mining industry, to the new 200 page-plus act. He was ready to go in 12 hours. I suppose he read the whole thing. Then we found out that he is also a senior consultant in British Columbia in the Earncliffe Strategy Group and currently sits on the governing national council of the Conservative Party of Canada.

It is fascinating that the validation popped out from a party insider. What an incredible source of validation for a bill that is so important to the communities we all represent and should have been validated by the communities we represent, not by somebody else with different interests.

• (1535)

The Acting Speaker (Mr. Royal Galipeau): This is a period of questions and comments. The first question took over six minutes, which means that there are only four minutes left for the next question. It will be for the hon. member for Sackville—Eastern Shore.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, my hon. colleague is absolutely correct. We have heard from the parliamentary secretary and the Minister of Fisheries and Oceans that there was active and extensive consultation on the proposed act prior to its tabling on December 13, 2006.

I have asked repeatedly for a list of the people with whom the government consulted on the act prior to its introduction on December 13. That list does not exist. I have asked a tremendous amount of fishing groups, many of them on the B.C. coast, if they were consulted on this proposed act prior to its introduction, and the

answer was a resounding “no”. That includes environmental groups. If the government has that list, it should table it in this House of Commons.

My question is quite clear. Something that is as old as this act definitely needs modernization. In this corner, there is no argument on that. However, when we are dealing with the lives of fishermen and their families and first nations communities, does the hon. member for Skeena—Bulkley Valley not think that for once and for all it is these communities and these workers in the industry who should have the final say on what the Fisheries Act should say?

The Acting Speaker (Mr. Royal Galipeau): I wonder if we could have a 45 second reply so that we can wedge in another question.

Mr. Nathan Cullen: That is interesting, Mr. Speaker. I have not had those instructions before, especially when the government is filibustering from its benches, but I will try.

What my hon. colleague from Sackville—Eastern Shore talks about is that consultation has been sought, and it has been demanded a number of times, and we have requested humbly and beseechingly of the government to just tell us who it talks to, to show us the groups that had input—

An hon. member: Table it.

Mr. Nathan Cullen: —and table that in the House. There seems to be public interest in doing this.

The government stands behind its policy of consultation. The government members were commenting as I was making my speech about their extensive consultation and how wonderful it was. If those members are proud of that initiative and that effort, tabling the list of those consulted would be most helpful and germane to the debate.

We are months into this act and we still do not have such a list. If it exists, the government should present it, and with courage, not fear.

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, one of the things the proposed act does is download conservation and management responsibilities to local governments and organizations that are lacking the means to carry them out.

In my riding, the Puntledge River Restoration Society is fighting a seal problem in the Courtenay River and is not getting any help from the DFO. The society is already frustrated. If it is left to carry out all this work on its own, what will happen to groups like this in the future if the proposed act were to pass?

The Acting Speaker (Mr. Royal Galipeau): There are 20 seconds left to respond.

Mr. Nathan Cullen: It is an amazing fact, Mr. Speaker, but when I visit the volunteer based fisheries hatcheries and enhancement programs in my region, over and over again I learn that their funding has been cut. The oceans planning funding has been cut in half when it needed to be doubled. When we start to look at the resources these communities depend upon, we find them wanting. The resources are not to be found.

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, it gives me great pleasure to be in the House today to speak to this particular hoist motion.

Government Orders

For people in the House who might not know about Labrador, it has an area of 112,000 square kilometres, much of it coastline. I grew up in a community of about 45 to 50 people that was and is a fishing community, like so many others dotted along the coast of Labrador.

Our family has fished and continues to fish both commercially and recreationally for food and sustenance, and for hundreds of years now, back to my Inuit ancestors. We know about the sea and how important it is, not only from a personal perspective, but from a cultural perspective as well. We know how important the sea is. We know how important the fishery is to our livelihoods.

Over many hundreds of years, the Métis of Labrador, of which I am one, the Inuit of Labrador and the Innu of Labrador have taken care of the fisheries resources. We have been good stewards of the fisheries resource in our area because we knew it was for our livelihood. We knew it put food on our table. We knew it was there to sustain us day in and day out. That comes from our very strong value system in Labrador and our aboriginal people. That same value system, I would say, is shared by non-aboriginal people in Labrador as well.

We have a history around the fishery. We have a history around the sea. We know what it means to us in an integral way, not just in a political debate, not just to make hay over it, not just to score political points. We know how integral the fishery is to our communities.

When we see the Minister of Fisheries and Oceans introducing such a substantive bill, an omnibus bill, which sort of deals with everything in the Fisheries Act at the one time after 138 years, we have to wonder why he is in such a rush to get it through. Some of us would say that he is just trying to make history, that he wants to be the minister who changed an act that is 138 years old. That is what it seems like to us. It seems like the minister just wants to get himself down in the history books without any care for the people who are going to be impacted, without any care for the people and the communities that are going to have to deal with the changes, and without any care, really, for the fisheries resource itself.

That is one reason that I can see for this sort of swift action on the part of the minister. He is trying to bring the bill into the House and jam it down the throats of politicians and subsequently try to jam it down the throats of fishers and all those stakeholders who depend on the fisheries resource.

The minister and the Conservative Party talk about transparency, accountability and openness. I can safely say that I have been on the wharves and I have talked to people in the fishing industry. I have talked to the fish plant owners and the fish plant workers, all of whom have a say in one way, shape or form. I also have talked to conservation groups, aboriginal groups, commercial fishers and recreational fishers.

I have talked to a whole range of people who are involved in the fishing industry and they knew basically nothing about what was coming down the pipe. They knew there were some policy reviews years ago. They knew that the minister was going around having chats with this group and that group. But they did not know that this bill was coming down with the substantive changes that are in it.

That government over there talks one thing and walks something else. The government does not want to listen. That is evident not only around this particular Fisheries Act, the way it has implemented it, and the substantive changes it has brought before the House, but with other issues as well.

We only got a look a couple of weeks ago at the government's changes to student programs and all the new criteria that nobody knew anything about. The government had to change its mind on that and start approving people and organizations. The Conservatives have made mistakes time and time again. This is certainly one of the mistakes that they have made when it comes to accountability and openness. There has been no openness when it comes to Bill C-45.

• (1540)

The Conservatives talk about consultation. It is hard to find a group out there that will admit that they have been consulted on Bill C-45. My colleagues in the other party have said that they wanted a list. There has been a so-called stakeholders list provided by the government regarding consultations.

If we look through the list, all it says is that a letter has been sent out, a phone call has been made, a letter has been sent, and the government calls that consultation. Sending out a letter and notifying people that the government is bringing in a bill with all of these changes is the government's idea of consultation. The people do not even know what the changes are and how the changes will affect them.

It is unconscionable that the government would talk about consultation, provide some kind of list and all it does is make a phone call, leave a message and send out a letter. There is not even any indication that the people have received the letters, the messages and are responding in any type of substantive way.

From a Labrador perspective, and I would think that this is the same throughout the province of Newfoundland and Labrador and Atlantic Canada that there is hardly a group, a fishing enterprise, a processing company, a union representative, an aboriginal group, a coastal community or any other, that was consulted. They may have been talked to but that is not consultation.

Consultation comes with obligations, time and information. There is a legal duty to consult aboriginal groups, as the minister rightfully knows. From the groups in Labrador, I have heard nothing that would indicate that there has been any effective consultation with the three aboriginal groups, the Labrador Métis Nation, the Labrador Inuit Association which is the Nunatsiavut government, or the Innu Nation, on the proposed changes to the Fisheries Act.

It would seem that this whole issue around consultation that the government purports is a sham. It has not consulted and in fact one of the government members just in the last few minutes admitted as much. He said that we cannot talk to people before the tabling of a bill. Even Conservative members of the House are saying that there has been no consultation on this particular bill. That is what was admitted to by the member from the west coast.

In terms of the bill itself, it talks about downloading responsibility. The act seems to not firm up or strengthen environmental regulations but basically it would weaken them.

Government Orders

Of course we all believe in the principle and concept of conservation. We have to conserve our stocks in whatever form, whether they are in the ocean ecosystem or in inland waters to make sure they are healthy and there for all time to come.

We have seen basically an example within Bill C-45 of the government's disregard for the voice and opinion of those in the fishing sector. Being from the province of Newfoundland and Labrador, we saw the row in the province when it came to the sale of FPI. No agreement could be reached. Communities on the island portion of the province were waiting, left out in the cold because the government could not respond regarding the sale of FPI and how the quotas were going to be handled.

The bill talks about cooperating with the province and of downloading some responsibility to the province and that type of thing, but the latest examples from the government show that it cannot even get along when people's livelihoods are at stake in communities like Burgeo, Marystown and the Burin Peninsula. The government talks one thing and does another.

The government says that we could have effective consultation once the bill goes through second reading and ends up in committee, but knows itself that we cannot make substantive changes to the bill once it is in committee. We can basically only talk about what the government has already decided to do and the changes that it has already put into being in this particular bill. The government knows that.

• (1545)

Again, it seems to me that the Conservatives want to use procedure now to not hear the voices of those in the fishing industry and to not hear the voices of those in our communities.

The Conservatives want to basically use a strong-arm tactic to basically say to the people in our communities to take it or leave it, that what the government decides is good for them and that they must accept it. The government is saying the communities have to swallow it hook, line and sinker. I am speaking now for the people of Labrador.

We also have many quotes from the minister. There is one where the minister says "we don't want endless consultation". Nobody is asking for endless consultation. We only want some type of consultation with people in our industry.

The minister says "people want concrete action and they want it now". He talks about that in relation to changes to the Fisheries Act and Bill C-45.

I can say to the minister that when people on the coast of Labrador and on the coast of Newfoundland who were stuck in ice during the seal fishery this past spring, who had their boats damaged, who could not get out and get a seal pelt to earn some money to put food on their tables, when all of that was happening and when there is still an ice crisis in the sense that even a fishery that was supposed to open cannot open because of the ice conditions, we called for action. We called for action in this House. We called for action in the committee. There have been calls for action on the open line shows by the union, by the fishers and by the industry itself.

What has the minister done? Nothing. He calls for action. He says, "We want action on Bill C-45". I would say that fishers back home want action when it comes to some kind of help around ice compensation. People have been going without a cheque now for six and seven weeks. There is no money to pay the bills. There is no money to make the payments that need to be made. We called for action on something that is concrete and on something that means something to the people in our communities, and he has not moved an inch from what we can see.

The minister says he is going to do it. He says he is going to study it. He says he is going to gather information on it. That is what the minister says he is going to do and then he may take some action.

He is better off using that type of rhetoric when it comes to Bill C-45. Go out and gather some information. He should listen to the people, consult with them, understand the implications that this bill is going to have, first of all, for our ecosystem, our fish resources, and then our fishers and those that depend on the resource.

While I am at it I should say to the parliamentary secretary that we would like to see some action on ice compensation. This is what the fishers have asked for and the minister has not done it.

The minister is saying that he wants to see some concrete action on Bill C-45, yet he has gone about it all the wrong way. We cannot get action when we need it from this particular minister.

It was the same thing only a few months ago when my Liberal colleague from P.E.I. had to force the minister to put more money into small craft harbours. The minister was not taking any action on small craft harbours.

The Conservatives felt so ashamed of themselves, so down-trodden, they felt that they needed to do something to make themselves look good so they put some more money in. It was only after my Liberal colleague from P.E.I. shamed them into putting more money into small craft harbours.

The Conservatives seem to want action on Bill C-45 above everything else. When we ask them to take action on something that is concrete and meaningful on specific issues, they only pause and sit there. They pause and sit there while people go hungry, while people are looking for some assistance from this particular minister and this particular government.

• (1550)

It would point to a party and a government that does not understand Atlantic Canada, does not understand the fisheries, and is not willing to respond in an adequate way when it is asked to respond.

It is only appropriate that I and my party support this hoist motion. It is only appropriate that we hear the voices of the fishers and those in our communities who are going to be affected by the changes in Bill C-45, allow them to have a say, to have some input, and to understand the consequences of this particular piece of legislation. Is that too much to ask?

We ask the government, what is the huge urgency in this? What is the huge urgency? The bill has been with us for 138 years. If we are going to make changes, why do we not do it right?

Government Orders

There is urgency when it comes to ice compensation. There is urgency when it comes to small craft harbours. There is urgency when it comes to some kind of regulatory reform and vessel size, which I understand the minister has put some effort into. There is urgency to protect the fish and the ecosystem, but I do not believe there is any urgency to ram through Bill C-45 without due process, without proper process. We certainly do not want the bill to be rammed through with the flaws that we have observed in it.

I call upon the Conservative Party to do the right thing for a change. I say to the Conservatives that for once in the last 15 months of government they should listen to what the people have to say. Listen to what the people have to say because it concerns and affects them.

It is incumbent upon the minister to do so. The minister is from a fishing province, but sometimes he is like a fish out of water when it comes to his own portfolio. He is in some sort of airy, up there type of strata and does not have his feet planted on the wharf. He is not listening to what people are telling him.

I say to the Conservative Party that it should support the hoist motion. It should take the summer, early fall, have effective consultations and come back with a bill that makes sense, that all parties, the fishing industry and communities can support. The hoist motion just makes common sense. It is what the people want and it is time for the Conservative government to listen.

• (1555)

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans, CPC): Mr. Speaker, I believe my colleague's comments are genuine. I need to keep asking this question because I have not yet received a coherent answer from the Liberals or the NDP.

I want to be very clear on what he thinks is the way forward. Some have given the impression that we pass this hoist amendment, do some consultation, take the bill from whoever has it at the moment, make some changes, and when they are not looking maybe put it back in a changed form. That is not the way it works.

Let me quote from the parliamentary *Compendium*, which says:

The adoption of a hoist amendment is tantamount to defeating the bill by postponing its consideration. Consequently, the bill disappears from the Order Paper and cannot be introduced again, even after the postponement period has elapsed.

First, I would like him to comment further on the specific steps forward. What does he think is the best way forward? If we pass the hoist amendment, what are the next steps after that?

Second, for over 100 years the normal process was that we did our best with a bill. We brought it before Parliament, debated it at second reading, and sent it to committee where it is debated and has some changes made.

The principle of the bill states:

The purpose of this Act is to provide for the sustainable development of Canada's seacoast and inland fisheries, through the conservation and protection of fish and fish habitat and the proper management and control of fisheries.

I would like to know if he disagrees with that principle and why we cannot build on that in committee.

Mr. Todd Russell: Mr. Speaker, I do not think anyone disagrees with the principle or the intent behind Bill C-45. No one has spoken against changes to the Fisheries Act. No one has said that we do not need a new act or that we cannot make improvements on something that is 138 years old.

However, the fundamental principle of consultation, of going on the wharves, of accompanying people on the boats, of listening to people in the fish plants, listening to processors, union representatives and aboriginal groups, that principle of listening and then developing a bill that accommodates their needs and aspirations, bearing in mind the principle that the parliamentary secretary just read out, in my opinion there is no disagreement with the principle as he has read it out.

What I have a problem with is the fundamental process in the way that the government has gone about it.

If we have the hoist motion, and I am no expert on parliamentary procedure, but if it effectively kills the bill and we have a postponement period, then we take that postponement period to develop, implement and properly resource an effective consultation process.

It would seem to me that would be tantamount to abiding by the law that exists, particularly when it comes to the Haida decision and aboriginal groups. It would be respectful of all those who have a concern in the industry. Perhaps if we can all agree and we listen to people in the communities, we would not need to go through as long a committee process at the end of it.

We may in fact be shortening the process to some extent if we allow the hoist motion to go forward, put into effect a proper consultation process and then bring back a bill that is more reflective of the needs and aspirations of particularly those in the fishing industry and in the fishery resource itself. We could probably find more agreement among parliamentarians, get it through committee and then we would have something that is better for all of us, not only for today but for many generations to come.

• (1600)

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, I answered the question for the parliamentary secretary before but I will give the answer to the hon. member for Labrador who spoke so eloquently on his heritage and his people's heritage in the beautiful part of Labrador and attached to Newfoundland regarding the aspect of the fisheries and what it has meant to the survival of his people for over thousands of years.

When we asked about consultation on the bill, we know there was none, as we have proven already in the House. We have asked the parliamentary secretary to table the documents in the House but so far the government has refused to do it.

However, we do have indications here. I will take the province of British Columbia. There is a gentleman by the name Byng Giraud who is the senior director of the Mining Association of British Columbia. The new bill has 253 different clauses with 107 pages, a lot of it written in legalese. It takes someone of very high academic standing quite a long time to go through the bill and to understand it.

Government Orders

This was tabled on December 13, 2006 in the afternoon here in Ottawa. On December 14 the B.C. Mining Association issued a press release saying that it was pleased with the new act.

How can these six reputable organizations, the B.C. Business Council, the Chamber of Commerce, the forest industry, the Mining Association, the Association for Mineral Exploration and the B.C. Agricultural Council, say that the bill is great after only 12 hours from the introduction of the bill? How did they have that analysis?

We find out that in August 2006 they made recommendations to the Department of Fisheries and Oceans regarding the environmental aspects of the bill. Now we find that of the 16 recommendations they made, close to 14 of them are in the bill.

It also turns out that Byng Giraud just happens to be on the National Council of the Conservative Party for British Columbia. The government would not talk to fishermen in his riding. It would not talk to the fishermen in British Columbia or Nova Scotia. It would not talk to the families, the people who are involved in the fishing industry.

I keep reminding the Minister of Fisheries and Oceans that he is the Minister of Fisheries and Oceans, not the minister of mining.

My hon. colleague is absolutely correct when his colleague from Gander brought in the hoist amendment. We challenged Bill C-30. We took it to a committee and rewrote it and it is something we are proud of. The government is not. We ask the same for the fisheries bill. We ask that it be brought before the committee before second reading where fishermen and their families will be able to debate it. Let us write a new act that we can all be proud of and let us all move forward.

• (1605)

Mr. Todd Russell: Mr. Speaker, that is shocking information. I did not know that Mr. Giraud, one of the few who responded in a positive way, was on the Conservative executive out in B.C.

It would seem that the Conservative definition of consultation is to go to fellow Conservatives, listen to what they want, stick it in a bill and draft a press release for when it is tabled. Fishermen in my community would be appalled to know that is how the government operates. I will be sure to make them aware, having learned this particular fact, of how they get treated.

The Conservatives do not listen to the fishermen or the plant workers. All they want to do is ram something down their throats at the behest of some interest group or some individual within the Conservative Party, and that is not appropriate. It is disrespectful to the people who really depend on the fishing industry, who have depended on it for generations and who have taken it upon themselves in many regards to protect the resource and to fight for the resource, sometimes without regulation and sometimes without an act being there at all.

I remember protest after protest in which I was involved in trying to protect the fisheries resources. I was arrested on a number of those occasions but I was never convicted, which may be why the Conservatives want to change the act.

I must say that it is appalling that the only people the Conservatives have so-called consulted with are people from the

mining industry or, as some people would call them, the contaminating industries, although some people in the mining industry are good and there is no doubt about that, and that they only consult and ask Conservatives.

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, I would like to begin by thanking the member for Sackville—Eastern Shore for his hard work, his relentless determination in exposing the negative aspects of this act and his work on the fisheries committee. He is definitely someone to whom fishermen across the country look up to, especially from my riding of Vancouver Island North.

Hon. Chuck Strahl: Around the world they look up to him.

Ms. Catherine Bell: Yes, probably around the world.

I rise today to speak against the government's proposed fisheries act, Bill C-45.

As members know, my riding of Vancouver Island North has a long history in the fishing industry and, in particular, in the salmon fishery. It has been an integral part of the culture of my riding for thousands of years and a way of life for many first nations for countless generations and, hopefully, will continue into the future, although we are not quite sure.

Bill C-45 would have a negative impact on those fisheries in my riding.

Since I was elected about a year and a half ago, I have talked to fishermen across the riding, from north to south. They have told me that changes are needed in the way that Canada, in particular on the west coast, manages its fishery. Issues of co-management, habitat and species protection and enforcement are front and centre in people's minds and yet most of these people felt that there were problems within DFO itself and did not require a whole new act.

After seeing the act, I can now say that it would do very little to solve all these problems. It is just, plain and simple, bad legislation, just like the softwood lumber deal and the inadequate climate change program. The Conservative government has sold out ordinary Canadians and given to large multinational corporations.

What has angered many people in my communities has been the total lack of consultation with local stakeholders. Time and time again we hear that this House, this government wants to listen to ordinary Canadians but then it goes about and does the exact opposite.

With its climate change plan, it talked to the oil and gas industry rather than consulting ordinary Canadians.

With electoral reform, a subject that is very close to my heart, we saw that the government relied on focus groups in very small pockets. It held one meeting in each province and called that consultation. It would rather do that than hold public meetings and let people know exactly what we are talking about.

Government Orders

It is no different with Bill C-45. There was no consultation. The government may have had meetings around the country on different topics around fisheries. I know in my riding that many meetings were held but there was never any talk or discussion about changing an act and no one was requested for input on a fisheries act. To me, that is not consultation. That is just a meeting to talk about what is going on in the fishery. We have those all the time.

One would think that with such a proposed monumental change in the way Canada manages its fisheries, the government would have talked to fishery workers and gathered their experience and their views in creating this new act. It said it would. In a media release back in December 2006, DFO stated that the new act came from extensive cross-country consultations and discussions but it did not.

There were no direct discussions, consultations or meetings about new ideas and changes within this act. As I said earlier, if one attended a meeting in the last couple of years that was called consultation.

However, ordinary people in the industry know that they were left out. Recreational and sport fishers, local commercial fleets, aboriginal people, environmentalists and conservation groups were not asked about the creation of Bill C-45. In fact, practically every environmental organization on the coast have denounced this bill saying that they were not asked about it and that they saw many flaws within it.

However, the government did listen to one group. It listened to its friends in large corporate fleets. As my colleague from Sackville—Eastern Shore pointed out, the government listened to the mining industry. We heard that it was quick off the mark in saying what a wonderful bill this is. After I think only 12 hours it managed to read this lengthy document and come up with a full report.

• (1610)

I wonder if it had insider information on what was in the bill. Maybe it even had a hand in writing it, I do not know. However, the bill definitely reflects the concerns of those organizations. It is almost a wish list for the corporate interests over the public.

I have talked to many ordinary fishermen in my riding. I have gone to the docks, processing plants and fish farms. There are not very many processing plants left on the coast and hatcheries are in a sad state of repair. They have been neglected for so long. I have met with many men and women who work in these places and have listened to their concerns. They are almost unanimous in their opposition to the bill.

The current Fisheries Act has held up well for the past 139 years, adapting and changing with the times, as one would expect of something that is a very large piece of legislation. Most would agree that it is not perfect legislation. It has many strengths and also some weaknesses in the eyes of the front line workers, but it is far better than what is proposed here today.

Again, if the government would have listened to average fisheries workers, to the men and women on the coast in my riding and on the eastern coast, it would know that the problem is not all with the act, there are also many problems with the DFO. Budget cuts and a centralized bureaucracy are what people tell me are the biggest problems facing fisheries management today. For example, while the

DFO might say it would like to protect species and habitat, the fact is that it does not have the resources that it needs to do the job. At the current level on the west coast, it is ridiculous to think that these people can effectively protect the entire area.

The other problem is that the DFO is too centralized in Ottawa to understand local concerns and listen to the front line workers. Fishers in my riding feel as though their insights and their concerns are not listened to, especially when it comes to how to manage the fish stocks. A prime example is the collapse of the east coast cod fishery in the late eighties. Local scientists and fishery workers were raising alarm bells for years about the state of the cod fishery, but Ottawa did not listen until it was way too late. Those same alarm bells are ringing in my riding right now and the DFO still seems to be deaf to them.

We all know that buying a new house will not fix a bad marriage, but that is what the government is trying to accomplish. Rather than sitting down and really working on the issue of fisheries management with all the stakeholders, the Conservatives have gone out and bought a new Fisheries Act. However I, as well as those fisheries workers in my riding, know that the core problems still remain.

The lack of consultations were not the only problem with the new act. If passed, the act would go a long way to remove the public nature of the Canadian fishery and place it in the hands of corporate fishing interests. Much of what is in the act, coupled with its weak and ambiguous language, allows for less public control over the fishery and gives more control to the DFO and big business.

Bill C-45 does not acknowledge the fishery as a common property resource. Nor does it recognize the public's right to fish as a key value. In a meeting with sport fishermen in my riding, and this was before the bill was proposed in the House, they said that if the government were ever to change the act, they wanted to ensure that it would entrench the principle of personal use access of ordinary Canadians to a share of the common property fisheries resource. For them, that was fundamental.

They talked very strongly about how we need to maintain the common property resource of the fishery. If these people were asked, they would have presented this to the government, but unfortunately, they were never asked. It is a very important principle. It is the key value of the fishery in Canada, especially on the west coast.

Government Orders

•(1615)

The Supreme Court of Canada has stated that fishing is a right, not a privilege, and that the fishery is a common property resource. The government claims that Bill C-45 confirms this ruling saying, "Nothing in C-45 contradicts this. In fact, C-45 is based on this very premise". However, the bill in itself says, "Parliament is committed to maintaining the public character of the management of fisheries and fish habitat". This is an entirely different concept. The public character can mean many different things, whereas the public's right to fish is pretty definitive in its meaning.

We can see the increasing corporate control over the fishery spelled out in the changes to the licensing programs. The government plans not only to change the length of the licence, but also who can give them out and whether fishermen can pass it along to their children or sell it to pay for their retirement.

Most of the fisheries workers who I have talked to believe that 15 year terms of licences are far too long. Longer allocation periods lead to greater corporate control. Large fishing enterprises can have access to the resource for longer periods of time, essentially shutting out other interested individuals, enterprise or community for a whole 15 years. I think it is more than a generation. This extension also does not take into affect the ecological reality of fish stocks and the natural fluctuations in the stock. Fifteen year licences do not make sense for the fish, but it does make sense for business.

While increasing the length of the licences, Bill C-45 also threatens to eliminate the intergenerational transfer of licences and the financial and social security of many independent fishers, their families and their communities. Licences are financial security for many fishermen. It gives them something to hand off to their children or to sell off to provide them with money for their retirement. We all know that most fishermen do not have a pension plan. Not only does this mean that the government can refuse a sale or transfer of a licence, but it can then redistribute it to whomever it wants. Members should not think this will not happen.

One of the other clauses in Bill C-45 allows the minister to designate DFO officials to grant or refuse licences. This gives more control over the handing out and denial of licences to DFO bureaucrats and eliminates the opportunity for politicians to question licence decisions. Others worry that this downloading of power will create a system ripe for abuse, which will mean a relationship with the DFO and connections to the minister will become the preferred means to get a fish allocation instead of simply being a Canadian citizen.

Many of the changes seem to actively work against local and small fishermen in favour of large corporate fleets. Yet the small and local fisheries are the backbone of many communities across Canada. That is especially true in my riding where many small operators are trying to make a living and it is becoming increasingly difficult. By stacking the deck against them, we are not only putting the future of the fishery at risk, but the livelihood of countless small communities dotted along the coast, rivers and inlets.

The bill fails to strengthen conservation and protection measures for fish and fish habitat. What we have here is a bill that is more focused on economics than on ecosystems. There are few guidelines

in the legislation. What is there is weak and ambiguous, allowing for loopholes and grey areas. While there are parameters for co-management of the stocks, they are quite flawed and actually have the potential for more creeping corporatization of the resource.

Bill C-45 grants too much discretion to the minister by using the word "may" over "must". I know about weasel words and that is a weasel word if I ever heard one. The use of this language opens up loopholes that would allow for multiple contradictions and vagaries.

•(1620)

I just spoke about habitat protection and measures for protecting fish habitat. In my riding we have a current issue with the Courtenay River. The Puntledge River Restoration Society is a small group that has been looking after and trying to help with habitat protection and management for more than 10 years. It has been fighting a seal problem in the river. The seal population has been allowed to grow and they are eating the salmon on the way out of the river in the spring and on the way back in the fall.

The DFO was working with the Restoration Society. It said it would help with the seal population, that it would complex the river and take some measures to reduce the population. Ten years ago it did a cull of the seals, which was a sad thing, but in order to save the salmon that was something that happened at the time, and it caused quite a controversy in the community. However, the DFO never did follow through on what it said it would do.

Now 10 years later the seal population is back again. It is causing another problem. The minister says that this small group of volunteers should be looking after things. By this act, it would be these small organizations that would be relied upon to look after fish habitat. All these volunteers have said that they give up. They are tired of raising salmon for the seals when they want to be raising them for fishermen to go out and catch.

While we do not have a problem feeding seals, it is sad to see all one's work go down into their bellies. The seals have no natural predators in this area. Again, the volunteers of these organizations across my riding, and this is just one example, are saying that they are not getting any help from the DFO, that there is a big problem there. If they are going to be left to be the managers of fish habitat without any assistance, they are not going to do it, plain and simple.

With the bill, if they are relying upon these organizations, they are not going to be there. That is a big problem and I cannot see who would take this on. I would hate to see the bill passed in that regard.

Suffice it to say, the bill would favour corporations over the small fishermen, corporations that only look out for their bottom line. We should not expect anything else from them. That is what they are good at, that is what they do and that is okay. However, we cannot privatize fish and fish habitat management to people who only care about making money.

Fish and their habitat are part of an ecosystem that supports all kinds of life, commercially viable or not, and the bill is not one to increase environmental and fish protection. It is designed to download and outsource it. It has no standards or criteria. It is filled with loopholes and contradictions and ways not to protect fish, the ocean and the environment.

Government Orders

All in all, if the bill were to pass, it will be a disaster for the fishery industry.

I end by reinforcing some of the comments that were made by the member for Sackville—Eastern Shore, in saying that the bill should not be passed. It is something on which we have heard from many members of society, and they are all opposed to it.

• (1625)

The Acting Speaker (Mr. Royal Galipeau): It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Malpeque, Canadian Wheat Board; the hon. member for Kitchener—Waterloo, Citizenship and Immigration.

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans, CPC): Mr. Speaker, let me say at the outset that I think I disagreed with just about everything the member said.

An hon. member: How can that be?

Mr. Randy Kamp: That is almost the first time today.

I disagreed particularly with respect to the notion of consultations. I know those members will never be satisfied on this. There is a long list of people and the consultations that have taken place. We have had this conversation with the member for Sackville—Eastern Shore. If we did not say the right sentence or use the right verb in the sentence and in the right tense, then that was not considered consultation by him.

What we heard in these consultations was that fishermen and other stakeholders wanted a fishery that was sustainable, stable and predictable, in which they had some shared decision making, and a sanctions regime that was actually effective in addressing the problems of those who would not keep the rules. In fact, that is what we tried to do with Bill C-45. I think we accomplished that.

I am a bit confused, though, by the member's comments. I do not know if she is saying there is too much or too little ministerial discretion in this bill. The current act gives absolute discretion. In fact, those words are used in the act. I do not know if she wants to keep that or if she likes the way we have it in the bill.

The member for Vancouver Island North uses the typical NDP buzzword of "corporatization". In fact, if anything, the licensing principles are to address that. The minister, with cabinet, and then by going through a regulatory process, devises licensing principles and they are put into effect by licensing officers. If a person does not meet the criteria, if a person perhaps violates the owner-operator policy or whatever it might be, then the person does not get a licence. I do not see any other way to address this issue of creeping corporatization, as those members like to call it, unless there is something similar to what is in this proposed fisheries act.

Finally, she said the notion of a public right to fish is a definitive concept. If it is so definitive, I would like her to define it for me.

• (1630)

Ms. Catherine Bell: Mr. Speaker, while I thank the hon. member for his lengthy questions, I am not surprised to hear that he does not agree with me as I of course am opposing something that his government has put forward.

I do not think I need to explain a Supreme Court ruling to the member. I think he can read it for himself and see how definitive it is.

With regard to consultation, as I said earlier in my remarks, and as I have heard from other members in this House and from the member who asked the question, the government had consultations for six or seven years. I am not sure how many years it was, but it is interesting how no one knew that it was going on in those six or seven years. It behooves me to think about all these organizations, the fisheries groups, the environmental organizations, the sport fishers, the lodge owners and the commercial fishermen, and how they did not know about these consultations and were never consulted even if the consultations were going on for so long. Perhaps the member could provide us with a list of those he consulted with so we can see that.

As for the fisheries being a right or a privilege, I want to read something for members. It says:

The new Act considers fishing a "privilege" to be bestowed by the Minister rather than a right. It gives the Minister and his bureaucrats power and authority never contemplated by the current Fisheries Act. It unnecessarily strengthens the hand of the Minister and his bureaucrats and weakens that of fishermen who depend on the resource for their livelihood. It would extinguish the public right to fish which has existed in British constitutional law for over 800 years. It will be a sad day for fishermen if this Act ever receives royal assent.

That was said by the member for Delta—Richmond East, so obviously the member not only disagrees with me but with his colleague from Delta—Richmond East.

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, I congratulate my colleague, the member for Vancouver Island North, on her comments today. They shed a lot of light on the reasons why we will not be supporting this government bill. I also want to refer to the comments by my colleague from Skeena—Bulkeley Valley, who articulated, also very well, all of the reasons that this bill is unworthy of support in the House.

In fact, they both talked about the lack of consultation with the groups that fish, the fishing community, both sports and commercial fishermen, and first nations. I will not belabour that point because it has been adequately addressed.

However, I would like to ask the member for Vancouver Island North about the lack of habitat protection and species management in the bill. They are missing.

I live on the banks of the Fraser River. Only a very few years ago I could look out my front window and watch the salmon jumping in the river. That was less than 10 years ago. I could watch fishing boats come down the river. I could watch the oolachan fishery and the big celebration that was held every year in New Westminster for the oolichan fishery. There was a big market and people came from all over the Lower Mainland to buy oolichan.

Government Orders

That no longer exists. There is no oolichan in that river. There are very few salmon swimming in that river now. It used to be one of the most abundant salmon rivers in the entire world, but no longer, so I would like to ask my friend about the lack of species management and conservation.

She talked about the numbers of volunteers in her community who work to restore habitat. That also happens in my communities on the Coquitlam River and the Burnette River. There is a wonderful group of volunteers who really have worked their hearts and souls out to improve the natural habitat for the fisheries, but they are working against immense odds, with the lack of government support, to ensure that we have viable fisheries.

I would ask my friend to address those issues.

•(1635)

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Vancouver Island North has the floor. I would like her to know that she has 2 minutes and 20 seconds and can manage it the way she wants, but there are other members who want to ask questions.

Ms. Catherine Bell: Mr. Speaker, I thank the member for New Westminster—Coquitlam for her concerns. I know that every member who lives on any salmon bearing river on the coast of British Columbia has to be concerned about the details of this act and what has been happening in the fishery for a number of years. We have seen a marked decline in our salmon stocks and other populations of fish. It is a sad indictment of what has been happening.

As others have said, it is a loss of our culture. Salmon has been the culture of my riding for many thousands of years, especially for first nations. My colleague from Skeena—Bulkley Valley also mentioned the oolichan trail, the grease trail. We have what is known as the grease trail in my riding, which runs from one side of the island to the other. It was used for many generations by first nations to transport the grease back and forth from their communities. They would catch the oolichan on one side and bring the grease over to the other.

They still make grease out of salmon and other fish that are quite oily. Their way of life is disappearing, sadly, and they are feeling that loss. They have spoken to me many times about the loss of one more piece of their culture if we lose any more of our salmon.

A number of months ago I wrote a letter to the Minister of Fisheries and Oceans and talked about the volunteer organizations in my riding and how they are the very backbone of habitat protection and management. The minister recognized this and said yes, we need to support these people, but unfortunately, as I said in my remarks, they are not being supported. The DFO has made many promises to them and has not followed through. Whether it is a lack of resources, funding or commitment—

The Acting Speaker (Mr. Royal Galipeau): It is with regret that I interrupt the member, but the time is up. The debate on Bill C-45 has now lasted more than five hours. From now on for the interventions there will be 10 minutes for speeches and five minutes for questions and comments. The hon. member for Vancouver East has the floor.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am very happy to rise in the House today to speak to Bill C-45, An Act respecting the sustainable development of Canada's seacoast and inland fisheries.

First, I would like to thank our fisheries critic, the member for Sackville—Eastern Shore, for doing an excellent job on raising public awareness about the bill. Other members of our caucus, the member for Vancouver Island North, the member for Nanaimo—Cowichan and the member for Skeena—Bulkley Valley, have all participated in the debate because we are so concerned about what the impact of the bill will be.

However, in particular, I think, the member for Sackville—Eastern Shore has really brought to the public's attention what is taking place with the bill. We should put it right on the record that we are dealing with a bill in regard to an act that has been around for a very long time. The existing Fisheries Act has been around for about 139 years.

Therefore, to bring in a new bill and a new act is a very significant move. We would not disagree with that. However, the manner in which that is done, the manner in which consultations take place, is something that very much concerns us. Of course, the substance of the bill itself is something that concerns us as well, so we have two issues with the bill. One is the manner in which it was brought forward. The second is the actual substance of the bill.

In terms of the process, we have heard from members, excepting from the government side, that there has been a lot of concern about the lack of consultation. There is no question that the history of fisheries and oceans in this nation has always generated enormous public debate.

In my own riding of Vancouver East, for example, we have fishers who go back generations. We have women who have worked in the fish packing plants and the canning plants. We have families who have gone out on the boats generation after generation. They have seen this resource, which has been seen as a national value, common property, and a community resource, dwindle and be whittled away, mostly because of mismanagement by DFO. There is a lot of interest in what the bill is about. As for any change that takes place, I will tell members, we will have something to say about it.

It is no surprise to me to hear that over 29 groups across the country wrote a letter to the government in which they told it to take out the bill, saying that there was not adequate consultation. In fact, we know that the amendment we are debating today, called a hoist amendment, is to actually delay the bill for another six months so that adequate consultation can take place.

I have to say that the NDP also has advocated that the bill be sent to a special committee so there could be a very fulsome consultation. That was not agreed to, so now we have the amendment, which we support, to actually hoist the bill and say that it should be put off for six months. We do that with legitimate concerns about what is going to happen to an act that has already been in existence for 139 years and is now to be dramatically changed.

Government Orders

That is not to say that changes are not required. They are, and the NDP would be the first to say that, but we are very concerned about the process that was used. The stakeholders and the people who have invested a huge amount of time into monitoring, analyzing and advocating for fisheries in Canada feel that they have not had a proper consultation. I think that if we are hearing this from people we have a responsibility as parliamentarians to respond to it and to say that we do believe this kind of consultation should take place.

I do think it is ironic, though, that one of the groups that does support the bill, the Mining Association of British Columbia, has as its senior director of policy and communications Byng Giraud, who writes and says that he supports the bill, he welcomes it, et cetera, but he also happens to be on the national council of the Conservative Party of British Columbia. He is obviously very happy with the state of things, but if we stack that up against the other 29 groups across the country that say they have not been heard, then I think we know which side we are on with that question.

Some of the concerns we have about the substance of the bill, and why we will be supporting the amendment, is that we really believe this bill does not adequately maintain the fishery as a public resource, a common property resource. To talk about maintaining a public character really does not go far enough for us. We feel that this will undermine the tradition that we have had in this country.

● (1640)

We are skeptical and suspicious of what the government actually has in mind for privatization, concentration and downloading. One looks at words in a bill very carefully and weighs up what they mean or may not mean. That is one concern.

A second concern we have with the bill is that it does not adequately maintain and strengthen conservation and the protection of fish and fish habitat. This is a huge issue. Often we have public hearings. I know as an urban representative that we often have processes when massive development is coming in. We have had some protection in the past to ensure that fish habitat are protected and there has to be a proper environmental assessment and evaluation.

We are very concerned that in Bill C-45 those provisions will be weakened. They will not be strong enough. When we get down to weighing it up and it becomes the environment and the sustaining of the fishery habitat versus the pressures of development, whether it is urban, mining or resource development, then we have to know that there is an open and transparent process. We have to know that the fishery habitat is going to be both conserved and protected.

We see that as a deficiency in the bill that causes the alarm bells to go off for us. It causes us to not want to support it.

We are also aware that the backdrop to this is cutbacks to the Department of Fisheries and Oceans over the next three years. We can see in the government's own estimates that there are funding cuts for science, conservation and protection programs. Again one has to question if the bill goes through and we marry it up with the cuts that are being planned, what kind of public oversight is there going to be? Who is going to be looking out for the fisheries habitat, conservation and protection? We know that the advocacy groups will be there, but the legislation should be providing those kinds of protections.

A further concern is the downloading that the bill will provide. This is an old story. Even in the 10 years that I have been here, we have seen what we call the devolvement, the downloading from the federal government to the provincial government. We have seen it with immigration, settlement programs, education, social programs and health care. I could go across the whole spectrum. It is Canadians who lose out because we lose the transparency about what is going on.

If we ask any group that is trying to track something, whether it is child care funding, immigrant settlement programs, money for post-secondary education or housing which is another big one, they will tell us that the downloading that takes place means that there is no accountability. This bill would further entrench that kind of process. We think it is alarming and should not be allowed.

I have given some of the reasons that we cannot support this bill. It should be hoisted. It should be sent off for a much longer review. I think there are legitimate concerns. That is why we are standing in the House today to speak about our opposition to the bill, not because the Conservatives brought it in, but we looked at this bill on its merits. We made a decision on its merits and it does not stack up. The bill is not good. It will not be good for the fishery. It will not be good for conservation and protection. It will not be good for first nations. We are here to say no, do not let the bill go ahead.

● (1645)

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, I have one question for the hon. member and it is actually a very local one for me.

The Petitcodiac Riverkeeper association in Moncton, New Brunswick was founded to protect the Petitcodiac River. Incidentally, the government has taken no action on its restoration. The association is very disturbed that if the proposed fisheries act is passed as is, the provisions that enabled the association to twice halt highly toxic discharges into our local river would be gone.

The hon. member obviously has a great breadth of experience and knowledge of the bill and its application. Could she inform the House and the people of Canada as to what other aspects and natural treasures we have in this country that might be so deleteriously affected by the hasty passage of this bill?

Ms. Libby Davies: Mr. Speaker, although I am not familiar with that specific situation, I think the example the member raised dramatizes very well the concern we have about this bill, and that is that there will not be adequate environmental oversight or adequate protection. Groups will feel that they have nothing left to do but fight tooth and nail to make an intervention. We should not allow that to happen with any of our public resources. We should not allow that to happen as a matter of upholding public interests. That is really the underlying problem with the bill.

Government Orders

I am very glad my colleague raised that as an example. It is a very clear demonstration of why the bill is flawed and why the amendment needs to be supported.

• (1650)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, both the Federation of Canadian Municipalities and the Canadian Chamber of Commerce passed motions a few years ago in the spirit of being against draconian measures being put in by the minister of fisheries or under the Fisheries Act that were totally unreasonable in the situation, over-burdening and over-controlling, and not really of benefit to Canadians.

Does the member think the new Fisheries Act would be a plus or a minus for those types of concerns? Does she think it would help to reduce those types of concerns or aggravate them even further?

Ms. Libby Davies: Mr. Speaker, having been a municipal councillor I am familiar with some of those debates. Urban developments were taking place and DFO would say an environmental assessment had to be done. Sometimes those are not easy things to go through. Sometimes those debates can become polarized, but it was very important that they be done.

The essential point is that if we allow a downloading and if we allow these agreements to take place, they will not be transparent. We have seen that in many other areas. People may feel that they are getting more local control, but in actual fact it ends up that nobody is in control. There is no accountability. That is why the federal government needs to have a strong presence in these kinds of resources to make sure that there is accountability, transparency and public oversight.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, we go by the actions of the government. The commercial fisherman from Delta—Richmond East was disbanded, off with his head more or less, from the fisheries committee because of his objection to the Fisheries Act. If the Conservative government thinks the bill is so good, why would it remove from the committee someone from its own party who knows about the fishery?

John Duncan, the special adviser to the Minister of Fisheries and Oceans on the west coast, was also told that he had no part in the new bill. Why would he have been ignored if this was such an important piece of legislation?

Ms. Libby Davies: Mr. Speaker, that is very curious, and I can only respond that clearly the government does not like criticism even from its own members. That is obviously what happened. People get shut down and censored. If that is happening to government members, one can only imagine what is happening to advocacy groups and groups that promote conservation and protection. They are being shut down too.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I appreciate the opportunity to join in the debate on Bill C-45. Coming from the landlocked base of Winnipeg Centre, one may think it odd that I would rise to debate the Fisheries Act, but not at all is it unusual for me to be taking an active interest in the well-being of our Department of Fisheries and Oceans and the bill that regulates same. Many MPs would be interested to learn that the great inland sea of Lake Winnipeg is actually the largest freshwater fishery in this

country. We do have an interest, of course, in maintaining the integrity of all of our fisheries resources and habitat.

We should always be cognizant of the fact, a point that my colleague from Sackville—Eastern Shore reminds us of regularly, that it is not just the Department of Fisheries, it is the Department of Fisheries and Oceans. We cannot have one without the other. They are of equal weight. We forget that important aspect sometimes.

I want to thank my colleague from Sackville—Eastern Shore for being a consistent champion of the fishery resource and the people who make their living by that resource over the decade that I have known him in the House of Commons. Also other speakers today have made passionate arguments of the importance of what we are doing in the final half hour of this parliamentary day.

As my colleague from Vancouver East pointed out, this act may be 139 years old, but it is the 139 years of mismanagement, of abuse of a precious resource that we are concerned with. It is imperative at this juncture in the history of our resources that we get it right, that we put things back on track. Never has our fish resource been at such a crisis point and when it is gone, it ain't never coming back. As we are reminded when species disappear, they disappear forever. It is shocking to learn that most of the great fish in our oceans are gone. Ninety per cent of the great fish in our oceans are gone. We are harvesting smaller and smaller species. Even they are being taxed beyond limits.

As a carpenter, I built a house one time for a scientist who worked at the biological research centre in Nanaimo. He was a wonderful, interesting guy. He had a beautiful house which I built for him overlooking Departure Bay. As we were building his house, he was telling me about the work that he did. He had a Ph.D. in mathematics. When I asked him what they did, he said that they were trying to age groundfish so that they would know when to best harvest them and when they should be throwing them back to allow them to reproduce.

I said, "Wait a minute. This is 1980, and I am building a house for you and you are just starting to do the research on when we should or should not harvest groundfish? This is appalling". We must have thought naively that that resource would always be there for us no matter what we did to it, no matter what pollutants we dumped into the streams. It is not. It is a finite resource.

I will tell one more story about my days as a carpenter. I worked building houses in Kitsault, British Columbia, way up Alice Arm, north of Prince Rupert, up in some of the most magnificent country I have ever seen. We built a whole town there for a new molybdenum mine. We flew in and out to build the houses, a rec centre and the mine. The mine was started up and from the air we could see the plume of effluent working its way down Alice Arm into the inside passage between the Queen Charlotte Islands and Prince Rupert, chasing all of the life out of Alice Arm. That one molybdenum mine was shut down 18 months later. The mine was mothballed; the town was mothballed. We built that town and it sits there still as a ghost town. Alice Arm was sterilized from one year of irresponsible mining.

Government Orders

We want to make sure that the new Fisheries Act will respect the sustainable development of Canada's sea coast and inland fishery.

• (1655)

I would be irresponsible if I did not point out another disturbing motif or trend in the management of our fisheries that we have taken note of by the Conservative government. Not only is the Conservative government hellbent and determined to bring an end to the Canadian Wheat Board but it seems to have its eyes on the Freshwater Fish Marketing Corporation as well.

It seems to have its eye on supply management, period, even though this is a disastrous ideologically driven point of view. There is no business case for abolishing the Canadian Wheat Board and there is no business case for abolishing the Freshwater Fish Marketing Corporation.

I stand and speak today on behalf of all the fishers on Lake Winnipeg and communities like Gimli, Hnaua and Riverton, and the Icelandic people who came to Manitoba from Iceland, where the largest Icelandic population outside of Iceland lives in the heart of Manitoba, in Gimli. Their tradition and heritage was to make their living from the sea. They had subsistence farming from the land but really their resource was from Lake Winnipeg, what they call their great inland sea.

They chose to market their commodity through a supply management system that now seems to be under attack by this ideological crusade by the Conservative government. I rise to serve notice today that we will not tolerate it. We will not allow it to attack this great prairie institution. It will certainly not do it without a fight from our party.

I made note of some of the comments made by my colleague from Vancouver Island North. She made compelling and compassionate arguments talking about our fishing resources as part of our common wealth. It is a notion we do not entertain often enough in this place, I do not think. We should remind ourselves from time to time that we are blessed as Canadians to enjoy the common wealth of this great country and the resources therein. The access to them is part of our common wealth but with that common wealth comes common responsibility. The buck stops here in terms of responsibility for managing our precious and finite resources.

I am not satisfied and my colleagues are not satisfied. My colleague from Sackville—Eastern Shore who sits on the committee for whose opinion I have the utmost of respect is not satisfied that this particular bill in this particular form will protect that national heritage for which we are charged with the responsibility of supervising, not the least of which is reference to the rights of first nations to a share in the land and resource base.

If we are ever going to bridge the poverty gap, the prosperity gap, that exists between the social conditions of first nations and aboriginal people and the mainstream population, we must address a fair interpretation of the treaties that includes a sharing of land and resources.

The Indian Act is a statute that is almost as old as the Fisheries Act. People would be appalled to know that even though tradition, culture and heritage among first nations has it that the fishery and other land resources were a main part of their economy and their

culture, there is not only no reference to access to an economic fishery in the Indian Act, it is kept out deliberately.

This is something a lot of people do not realize. The only thing that aboriginal people can use for economic development on their reserve or on their traditional territory is mud, gravel, sand and dirt. If one can make a living out of marketing mud, gravel, sand and dirt, then I suppose one could create a gravel pit. Anything else they have to ask specific permission from the Minister of Indian Affairs and Northern Development to even cut down a single tree or catch a single fish above and beyond bear subsistence. Supreme Court rulings have been ruling in their favour, but nowhere is it entrenched in legislation or codified that they will have in fact some equitable share in land resources and fisheries.

• (1700)

My colleagues and I in the NDP are comfortable with our decision to support the hoist motion that would delay entertaining this bill for a six month period while it is given more fulsome study, where some of the legitimate concerns that have been addressed by my colleagues can be reviewed once again, and where true consultation can take place.

I remind my colleagues on the Conservative benches that there is a legal definition of consultation. It does not only mean passing it under the nose of somebody and saying “what do you think of this?” To truly consult we have to accommodate some of the concerns that are raised by the other party. That is consultation, to truly accommodate some of the legitimate issues raised.

I see that I am out of time already. It is a shame because I had a great deal more that I wanted to share with members. Perhaps in the question and comment period I can raise some of those points.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I have two quick questions. The member referred to the Wheat Board. I wonder if he could talk about just the process, not supply management, but whether the government that prides itself on being elected for integrity and accountability is honest and has integrity in the process of the Wheat Board. Should farmers who have said they fear reprisal should they have fear or is the government going through an honest process?

The member has lived in Dawson City and he knows quite well the importance of the placer industry. A few years ago, under the existing Fisheries Act, the minister took a draconian measure that would have eliminated the industry for placer miners who simply wash gravel with water. Does the hon. member think that placer miners would prefer the old act or the new act?

• (1705)

Mr. Pat Martin: Mr. Speaker, in answer to my colleague from Yukon and the concern he raises about placer mining, as he knows, I had a placer mining claim in Yukon Territory at Benson Creek on the Dempster Highway.

I am well aware of the rules if a person disrupts flowing water for the purposes of placer mining. There has to be a series of settling ponds wherein the water runs clear by the time it has finished the operation.

In terms of interrupting the fishery, consultation is the answer. My colleague from Yukon I think would agree that with adequate consultation and accommodation of the concerns raised there can be an active placer mining operation and there can be fish habitat protection.

The first question my colleague asked was about the Wheat Board, a subject dear to my heart. I know we are going to hear more about it later tonight from the member for Malpeque. He is doing a late show on this very subject.

I come from the inner city of Winnipeg where the Wheat Board has its head office. We do not have too many head offices in the province of Manitoba and in downtown Winnipeg or anywhere in the west, this is true, but we do have the Canadian Wheat Board located there.

It is shocking to me that the government, because of some ideological crusade that it is on, would contemplate wiping out the Canadian Wheat Board, wiping out this great prairie institution without allowing farmers their statutorily protected right to a vote, first of all. I used the term "fascist" earlier and I was chided for doing so, so I will not do so again.

Is that not like a fascist state, to deny somebody their statutorily protected right to vote? Then when the government did grudgingly allow the barley growers and producers the right to vote, it gerrymandered the voters list, so it did not let everybody vote.

[Translation]

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, I would like to thank my colleague for his speech.

Where I come from, in the region of Madawaska—Restigouche, or close to there, a toxic waste incinerator, the Bennett incinerator in Belledune, could very well open at some point. My constituents, especially those in Restigouche, hope that this will not happen.

We are talking about amending the Fisheries Act. Let us not forget that the incinerator is very close to the ocean. In fact, it borders Chaleur Bay and thus the ocean as well. When we look at the situation and the protection of the environment and of the people and communities along the coast, we can see that it is important to have the necessary tools to ensure the people will be defended. It is also important for the people to be respected. They do not want to have an incinerator burning toxic waste from another country. We know what could happen in Belledune. The waste could come from the United States and would be burned in the Province of New Brunswick.

I am wondering whether the member thinks that this Fisheries Act is strict enough to avoid problems and avoid having the people pay with their quality of life.

[English]

Mr. Pat Martin: Mr. Speaker, I would simply thank my colleague for the question regarding the incinerator on the Baie-des-Chaleurs. Let me assure him that my colleague from Acadie—Bathurst has raised this time and time again. There was not enough consultation, not enough teeth or protection in this bill to ensure against the violation or the degradation of habitat. Nobody asked the fish if they

wanted a toxic incinerator plunked down there. Believe me, there was no consultation.

The Deputy Speaker: Resuming debate.

Is the House ready for the question?

Some hon. members: Question.

[Translation]

The Deputy Speaker: The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the amendment 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:

• (1710)

[English]

The Deputy Speaker: Call in the members.

And the bells having rung:

The Deputy Speaker: There has been a request by the official opposition that the vote be deferred until the end of government orders tomorrow.

[Translation]

* * *

AIR CANADA PUBLIC PARTICIPATION ACT

The House resumed from May 28 consideration of the motion that Bill C-29, An Act to amend the Air Canada Public Participation Act, be read the second time and referred to a committee.

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, I am pleased to rise this afternoon to speak to Bill C-29, An Act to amend the Air Canada Public Participation Act.

While this bill certainly has some elements that could prove interesting, we must take into account the current situation.

I seem to recall that not all that long ago, barely a few months ago, the Minister of Transport, Infrastructure and Communities appeared before the Standing Committee on Official Languages to discuss Air Canada's situation and its obligation to provide services in both official languages. This includes Air Canada as well as its subsidiaries and affiliates.

Government Orders

However, to my great surprise and to the surprise of my Liberal Party colleagues, many factors appeared to be overlooked by the Minister of Transport, Infrastructure and Communities and therefore by the Conservative government, factors that are essential to ensuring that official languages policy is respected by Air Canada and its subsidiaries.

We were surprised to hear the Minister of Transport, Infrastructure and Communities tell us that Bill C-29 would not be sent to the Standing Committee on Official Languages but to the Standing Committee on Transport, Infrastructure and Communities. The only thing not mentioned in the title of Bill C-29 is official languages.

As we know, the connection between Air Canada and official languages is important. This is not a transportation issue, even though Air Canada is in the business of transportation. We must look at the overall situation. If Parliament is to ensure that Air Canada and its subsidiaries comply with the Official Languages Act, the Standing Committee on Official Languages must be able to hear witnesses, examine evidence, give recommendations and make the required changes and amendments in order for this bill to be acceptable and in order to continue to defend the official languages throughout Canada.

The Conservative government is doing the exact opposite. We need only look back a few weeks to when the former chair of the Standing Committee on Official Languages decided to cancel a committee meeting with just two minutes' notice. That was already an indication of what we would be facing.

Today it seems that the Standing Committee on Official Languages will not even be able to study the bill. It is a shame that the government is not giving this committee the opportunity to debate the bill and make the necessary amendments. It is true that the Standing Committee on Transport, Infrastructure and Communities can do some work. I am convinced that the members of this committee can do a good job. However, this is not just about transportation, it is also about official languages. Matters pertaining to official languages must be dealt with by the Standing Committee on Official Languages.

In the next few days we will see if the government backtracks and reinstates the committee. The government may be tired of losing face with regard to official languages and official language communities outside Quebec. That may be the case.

I can hear people opposite who do not agree with me, but that is still the reality of the situation. The Conservative government has lost face on the official languages issue. Since I am still hearing them, I have to conclude that what I am saying does not suit them. Nevertheless, it is the truth. Official language communities are saying that the government should be ashamed of itself for not having replaced the chair of the committee so that we can continue our work.

What I am saying is important because the government is applying the same logic in trying to prevent the Standing Committee on Official Languages from studying Bill C-29. That element should never be shunted aside.

Let me be clear: the Conservative government says a lot of nice things. It talks a good game, but when the time comes to take action,

it gets a failing grade. This government is good for nothing when it comes to official languages.

• (1715)

Members of the government can go ahead and laugh at what I have to say, but I can tell you that official language minority communities do not think this is funny. They do not think that the way they are being treated is funny. Official language minority communities have never been treated as badly as they are being treated now. Who is responsible for treating them so badly? The Conservative government, the government that is now in power. Thank goodness it is a minority government. If it were a majority government, one would have to wonder what would be left of official language minority community rights. Probably not all that much.

When we say that Air Canada must offer services in both languages, we are not just saying that for fun. In the not-too-distant past, Air Canada belonged to the federal government. Then it was privatized and Air Canada became a private company. Even so, it was not exempted from its obligations and had to keep offering bilingual services to the Canadian public. Not just part of the Canadian public. Not just anglophones. This was to ensure that francophones would also receive adequate service.

When Air Canada merged with Canadian International, I remember that, at the Standing Committee on Official Languages, some people from the company were rather unhappy, because of me. I even received some mail from people who were very upset about some of my comments. I will repeat them here today.

When Air Canada decided to merge with Canadian International, certain conditions had to be met. For instance, the new entity had to comply with the rules of the Official Languages Act and had to provide services to all Canadians in both official languages. People made up excuses, saying that they were in the process of restructuring, that they were nearly bankrupt, that they were having problems and that we should not be forcing them to provide services in both official languages.

I told them those were the rules of the game at that time and that they had not changed. It was a deal or no deal situation, as it were. Since the company decided to merge with Canadian International, it also had to accept the deal, which meant that the new entity had to provide services in both official languages. Yet it is still hard, even today, to get service in both languages. Many people have made comments about this, not just me.

In his 2006-07 report, the Commissioner of Official Languages said that most of the complaints received regarding service to the public had to do with Air Canada and its inability to provide services to its customers in both official languages. The Commissioner of Official Languages said this, but let us be clear. This refers only to those who filed a complaint, but there are many people across the country who are very discouraged by the service they receive. Ultimately, however, they wonder what good it does to file a complaint, because the service never gets any better.

Government Orders

We are not just talking about person to person service, because sometimes flight attendants will provide service in French, but there are also machines on board that give instructions in French and English. And then there is the written word. The other day I was travelling with Air Canada and I saw things that should not even be possible in this day and age. Everyone would be frustrated to see some of the written language on airplanes.

When we look at the situation, we see that some people are not happy about the fact that Air Canada employees are unable to offer bilingual service. Nonetheless, it is not up to the Conservative government to decide that Air Canada will not offer bilingual services. It is up to us, Parliament, to do so. We have said that Air Canada is required to provide bilingual services.

What do we now see in Bill C-29? The government does not want to consider the present or the future. We cannot discharge Air Canada from its obligation—which also applies to its affiliates—to respect the official languages.

If we do not take action today, it will be too late in the future to try to repair the damage.

• (1720)

The Conservative government is trying to repair damage in several areas. For months, the only thing it has been able to do is repair the damage it has caused. It can blame others, but it should take a look at itself before criticizing members from other parties. It keeps repairing the damage that it has caused. It is not the Liberals who are to blame. It is the Liberals who are waking them up. It is the Liberals who are defending the public so that it is well served, whether in terms of official languages or in terms of student initiatives, etc. That is a fact.

It is thanks to the work of the Liberals that the Conservatives can wake up. As I was saying earlier, it is a good thing this is not a majority government. Indeed, we would be able to wake them up, but they would be able to carry on their little dictatorship. We are here to ensure that the Canadian public has the services it deserves.

It is astounding that this government refuses to acknowledge that a company could purchase existing entities and not be subject to the Official Languages Act. Can you imagine Air Canada being snatched up by a foreign company? The Conservatives would celebrate because they love it when foreign companies buy Canadian companies. They love it when foreign companies take over Canadian businesses and lay off employees. It is just astounding. We can only imagine what it would be like if the official languages policy were also to disappear from Air Canada. The Conservative government does not even want to make the decisions needed to deal with these situations, even though they are so important that they cannot be disregarded.

These are issues that the Conservatives should be examining. They should also look themselves in the mirror and tell themselves that, if they truly want to protect official languages, they should stand up in the House and say that there is nothing to worry about because Air Canada companies, present and future Air Canada subsidiaries, will be required to provide services in both official languages no matter their organizational structure.

Mr. Speaker, try to find a travel agency in your neighbourhood. You used to be able to find one almost everywhere. You could easily find one, whether you lived in a city or village, and buy an Air Canada ticket. Today, their numbers are dwindling. There will be even fewer if this continues. We also have Air Canada Vacations and Aeroplan. Why is it that if you want to make reservations or obtain certain services, Air Canada Vacations is not required to provide service in both official languages? Why does Bill C-29 not address this? Why is Bill C-29 not moving in that direction? Why does the Conservative government not want to have the bill cover this? It is not magic, it is not complicated. If the Conservatives do not wish to include official language provisions in the bill, it is probably because they do not believe in official languages.

Aeroplan is a loyalty program. It enables clients to do more business with the company. In return, the company offers gifts or points exchangeable for more trips or gifts. This also affects online reservations. If we take Aeroplan as an example and if we want to exchange our points for a vacation service, but Aeroplan is not obligated to respect official languages, how will people be respected? How will official language communities be respected? This does not make sense. We cannot say that part of the company will do it and the rest will not. The entire company must do it, all of its current parts, and all of its future ones. Why is it so hard for Conservatives to understand that we are obligated to respect official languages? Why is it so difficult for Conservatives to ensure that official languages will be respected in the future?

• (1725)

I do not want my children, and I hope, my grandchildren and descendants to have to fight like we have had to against the Conservatives in order to be respected with regard to official languages. This is a reality that the Conservatives want to hear nothing about. If the government allowed a free vote on the official languages bill, I would like to see the reaction of members from the other side of the House and to see how many Conservative members would vote against official languages, because many of them do not believe in them.

The Conservative Party does not believe in the entire official languages issue and is not looking to ensure official languages are respected in communities outside Quebec. This is not something new; history is repeating itself. The current Prime Minister or the members of his party have made comments in the past. They should not think that because they are now prime minister or in government that history will be forgotten.

What did they say? Whether they said it a month ago, a year ago or 10 years ago, if they said it, it is too bad, but it is because they believed it. If they believed it, they said it and it continues. They are just trying to win votes. It is really unfortunate. We can tell the Conservative members and the Conservative government that official language communities across the country no longer believe in the Conservative government and no longer believe what the Conservatives are saying.

Business of Supply

I am happy because sometimes reality reappears. The Conservatives helped francophones outside Quebec and all official language communities realize that the Conservatives were not able to keep their word and that they were not in a position to truly defend and respect official language minority communities.

As I said earlier, we must look towards the future. The future must be certain, not uncertain. A future that is certain would mean that the government must wake up and make the amendments deemed necessary. First of all, they should refer Bill C-29 to the Standing Committee on Official Languages. If they also want to present it to the Standing Committee on Transport, Infrastructure and Communities, that would not be a problem. However, they must at least show enough respect for official language minority communities to let the Standing Committee on Official Languages have the opportunity to examine the situation, and make the necessary recommendations and amendments.

I am pleased that the other members of my party are supporting me in this file, because this is the reality. We do not see any Conservative members applauding this matter, because the Conservatives do not believe in it. They absolutely do not believe in services in both official languages.

It is sometimes interesting to see how things unfold. On February 21, 2002, members of the former Canadian Alliance, who were also members of the committee at that time, presented a minority report. They felt that the official languages issue should be removed from the Air Canada Public Participation Act. We are currently experiencing the first step. The Conservatives come along and limit the implication of official languages in the Air Canada Public Participation Act. I am convinced that they are dreaming of the day when the official languages obligation regarding Air Canada public participation will just disappear.

This makes no sense when we look at a situation like this, but we must look at the reality. Some say that this makes no sense, but nothing has made any sense for the past 16 months, ever since we have been dealing with this Conservative government, which has no common sense when it comes to official languages.

The Conservatives are going to come along and try to buy people with—

* * *

BUSINESS OF SUPPLY

OPPOSITION MOTION—THE ENVIRONMENT

The House resumed from May 18 consideration of the motion.

The Deputy Speaker: Order, please. It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion relating to the business of supply.

Call in the members.

● (1800)

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 190)***YEAS**

Members

Alghabra	Angus
Atamanenko	Bagnell
Bains	Barbot
Barnes	Beaumier
Bélangier	Bell (Vancouver Island North)
Bell (North Vancouver)	Bellavance
Bigras	Black
Blaikie	Blais
Bonin	Bonsant
Boshcoff	Bouchard
Bourgeois	Brison
Brown (Oakville)	Brunelle
Byrne	Cannis
Cardin	Carrier
Chan	Charlton
Chow	Christopherson
Coderre	Comartin
Comuzzi	Cotler
Crête	Crowder
Cullen (Skeena—Bulkley Valley)	Cuzner
D'Amours	Davies
DeBellefeuille	Demers
Deschamps	Dewar
Dhaliwal	Dhalla
Dion	Dryden
Duceppe	Easter
Eyking	Faille
Folco	Freeman
Gagnon	Gaudet
Gauthier	Godfrey
Godin	Goodale
Graham	Guay
Guimond	Hubbard
Ignatieff	Jennings
Julian	Kadis
Karetak-Lindell	Karygiannis
Keeper	Kotto
Laforest	Laframboise
Lalonde	Lavallée
Layton	LeBlanc
Lee	Lemay
Lessard	Lévesque
Lussier	MacAulay
Malhi	Malo
Maloney	Marleau
Marston	Martin (Winnipeg Centre)
Martin (LaSalle—Émard)	Martin (Sault Ste. Marie)
Masse	Mathysen
Matthews	McGuinity
McKay (Scarborough—Guildwood)	McTeague
Ménard (Hochelega)	Ménard (Marc-Aurèle-Fortin)
Merasty	Murphy (Moncton—Riverview—Dieppe)
Murphy (Charlottetown)	Nadeau
Nash	Neville
Ouellet	Owen
Pacetti	Paquette
Patry	Pearson
Perron	Peterson
Picard	Plamondon
Priddy	Proulx
Ratansi	Redman
Regan	Robillard
Rodriguez	Rota
Roy	Russell
Savage	Savoie
Scarpaleggia	Scott
Sgro	Siksay
Silva	Simard
St-Cyr	St-Hilaire
St. Amand	St. Denis
Steckle	Stoffer
Szabo	Telegdi
Temelkovski	Thibault (Rimouski-Neigette—Témiscouata—Les
Basques)	
Thibault (West Nova)	Tonks
Turner	Valley
Vincent	Volpe
Wappel	Wasylycia-Leis

Government Orders

Zed — 155

NAYS

Members

Abbott	Ablonczy
Albrecht	Allen
Allison	Ambrose
Anders	Anderson
Arthur	Baird
Batters	Bernier
Bezan	Blackburn
Blaney	Boucher
Breitkreuz	Brown (Leeds—Grenville)
Brown (Barrie)	Bruinooge
Calkins	Cannan (Kelowna—Lake Country)
Cannon (Pontiac)	Carrie
Casey	Casson
Chong	Clement
Davidson	Day
Del Mastro	Devolin
Doyle	Dykstra
Emerson	Epp
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Galipeau
Goldring	Goodyear
Gourde	Grewal
Guergis	Hanger
Harper	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
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lemieux	Lukiwski
Lunn	Lunney
MacKenzie	Manning
Mayes	Menzies
Merrifield	Miller
Mills	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
Obhrai	Oda
Pallister	Paradis
Petit	Poilievre
Prentice	Preston
Rajotte	Reid
Richardson	Ritz
Scheer	Schellenberger
Shiplay	Skelton
Smith	Solberg
Sorenson	Stanton
Storseth	Strahl
Sweet	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Tilson
Toews	Trost
Tweed	Van Kesteren
Van Loan	Vellacott
Verner	Wallace
Warawa	Warkentin
Watson	Williams
Yelich — 121	

PAIRED

Members

André	Bachand
Benoit	Gallant
Gravel	MacKay (Central Nova)
Mark	Mourani — 8

The Speaker: I declare the motion carried.

[English]

CRIMINAL CODE

The House resumed from May 28 consideration of the motion that Bill C-10, An Act to amend the Criminal Code (minimum penalties for offences involving firearms) and to make a consequential amendment to another Act, be read the third time and passed.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at the third reading stage of Bill C-10.

● (1810)

[Translation]

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 191)

YEAS

Members

Abbott	Ablonczy
Albrecht	Allen
Allison	Ambrose
Anders	Anderson
Angus	Arthur
Atamanenko	Baird
Batters	Bell (Vancouver Island North)
Bell (North Vancouver)	Bernier
Bezan	Black
Blackburn	Blaikie
Blaney	Boshcoff
Boucher	Breitkreuz
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Calkins
Cannan (Kelowna—Lake Country)	Cannon (Pontiac)
Carrie	Casey
Casson	Chan
Charlton	Chong
Chow	Christopherson
Clement	Comartin
Comuzzi	Crowder
Cullen (Skeena—Bulkley Valley)	Davidson
Davies	Day
Del Mastro	Devolin
Dewar	Dhaliwal
Doyle	Dykstra
Emerson	Epp
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Galipeau
Godin	Goldring
Goodyear	Gourde
Grewal	Guergis
Hanger	Harper
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hinton	Jaffer
Jean	Julian
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karygiannis
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Khan	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Layton
Lemieux	Lukiwski
Lunn	Lunney
MacKenzie	Manning
Marston	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathysen	Mayes
McTeague	Menzies
Merrifield	Miller
Mills	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nash

Adjournment Proceedings

Nicholson	Norlock
O'Connor	Obhrai
Oda	Pallister
Paradis	Petit
Poilievre	Prentice
Preston	Priddy
Rajotte	Reid
Richardson	Ritz
Savoie	Scheer
Schellenberger	Sgro
Shipley	Siksay
Skelton	Smith
Solberg	Sorenson
Stanton	Stoffer
Storseth	Strahl
Sweet	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Tilson
Toews	Tonks
Trost	Tweed
Van Kesteren	Van Loan
Vellacott	Verner
Wallace	Warawa
Warkentin	Wasylycia-Leis
Watson	Williams
Yelich — 157	

NAYS

Members

Alghabra	Bagnell
Bains	Barbot
Barnes	Beaumier
Bélangier	Bellavance
Bigras	Blais
Bonin	Bonsant
Bouchard	Bourgeois
Brisson	Brown (Oakville)
Brunelle	Byrne
Cardin	Carrier
Coderre	Cotler
Crête	Cuzner
D'Amours	DeBellefeuille
Demers	Deschamps
Dhalla	Dion
Dryden	Duceppe
Easter	Eyking
Faillie	Folco
Freeman	Gagnon
Gaudet	Gauthier
Godfrey	Goodale
Graham	Guay
Guimond	Hubbard
Ignatieff	Jennings
Kadis	Karetak-Lindell
Keeper	Kotto
Laforest	Laframboise
Lalonde	Lavallée
LeBlanc	Lee
Lemay	Lessard
Lévesque	Lussier
MacAulay	Malhi
Malo	Maloney
Marleau	Martin (LaSalle—Émard)
Matthews	McGuinty
McKay (Scarborough—Guildwood)	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Merasty
Murphy (Moncton—Riverview—Dieppe)	Murphy (Charlottetown)
Nadeau	Neville
Ouellet	Owen
Pacetti	Paquette
Patry	Pearson
Perron	Peterson
Picard	Plamondon
Proulx	Ratansi
Redman	Regan
Robillard	Rodriguez
Rota	Roy
Russell	Savage
Scarpaleggia	Scott
Silva	Simard
St-Cyr	St-Hilaire
St. Amand	St. Denis
Steckle	Szabo

Telegdi	Temelkovski
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
Thibault (West Nova)	
Turner	Valley
Vincent	Volpe
Wappel— 117	

PAIRED

Members

André	Bachand
Benoit	Gallant
Gravel	MacKay (Central Nova)
Mark	Mourani— 8

The Speaker: I declare the motion carried.

(Bill read the third time and passed)

* * *

[*English*]

CANADA LABOUR CODE

(Bill C-415. On the Order: Private Members' Business:)

March 22, 2007—Second reading of Bill C—415, An Act to amend the Canada Labour Code (replacement workers)—the hon. member for Davenport.

The Speaker: Pursuant to Standing Order 92, a private member's item may only be considered by the House after a final decision on the votable status of the item has been made.

[*Translation*]

Although the House was to consider Bill C-415, An Act to amend the Canada Labour Code (replacement workers), today, no report on the votability of the bill has been submitted or passed, as required before a bill can become the subject of debate.

[*English*]

I am therefore directing the table officers to drop this item of business to the bottom of the order of precedence and accordingly private members' hour is suspended today.

The Deputy Speaker: Order, please. Is there unanimous consent to see the clock at 6:30 p.m., given that private members' business has been cancelled, so we can proceed to the adjournment debate?

Some hon. members: Agreed.

ADJOURNMENT PROCEEDINGS

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

● (1815)

[*English*]

CANADIAN WHEAT BOARD

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, the question we are debating in the adjournment debate tonight was asked of the minister on February 28 and it stemmed from the minister and his government's deliberate effort to undermine and malign the reputation of not only the Canadian Wheat Board, but of the minister's own hand-picked president and CEO of the Canadian Wheat Board.

Adjournment Proceedings

The issue was and remains the minister's complete refusal to acknowledge that an Algerian news story, which implied that the CWB had undersold grain into the Algerian market, was factually incorrect and that it perpetuated what in effect was a misleading and false story.

However, that is not unusual for the government opposite in its drive to the ideological agenda that it is on which is that its members take the position to not let the facts get in the way of a good story.

It is a government that has demonstrated a willingness to use tactics to undermine the CWB, which violates the very democratic principles that any government worthy of respect should adhere to. Not only has the government intentionally assaulted the character of the president and CEO, it has engaged in the use of intimidation, it has fired Wheat Board directors and it has tampered with voters' lists and directors' elections. It used marked ballots in the recent barley plebiscite and has absolutely refused to respect the will of Parliament, not once but twice.

Since that time, we now have regulations, which the government has brought forward to undermine the Canadian Wheat Board by removing barley from the board, which are of questionable legality. The Canadian Wheat Board, in its response to the minister's backdoor effort to undermine the Wheat Board, stated:

The CWB's legal liability as it relates to broken contracts is by no means distinct from farmers' liability.

It is a government that has no interest in the harm it inflicts on western grain farmers or on farmers generally or in terms of the international reputation of the Canadian Wheat Board. When a Canadian marketing agency is respected to the extent that the Canadian Wheat Board is around the world and it violates its contracts as a result of government orders, that hurts the reputation of every Canadian institution and agency.

The government made this move by basically acting retroactively and injuring those contracts and that reputation. All of this is part of the same ideological thinking of the Conservative regime. It has demonstrated a complete contempt for western grain farmers by not allowing for a free, open and honest plebiscite based on questions drafted by farmers and farm organizations themselves. It has demonstrated a contempt for Parliament by ignoring the will of the majority of this House.

However, the question really relates to the fact that the government continues to perpetuate false information that it alleges was in an Algerian news story.

Mr. David Anderson (Parliamentary Secretary to the Minister for the Canadian Wheat Board, CPC): Mr. Speaker, we are here again tonight because of the member's unhealthy obsession with the Canadian Wheat Board. It is all we hear from him. His rhetoric gets wilder and wilder. I guess we are getting more and more used to that.

I want to respond to his question that he asked some months ago. The Canadian Wheat Board has provided the Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board with the price of each of its durum wheat sales to Algeria for the last 10 years. While the Wheat Board says that this is commercially confidential information that cannot be released publicly, the minister stands by his comments that he is willing to release those numbers so that

farmers can see what they really are. He has made that clear in the past and he is waiting for their permission and their cooperation to do that and we would look forward to that.

During his recent testimony before the Standing Committee on Agriculture and Agri-Food the interim president and CEO of the Canadian Wheat Board said that farmers should just trust the Canadian Wheat Board when it says it has obtained fair value in relation to the values available to its international competitors, particularly in the Algerian market.

The Canadian Wheat Board has told farmers for far too long that they should just trust the CWB. The minister's interpretation of the information provided to him by the Canadian Wheat Board on the price of each of its durum sales to Algeria for the last 10 years is vastly different from what the Canadian Wheat Board claims.

While the Canadian Wheat Board dismisses the allegation that the Wheat Board has been underselling the market for durum wheat in Algeria and says the allegation appears to have originated from material circulated by the U.S. Wheat Associates, the government finds it ironic that the Wheat Board has asked the minister not to publicly release the information provided to him.

In fact, the government is not convinced that Algeria is not getting a special deal from the Canadian Wheat Board because the news report came from an Algerian official who had publicly stated that Algeria saves tens of dollars per tonne purchasing durum from the Canadian Wheat Board. If it is three tens of dollars per tonne, that is a dollar a bushel that western Canadian farmers are not getting on their durum sales that they should be getting. It is only natural that western Canadian farmers are asking questions about what is going on with the pricing of this grain.

The Canadian Wheat Board has tried to box the minister in on this issue by once again asking farmers and the public to just trust its interpretation of information which it is unwilling to share with the very farmers on whose behalf it says that it is maximizing returns. The government expects the Wheat Board to work hard to get the best value for Canadian farmers and feels that farmers have the right to see evidence if that is indeed happening.

I would like to remind hon. members that this debate underscores the importance of the inclusion of the Canadian Wheat Board under the Access to Information Act which happened effective April 1, 2007. This was something that was long in coming and farmers had waited for for many years.

By extending application of the Access to Information Act to the Canadian Wheat Board, the government is making the organization more open. It is making it more transparent. It is providing all Canadians and especially the wheat and barley farmers of western Canada who are forced to deal with it with broader access to information about and from this organization.

Members can be assured that the government is committed to providing marketing choice to western Canadian farmers with the Wheat Board as one of those options in their choice.

Adjournment Proceedings

The government is moving forward with amendments to Canadian Wheat Board regulations to provide marketing choice, in particular, for the western Canadian barley producers, as of August 1, 2007. Our producers look forward with great expectation to the opportunities that will come from that.

• (1820)

Hon. Wayne Easter: Mr. Speaker, I am absolutely amazed that the parliamentary secretary continues to perpetuate misinformation. The minister who has really taken an oath to uphold the agencies that he is responsible for also continues to perpetuate that myth.

It is absolutely wrong for the minister to hide behind the cloak of confidentiality. We are not asking him to table the figures in the House in terms of those confidential agreements. We understand that. That is commercial confidentiality, but the minister has a responsibility to look at those figures and tell Canadians the truth. He can look at them and we would respect what he said in the House if he would give us the information on the facts that the Canadian Wheat Board actually sold at a premium into those markets.

When the CEO was before the Standing Committee on Agriculture and Agri-Food, he made it very clear that the Canadian Wheat Board is yes, a respected seller, but it sold at a premium into those markets, returning back to Canadian farmers—

The Deputy Speaker: The hon. parliamentary secretary.

Mr. David Anderson: It is unfortunate, Mr. Speaker, that there is absolutely no evidence of that. We understand the overheated rhetoric that comes from the member opposite in his desperate attempt to try to maintain a system that is 70 years old and is not serving western Canadian farmers well.

This government believes that western grain farmers should have the freedom to choose how they market their grain allowing them to maximize their returns while preserving a viable and voluntary Canadian Wheat Board.

The key phrase is “freedom to choose”. Canadians live in a democracy and the freedom to operate a business by choosing where and whom to sell their products to is something that most business people in this country take for granted. However, for the last seven decades that has been a freedom that western Canadian grain farmers have been denied. That is a freedom that the member for Malpeque would like to continue to deny constituents in my riding.

The government is moving forward to make freedom a reality for western Canadian barley producers effective August 1, 2007.

• (1825)

CITIZENSHIP AND IMMIGRATION

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, I am rising to talk about the issue of lost Canadians about whom we have heard so much.

Today was another heart-rending day. Members of the citizenship and immigration committee heard compelling stories of children of war brides and how their citizenship was unjustly taken away from them.

We had the case of a couple of sisters who were children of a war bride. They came to this country in 1946. One was a baby, just

months old, and the other one was three years old. They recently have found out that they are not citizens. The question comes into play whether they are entitled to old age security, the guaranteed annual supplement and whatnot.

Another tragic case is about a mother who came here to be with her daughter's family. Her daughter, who is a member of the Canadian armed forces, is slated to serve in Afghanistan, but she has found out she is not a Canadian. She does not have any proof of ID so she can get a driver's licence that she can use to help the four kids she will be looking after.

We have continually heard stories like this where offspring of war brides and war brides themselves do not have their citizenship recognized. At the other end, they have children that serve in the armed forces. This is so very wrong. The Prime Minister of the country has said that we should be honouring Canadian veterans, the people who have fought for our country, the people fighting for our country now in Afghanistan and the people who fought for our country in the second world war. It is incredibly shameful that we have not addressed this issue.

To its credit, the government came in with a limited proposal today, but this limited proposal would not apply to the people about whom I just talked. It would not apply to people who came here before 1947. Most of the war brides and their children came to Canada in 1946. This is really a shame.

This is another thing that is really a shame. When we look at the composition of the committee from the Conservative side, we really only have one person with any previous experience on the committee. The ministers do not have any experience, and this is the second minister the government has had in less than a year. Also, they come from ridings that do not have much of an immigrant population.

Clearly, if we believe that immigration has been the lifeblood of our country, that immigration is the lifeblood of our country and that immigration will continue to be the lifeblood of our country, clearly, we need a citizenship act that recognizes the modernity of our times and does not discriminate against people born out of wedlock.

Part of the problem now is we have religious marriages that were performed in Mexico, and this relates to offspring of Mennonites who have derivative citizenship rights. If those people had religious marriages but failed to have civil marriages, then their offspring are considered to be born out of wedlock and have no rights. Now—

The Deputy Speaker: The hon. Parliamentary Secretary to the Minister of Citizenship and Immigration.

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, certainly there is no question that when it comes to honouring our Canadian veterans no one stands behind them more than we do. If there is anything that we would not be proud of it is playing politics with a situation that is very personal to many individuals and to those who are affected with respect to their citizenship.

Adjournment Proceedings

I can say that this government is taking action to address this important issue. A number of cases have been raised before the committee and a number of cases have been resolved. In certain cases the minister has used her discretionary authority to grant citizenship. She has waived the application fees in almost all of the cases. She has considered the cases on a case by case basis and has used her discretion wherever possible to ensure that a solution was found.

The minister has been practical and proactive. She has made this issue a priority. She and her department have dealt one by one with the cases that have come forward, giving them individual attention. I applaud the minister for those efforts.

On an ongoing basis, the clearest and most permanent way to address a situation such as this is through legislation, through regulation, and through the work of this House and the committee.

The minister announced today that she intends to table legislation in the fall that will resolve the issue of citizenship for most of those people whose status is currently in question while still maintaining the opportunity to resolve others on a case by case basis through the use of a discretionary grant of citizenship.

The minister has suggested that her proposed legislative approach will be based on four major elements. She has indicated that she will take input from the committee and is open to improvements.

First, nothing in the proposals will take away citizenship from anyone who is now a citizen of Canada.

Second, anyone born in Canada on or after January 1, 1947, the date of the first Citizenship Act, will have their citizenship confirmed even if they lost it under a provision of the 1947 legislation. The only exceptions would be those born in Canada to an accredited foreign diplomat or who have personally renounced their citizenship as adults.

Third, anyone naturalized in Canada on or after January 1, 1947, will have their citizenship confirmed even if they lost it under a provision of the 1947 act. The only exceptions would be those, as above, who renounced their citizenship, or, as adults, whose citizenship was revoked by the government because it was obtained by fraud.

Fourth, anyone born to a Canadian citizen abroad, mother or father, in or out of wedlock, on or after January 1, 1947, is a Canadian citizen and will have their citizenship confirmed if they are the first generation born abroad. The legacy of Canadian citizenship should not continue or be passed on through endless generations living abroad, so there will be that qualifier.

This a practical approach. Our government did not create the problem, but we are addressing it. We are addressing it in a practical way for the benefit of all Canadians.

Not only has the minister proceeded with the specific proposals that will be put forward, but she also has suggested that she is still

open to further input, and she has indicated that she will use her discretion whenever it is necessary to ensure that individual cases that require attention and need a remedy will have that remedy.

• (1830)

Hon. Andrew Telegdi: Mr. Speaker, I think the parliamentary secretary mentioned cases after 1947, but the reality is that we had about 60,000 people come into this country as war brides or children of war brides. Those people do not qualify and it does not make any sense why they do not.

We had children of war brides in front of us who are now in their mid-sixties and they get no relief with this legislation. This is clearly wrong.

It also is clearly wrong for the Conservative government to be discriminating against Mennonite marriages. For the sheer fact that they did not have civil weddings, their offspring are considered to be born out of wedlock. Clearly this is wrong.

The previous government had committed to change the Citizenship Act and had \$20 million in the budget to do it. We had three reports from committee that we all agreed on, but this Conservative government came in and cancelled the money for a new Citizenship Act. It is time to correct that injustice.

Mr. Ed Komarnicki: Mr. Speaker, perhaps the hon. member did not hear me speak, but I indicated that one of the proposed pieces of legislation, and it is not legislation yet, will not differentiate between those born in or out of wedlock. If they fall into those categories they would be treated similarly, not discriminated against.

Certainly we also can say in regard to the member's reference to what the previous government may or may not have done that we know it had been in office for two terms, and it did not address this problem in any single particular way, although it had ample opportunity.

This government has allocated significant funds in many areas, including an overall increase in the budget for citizenship and immigration to deal with problems. Specifically, the minister has indicated that this problem will be addressed. It will be dealt with. There will be practical solutions that will resolve what has existed for a significant number of years without any attention whatsoever being paid to it.

We will get the job done. It will take some effort. We understand that. We will address all of the cases that fall into this anomalous situation and that require attention by this government.

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24 (1).

(The House adjourned at 6:35 p.m.)

CONTENTS

Tuesday, May 29, 2007

ROUTINE PROCEEDINGS

Information Commissioner

The Speaker 9847

Government Response to Petitions

Mr. Lukiwski 9847

Interparliamentary Delegations

Mr. Keddy 9847

Committees of the House

Public Accounts

Mr. Murphy (Charlottetown) 9847

Fisheries and Oceans

Mr. Keddy 9847

Petitions

Natural Health Products

Mr. Mayes 9847

Human Trafficking

Mrs. Smith 9847

Income Trusts

Mr. Szabo 9847

Old Age Security Act

Ms. Chow 9848

Canadian Wheat Board

Mr. Tweed 9848

Questions on the Order Paper

Mr. Lukiwski 9848

GOVERNMENT ORDERS

Fisheries Act, 2007

Bill C-45. Second reading 9848

Mr. Thibault (West Nova) 9848

Mr. Hearn 9851

Ms. Chow 9852

Mr. Szabo 9852

Mr. Stoffer 9852

Mr. Kamp 9855

Mr. Szabo 9856

Ms. Chow 9856

Mr. Kamp 9857

Mr. Stoffer 9860

Mr. Hearn 9861

Mr. Eyking 9861

Mr. Stoffer 9862

Mr. Hearn 9863

Mr. Valley 9864

Mr. Cuzner 9864

Mr. Kamp 9866

Mr. Stoffer 9867

Mr. Valley 9868

Mr. Szabo 9868

Mr. Kamp 9870

Ms. Chow 9871

Mr. Cuzner 9871

Ms. Crowder 9871

Mr. Kamp 9874

Mr. Valley 9874

Mr. Kamp 9875

Mr. Byrne (Humber—St. Barbe—Baie Verte) 9875

Mr. Stoffer 9878

Mr. Kamp 9878

Ms. Neville 9879

STATEMENTS BY MEMBERS

Peacekeeping

Mr. Norlock 9879

Smart Regulation

Ms. Brown (Oakville) 9879

Canada Summer Jobs

Ms. Bonsant 9880

Manufacturing Industry

Mr. Masse 9880

Human Trafficking

Mrs. Smith 9880

Millennium Scholarships Excellence Award

Ms. Ratansi 9880

Memorial Cup

Mr. Fast 9880

First Nations Schools

Mr. Lemay 9881

Hepatitis Awareness Month

Mr. Fletcher 9881

Manufacturing Industry

Mr. Dhaliwal 9881

Komagata Maru

Mrs. Grewal 9881

Manufacturing Industry

Mr. Christopherson 9881

Wall of Peace

Ms. Guarnieri 9882

Gilbert Fillion

Mr. Bouchard 9882

Election in Prince Edward Island

Mr. Murphy (Charlottetown) 9882

Canada Summer Jobs

Mr. Blaney 9882

Rural Communities

Ms. Thibault (Rimouski-Neigette—Témiscouata—Les Basques) 9883

ORAL QUESTIONS

The Environment

Mr. Dion	9883
Mr. Harper	9883
Mr. Dion	9883
Mr. Harper	9883
Mr. Dion	9883
Mr. Harper	9883
Mr. Ignatieff	9883
Mr. Harper	9883
Mr. Ignatieff	9884
Mr. Baird	9884

Option Canada

Mr. Duceppe	9884
Mr. Harper	9884
Mr. Duceppe	9884
Mr. Harper	9884
Mr. Guimond	9884
Mr. Cannon	9884
Mr. Guimond	9884
Mr. Cannon	9884

The Environment

Mr. Layton	9885
Mr. Harper	9885
Mr. Layton	9885
Mr. Harper	9885
Mr. McGuinty	9885
Mr. Baird	9885
Mr. McGuinty	9885
Mr. Baird	9885
Mrs. Redman	9885
Mr. Baird	9885
Mrs. Redman	9885
Mr. Baird	9886

Option Canada

Mr. Laforest	9886
Mr. Cannon	9886
Mr. Laforest	9886
Mr. Cannon	9886
Mrs. Barbot	9886
Mr. Cannon	9886
Mrs. Barbot	9886
Mr. Cannon	9886

National Defence

Mr. McTeague	9887
Mr. O'Connor	9887
Mr. McTeague	9887
Mr. O'Connor	9887

Afghanistan

Mr. Dosanjh	9887
Ms. Verner	9887
Mr. Dosanjh	9887
Ms. Verner	9887

Festivals and Special Events

Mr. Harvey	9887
------------	------

Ms. Oda	9888
---------	------

Manufacturing Industry

Ms. Charlton	9888
Mr. Bernier	9888
Ms. Charlton	9888
Mr. Bernier	9888

Ministerial Expenses

Mr. Proulx	9888
Mr. Blackburn	9888
Mr. Proulx	9888
Mr. Blackburn	9888
Ms. Marleau	9889
Mr. Kenney	9889
Ms. Marleau	9889
Mr. Van Loan	9889

Option Canada

Mr. Paquette	9889
Mr. Cannon	9889
Mr. Paquette	9889
Mr. Cannon	9889

Citizenship and Immigration

Mr. Cotler	9889
Ms. Finley	9890

National Revenue

Mrs. Smith	9890
Mrs. Skelton	9890

RCMP

Mr. Comartin	9890
Mr. Day	9890
Mr. Comartin	9890
Mr. Day	9890

Rail Transportation

Mr. Volpe	9890
Mr. Cannon	9890

Agriculture

Mr. Bezan	9891
Mr. Strahl	9891

GOVERNMENT ORDERS

Fisheries Act, 2007

Bill C-45. Second reading	9891
Mr. Cullen (Skeena—Bulkley Valley)	9891
Mr. Lunney	9894
Mr. Stoffer	9895
Ms. Bell (Vancouver Island North)	9895
Mr. Russell	9895
Mr. Kamp	9898
Mr. Stoffer	9898
Ms. Bell (Vancouver Island North)	9899
Mr. Kamp	9902
Ms. Black	9902
Ms. Davies	9903
Mr. Murphy (Moncton—Riverview—Dieppe)	9904
Mr. Bagnell	9905

Mr. Stoffer.....	9905	Motion agreed to on division.....	9912
Mr. Martin (Winnipeg Centre).....	9905	(Bill read the third time and passed).....	9912
Mr. Bagnell.....	9906		
Mr. D'Amours.....	9907	Canada Labour Code	
Division on motion deferred.....	9907	(Bill C-415. On the Order: Private Members' Business:).	9912
Air Canada Public Participation Act		The Speaker.....	9912
Bill C-29. Second reading.....	9907		
Mr. D'Amours.....	9907		
Business of Supply			
Opposition Motion—The Environment			
Motion.....	9910		
Motion agreed to on division.....	9911		
Criminal Code			
Bill C-10. Third reading.....	9911		
		ADJOURNMENT PROCEEDINGS	
		Canadian Wheat Board	
		Mr. Easter.....	9912
		Mr. Anderson.....	9913
		Citizenship and Immigration	
		Mr. Telegdi.....	9914
		Mr. Komarnicki.....	9914

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:
Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5

*En cas de non-livraison,
retourner cette COUVERTURE SEULEMENT à :*
Les Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

**Also available on the Parliament of Canada Web Site at the following address:
Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :**
<http://www.parl.gc.ca>

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

**Additional copies may be obtained from Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5
Telephone: (613) 941-5995 or 1-800-635-7943
Fax: (613) 954-5779 or 1-800-565-7757
publications@pwgsc.gc.ca
<http://publications.gc.ca>**

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.

**On peut obtenir des copies supplémentaires ou la version française de cette publication en écrivant à : Les Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5
Téléphone : (613) 941-5995 ou 1-800-635-7943
Télécopieur : (613) 954-5779 ou 1-800-565-7757
publications@tpsgc.gc.ca
<http://publications.gc.ca>**