



CANADA

# House of Commons Debates

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VOLUME 142 • NUMBER 075 • 2nd SESSION • 39th PARLIAMENT

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, April 9, 2008**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Wednesday, April 9, 2008

The House met at 2 p.m.

[English]

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*Prayers*

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• (1405)

[English]

**The Speaker:** It being Wednesday, we will now have the singing of the national anthem led by the hon. member for York South—Weston.

[Members sang the national anthem]

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## STATEMENTS BY MEMBERS

[Translation]

### HOCKEYVILLE 2008

**Mr. Denis Lebel (Roberval—Lac-Saint-Jean, CPC):** Mr. Speaker, the town of Roberval became the—

**The Speaker:** Order, please. The hon. member is not appropriately dressed. He must wear something else.

Now that is better. The hon. member for Roberval—Lac-Saint-Jean.

**Mr. Denis Lebel:** Mr. Speaker, yesterday, the town of Roberval became the first town in Quebec to claim the title of Hockeyville in Canada.

This contest, organized by Kraft and the CBC, recognizes the country's best hockey town every year.

I would first like to congratulate the four other finalists and their organizing committees. But I would especially like to commend the town of Roberval, the wonderful team involved in the town on ice, the promoter of the town's bid, and all the volunteers.

Thanks to these remarkable men and women, who were undaunted by any challenges and unstinting with their time, the town on ice was successful in creating a sense of belonging and pride in community.

This is also a victory for the people of the Roberval—Lac-Saint-Jean riding—my riding—and the entire Saguenay—Lac-Saint-Jean area. Thank you to everyone who voted for the town on ice.

I am proud that Roberval is now part of Canadian hockey history.

## VAISAKHI

**Mr. Sukh Dhaliwal (Newton—North Delta, Lib.):** Mr. Speaker, last Saturday Kwantlen Park Secondary School held its annual Vaisakhi Mela and it was a pleasure to see all the families and friends, both young and old, who came out for this event.

This evening, the Surrey Board of Trade is holding its Catch the Spirit Vaisakhi event, which will also bring our community together for this special celebration.

Both lead to the biggest celebration of all, Surrey's Vaisakhi parade. More than 100,000 people are expected to line the streets of our community for the parade. They come to celebrate Canadian values: peace, tolerance, diversity, and respect for others.

I congratulate all the volunteers and community leaders. Year in and year out, they have made these celebrations the great success they are. It makes me proud to say that this is my community. Their dedication and their community spirit are truly an inspiration.

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[Translation]

## SENEGALESE WOMEN

**Ms. Johanne Deschamps (Laurentides—Labelle, BQ):** Mr. Speaker, as the foreign affairs critic for Africa and Latin America and the deputy critic for the status of women, I rise today in this House to speak about the day of action against impunity for perpetrators of violence against women.

This year, women's groups are paying particular attention to Senegal, a western African country where women continue to be victims of a system that trivializes physical, sexual, psychological and economic abuse.

In a society where more than one-third of little girls are excised even today, the work for gender equality is far from over.

On behalf of the Bloc Québécois, I would like to applaud the work of women's groups which, despite constant attacks by the Conservative government, continue in their vital work towards gender equality.

*Statements by Members*

[English]

**PUBLIC SAFETY**

**Mr. Dennis Bevington (Western Arctic, NDP):** Mr. Speaker, last night the RCMP in Fort Good Hope, Northwest Territories, peacefully ended an armed standoff.

If this had happened in the community of Gameti, Northwest Territories, there would have been no police to respond.

The reason there are no police in Gameti, Colville Lake, Wrigley or Sachs Harbour is that Ottawa does not provide fair funding based on the real cost of government programs and services in the north.

The Conservatives are continuing this tradition. In the NWT, the so-called police officers recruitment fund covers about 75% of the cost of one constable, three-quarters of a crime fighter.

The NWT's solicitor general says, "We're actually kind of disappointed at the allocation because it's based on a per capita, with just a small top-up to the territories".

It should have been clear that more funding is needed after two officers were killed in the north. Just like the Liberals, the Conservatives talk a great line on the north but they will not walk the walk.

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**NATIONAL WILDLIFE WEEK**

**Mr. Mark Warawa (Langley, CPC):** Mr. Speaker, this week is National Wildlife Week in Canada, a week to celebrate the diverse wildlife and beautiful landscapes in Canada from coast to coast to coast.

The Conservative government's dedication to the preservation and conservation of wildlife and protected areas is clear.

We have massively expanded the beautiful Nahanni National Park Reserve, created the Lake Superior national marine conservation area, and committed \$30 million to protect the Great Bear rainforest, \$3 million for the restoration of Stanley Park and \$225 million for the Nature Conservancy of Canada.

This week, along with the Sahtu Dene First Nation, we announced a massive land withdrawal one and a half times the size of P.E.I., the Naats'ihch'oh National Park Reserve, at the headlands of the South Nahanni watershed.

Protecting and conserving our special places is a key cornerstone of the government's environmental policy. I encourage all Canadians to visit our magnificent spaces in the protected areas across our great nation.

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**VIMY RIDGE**

**Hon. Albina Guarnieri (Mississauga East—Cooksville, Lib.):** Mr. Speaker, it was a year ago that Canada paused to commemorate the 90th anniversary of the triumphant yet tragic battle of Vimy Ridge.

Canadian schoolchildren at the Vimy Memorial in France witnessed the scale of the magnificently restored tribute and felt

the scale of the sacrifice it represents. Here at home, at memorials across the country, the memory of those who fought at Vimy continues to bring pride, tears and inspiration even after four generations.

The mission Canadians accomplished at Vimy was more than the capture of a key summit. It captivated the nation and captured the respect of the world. Those who rose from the trenches 91 years ago today will forever rise in the memory of a grateful nation.

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● (1410)

**VIMY RIDGE**

**Mr. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, 91 years ago today more than 27,000 Canadians went over the top and did what armies from other nations had failed to do, and that was to take Vimy Ridge from a determined enemy.

Thirty-six hundred Canadians paid the ultimate price in the four day battle and four Victoria Crosses for valour in the face of the enemy were awarded, two of them posthumously. On that day, it is said, Canada as a nation was born. It was born through the courage and sacrifice of our men in uniform.

In 91 years, many things have changed. What has not changed is the quality of the Canadian soldier, man and woman.

Today, another nation is being reborn, and that is the nation of Afghanistan. It is being reborn through the courage and sacrifice of our men and women in uniform. Let us all celebrate this significant date in Canada's proud history as a nation.

Whether on the muddy slopes of Vimy Ridge or in the searing dust of Kandahar, we and the world owe them so much. At the going down of the sun and in the morning, we will remember them.

\* \* \*

[Translation]

**UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES**

**Mr. Marc Lemay (Abitibi—Témiscamingue, BQ):** Mr. Speaker, last night, the majority of the House adopted the motion of the Standing Committee on the Status of Women calling on the government to endorse the United Nations Declaration on the Rights of Indigenous Peoples as adopted by the United Nations General Assembly on September 13, 2007. This declaration recognizes the right to self-determination of aboriginal peoples and their territorial rights to hunting and natural resources.

It was with the utmost respect for aboriginal peoples that my colleagues in the Bloc Québécois and I voted in favour of the motion. The only problem is that the Conservatives refuse to respect the will of the United Nations, thereby making Canada one of the only countries refusing to sign the declaration.

We are calling on the government to respect the will of the House and finally ratify the UN Declaration on the Rights of Indigenous Peoples.

*Statements by Members***MEMBER FOR BOURASSA**

**Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, one of the members of this House, the Liberal member for Bourassa, once claimed to have seen a UFO. Interviewed on Radio-Canada, the member for Bourassa said that he had no doubt that he had seen a UFO.

He said, "One evening, I was out observing and an object appeared, floating in the air. The object was moving, but all of a sudden, it stopped...When it stopped, it stopped right in front of me, then it sped off in another direction. That is when I realized that it was an unidentified object."

These days, every time a Quebecker sees a federal Liberal MP, they too think they have seen an unidentified object.

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[English]

**SUDAN**

**Mr. Glen Pearson (London North Centre, Lib.):** Mr. Speaker, this month I had the opportunity to travel across the country and meet with many Canadians to discuss the crisis in Sudan. I was touched by the incredible response that was shown and by the tremendous spirit of activism that exists in this country.

The Darfur conflict has changed radically in the past year, and not for the better. Violence is again increasing, access for humanitarian agencies is decreasing, international peacekeeping is not yet effective, and a political settlement remains far off.

By stepping up to the plate, my colleagues and friends from Halifax, Winnipeg, Whitehorse, Surrey and Vancouver were able to bring this issue forward and, with the incredible support of the university students' group STAND, were able to educate, motivate and inspire people to get angry and to get involved.

To all those who attended and lent their ears and voices, I humbly say thanks. I look forward to more successful forums on this in the near future.

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**CITIZENSHIP AND IMMIGRATION**

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Mr. Speaker, the Leader of the Opposition continues to fearmonger and play politics, this time on the issue of immigration.

Perhaps he should heed the words of his own deputy leader, who said, "...but I think I have to admit...that we did not get it done on immigration".

That member is correct, because when his party was in office, it allowed the immigration backlog to balloon from 50,000 to over 800,000.

This backlog is unacceptable. It is not fair to immigrants who want to come to our country, nor to their families waiting for loved ones to join them, nor to the employers who want to hire skilled workers.

The government has allocated \$109 million over five years to help reduce the backlog.

Last year, Canada welcomed close to 430,000 newcomers, the highest number in our history and the largest number of immigrants since 1911.

No leadership, no results to stand on and pro-backlog, that is the Liberal position. Leadership, results and pro-immigration, that is the Conservative position.

\* \* \*

● (1415)

**NATIVE WOMEN'S ASSOCIATION OF CANADA**

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, yesterday, I had the pleasure of meeting Beverley Jacobs, the head of the Native Women's Association of Canada.

Young indigenous women in Canada are five times more likely than all other women to die as the result of violence.

Racist and sexist stereotypes, poverty and the failure of police forces to understand and respect first nations communities have all contributed to the problem.

However, government studies recommending concrete measures to improve the lives of indigenous women gather dust on the shelves.

The Sisters in Spirit initiative is raising awareness and calling for measures to reduce violence against indigenous women.

Our government can act immediately to ensure that police thoroughly investigate all reports of missing women and girls and to provide adequate, stable funding to the front line organizations that provide services to help indigenous women and girls.

When will the government act to ensure the safety of indigenous women?

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**THE ENVIRONMENT**

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, on March 17 of this year, the residents of Vancouver Quadra exercised their democratic right in a byelection.

I am humbled to have won that byelection and carry on in the tradition of Stephen Owen as a Liberal member of Parliament representing Vancouver, British Columbia and Canada.

Over the past several months, I have had the opportunity to meet with the residents from UBC to Oak Street, from Kits to the Fraser River, from Kerrisdale to Dunbar and everywhere in between. I thank my supporters and all of the constituents of Vancouver Quadra.

One of my top priorities is protecting the environment. I am proud of my record of environmental achievements, both as a citizen and as B.C.'s environment minister, achievements recognized by my Eco-Olympic award from the Sierra Club.

By contrast, the Conservative environment minister received the fossil of the year award, making Canada an embarrassment in Bali.

*Oral Questions*

The government can bluster and deceive all its wants but it is clear that it cannot deliver when it comes to the environment.

\* \* \*

[*Translation*]

**HOCKEYVILLE 2008**

**Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ):** Mr. Speaker, Roberval is Hockeyville. Roberval won the Hockeyville 2008 title with over two million votes in a contest put on by Kraft and the CBC, and will receive \$100,000 to upgrade its arena in order to host the Canadiens in September.

No one can deny that the success of the Village on Ice project was due to the tremendous involvement, solidarity and hard work of the volunteers who believed in it. This is the latest in a long list of achievements and shows that the people of Saguenay—Lac-Saint-Jean have an exceptional ability to work together and know how to throw a party. Next fall, Roberval will welcome the Canadiens to its renovated arena with great enthusiasm.

My Bloc Québécois colleagues and I would like to offer our hearty congratulations to the organizers, the volunteers and all of the people who participated actively in making this project a success.

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[*English*]

**BATTLE OF VIMY RIDGE**

**Mr. Brent St. Denis (Algoma—Manitoulin—Kapuskasing, Lib.):** Mr. Speaker, 91 years ago, on April 9, 1917, at Vimy Ridge, France, 100,000 soldiers from all over Canada fought shoulder to shoulder for the first time in international battle under the Canadian flag and under a Canadian commander.

Canadians representing all of Canada's regions fought together and won together. This victory has become known as the day when Canada truly became a nation and it earned for Canada a signature on the Treaty of Versailles.

[*Translation*]

The victory at Vimy Ridge is historic for both its significance and the losses our armed forces incurred. Some 4,000 Canadians gave their lives during this battle. They never saw the result of their sacrifice.

However, this important victory proved to our allies that Canadian soldiers were prepared to fight our common enemies. This enabled our country to take a strong position in the group of nations.

[*English*]

As of 2003, April 9 became an official military heritage day in Canada after the enactment of Bill C-227.

I ask all my colleagues to join me in commemoration of the bravery and courage of those who won at the Battle of Vimy Ridge.

• (1420)

**LEADER OF THE LIBERAL PARTY**

**Mr. Jeff Watson (Essex, CPC):** Mr. Speaker, 16 months ago, the so-called leader of the Liberal Party said that he was “a hero” but the self-proclaimed hero has in fact turned out to be a zero. The only one who has had a worse year than the Liberal leader is Britney Spears.

In a desperate effort to rebuild his image, the Liberal so-called leader has turned to his best friend for advice. No, not the Liberal deputy leader and, no, not the Liberal member for Toronto Centre, but to his dog Kyoto, and he has followed Kyoto's advice with lethal effect.

Kyoto says “down boy” and the Liberal leader responds by driving his poll numbers in Quebec way down. Kyoto says “sit” and the Liberal leader responds by having his caucus sit vote after vote after vote. When Kyoto says “roll over”, the Liberal leader obliges on every significant matter of policy and confidence in our government.

However, the Liberal so-called leader is saving Kyoto's best advice for last. In the next election, which Liberals now pretend they will call in the dog days of summer, their so-called leader will finally play dead.

**ORAL QUESTIONS**

[*English*]

**CITIZENSHIP AND IMMIGRATION**

**Hon. Stéphane Dion (Leader of the Opposition, Lib.):** Mr. Speaker, for half a century, Canada has pursued immigration goals based on fairness and objectivity. Why is the Prime Minister trying to get rid of these principles of fairness and objectivity? Why does he want to replace them with abusive powers in the hands of his minister, to replace open arms with closed doors?

**Right Hon. Stephen Harper (Prime Minister, CPC):** On the contrary, Mr. Speaker. This government is restoring fairness and objectivity to the immigration system. On the contrary, this government is ending the kind of preferential practices over on the other side that led to the backlog.

What the government is undertaking in terms of reforming immigration and ending the backlog, these measures are important to immigrants and important to our economy, which is why they are confidence measures.

I look forward to seeing whether the Leader of the Opposition believes his own rhetoric on this.

[*Translation*]

**Hon. Stéphane Dion (Leader of the Opposition, Lib.):** Mr. Speaker, speaking of rhetoric, none of the far-reaching powers the minister wants to give herself will shorten the waiting lists, for the simple reason that she said that her powers would not apply to applications received before February 27, 2008. If they do not apply to the backlog, they cannot shorten the waiting lists. The government needs to be logical.

*Oral Questions*

Will the Prime Minister admit that the arbitrary powers he wants to legalize will do nothing more than legalize arbitrary decisions, with all the risks that represents?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, it is clear that the leader of the Liberal Party is trying to defend his party's record. In the next few years, waiting times for immigrants will grow from six years to 10 years. He is trying to defend his \$1,000 tax on immigrants. These are wrong-headed policies, and that is why we will change them. We will hold votes in the House of Commons. We are seeing the real position of the leader of the Liberal Party.

[*English*]

**Hon. Stéphane Dion (Leader of the Opposition, Lib.):** Mr. Speaker, even the Minister of Citizenship and Immigration has said that the abusive powers that she wants for herself will do nothing to reduce the backlog. The real reason is that she will cherry-pick, which means some people will wait longer. We need to be logical about that.

Will the Prime Minister admit that these changes will do nothing to end the backlog, will only discourage potential immigrants from applying and will slow down the reunification of families, which is so important for the integration of newcomers in Canada?

• (1425)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, on the contrary. If we continue with the policies of the Liberal Party, the backlogs in this country will only continue to grow. The Liberal Party knows that.

I know members of the Liberal Party want to go back to what they consider the good old days, the good old days where backlogs just kept getting bigger, where one needed special access to government members, where, frankly, they gave priority to strippers in terms of immigration policy and where, after waiting for six years, they charged immigrants \$1,000 to come to Canada. We are changing those things and we are not going back.

**Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, under the previous Liberal government, contrary to what the Prime Minister has just said, the queue for refugee claimants had been effectively reduced to zero.

Under the Conservative government, the backlog has ballooned to nearly 60,000 and it is said to be heading to 100,000 by 2012.

The chairman of the Immigration and Refugee Board says that it is the largest backlog in its history.

This is not just a bad record, it begs a simple question. What does the government have against refugees?

**Hon. Diane Finley (Minister of Citizenship and Immigration, CPC):** Mr. Speaker, we agree with Canadians. Canadians want a refugee system that helps and protects legitimate refugees. To do that, we need qualified members of the IRB, not people who the Liberals hired regardless of their qualifications, many of whom were relatives.

Our candidates have to actually pass the test to prove they are qualified before they get appointed because that is what Canadians want, competence.

[*Translation*]

**Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, the source of the problem is simple: the board needs more members.

When this government's term began, the board had only 10 vacancies. It now has nearly 60 because of this minister.

If these positions are not filled, files will continue to pile up and thousands of refugees will have their lives put on hold.

Why have they let the problem they created turn into a crisis? What do they have against refugees?

**Hon. Diane Finley (Minister of Citizenship and Immigration, CPC):** Mr. Speaker, like all Canadians, we want a refugee system that helps and protects legitimate refugees. We therefore need to appoint qualified board members, and that is what we have done. We have appointed more than 100 IRB members. We chose them because they passed the test, something the Liberals did not require.

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**THE ENVIRONMENT**

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, discussions are being held in the United States to implement greenhouse gas emissions ceilings. The three U.S. presidential candidates have even spoken in favour of a carbon exchange. In Canada, the government's so-called green plan is based on intensity targets, meaning that for the oil sand industry alone, greenhouse gas emissions will double by 2020.

Does the Prime Minister realize that his so-called green plan goes against the economy, the environment and the global mindset?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the Leader of the Bloc has it all wrong. With our plans, we will cut our greenhouse gas emissions by 20% by 2020.

I admit that our task will be much easier with the cooperation of the United States government. We are watching with interest the debate in the United States and we are hoping for a government that could work with us in the future on a plan not only for this hemisphere, but for the entire planet.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, either the Prime Minister has just misled the House, or he does not consult his files. According to the documents he gave us, the oil sands will increase their emissions from the current 25 megatonnes to 50 megatonnes in 2020. This is in the documents provided by the government. This will happen as a result of intensity targets and because oil production will increase from one million barrels to five million barrels a day.

Could the Prime Minister give us an answer and tell us that what I am saying—the increase from 25 megatonnes to 50 megatonnes—is found in the documents he provided us? If not, then we were provided with the wrong documents. It has to be one or the other; it cannot be both.

*Oral Questions*

●(1430)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the targets for the economy are clear. According to our plans, greenhouse gas emissions must be reduced by 20% by 2020. In the meantime, in the regulatory system proposed and detailed by the Minister of the Environment, it is clear that we are calling for efforts to be made in terms of carbon sequestration, specifically for the oil sands. These are special measures for that sector to help us achieve our results.

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, the CIBC World Markets report calls for a new carbon tariff on countries that do not do enough to decrease their greenhouse gas emissions. This tariff, and I quote the CIBC, “will tax the implicit subsidies on the carbon content of imports that come from carbon non-compliant countries.”

Does the Minister of the Environment realize that, by refusing to implement Kyoto, he is exposing our exporters to such a tariff? That is totally unacceptable.

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, for the first time in the history of Canada we are taking action and regulating major polluters. Last week it was with great pride that we unveiled the details of our action plan to reduce greenhouse gases by 20%.

The first person to talk about it was the head of the Montreal Exchange who announced the opening of a carbon exchange in Montreal. We congratulate him for his actions and we support him. Together, we are taking action.

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, the reality is that Quebec companies will end up paying for the Conservative plan, which puts the oil sector ahead of Quebec exporters. To prevent our companies from having to pay such a tariff, we need a real plan to reduce greenhouse gases based on the 1990 reference year and absolute targets.

What is the Minister of the Environment waiting for to adopt such a plan?

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, the facts are clear. In the past 18 years, since the Bloc Québécois has been in this House, greenhouse gases have increased by 33%. That is not acceptable.

Canada must have a plan to reduce greenhouse gases. This plan targets an absolute reduction of 20%. The Bloc has done nothing for 18 years. We are taking action.

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**COMMITTEES OF THE HOUSE**

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, the Prime Minister is making an effort to stall committee work.

His whip and House leader are threatening to call an election over this standstill, caused by the Conservatives themselves.

The government members are the ones obstructing and filibustering during discussions on the environment. Their committee chairs are adjourning meetings and ignoring the rules.

Why is the Prime Minister preventing parliamentarians from doing their job? Does he have something to hide?

[*English*]

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, that is not accurate at all. In fact, in the case of the justice committee, it is not the chair of the justice committee who has been adjourning the meetings. The chair of the justice committee has been turning it over to the vice-chair, who happens to be a Liberal, who has been adjourning the meetings. The fact that he is the one who brings the meetings to an end and does not allow a vote to proceed should tell members something about the way the Liberals approach these committees. They are simply using them for political grandstanding.

You, Mr. Speaker, gave good advice when you told the House that there was a tyranny of the majority happening at the committees. It matters not that the minority for whom the rights are to be protected happens to be the government.

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, this kind of inanity shows why things are not getting done around here.

For 25 years Canadian families have been waiting for action on the environment. They were told the big polluters were going to be taken on. All they got was dithering and inaction.

We see the same thing now. The big polluters were the first to celebrate the so-called action by the government on the environment. That is why we put forward Bill C-377, which would get Canada on track to deal with the crisis of climate change, yet the government is filibustering and delaying.

Will the Prime Minister tell them to stop today so we can get some results?

●(1435)

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, for the last 18 years greenhouse gas emissions have been skyrocketing. The Liberals did absolutely nothing. In that effort, while the planet burned, the Liberals were propped by the NDP and that member.

We are finally taking real action, requiring the big polluters to take real action to reduce their greenhouse gases. We are working hard, we are getting the job done and we are going to deliver.

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[*Translation*]**OLYMPIC GAMES**

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, my question is for the Minister of Foreign Affairs about China, Tibet and the Olympic Games.

Recently, his colleague, the Minister of National Defence, opened the door to a potential boycott of the Olympics.

At the same time, or just before, the minister spoke with China's foreign affairs minister and said the complete opposite.



*Oral Questions*

I would like to give the minister the chance to set the record straight and to state the position of the Government of Canada.

**Hon. Maxime Bernier (Minister of Foreign Affairs, CPC):** Mr. Speaker, I thank my colleague for his question and for giving me an opportunity to clarify this. Canada's position is very clear. We do not plan on boycotting the Olympic Games. That said, we also have a clear position on China's activities as they affect human rights.

We urge the Chinese government to respect the freedom of expression of Tibetans and to stop the violence against these people. We have a policy and we want to see talks between the Chinese government and the Dalai Lama to bring an end to the violence, so that the situation there complies with international human rights standards.

[English]

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, there is clearly a need for mediation with respect to the situation of human rights in China. Certainly everyone in the House can agree on what needs to happen with respect to the leadership in Tibet.

However, the other big mediation that needs to happen in Canadian foreign policy at the moment is within the Conservative Party. We have all sorts of different factions saying all sorts of different things. It is absolutely imperative.

I want to ask the minister—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. The hon. member for Toronto Centre has the floor. The Minister of Foreign Affairs has to be able to hear the question if he is to answer. We will now hear the question from the hon. member for Toronto Centre.

**Hon. Bob Rae:** Mr. Speaker, we have the position of the Secretary of State for Multiculturalism. We have the position of the Minister of National Defence. We have what you told the Minister of Foreign Affairs in China.

What is the position of the Canadian government?

**The Speaker:** I do not think he meant the Speaker told the minister anything.

The hon. government House leader.

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, I have the utmost respect for the intellect of the member for Toronto Centre, but it should not be that hard to figure out the government's position. It has been stated clearly.

In terms of the games, there will not be a boycott. That would only punish the athletes. In terms of the opening ceremonies, we have not made an announcement in particular on how we will deal with that. We have been very clear where we stand on human rights and our concerns about the Chinese government.

The real question is, where does the Liberal Party stand on this or any other issue? A thoughtful guy once said, "We do not have a clue where the Liberals stand because they do not know themselves". Who said that? The member for Toronto Centre.

● (1440)

**AFGHANISTAN**

**Mr. Bernard Patry (Pierrefonds—Dollard, Lib.):** Mr. Speaker, the Afghan motion passed by the House is not a blank cheque. It is a contract for change, explicitly for the Canadian mission to change in 2009.

When the Prime Minister was in Bucharest did he tell NATO that specifically?

**Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC):** Mr. Speaker, clearly anyone who has been following this story for some time would know that the message coming from Canada has been very clear.

**Hon. Carolyn Bennett:** Did you tell them, Peter?

**Hon. Peter MacKay:** The member should calm herself.

Mr. Speaker, the message has been very clear. We have spoken to our NATO allies consistently, including the Secretary General of NATO. We have been in constant contact with our NATO allies on the issues of troop deployments and equipment.

The motion before Parliament was communicated very clear. The member should clue in.

[Translation]

**Mr. Bernard Patry (Pierrefonds—Dollard, Lib.):** Mr. Speaker, for the term "transparency" to be truly meaningful, one must practice what one preaches. Why then, despite a motion passed by this House calling for the principle of transparency to be applied to our mission in Afghanistan, is the government not putting this principle into practice?

**Hon. Maxime Bernier (Minister of Foreign Affairs, CPC):** Mr. Speaker, we are putting our principles into practice and into action. That is clear. A motion was passed in the House with the support of our Liberal friends opposite. We are working to implement the motion.

I would like to congratulate the Prime Minister on the success of the Bucharest meeting; it was a huge success. We have the troops we need, and we will soon have the equipment we need to ensure the success of the mission and to end it, as planned, in July 2011.

\* \* \*

**MANUFACTURING SECTOR**

**Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ):** Mr. Speaker, day after day, the Minister of Finance can see the results of his failure to act. Manufacturing jobs are disappearing by the thousands in all regions of Quebec. In a display of acute inefficiency, the minister has set up a \$1 billion trust and is spending \$20,176 per job lost in Alberta and only \$2,276 per job lost in Quebec even though Alberta has lost just 2% of jobs to Quebec's 34% over the past three years.

When will the minister put an end to this unfairness by investing money where jobs have actually been lost?

*Oral Questions**[English]*

**Hon. Jim Flaherty (Minister of Finance, CPC):** In 2007 alone, Mr. Speaker, Quebec had a 2.4% job growth rate above the national average. It is Quebec's best showing in five years in terms of new job creation. Since our government came to office over 813,000 new jobs have been created, over 14,000 new jobs in the month of March alone. We stand on that record. We are proud of the sound economic fundamentals in Canada.

*[Translation]*

**Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ):** Mr. Speaker, yesterday the Minister of the Economic Development Agency of Canada for the Regions of Quebec was tooting his own horn about phase two of his eponymous plan. Phase one of his plan was so effective that since he took the job two years ago, Quebec has lost nearly 45,000 jobs in the manufacturing sector.

Is the minister aware that two times zero is zero, and that if the second phase is anything like the first, the manufacturing jobs crisis will only get worse in the regions of Quebec?

**Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, since the Bloc Québécois appeared in this House 17 years ago, the only thing they have done—and I was here in 1991—is ask question after question after question, without ever achieving any results for Quebec.

To date, over 150,000 jobs have been created in Quebec since we came to power two years ago. And the tools are in place to support the economic development of the regions.

\* \* \*

**AEROSPACE INDUSTRY**

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Mr. Speaker, RADARSAT-2, a state-of-the-art satellite that was paid for with more than \$400 million of public money, is at risk of being sold to American interests. But, even if the company says we will have the same access to the data, that is not what the United States' law says. For example, if there are floods in Quebec and the United States at the same time, American interests could come before our own safety.

Will the Minister of Industry stop this sale, or will he put the interests of the United States before those of Quebec?

• (1445)

**Hon. Jim Prentice (Minister of Industry, CPC):** Mr. Speaker, this is not the case. The question is premature. I am studying the matter and examining the sale of MDA under the Investment Canada Act. In accordance with the Remote Sensing Space Systems Act, Canada will continue to use the RADARSAT-2 satellite.

**Ms. Francine Lalonde (La Pointe-de-l'Île, BQ):** Mr. Speaker, ATK, the company that wants to buy RADARSAT-2, is one of the largest weapons and munitions manufacturers in the United States. This company manufactures missiles, munitions and landmines. It is also involved in the militarization of space, and there is proof—ATK has been involved in the American missile defence shield.

How can the Minister of Industry believe that selling such a state-of-the-art satellite to an American company that manufactures

landmines and is involved in the militarization of space would be advantageous to Quebec and Canada?

*[English]*

**Hon. Jim Prentice (Minister of Industry, CPC):** Mr. Speaker, I would point out to the hon. member that the transaction is a proposed transaction. She will be aware from my previous statements in the House that any decisions which I have made or will make in the future with respect to this matter are governed by the Investment Canada Act. I will abide strictly by the requirements that are imposed in law under that statute.

\* \* \*

**THE ECONOMY**

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, the IMF has just reported that the global financial crisis could result in losses of \$1 trillion. Serious governments, like the British and the Americans, have prepared detailed plans of action which they will be discussing at the G-7 finance meeting this Friday.

What concrete plans or ideas will Canada's government be bringing to the table?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, I am sure, if the hon. member has an opportunity to read the IMF report, which I have, he will see that Canada and the performance of this government are complimented.

We have been specifically chosen by the IMF as an example of what governments should do because we did it on a timely basis last year on October 30 with the economic stimulus that this country needed to create jobs. That is exactly what we did. As I said, we were lauded by the IMF in its report released today.

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, so it sounds like he will be G-7 window dressing with nothing concrete to put on the table on the global crisis.

Canadians expect their governments to show leadership in global economic affairs, like when the previous Liberal finance minister jumped on the global stage and successfully pushed for the G-20, an assembly of the 20 largest nations in the world.

Other than fancy trips for ministers, what is the point of being a G-7 country if the government has no ideas and nothing to put on the table?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the member opposite really should read the report before he asks questions about it.

Another example used by the international community reflecting on Canada's leadership is with respect to the non-bank-backed asset backed commercial paper and the Montreal accord, and the work on that accord led by Purdy Crawford, a great Canadian, who has developed in the private sector, with the facilitation of the Bank of Canada and the governor and the Department of Finance, a solution to that which we hope will pass with the investors on April 25.

Canaccord made an important announcement today with respect to the private investors. I hope—

**The Speaker:** The hon. member for London West.

*Oral Questions***AUTOMOTIVE INDUSTRY**

**Hon. Sue Barnes (London West, Lib.):** Mr. Speaker, the Ontario government has pledged \$17 million to keep open and expand the Ford plant in Essex. Ford is waiting for the federal government to match this or the project might not go ahead.

Will the government commit \$17 million for the Ford plant in Essex, yes or no?

**Hon. Jim Prentice (Minister of Industry, CPC):** Mr. Speaker, let us make sure that the record is clear.

That hon. member has sat on her hands for 13 years in relation to the issue of competitiveness. She sat on her hands for the 2008 budget that contained the automotive innovation fund. In 2007 she voted against the best manufacturing budget we have seen in a generation.

Her efforts could only be described successful in the way that Churchill described Liberals: lurching from failure to failure with enthusiasm.

• (1450)

**Hon. Sue Barnes (London West, Lib.):** Mr. Speaker, that certainly did not answer the question that was asked.

Can the minister answer the question? Will the government commit \$17 million for the Ford plant in Essex, yes or no? Try again.

**Hon. Jim Prentice (Minister of Industry, CPC):** Mr. Speaker, the hypocrisy is astounding. If it had been up to that member, there would not be a fund at all to fund anything. She should leave Ford to me. She should be in the House to vote on other matters that are before the House.

As for the record that she has left, she is going to have to be accountable to her constituents. She has left the faintest footprints with respect to industry in Canada.

\* \* \*

**TIBET**

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Mr. Speaker, there is a growing consensus in the international community on the need for a principled response to the human rights situation in Quebec, or in Tibet.

Only yesterday, Kevin Rudd, the Australian Prime Minister—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. We have to be able to hear the question. The hon. member for Lanark—Frontenac—Lennox and Addington has the floor. We will have a little order please.

**Mr. Scott Reid:** As the saying goes, Mr. Speaker, I misspoke myself.

Only yesterday, Australian Prime Minister Kevin Rudd urged the government of the People's Republic of China to avoid further violence and to find a solution through dialogue with the Dalai Lama.

Could the foreign affairs minister say whether the Canadian government's policy on Tibet is similar to the one expressed yesterday by Prime Minister Rudd?

[*Translation*]

**Hon. Maxime Bernier (Minister of Foreign Affairs, CPC):** Mr. Speaker, I would like to thank my colleague for her question. As we know, the situation in Quebec has been very good since Quebecers elected a Conservative government.

[*English*]

However, we have very huge concerns for human rights in Tibet and China. That is why we continue to urge the Chinese government to engage in a dialogue with the Dalai Lama, to fully respect human rights, to respect peaceful protests, and to show restraint in dealing with the situation in Tibet.

\* \* \*

**CITIZENSHIP AND IMMIGRATION**

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, the Minister of Immigration is so worried about the damaging, offensive and sweeping changes. I am astounded that she will not tell the truth. No, the charter will not apply to those who are trying to come into Canada. No, humanitarian or compassionate grounds will not apply to those who are outside of Canada, and no, families will not be able to come to Canada faster and easier.

Will the minister drop her half-truths and really fix the immigration system?

**Hon. Diane Finley (Minister of Citizenship and Immigration, CPC):** Mr. Speaker, the level of fearmongering from the NDP today is absolutely off the scale. I can assure you, Mr. Speaker, that the instructions we will be issuing to help bring more people here to fill the jobs, to be reunited with their families, and to get it done sooner will of course be charter compliant.

They will be done after consultations with the provinces, the territories and other key stakeholders. They will be approved by cabinet. They will be published and the results of our efforts will be published. Why do those members not want to help us get the backlog down from 10 years?

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, the minister should stop giving herself sweeping powers to end run the existing system.

She said that the system was crumbling. She is trying to destroy it. We have seen this kind of discretionary power turn into discrimination, and I wonder whether my family will be able to come into this country if her immigration policies pass this House.

These changes are cold, callous and damaging. Will the minister change and fix the immigration system properly instead of crumbling and killing the entire system?

**Hon. Diane Finley (Minister of Citizenship and Immigration, CPC):** Mr. Speaker, I have to point out that every single effort that we put forward to help immigrants has been voted down by that very New Democratic Party.

*Oral Questions*

In spite of the NDP, we are going to get more people here faster to fill the jobs and to be reunited with their families. We are going to put priorities on those who are in categories of occupations that are needed in our workforce, to keep business in business. We are not going to apologize for cleaning up the Liberal mess.

\* \* \*

●(1455)

**AIRBUS**

**Hon. Robert Thibault (West Nova, Lib.):** Mr. Speaker, Canadians want answers from this government on the upcoming Mulroney inquiry, not more baffle-gab. Will the government commit here and now that it will be a full public inquiry, with full powers, under part I of the Inquiries Act?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, Professor Johnston has recommended terms of reference to the commissioner that will be appointed soon to conduct that public inquiry. It will be a public inquiry.

I am surprised that this Liberal is unhappy because there is another one, the member for Mississauga South, who said that he was pleased with Professor Johnston's recommendations in the report.

[Translation]

**Hon. Robert Thibault (West Nova, Lib.):** Mr. Speaker, as parliamentarians, we are not addressing any questions to Professor Johnston, but rather to the Prime Minister. He is responsible for launching an inquiry and he promised a public inquiry. The fundamental nature of a public inquiry means that testimony is given publicly, Canadians can watch and listen to it, and everyone who should appear does appear, including Fred Doucet and everyone close to Mr. Mulroney.

We understand why the Prime Minister said that Mr. Mulroney was appreciated as a mentor and advisor, and that he found it awkward to get to the bottom of all this concerning Mr. Mulroney and those close to him. We—

**The Speaker:** The hon. Leader of the Government in the House of Commons.

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, we have said that we will act on the recommendations made by Professor Johnston on the public inquiry and that is exactly what we intend to do.

\* \* \*

[English]

**CANADA-U.S. RELATIONS**

**Hon. Navdeep Bains (Mississauga—Brampton South, Lib.):** Mr. Speaker, NAFTA-gate was a serious breach of government security which damaged our international reputation and implicates the Prime Minister's inner circle. Yet the government secretly outsourced the investigation to a private company.

Why did the government choose BCCI Investigations? What is its mandate and will all its findings be made available to the public?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, as we have said many times, this is a serious matter. The Clerk of the Privy Council was asked to investigate the matter. He is using the resources that he believes are necessary to answer the question, because the issue of our relations with the United States is very important.

I understand the hon. member shares that concern that we have positive relations with the United States, that NAFTA is an important agreement, that it has yielded tremendous benefits for Canada as well as for our partners in NAFTA. We want to ensure that nothing is done that hurts that relationship because we want to keep it strong.

**Hon. Navdeep Bains (Mississauga—Brampton South, Lib.):** Mr. Speaker, this is another example of how the government has misled Canadians about accountability and transparency.

The Prime Minister has had five weeks to investigate the NAFTA-gate leaks. The Prime Minister even told this House that Kevin Lynch would conduct the investigation. We now find out that it has been secretly outsourced.

Every time the government makes a mistake, it either covers it up or refuses to answer the questions.

My question is for the Prime Minister. Can he stop dragging his feet and tell this House when he will make this report available to the public?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, I am quite sure the hon. member would not want to see the report released before it is completed. The investigation is ongoing and surely I expect he wants to see it have time to finish.

\* \* \*

[Translation]

**AGRICULTURE AND AGRI-FOOD**

**Mrs. Ève-Mary Thériault (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, the rules governing the labelling of agricultural products are absurd. To determine the origin of a product, the rules take into account the processing and packaging costs, which, in terms of agri-food, makes no sense. Thus, it is possible to buy olives at the grocery store marked "product of Canada".

Will the minister admit that the current rules governing the labelling of food products are misleading to consumers and deprive farmers of some share of the market?

[English]

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Mr. Speaker, I would agree with the genesis of the question. We are moving on that file. We will get things done. We have begun the process for the consultations with industry. A product of Canada, of course, is a product of Canada. Made in Canada covers the lump of products that are brought in here, remanufactured, repackaged and sometimes exported back out. We are very cognizant of what industry is looking to be done in this area and we are moving ahead on the file.

• (1500)

[*Translation*]

**Mrs. Ève-Mary Thāi Thi Lac (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, at this time, farmers and consumers are being deceived by food product labelling rules. A UPA study shows that 70% of people believe that products labelled “product of Canada” are grown and processed here, but that is not always the case.

Will the minister promise to help the agricultural industry remain competitive by quickly revising the labelling rules to ensure that only agricultural products that are really produced here can be labelled “product of Canada”?

[*English*]

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Mr. Speaker, of course we intend to move quickly, but it certainly would be a lot easier if we did not have the Bloc voting against our throne speech where this was highlighted, if we did not have the Bloc voting against our budgets where \$113 million was allocated. If the Bloc members were really serious about this, they would get onside with our program and support it moving ahead.

\* \* \*

#### ETHICS

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, the Conservative government is ordering the chair of the justice committee to violate the rules of Parliament and refuse to have a vote. The Conservatives who phonily wrap themselves in accountability would rather shut down the committee than be forced to explain what the Prime Minister meant when he referred to “financial considerations” with respect to their offer to Mr. Cadman.

Why are the Conservatives so afraid of that question?

**Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC):** Mr. Speaker, of course, we are not afraid of the question. We have answered it a number of times in the past month here in the House of Commons. As a matter of fact, when we reflect on the kind of language that we are seeing from the Liberal Party, we have to think that the outrage from the Liberals on this is maybe a little synthetic.

The fact is over the past couple of years, as I said yesterday, the Liberals either through abstentions or ineffectiveness helped us pass three budgets, two extensions to the Afghan mission, our crime package, our environment plans, and probably tonight in a confidence vote we are going to be able to pass our immigration reforms or be on our way to doing it.

I would like to thank my colleague from Beauséjour on behalf of my constituents for sitting down so we can stand up for Canadians.

\* \* \*

#### DRUGS AND PHARMACEUTICALS

**Mrs. Patricia Davidson (Sarnia—Lambton, CPC):** Mr. Speaker, yesterday the Prime Minister, the Minister of Health and the Minister of Agriculture and Agri-Food announced our new measures to restore Canada's trust in the safety of the goods and products they

#### Oral Questions

buy and use. Part of this announcement proposed a new life cycle approach to the regulation of pharmaceutical drugs, which will, for the first time, ensure drugs are monitored constantly as they enter and remain in the health care system.

Could the Minister of Health please update the House on this new approach to pharmaceutical regulation and explain to Canadians how this new system ensures their safety?

**Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, the announcement yesterday and the legislation that is before the House has the same stringent standards for licensing of drug products as was there before and, in fact, we have expanded it by allowing the minister the opportunity to attach conditions post-market to those products as well.

This is what the life cycle approach is all about. It will be additional health and safety for Canadians. That is why we encourage members to back this legislation.

\* \* \*

#### COMMUNITY VOLUNTEER INCOME TAX PROGRAM

**Mrs. Irene Mathysen (London—Fanshawe, NDP):** Mr. Speaker, federal government agencies, like the Canada Revenue Agency, are reducing services in our communities.

In the past, CRA has arranged for volunteers to help low income constituents with income tax returns. These clinics were in places like community centres and libraries. In the past two years, I have hosted CRA clinics in my constituency office. This year, we helped more than 100 people, many of them seniors.

Volunteers have now been told that CRA no longer can facilitate these clinics. Volunteers are on their own. Why is CRA undermining this service?

**Hon. Gordon O'Connor (Minister of National Revenue, CPC):** Mr. Speaker, it is anything but. CRA sponsors over 25,000 volunteers to help people of low income and seniors fill out their tax returns. In fact, I was in Almonte a week or two ago, where one of the seminars was held with CRA support. CRA is supporting these all through the country.

*Routine Proceedings***FISHERIES AND OCEANS**

**Ms. Catherine Bell (Vancouver Island North, NDP):** Mr. Speaker, an urgent situation is developing in Robson Bight Ecological Reserve. This is a critical habitat for British Columbia's northern resident orca whales which are listed as threatened under species at risk legislation.

Last August a barge spilled its load, causing an oil spill contaminating Robson Bight. An underwater investigation shows the fuel tanker to be intact at this time but it will not be indefinitely. Time is running out.

Does the minister have a plan to remove the tanker full of diesel oil before the orcas' return in June, yes or no?

• (1505)

**Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC):** Mr. Speaker, let me assure the hon. member that, first of all, we have worked very closely with the minister of the environment from British Columbia. We originally carried out a very successful plan to survey the damage that had been caused. We will make sure that we will continue to monitor and do the right thing.

Sometimes trying to remove things such as the tanker can do more harm than good and we are not going to do that.

\* \* \*

[*Translation*]

**ETHICS**

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, why are the Conservatives not allowing the Standing Committee on Justice and Human Rights to add three additional meetings to its schedule in order to study a matter of criminal law?

Why was the Criminal Code not enough to prevent what appears to be an obvious attempt to bribe an MP? What do they have to hide?

**Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC):** Mr. Speaker, we have nothing to hide in this matter. As I stated several times in the past months, there is no scandal. The Liberals have said that Mr. Cadman was offered a \$2 million life insurance policy, but that is utterly untrue. Anyone who examines the facts will realize that the Liberal accusations are false.

\* \* \*

[*English*]

**HUMAN RIGHTS**

**Mr. Rick Dykstra (St. Catharines, CPC):** Mr. Speaker, this coming weekend the minister of trade for the province of Ontario will be travelling to China to open up an Ontario trade office in Beijing.

When questioned on this issue, the premier of the province of Ontario, Dalton McGuinty, said that it is not the province's role to get involved in issues of human rights. Trade Minister Papatello actually agreed with her boss and stated, "We do defer to the federal government in matters of human rights".

Can the justice minister please tell the House what this government is doing with respect to human rights?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, first, I completely disagree with the Premier of Ontario and his minister of trade on the subject of human rights. Human rights are championed by all levels of government.

That being said, I am proud to be part of a government that is establishing the first Canadian museum of human rights and part of a government that finally is bringing rights to aboriginal Canadians with changes to the Canadian Human Rights Act.

The member for Toronto Centre is very interested in this. I hope he will get on the phone to his friends at Queen's Park and tell them that civil rights are the responsibility of everybody in this country.

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**ROUTINE PROCEEDINGS**

• (1510)

[*English*]

**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)(b) I have the honour to table, in both official languages, the government's response to 10 petitions.

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**INTERPARLIAMENTARY DELEGATIONS**

**Mr. Russ Hiebert (Parliamentary Secretary to the Minister of Intergovernmental Affairs and Minister of Western Economic Diversification, CPC):** Mr. Speaker, pursuant to Standing Order 34 (1) I have the honour to present a report from the Canadian Branch Commonwealth Parliamentary Association dealing with the CPA, UK branch conference on tackling drugs, changing communities, challenges for parliamentarians in London, United Kingdom, from February 3-8, 2008.

[*Translation*]

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Mr. Speaker, I have the honour to present the report of the Canadian interparliamentary delegation of the Canada-France Interparliamentary Association concerning the second round of presidential elections, held in Paris, France, from May 2 to 7, 2007.

*Routine Proceedings*

[English]

**COMMITTEES OF THE HOUSE**HUMAN RESOURCES, SOCIAL DEVELOPMENT AND THE STATUS OF  
PERSONS WITH DISABILITIES

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities.

**The Speaker:** I note that the report requests an extension of 30 sitting days for the work it is undertaking. Accordingly, pursuant to Standing Order 97.1(3)(a) a motion to concur in the report is deemed moved, the question deemed put and a recorded division deemed demanded and deferred until Wednesday, April 16, 2008, immediately before the time provided for private members' business.

## CANADIAN HERITAGE

**Mr. Gary Schellenberger (Perth—Wellington, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Canadian Heritage in relation to Bill C-327, An Act to amend the Broadcasting Act (reduction of violence in television broadcasts).

[Translation]

## PROCEDURE AND HOUSE AFFAIRS

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Mr. Speaker, pursuant to Standing Orders 104 and 114, I have the honour to present the 17th report of the Standing Committee on Procedure and House Affairs regarding the membership of House committees.

If the House gives its consent, I intend to move concurrence in the 17th report later this day.

\* \* \*

[English]

**CANADIAN AEROSPACE TECHNOLOGY PROTECTION  
ACT**

**Mr. Lloyd St. Amand (Brant, Lib.)** moved for leave to introduce Bill C-534, An Act to prohibit the transfer of certain assets and operations from MacDonald, Dettwiler and Associates Limited to Alliant Techsystems Incorporated.

He said: Mr. Speaker, I am pleased to introduce the bill to the House and have it seconded by the distinguished member for Kings—Hants, whose help has been most valuable.

I would be remiss if I did not also acknowledge the leadership and initiative demonstrated by the member for Ottawa—Vanier. It is essentially his leadership and concern reflected in the bill that has resulted in the bill being introduced.

With respect to the substance of the bill, the summary reads:

This enactment provides that an existing agreement for the transfer of certain assets and operations from...MacDonald, Dettwiler and Associates Limited to a United States corporation...and any future agreement between the same parties for a similar purpose is of no effect unless it is approved by both Houses of Parliament.

The sale of MDA to the U.S. company would substantially jeopardize Canada's technological sovereignty and, in addition,

1,900 jobs would be lost directly, with thousands of other jobs being negatively affected indirectly.

A line in the sand must at some point be drawn. Canada is not for sale. Our technological sovereignty is not for sale.

The bill would have retroactive effect. The agreement entered into between the potential buyer and the seller in January would be rendered null and void, no matter when the sale is consummated, unless the agreement has been approved by a majority vote of the House of Commons and the Senate.

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

\* \* \*

● (1515)

**COMMITTEES OF THE HOUSE**

## ACCESS TO INFORMATION, PRIVACY AND ETHICS

**Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, pursuant to Standing Order 66(2) I would like to designate Thursday, April 10, 2008, for the continuation of debate on the third report of the Standing Committee on Access to Information, Privacy and Ethics.

[Translation]

**Mr. Marcel Proulx:** Mr. Speaker, if the House gives its consent, I move that the 17th report of the Standing Committee on Procedure and House Affairs presented to the House earlier this day be concurred in.

**The Speaker:** Does the member for Hull—Aylmer have the unanimous consent of the House to move this motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

\* \* \*

[English]

**PETITIONS**

## SECURITY AND PROSPERITY PARTNERSHIP

**Mr. Dennis Bevington (Western Arctic, NDP):** Mr. Speaker, I am pleased to present a petition on behalf of Canadians from Vancouver Island and the Lower Mainland of British Columbia.

This petition is a call to suspend the security and prosperity partnership of North American on continental integration.

The petitioners call upon the Government of Canada to stop further implementation of the security and prosperity partnership of North America with the United States and Mexico until there is a democratic mandate from the people of Canada, until there is parliamentary oversight and consideration of the profound consequences on Canada's existence as a sovereign nation within this House of Commons.

I am very proud to present this petition.

*Routine Proceedings*

## UNBORN VICTIMS OF CRIME

**Mr. Ken Epp (Edmonton—Sherwood Park, CPC):** Mr. Speaker, I am honoured again to present petitions that support Bill C-484, the unborn victims of crime act, which I have introduced. In this particular case, I am adding just a few short of 1,300 additional names on this petition.

These petitioners are, like the vast majority of Canadians, supportive of legislation that would recognize unborn children as victims when they are injured or killed during the commission of an offence against the mother.

## JUSTICE

**Mr. Mario Silva (Davenport, Lib.):** Mr. Speaker, I have several petitions. The first petition calls upon Parliament to immediately respect the long-standing policy advocated for Canadians around the world who have been sentenced to death, that the Government of Canada clearly reaffirm Canada's position on the death penalty.

The death penalty is a cruel and inhumane punishment and was abolished in 1976 and is inconsistent with Canadian values.

The petitioners ask the government to stand up to that proud Canadian tradition of saying no to the death penalty around the world and provide clemency, in any way possible, to Canadians who are in jails abroad.

• (1520)

## WAR RESISTORS

**Mr. Mario Silva (Davenport, Lib.):** Mr. Speaker, my second petition is on the war resistor support campaign.

The petitioners ask that the Government of Canada demonstrate its commitment to international law and treaties to which it is a signatory by making provisions for U.S. war objectors to have sanctuary in this country.

Back in 1965 to 1973, 50,000 Americans came to Canada when they said no to the Vietnam War. Many people are saying no now to this illegal war that is taking place in Iraq.

The petitioners ask that the Canadian government provide whatever assistance it can to those who are resisting the war in Iraq.  
[Translation]

## THE QUEBEC NATION AND THE CHARTER OF THE FRENCH LANGUAGE

**Mr. Richard Nadeau (Gatineau, BQ):** Mr. Speaker, I am tabling a petition with 376 signatures from Quebecers who are calling on the Government of Canada to actively respect the Quebec nation and Bill 101.

[English]

## SECURITY AND PROSPERITY PARTNERSHIP

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I am bringing forward two petitions today.

The first petition has been signed by hundreds of individuals from the cities of Burnaby and New Westminster but also other cities in the Lower Mainland, Vancouver Island and even Ontario and Quebec. We add these hundreds of signatures to the thousands that we have already tabled in this House of Commons.

These individuals are asking the Government of Canada to stop any further implementation of the undemocratic security and prosperity partnership until there is full disclosure of what is happening in the working groups, that there is a parliamentary vote and full legislative review.

On behalf of those constituents from Burnaby—New Westminster and these other cities, I table this petition against the SPP, to add to thousands of other Canadians who have expressed the same wish.

## COPYRIGHT ACT

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the second petition is on behalf of individuals in Burnaby—New Westminster and other cities in the Lower Mainland of British Columbia who are calling upon Parliament to ensure that users are taken into full consideration if there are any changes to the Copyright Act, and that all existing user rights are preserved, including the right to use copyrighted materials and the right to make private copies of audio recordings.

They are also calling upon Parliament not to extend the terms of copyright.

## INCOME TRUSTS

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I am pleased to present this income trust broken promise petition.

The petitioners remind the Prime Minister that he promised never to tax income trusts but that he recklessly broke that promise by imposing a 31.5% punitive tax which permanently wiped out over \$25 billion of the hard-earned retirement savings of over two million Canadians, particularly seniors.

The petitioners, therefore, call upon the Conservative minority government 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.

## SECURITY AND PROSPERITY PARTNERSHIP

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, I have three petitions here representing over 320 names. They also are calling to suspend the security and prosperity partnership of North America, thanks mainly to the work of my hon. colleague from Burnaby—New Westminster.

The petitioners are calling upon the government to stop further implementation of the security and prosperity partnership of North America with the United States and Mexico until there is a democratic mandate from the people of Canada, parliamentary oversight and consideration of its profound consequences on Canada's existence as a sovereign nation, and also our ability to adopt autonomous and sustainable economic, social and environmental policies.

The petitioners urge the Government of Canada to conduct a transparent and accountable public debate of the SPP process involving meaningful public consultations with civil society and a full legislative review, including the work, recommendations and reports of all SPP working groups, and a full debate and vote in Parliament.



## INCOME TRUSTS

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I am pleased to again present a petition on the income trust broken promise.

The petitioners want to remind the Prime Minister that he promised never to tax income trusts but that he broke that promise by imposing a 31.5% punitive tax which permanently wiped out over \$25 billion of the hard-earned retirement savings of two million Canadians, particularly seniors.

The petitioners from my city of Mississauga would like to call upon the government 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.

**Mr. Tom Lukiwski:** Mr. Speaker, before I get to questions on the order paper, I believe my colleague from Hull—Aylmer has a point of order.

\* \* \*

• (1525)

[Translation]

## COMMITTEES OF THE HOUSE

## PROCEDURE AND HOUSE AFFAIRS

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Mr. Speaker, I rise on a point of order. Perhaps you could seek the unanimous consent of the House to revert to motions? There has been negotiation among the parties and I believe the House will now give its consent to allow me to move concurrence in the 17th report of the Standing Committee on Procedure and House Affairs, presented to the House today.

**The Speaker:** Does the hon. member for Hull—Aylmer have the unanimous consent of the House to move this motion?

**Some hon. members:** Agreed.

**The Speaker:** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to)

\* \* \*

[English]

## 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, the following questions will be answered today: Nos. 210, 211 and 212.

[Text]

Question No. 210—**Mr. Francis Scarpaleggia:**

With regard to water-monitoring stations: (a) how many stations does the government own or operate across Canada; (b) for what purposes does it use these stations; (c) how does the government monitor the quality of surface water in

## Routine Proceedings

watersheds across the country for toxins and other pollutants; and (d) does the government have a clear picture of the types and levels of contaminants present in Canada's lakes, rivers and streams?

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, in response to (a), the number of sites owned and/or operated under cost-shared agreements with provinces and territories is 600, nearly 300 of which are in the Great Lakes.

In response to (b), the key purpose is to determine water quality status and trends and assess overall aquatic ecosystem health. Some monitoring or surveillance is also undertaken to better understand presence and levels of emerging contaminants and threats such as polybrominated diphenyl ethers, PBDEs, used in flame retardants, pesticides, and other persistent organic pollutants. The data and generated information is used in many different reporting activities including the Water Quality Index under the Canadian Environmental Sustainability Indicators, CESI, annual report (<http://www.environmentandresources.ca/default.asp?lang=En&n=6F66F932-1>).

Some of the key obligations and legislative responsibilities that Environment Canada's monitoring activities fall under include: Canadian Environmental Protection Act, CEPA, ministerial statutory obligation to monitor and report on environmental quality to Canadians; Boundary Waters Treaty Act, obligations to the International Joint Commission and the parties; and Canada Water Act, provides for federal-provincial and federal-territorial agreements to monitoring and assess waters of shared interest.

In response to (c), the government monitors the quality of surface water through (a), Environment Canada monitoring and surveillance sites; (b) formal cost and capacity sharing agreements with provinces and territories; and (c) collaborative monitoring and surveillance programs among federal science and technology departments and university researchers.

Sampling of water bodies is done on a regular or ad hoc basis several times a year for a wide range of physical parameters, chemical contaminants and biological measures, e.g., temperature, dissolved oxygen, nutrients, trace metals, pesticides, presence and diversity of aquatic biota. Sampling locations take into account the diverse contaminant sources and water quality threats such as urban wastewaters, industrial effluents, agricultural runoff and atmospheric deposits. In addition to physical-chemical monitoring, we have started to establish a network of biological monitoring that will allow assessing impacts and effects of contaminants on aquatic ecosystems health.

In response to (d), the current program provides an adequate picture for basic water quality measures and contaminants in areas of the country where spatial and temporal coverage has been established for some time, e.g., large basins such as the Great Lakes. However, in most basins or watersheds across Canada, the government's understanding of the types and levels of contaminants in surface waters varies.

*Routine Proceedings*

Nationally, we monitor about a third of total sub-basins under the routine monitoring programs, which mainly address metals and nutrients. Surveillance projects focusing on toxic organic contaminants—pesticides—PCBs, polychlorinated biphenyls, PBDEs, polybrominated diphenyl ethers, and other CEPA toxics are more spatially restricted to watersheds potentially threatened.

**Question No. 211—Mr. Francis Scarpaleggia:**

With regard to industrial development at the Pierre Elliott Trudeau Airport: (a) what data was used by Environment Canada's Canadian Wildlife Service to conclude the absence of colonies of migratory birds, species at risk listed under the Species at Risk Act, or wetlands in the vicinity of an area slated for industrial development at the airport and currently used as a golf course; and (b) when and how was this data collected?

**Hon. John Baird (Minister of the Environment, CPC):** Mr. Speaker, Environment Canada's Canadian Wildlife Service indicated that the available data showed no colonies of migratory birds in the vicinity of the project area. A colony can be defined as a group of birds that nest in a gregarious manner, have been returning to the same area for several years and build their nests close together. Several species of seabirds and herons, for instance, live in colonies. It also indicated that it found no species considered at risk under the Species at Risk Act, or wetlands. Wetlands are defined as land that is saturated in water long enough to be conducive to the wetland or aquatic processes characterized by poorly drained soil, hydrophilic vegetation and various forms of biological activity that are suited to a damp environment. Wetlands include bogs, marshes, swamps and shallow water, usually two metres or less, as defined in The Canadian Wetland Classification System, published by the Canadian Committee on Ecological Land Classification's National Wetlands Working Group, 1987.

The data used by Environment Canada in providing this reply are the same as are used for any environmental impact assessment, i.e., one, data gathered by its employees during inventories, two, databases developed by Environment Canada or in partnership with other government agencies and non government organizations, and three, databases provided by other organizations that use volunteers and amateur ornithologists and that are supported financially by Environment Canada. Environment Canada is confident that these data sources provide reliable information for this environmental assessment.

In this case, Environment Canada scientists consulted the following information:

The Centre de données sur le patrimoine naturel du Québec, Quebec natural heritage data centre: The centre's mission consists of gathering, storing, analyzing and distributing data on elements of biodiversity, in particular those elements, and occurrences thereof, with the greatest conservation value. Currently, the data management system contains more than 10,500 occurrences of various elements related mainly to threatened or vulnerable species, namely 375 vascular plants and 79 vertebrate animals. In the near future, certain groups of invertebrates, i.e., molluscs and insects, natural communities and animal assemblages will be added to the elements of biodiversity already being tracked. This information is updated annually.

The Étude des populations d'oiseaux du Québec, population studies of Quebec's birds, database: The population studies of

Quebec's birds database contains an electronic version of recorded daily bird sightings in Quebec. For more than 50 years, several Quebec ornithologists have systematically recorded their daily observations on these records. To date, there is a bank of more than 450,000 records of daily bird watching outings, containing more than 6,300,000 sightings. This information is updated annually.

Endangered birds in Quebec: The work performed by the Ministère des Ressources naturelles et de la Faune du Québec, Quebec department of natural resources and wildlife, and the Canadian Wildlife Service's Regroupement Québec Oiseaux has resulted in a new list of species deemed to be at risk in Quebec. This project also includes a database, SOS-POP, on the location of the various species. This information is updated annually.

Black Duck Joint Venture: This program provides data for tracking changes in the number of nesting black ducks using an annual inventory in the species' primary nesting area. Although it was developed to optimize the counting of black ducks, this aerial inventory also provides trends regarding numbers and estimates of populations of other wildlife species nesting in the boreal forest. This information was updated in 2005 in the sector in question.

Conservation Atlas of Wetlands in the St. Lawrence Valley: The primary objective of the atlas is to provide an overview of wetlands in the St. Lawrence Valley using innovative methods for mapping the area in order to promote the conservation of birds and biodiversity, particularly by helping managers in their decision making regarding the use of land and the conservation of natural environments. This information was last updated five years ago.

The aquatic birds of the St. Lawrence: This information base provides an overview of the distribution, status and trends of the populations of seabirds and certain colonial aquatic birds nesting in Quebec. It must be noted, however, that the information available is much more comprehensive for seabirds in the St. Lawrence estuary and the Gulf. This information is about three years old for the sector in question.

Biodiversity Portrait of the St. Lawrence: The portrait provides land planners with detailed information regarding the habitats and biota of sites requiring urgent or priority conservation, restoration or protection. It allows the biologists responsible for evaluating the environmental impacts of development to make more informed recommendations earlier regarding biodiversity in the Quebec portion of the St. Lawrence. This information is about 10 years old.

**Question No. 212—Ms. Judy Wasylycia-Leis:**

With regard to Canada's obligations under the World Health Organization Framework Convention on Tobacco Control: (a) since the government ratified the Convention on November 27, 2004, what measures has it taken to bring Canadian law into conformity with article 11 regarding the labelling of tobacco products; and (b) what is the date by which the government intends to require warning labels that conform with the Convention to be affixed to all tobacco products sold in Canada?

*Routine Proceedings*

**Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, in response to (a), Canada is a party to the World Health Organization's Framework Convention on Tobacco Control, FCTC, which came into force on February 27, 2005. Article 11, packaging and labelling of tobacco products, of the FCTC requires each party to the convention, within three years after coming into force, for that party to adopt and implement, in accordance with its national law, effective measures to ensure that each tobacco package carry health warnings describing the harmful effects of tobacco use. Article 11 further states that the health warnings "should be 50% or more of the principal display areas but shall be no less than 30%". For Canada, the three year implementation period ended on February 27, 2008.

In 2000, Canada enacted its tobacco products information regulations which meet or exceed the requirements of Article 11 of the FCTC for the most part, as more than 95% of the Canadian market is currently in full compliance with the convention obligations. However, the tobacco products not presently covered by the tobacco products information regulations include individually wrapped cigars and niche market products, such as water pipe tobacco. In addition, the health warnings for cigars in a box and pipe tobacco contained in a pouch being of fixed dimensions may not meet the Convention's requirement to occupy no less than 30% of the principal display areas in certain circumstances.

As a result, the Government of Canada, in anticipation of the need to revise and expand its tobacco products information regulations, began holding public consultations in 2004 with a view to strengthening the regulatory framework. A large amount of labelling concepts, contents and layout, has been tested. As part of the ongoing regulatory change process, in 2007-08, stakeholder meetings have been taking place. Finally, work on the cost benefit analysis is expected to start in the summer of 2008. The government is ensuring that the regulatory process is followed to produce comprehensive regulations that will comply with Article 11 of FCTC and be of benefit to Canadians.

In response to (b), it is expected that new labelling requirements addressing the remaining tobacco products and bringing Canada into full compliance with Article 11 of the FCTC will be in place in October 2010.

\* \* \*

[English]

#### QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC):** Mr. Speaker, if Questions Nos. 205 and 206 could be made orders for returns, these returns would be tabled immediately.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

[Text]

Question No. 205—**Hon. Marlene Jennings:**

With regards to application of Section 117 of the Immigration and Refugee Protection Act (IRPA) since September 2007: (a) which criteria contained in the Federal Prosecution Service Deskbook does the Office of the Director of Public Prosecutions use in determining whether it is in the public interest to charge humanitarian aid workers under Section 117 of the IRPA; (b) what directives has the Director of Public Prosecutions given to regional Canadian Border Services Agents and regional officers in the Public Prosecution Service of Canada regarding the application of these criteria; and (c) what directives has the Attorney General issued to the Director of Public Prosecutions in relation to the application of section 117 of the IRPA in cases where charges have been laid against humanitarian aid workers?

(Return tabled)

Question No. 206—**Mr. Alex Atamanenko:**

With respect to Canadian Agricultural Income Stabilization (CAIS) program entitlement, the appeals process and exclusion from entitlement to other federal agricultural programs: (a) are appellants entitled to know what recommendations are made by the Western Amalgamated Appeals Sub-Committee and, if so, how is a copy of the recommendations obtained by the appellant; (b) are appellants entitled to know on what grounds the Intermediate Appeals Sub-Committee rejects recommendations of the Western Amalgamated Appeals Sub-Committee and, if so, how is a copy of the recommendations obtained by the appellant; (c) has the CAIS administration ever issued rejection letters to an appellant before or after soliciting the involvement of an appeals committee and, if so, how is a copy of the motion or other directive permitting this obtained by the appellant; (d) who is responsible for forwarding recommendations made by the Western Amalgamated Appeals Sub-Committee to the next level of appeal; (e) are there any legitimate grounds upon which the National CAIS Committee (NCC) administration is allowed to refuse an appellant the full extent of an appeal by neglecting to forward the recommendations of the Western Amalgamated Appeals Sub-Committee to the next level of appeal; (f) does the appeal process deal with appeals on a case by case basis or can the NCC administration short-circuit the appeals process based on a judgment that an appellant's complaint is just like the one that may have preceded it; (g) are there guidelines established that would give an appellant a reasonable expectation of the time it should take to address an appeal at all the various levels and, if so, what are the guidelines that govern a reasonable expectation; (h) is the appellant justified in expecting that the decisions made by appeals committees will be communicated to the appellant; (i) what are the circumstances under which it would be acceptable not to inform the appellant of decisions made by appeal committees; (j) is it a reasonable expectation on the part of the appellant to expect that the decision of their appeal would not be discussed by the NCC administration, to the public or a competitor without the approval of the appellant and, if so, what recourse is open to the appellant if this expectation has not been respected; (k) would the public circulation of a decision made by the NCC administration without the appellant's express permission constitute a "moral hazard" for the purposes of the Principles of the Transition Agreements, section 14.1.3; (l) would such an action call into question the integrity of the appeals process and compromise the quality and legitimacy of the decisions and decision making process, as they applied to the appellant; (m) how many times is it acceptable to change the reasons that are given to a producer for their exclusion from a program; (n) when a historically precedent-setting change to the eligibility criteria of producers to Business Risk Management (BRM) programs are made, who bears the responsibility of ensuring that these changes in direction are clearly and adequately communicated to the agents of the program and who bears the responsibility to articulate these precedent-setting changes in the guidelines; (o) is the producer under any obligation to demand of the purchaser an accounting or history of the purchaser's previous use of the product in order that the producer may be eligible for BRM and, if so, what is the justification for this under the CAIS program; (p) if the purchaser's intended end use of the product changes after the purchase has been made, is the producer then entitled to re-apply, if they have previously been denied program funding because of the purchaser's stated intended end use of the product; (q) what level of appeal hears issues that may pertain to situations where the guidelines are in conflict with other over-riding legislation or previous implementation agreements and does this level have any authority to bring resolution to a conflict;

*Points of Order*

(r) what is the duty of the NCC administration to ensure that they are correctly following their legislative duty to Parliament to act in accordance with the legislation; (s) are the administrators of the CAIS program accountable to the government if they fail to act in accordance with the legislation and statutes; (t) what avenues are open to the appellant once the appeal process comes to an end, if they can show that the legislation and duly signed implementation agreements have not been followed; (u) are there any circumstances under which the NCC is allowed to approve the implementation of guidelines that are inconsistent with legislation and, if so, where in the legislation is that entitlement articulated; and (v) what avenues are open to the appellant to prevent the NCC administration from moving a matter to Revenue Canada for collection, once all avenues under the appeals process have failed, when there are conflicts between legislation and program guidelines?

(Return tabled)

[*English*]

**Mr. Tom Lukiwski:** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

**MOTIONS FOR PAPERS**

**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 notices of motions for the production of papers be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

**POINTS OF ORDER**

BILL C-505—CANADIAN MULTICULTURALISM ACT

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Mr. Speaker, I have a point of order I wish to make in relation to a private member's bill currently before the House in which it appears could be debated tomorrow. It is Bill C-505. My point of order concerns the constitutionality of the bill. Either the bill is totally unconstitutional or it is in the wrong form, and I will point out where I am coming from on that in my remarks.

It is my view that the bill should either not be debated and/or should be ordered discharged and dropped from the order paper for these reasons. I will read clause 2 of the bill. It says:

The Government of Canada's multiculturalism policy does not apply in Quebec.

It is as simple as that.

I will also read section 27 of the Charter of Rights and Freedoms, part of our constitution under the Constitution Act, 1982. Section 27 reads:

This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.

I want to point out, Mr. Speaker, as you know and most members know, private members' business in the House does not receive the scrutiny or check of the Department of Justice that all government bills must do under the Department of Justice Act. Since private members' business is not subject to Department of Justice scrutiny, it is entirely possible that some of the business that does come through

might be constitutionally offside. In this case I believe it certainly is offside.

I want to read as well subsection 52(1) of the Constitution Act, 1982. We are dealing with constitutional law here and this is bedrock law.

The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

I want to submit also that the federal government's multiculturalism policy and section 27 of the charter, which I just read, are now in law and in practice, flip sides of the same constitutional coin. In fact, the Canadian Multiculturalism Act recites the Canadian constitutional provision, section 27, right in the preamble, they are that connected.

In the House, by section 9 of the same Multiculturalism Act, the House is charged with permanently reviewing the operation of the act and that policy. The constitution is explicitly the foundation for that statute and the statute is the explicit manifestation of that constitutional provision.

A very real example of the constitutional application of multicultural policy beyond the framework of the statute itself is found in the ruling of the Supreme Court of Canada in *R. v. Keegstra*, [1990] 3 R.C.S. 697, wherein the Criminal Code hate crimes are ruled by the court to be a function of the application of section 27 of the charter, that is the multiculturalism section of the charter.

We have the Criminal Code application in Canada, that particular provision, being justified and being related to that provision of our constitution. The bill with which we are dealing purports to say that the multiculturalism policy does not apply in the province of Quebec.

I submit that clause 2 of the bill, which I read, is so inconsistent with section 27 of the constitutional charter that it cannot be sustained. It is unconstitutional and should not be considered for further debate or process. Either clause 2 of the bill should be struck or the entire bill should be struck.

A second possible response to the member's legislative initiative is that the bill is really a constitutional amendment providing for some kind of provincial exemption from the constitution. It is possible that is what the member has intended and he has submitted a bill to do that.

● (1530)

Members can propose amendments to our Constitution, but in this case a bill is not the proper form. Constitutional amendments are, by section 38 of the Constitution, accomplished by way of a resolution of both Houses, et cetera, not by a bill. Resolutions are described in Marleau and Montpetit, at page 794, footnote 184, if the Speaker needs a reference.

My conclusion is that Bill C-505, using the words I quoted, "purports to obstruct, to displace, or to undermine" section 27 of our charter based in the Constitution and must utterly fail, for those reasons, both in law and as to form. Either the bill or clause 2 on its own should be struck and an order discharging the House from further consideration should be made.

*Government Orders***GOVERNMENT ORDERS**

[Translation]

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Mr. Speaker, I listened to what my colleague from Scarborough—Rouge River had to say. Considering that we just learned that he was raising this issue, we are reserving our comments for later.

I simply want to mention that, despite the fine constitutional references our colleague made in his point of order, as the watchdog of procedure, Mr. Speaker, you know that the Subcommittee on Private Members' Business rules on the constitutionality of a bill and decides whether private members' bills are votable or not.

Through you, Mr. Speaker, I wish to remind my colleague—and I am sure he is a democrat—that obviously his argument did not hold up because the Subcommittee on Private Members' Business has ruled on the votability of this bill.

With all due respect and, as I was saying earlier, subject to comments we may make later, you do not have the authority, Mr. Speaker, to deal with this point of order since the rules are clear and the Subcommittee on Private Members' Business has ruled on the constitutionality of this bill.

**The Speaker:** I appreciate the interventions by both hon. members who offered their expertise to the Chair on this matter.

•(1535)

[English]

I will take the matter under advisement.

My initial reaction to the hon. member's point of order is that constitutional questions are not for the Chair to decide. The fact that this may amend the Constitution of Canada is not a matter of procedure in the House, in my view, and therefore, on the face of it, the bill would be in order even if it did purport to amend the Constitution.

The question I have, and I will come back to the House concerning it, is whether a constitutional amendment has to be done by resolution or whether it can be done by a bill. I am not an expert in this area, unlearned as I am, like the hon. member for Scarborough—Rouge River.

In the old days it was done by resolution because it was only the British House of Commons that could amend the Constitution. However, since the repatriation of the Constitution, this can be amended now by the Parliament of Canada in certain circumstances. I am afraid I am unfamiliar with the procedure for that, but I will check into it.

In any event, the argument as to whether this constitutes a constitutional amendment remains another issue and I am not sure it is one for the Chair to decide. I will look into the matter and get back to the House shortly with a decision on this point.

[Translation]

I want to thank all hon. members who contributed to this discussion. Thank you very much.

[English]

**BUDGET IMPLEMENTATION ACT, 2008**

The House resumed from April 7 consideration of the motion that Bill C-50, An Act to implement certain provisions of the budget tabled in Parliament on February 26, 2008 and to enact provisions to preserve the fiscal plan set out in that budget, be read the second time and referred to a committee, and of the amendment.

**The Speaker:** When this matter was last before the House the hon. member for Burnaby—Douglas had the floor. There are two minutes remaining in the time allotted for his remarks.

The hon. member for Burnaby—Douglas.

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Mr. Speaker, I had best get going if I have only two minutes. What we are debating is the amendment from the New Democratic Party to separate out the immigration provisions of this legislation because there are very serious changes to Canada's immigration law. We do not believe they should be buried in a budget implementation bill and we do not believe they can best be scrutinized there.

The Conservatives are right in that there is a problem with the backlog. The Liberals did not address the problem with the backlog and in fact created the backlog over many years in office. They stimulated it by not providing the appropriate funding to the department to do the processing and by not providing appropriate immigration targets for the country despite the fact that year after year they promised to increase that target. At one point, I added up all the years in which they missed their proposed target for immigration. If we added them all up, it probably would have eliminated the backlog on hand at that time.

Yes, there were problems. However, what the Conservatives are proposing is not going to fix the problems. In fact, it is only going to make them worse. The kind of discretion that the Conservatives propose to give the minister is just plain wrong. We need clarity in our immigration proposals. This is wrong.

In their immigration policy, the Conservatives are also giving far too great an emphasis to temporary foreign workers. We know that these workers are too easily exploited. They provide cheap labour.

Fortunately, we in Canada have never relied on this kind of labour to drive our economy. Unlike European countries that have had strong guest worker policies, we have never gone that route. We prefer instead to bring people in because of economic need as permanent residents and put them on the track to becoming full citizens of Canada. Unfortunately, the Conservatives are reversing that policy as well. It is one of the serious problems with their immigration policy.

*Government Orders*

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.):** Mr. Speaker, I am wondering about the NDP's position on this, quite frankly, and I am hoping that perhaps their members will address this, because this is not an immigration bill. There is no such thing on the table. This is a budget bill. If they want to address the budget, I would dearly love to support them.

However, I have some difficulties with their position on immigration because of what happened when there was an immigration plan on the table. There was \$1.4 billion for integration and settlement. There was \$700 million for fixing the system by accelerating processing and eliminating the backlog over a five year period. There was \$88 million established for foreign credentials recognition. There was \$10 million for expanding a student visa program to encourage more students to come into the country.

The NDP members voted against that and precipitated an election as a result. Today they are objecting to a plan they say is there, but I have not seen one. Would they please elaborate for the members on this side, who would like to support them, what specifics of a plan they are objecting to might actually emerge from a bill that is not in the House?

• (1540)

**Mr. Bill Siksay:** Mr. Speaker, if the member had heard the beginning of my speech he clearly would have heard what problems we have with this legislation.

The fact is that this legislation, which is buried in a budget bill, would fundamentally change the powers of the Minister of Citizenship and Immigration, so much so that we could in fact drive a Mack truck right through the immigration act and the immigration provisions. They are very significant proposals. They should not be buried in a budget bill. They should stand on their own. They should be debated on their own. They should go to the Standing Committee on Citizenship and Immigration, whose members have the particular expertise and experience to deal with those kinds of recommendations, not to the finance committee, whose members' expertise lies in other areas.

What would we do instead? We would make sure there is transparency. We would make sure that we meet a target of 1% of population for immigration every year. We would make sure that we preserve the track from permanent residence to full citizenship in Canada. We would make sure that temporary foreign workers do not become guest workers and get exploited in Canada. We would make sure that family reunification, the most successful piece of our immigration program, retains a central place in our immigration program.

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Mr. Speaker, I hear the member talking about the backlog as if it is some kind of disease. I suggest to him that the backlog of 800,000 people is actually a huge asset in regard to immigrants wanting and waiting to come here. It is a two and a half year wait if we look at the average wait time for those 800,000 people. We take more immigrants per capita than any other country in the world. I am not so sure the member should be calling it a backlog. If we had no backlog, would the member not agree that we would be pulling our hair out and saying that our immigration program is an absolute failure?

Why do the member and his party not simply focus on the committee process? We cannot materially alter this bill here. We can defeat it in the House, but this is a budget implementation bill containing dozens and dozens of provisions and all kinds of financial provisions. We should try to fix this bill at the committee where the clause in question can actually be excised and not adopted. Is that not a better solution than the NDP proposal in this case?

**Mr. Bill Siksay:** Mr. Speaker, the backlog is actually 900,000 people. I would ask the member to talk to people in his constituency who are waiting for a relative stuck in that backlog and ask them if they do not think it is a problem. It is a huge problem for families looking to be reunited in Canada to have to wait year after year to be reunited with that relative, especially when they were promised when they emigrated to Canada that their family members would be able to join them. We broke a promise to immigrants who came to Canada when we told them that our immigration policy was such that their family would be reunified in Canada.

There are two possibilities. If we did not have a backlog, it could mean that we were in desperate need of immigrants, but it might also mean that the processing in our immigration program was working appropriately and that people were not having to wait unacceptable lengths of time to have their applications processed and to join their family members in Canada. It would mean that employers would not have to wait for employees that they need to do important work in Canada.

We could have an efficient immigration system if we put those resources into place.

[*Translation*]

**Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.):** Mr. Speaker, obviously I plan to talk about the whole issue of the amendment, but I will also take this opportunity to speak on Bill C-50, the budget implementation bill, and share some more general but, I believe, nonetheless very important thoughts.

Coming on the heels of a budget that is timid, to say the least, Bill C-50, Budget Implementation Act, 2008, confirms this government's vision and essentially incorporates a bill on immigration that is totally unacceptable in terms of both its content and the way it is being introduced.

On reading budget 2008, I felt that seniors and the poor were the big losers. I voted against this budget largely for this reason. Now, by adding immigration clauses, the government has done something totally unacceptable, in my opinion. These clauses give the minister absolutely extraordinary discretionary powers. There will be other big losers if we accept this. If this goes through, all newcomers to Canada, especially people who want to sponsor family members, will have a hard time living with the new reality of arbitrary decisions.

*Government Orders*

I want to talk about more general issues, as I said previously. In this Budget Implementation Act, 2008, regional economies—an issue I feel strongly about and one that will always be close to my heart—and environmental concerns are really given short shrift. The measures in the bill are too timid to give clear, targeted help to the thousands of people across Canada with urgent, pressing needs. It is shameful that, once again, the government has not chosen to act for the common good and redistribute wealth when it can.

The government has chosen to use \$10 billion to pay down the debt instead of looking after the people for whom it is responsible and redistributing wealth. Because it has decided to pay down the debt, the government is using smoke and mirrors and more often than not presenting us with budget measures spread over two years—measures it is not giving much attention to. Sometimes, the figures look quite promising, but when they are cut in half, they are much less attractive.

Very few people are fooled by this scheme. As I said last fall in criticizing the economic statement, it is precisely because, quite frankly, there was not much to it and nothing substantial for seniors and businesses in our region that I obviously decided to vote against the statement, as I did against this budget and as I will continue to do against this budget implementation bill, which I find unacceptable. It is only logical.

Today, the government is implementing some of the claims regarding provincial jurisdictions. We had questions about the elimination of the millennium scholarship and the creation of an independent employment insurance commission. All these steps taken by the government are baby steps and their significance should not be exaggerated, as it is quite limited. The people in our regions want to see real, detailed changes, which they do not often see from this government.

• (1545)

The people who need help from this government, people in my riding and throughout Quebec, are truly being left out in the cold by this budget and this budget implementation bill. I am talking about seniors and forestry workers in particular.

As far as seniors are concerned, this government recently had the opportunity, as many in this House will recall, to take a look at our least fortunate seniors and study the entire issue through the motion I presented, which, I am happy to report, was adopted by a majority vote. The only members who voted against the motion were the Conservative members.

The government thus had an opportunity to address the issue, to do things differently, to try to eliminate poverty among our seniors, those who built our regions, our country, our nation of Quebec and the rest of Canada. It had an opportunity to lift these people above the poverty line.

My motion did not ask for much. In it I asked that our seniors be lifted above the poverty line and be allowed to work 15 hours a week at the minimum wage established by their province of residence without being penalized with respect to the guaranteed income supplement. It was not much, but it was well-meaning. We know what this government decided to do.

The Conservatives have taken some measures. No one can be against the good things or against virtue. They announced \$13 million to fight violence against seniors; that in itself is important. Furthermore, they announced the creation of a TFSA, that special account. This is good, if the seniors have any money. My main focus was help for poor seniors. If seniors can save a maximum of \$5,000 per year in a special savings account, good for them.

But before helping those who have resources and pensions, the government's responsibility and obligation is to take care of the people who need it most. In this case, I will continue to hammer home my demands, the demands of the people, of seniors and of those who fight for seniors' rights and needs, because they need more than what the government offered in its budget.

I will not have a chance to discuss all the sectors of the Quebec economy, but there is one in particular that affects everyone, at least on this side of the House: the manufacturing and forestry sector.

It is completely unacceptable that despite the creation of a special fund intended to help these regions and sectors where many manufacturing and forestry companies are experiencing a crisis, there are still huge job losses. The government had the opportunity to help these foresters and to give them a boost.

In my region and in Quebec in particular, I am thinking about private woodlots and the foresters who own them, who cultivate our forests, who look after them competently, successfully taking environmental concerns into consideration. The Conservative government completely forgot about them. It completely ignored the reality in the forestry sector, and particularly the private forestry sector, in Quebec and elsewhere.

For all the reasons I mentioned—and I am sorry I must stop, because I could have talked for 20 minutes—it is clear that I cannot support this budget implementation bill, and will vote against it.

• (1550)

[*English*]

**Ms. Catherine Bell (Vancouver Island North, NDP):** Mr. Speaker, I listened to the hon. member's remarks on the budget implementation act, and I share a lot of her concerns. In fact, I am going to be speaking in a short time about those concerns.

I wonder if the member could expand on some of the things that the government should have done when we had billions of dollars in surplus. Where could some of that money have been directed? What kind of programs might she envision that would really help some of the lowest income people in our country? Some people are at risk of losing their homes. There are people who need child care, people who need a lot of supports in our society. Those are the kinds of people that we in this House should be supporting.

*Government Orders*

•(1555)

[*Translation*]

**Ms. Louise Thibault:** Mr. Speaker, I would like to thank my colleague.

I have often noticed that when our colleagues from the New Democratic Party speak, one of their recurring themes is reducing poverty throughout the country. On behalf of the people, I applaud that.

As an independent member, I am always hesitant to tell the government what to do. To me, the most important thing is to remind it that it has the means. The first thing the government must do if it wishes to fight or reduce poverty, for everyone from children to seniors, is invest the necessary funds in existing programs.

In answer to my colleague's question, in my opinion, the second thing the government must do—while respecting the jurisdiction of Quebec and the provinces, of course—is hand over significant sums of money—within the framework of the existing system—so that those who are closest to the people can take provincial and territorial realities into account.

As everyone knows, sovereignty is dear to my heart, so I am sure my answer will not surprise the hon. member.

[*English*]

**Ms. Catherine Bell (Vancouver Island North, NDP):** Mr. Speaker, a few weeks ago I spoke in opposition to the government's budget for 2008-09 because of its tax cuts that favour big corporations, big banks and big polluters. I am very glad to have another opportunity to speak to the budget implementation bill. Of course, I support the amendment that my colleague from Trinity—Spadina put forward.

I oppose this budget once again because there is precious little in it for everyday Canadians struggling to make ends meet right across this country, including in my riding of Vancouver Island North.

As others have done, I will not talk about how the Liberals supported the Conservatives' budget that gives away Canada's fiscal capacity with billions of dollars in tax cuts, taking our country in the wrong direction. Instead, I would like to talk about the real effects of not investing in the supports needed by ordinary people living day to day in all of our communities.

I want to tell all Canadians that the Conservative government made a choice in its budget but it is who it did not choose when giving out those billions of dollars that speaks to the kinds of priorities it has and the kind of Canada that the Conservatives want. Sadly, this is not what most Canadians want.

I received a letter from one of my constituents, Jennifer McPhee. When I read her letter, I was moved by her sense of frustration. Her letter tells the story of how members of one family are trying so hard to make ends meet, to live their lives with respect for the environment and to improve their lot in life, only to feel that they are being ignored and thwarted by the actions and lack of support from the government.

I would like to read some excerpts from Jennifer's letter, with her permission, of course. She writes:

I am a...mother, a wife, a LPN at the ...hospital and a contributor to our communities.... I am fully aware of how hard it seems for the average person to get by. The warning signs are all over, showing every person on this earth that we need to collectively work together to save our earth as we know it.... I personally am learning every day about ways to help reduce, reuse, recycle, become more energy efficient, and some of that information comes from what my 8 and 10 year olds are learning in school. If school children are aware, how can our Canadian government turn a blind eye to the crisis we are in? How can they not see it at as an opportunity to lead the way into a new way of thinking and pioneering a system that we can be proud of? ...I started to become thrifty and thoughtful as a means of self-preservation initially, and it has evolved for me as a necessary way of life.... I work at the hospital giving it my all...then provide a foot care service for the elderly in our community that cannot afford to go to town to see a podiatrist or cannot get around well. I spend as much time as I can providing extracurricular activities for my kids as schools cannot afford the time or money to assist [them].... I have volunteered at our school to do hot lunches. I have been on the board of directors for our children's centre, a non-profit society that has been near closing for years due to a lack of financial help to rural communities, fundraising and fighting for the right of quality child care for our community's children.... I try so hard to be a good role model for my children. I try so hard to find a balance between the work that I have to do to stay afloat and my family and friends. It feels more and more every year like the government is trying to make sure that the young adults of this world don't ever succeed. I don't get raises that coincide with the increases in the cost of living.... If we weren't thrifty and creative making my foot care business and growing our own garden...we would have lost our home shortly after we purchased it.... I am over the allowable threshold for a child care subsidy and my children were born before the date that would give me access to that extra \$100 a month.

She goes on to state:

I get called continuously from work at the hospital begging me to work more as the staff members there are always overtaxed with patient load. Yet when I have looked into furthering my education so that I can help out with our nursing shortage by becoming an RN, there is no access to funding. There is no incentive to lose [my] job security...to miss time with my family, to go into debt with student loans. It feels like an unreachable goal, unless I want to jeopardize my family in the process.... I feel desperate for help and change. I don't know how to achieve it and I'm so tired already from trying so hard. I know that this letter will be one of the masses and it will go nowhere. That seems to be what happens with the average voice and the average fight for the greater good. That's how I feel, anyway.

•(1600)

This is just one person among millions in this country who feel that their voices are not being heard. I want the Jennifers of this country to know that there are people out there listening and taking action on the issues she raised: the environment, support for seniors, child care, education and training, affordable housing and the cost of living for ordinary people.

The NDP is the only party consistently opposing this wrong-headed Conservative agenda. We are listening to everyday Canadians and ensuring their voices and their choices are part of the national debate about the kind of Canada we want.

I would also like to talk about a growing crisis in this country, that of poverty and homelessness. We just heard again this morning that homelessness is on the rise in this country. While there are people in all our communities living on the streets, living in substandard housing or at risk of becoming homeless, the Conservatives ignored their needs in the budget.



*Government Orders*

I congratulate my colleague from Sault Ste. Marie for the work he is doing on the issues of poverty and homelessness. I look forward, as do poverty and housing advocates in my riding, to the upcoming hearings to discuss this issue and to, hopefully, help the government to understand that Canada can do better.

There are solutions that need to be acted upon. We can do it. We are a rich country. We can afford to take care of one another, especially the most vulnerable in our society.

Sadly, the government does not just forget or ignore people struggling to make ends meet. It also takes from them. Do members remember the EnerGuide program for low income households that the government scrapped in its first budget? That program was helping cut energy costs for low income households. Now, with the increase in energy costs, the inability to pay those bills is putting more families at risk of losing their homes. In fact, it is the second leading cause of evictions in Canada.

Why do the energy producers get huge tax breaks but the energy users get gouged?

One more segment of our society has been left out of this budget when it comes to housing. I do not know if anyone from the government side has been on a first nation reserve recently and seen the deplorable conditions of their homes but I have. In Ehattesaht and Kyuquot, at Gwa'Sala-Nakwaxda'xw or Fort Rupert, in Tsaxana and Homalco reserves, and in Campbell River, I have been invited into people's homes to see their living conditions. Most of the homes on reserves are falling apart and mouldy. This is creating unhealthy living conditions for everyone but especially for children and elders.

While this is a deplorable situation in and of itself, to subject anyone to live in these conditions, there is also overcrowding because there are not enough homes to go around. I have been in homes in which there are several families living. Sometimes up to 24 people are living in one home meant for a family of four.

Every time I visit a first nation community in my riding, and I have been to at least 12 of them, I get angry. I get angry at a government that is not listening to the first people of this country. I get angry at a government that perpetuates the systemic discrimination of our forefathers by turning a blind eye to the reality of life on reserve.

However, my anger does not stop me. My anger fuels my drive to raise this injustice in this House. It might be hard for some people in this place to hear that we are responsible for allowing the third world conditions in which first nations people live in this country but we better pay attention.

Funding from the federal government does not meet the needs of first nations communities. With the money they receive, they must provide all the services to their people that three levels of government provide to others in Canada: education, social services, infrastructure, housing, health care, child care, elder care, all this at the same time as they are dealing with the legacy of the residential schools system.

I have the privilege of travelling around one of the most beautiful parts of the country, my riding of Vancouver Island North, and every time I do, it reminds me of what I have a responsibility to protect and

the people I have to represent. I made a promise to bring their voices and their issues to Ottawa. I hope I have done them justice, but more important, I hope this government and the other opposition parties listen and vote against the implementation of this budget.

● (1605)

**Mr. Alan Tonks (York South—Weston, Lib.):** Mr. Speaker, I would like to congratulate and thank the member for Vancouver Island North for the overview that she has given, which is indicative not only of her riding but also of circumstances in which Canadians and new Canadians, indeed, first nations Canadians, find themselves.

My riding is one of the very needy ridings in Ontario. According to the package of indicators, it is second in terms of the kinds of supports that are necessary. We have a large number of new immigrants and a large number of them are not working because they cannot meet the certification that is required.

The member talked about Jennifer McPhee. I think Jennifer is one of those among the working poor who are searching for dignity in life. However, she has dignity because the member has taken up her cause.

I did not hear the member actually speak to the immigration act, the portion of this omnibus bill with which we are trying to come to grips.

Could the member indicate what she would like to see with respect to those supports that new immigrants require? We talk about settlement services and so on. Could she just give us a quick overview on how deficient the bill is and why, in those particular areas, we should seek out resolutions because of the kinds of circumstances that she and I and many members are facing in their ridings, and that the government's approach is not coming to grips with those needs?

**Ms. Catherine Bell:** Mr. Speaker, I thank my hon. colleague for his understanding of some of the severe lack of supports for ordinary Canadians who are trying to make ends meet. Day to day Canadians, just ordinary people, are out there struggling to make a living and doing the best they can.

When it comes to the issue of immigration, my colleague from Trinity—Spadina moved an amendment to the bill to take the immigration piece out of the budget implementation act because it ought not to be in there. Immigration should be in a separate bill that would be debated in committee but, unfortunately, that will not happen.

The inclusion of immigration within the budget implementation bill would give the minister sweeping powers to have the final say and have the discretion over all immigrants, which will not help the process.

As my hon. colleague knows, significant problems have created a backlog. My office deals with many immigration cases, even in Vancouver Island North. We are not a big centre but we still get many cases.

*Government Orders*

The problems that are precipitated because of this implementation bill with immigration in it, will not do anything to help immigration, to speed up the process and allow more people to come into this country.

• (1610)

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.):** Mr. Speaker, I am sure the member will want to ask the minister, once this bill goes to committee, why it is that the numbers keep changing on the question of the backlog. It was 690,000 two years and, by today's estimate, it has gone to 925,000, but she has no measures to eliminate that backlog. That is an increase of over 100,000 per year. She cannot blame that on this side of the House. She can only take responsibility.

Will the member allow herself to ask those questions of the minister in committee and ask her why her government has allowed a 100,000-plus addition to the backlog—

**The Acting Speaker (Mr. Andrew Scheer):** The hon. member for Vancouver Island North has about 30 seconds left.

**Ms. Catherine Bell:** I do not think I will even take that long, Mr. Speaker.

Why did my hon. colleague not support the once in a lifetime bill introduced by my colleague from Parkdale—High Park? That bill could have alleviated some of the backlog. I know many of the people who have applied are people waiting to be reunited with their families.

**The Acting Speaker (Mr. Andrew Scheer):** Order, please. 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 Kitchener Centre, Automotive Industry; the hon. member for Pickering—Scarborough East, Foreign Affairs.

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, I am pleased to speak to the budget implementation act and, along with my colleagues, I intend to vote against this bill. It is very problematic.

The budget and the budget implementation act would basically strip away the government's fiscal capacity and place a rising burden on individual taxpayers.

We have seen corporate tax giveaways rising while the individual burden proportionately is increasing through this budget and it is destroying any semblance of balance between the taxes paid by large corporations, many of which are very profitable, and the taxes paid by ordinary Canadians.

We know that the kinds of across-the-board tax cuts that the government is bringing in continues the pattern, unfortunately, of previous governments, which is of giving back moneys to the most profitable companies. Who has been making the big profits in this country? Certainly the banks have been digging in with both hands and have been extremely profitable. The oil and gas companies have seen their profits skyrocket with the rising price of oil. They are doing extremely well and these corporate cuts just fuel their profits and support. It subsidizes a sector that, quite frankly, should not be getting subsidies.

What is the impact here? The impact is that the proportion of tax revenue coming from large corporations will go down by 12% but the percentage paid by individual Canadians, the average person who goes to work every day and pays taxes, their share will be increased by 14%. In other words, individual Canadians will be paying a greater share of creating the fiscal capacity that we have in this country to pay for the programs and services that we all want to enjoy.

This growing imbalance is increasingly squeezing the average person at a time when personal debt is at an all-time high. Salaries are flat. More and more people are working full time and still below the poverty line. Individual savings are at a real low point. Most people do not have savings for a rainy day.

To summarize, what we are seeing in this budget is that for every dollar that the government is spending in services, programs and infrastructure, it is spending \$6 on corporate tax cuts. Six to one is the ratio of spending in this budget. We disagree with it and that is why we have opposed it.

As I said, these tax cuts are shrinking our fiscal capacity. What does that mean? It means that we are not spending in the areas that we ought to be investing in, in spite of some of the very pressing needs that we have in this country.

What could we have done with the money that the government is spending in corporate tax giveaways? We could have created 1.14 million child care spaces. We could have done that to help working families that are so squeezed when both parents are trying to make ends meet and still care for their kids.

We could have added 74,000 hybrid transit buses that are clean, new and more accessible and, my goodness, even Canadian made. We could have put these on our streets, created a lot of jobs, kept a lot of people in work, created new jobs and created a big demand for all the auxiliary parts and services that go into this production.

We could have created 12.1 million units of non-profit affordable housing. Would that not have been something? That would certainly clear up the 70,000 families that are on the waiting list for affordable housing in my city of Toronto alone.

• (1615)

We could have invested in 25,000 MRI machines to help with some of the backlog in our health care system. We could have invested in our health care system so that Canadians could get the timely, efficient, good quality care that they need. We could have invested in annual health services for 10 million patients and made sure that our seniors, or anybody who needs health care, have the services in a timely fashion.

We could have helped with undergraduate tuition for 11 million students. That would have made an enormous difference for young people starting out in life rather than saddling them with an oppressive mortgaging of their future. We could have invested in their education and helped them get the kind of start that they ought to be getting in a country as wealthy as ours. We could have forgiven 2.1 million graduates of their student loans.

*Government Orders*

Unfortunately, supported by the opposition, the government has decided not to invest in all of these pressing priorities, whether it is child care, housing, health care, or the arts, many of the issues that are of concern to people in my riding of Parkdale—High Park.

Another choice that the federal government made was to undermine one of the core adjustment programs that working people in our country need and that is our employment insurance program.

This program has already been significantly undermined by previous governments. It used to be our strongest program to help working people when they lost their job and needed to get into a new job. This program used to provide funding for unemployed workers. Some 80% of unemployed workers used to get EI to help them through their transition.

As a result of cuts made by the previous government that significantly undermined who would get benefits and the level of their benefits, we find today that more than three-quarters of laid off people in the city of Toronto and about two-thirds across the country do not get employment insurance benefits. This is shocking. Is there any other insurance program where an individual cannot access the benefits even though he or she has paid the premiums? This defies logic.

Working people and employers across the country have been paying into the EI fund for some time, resulting in a surplus of \$57 billion. Previous governments, as well as the present government, have used that money to pay down the debt or for other programs. People who have been paying into the fund and ought to be getting the benefits are in fact being denied the benefits.

What is the Conservative government doing? Rather than saying there is an imbalance between the money paid in and the abysmal level of benefits and services available as a result of the inadequacy of the EI program, the government has decided to take, or steal in fact, the \$57 billion and set up a separate account that will not be accountable to this Parliament. That is shocking. That is a disgrace. That is a dishonour to unemployed workers across the country.

The decision by the government to change the immigration act and put so much discretion and power in the hands of the immigration minister is a terrible betrayal of the hopes and dreams of newcomers who want to come to this country.

Our system is far from perfect. There have been too many cutbacks in the system that have created a backlog. But too many people are now going to be denied the opportunity to come to this country because of the changes in this budget implementation act.

• (1620)

**Mr. Alan Tonks (York South—Weston, Lib.):** Mr. Speaker, the member for Parkdale—High Park comes from an urban Toronto riding. She has given a strategic overview of what the main elements of a comprehensive strategic economic plan would be.

She mentioned child care. She talked about transportation, affordable housing, the health care system and MRI units. These are all of the things that would have been possible had there been a different tactical approach with respect to not touching the GST but dealing with low income earners and attempting to reinvest through

them to give them the ability to meet their account problems and a whole variety of concerns that they have.

There is one area that I share in common with the member and that is the whole area of affordable housing and the existing housing stock. One thing she did not mention was how important it is to invest through the residential rehabilitation assistance program on old buildings that have structural needs and mouldy conditions, and are a health concern.

I wonder if she would like to take a moment to outline how that approach through the residential rehabilitation program, which has been cut in fact, would have an impact on her riding which is similar to mine.

**Ms. Peggy Nash:** Mr. Speaker, the hon. member is absolutely right. Not only was there no new money for affordable or social housing, for renovating or retrofitting existing homes, no money for a strategy to reduce homelessness, but there was no commitment to renew funding for the residential rehabilitation assistance program or RRAP funding.

This funding has been used across the country to take substandard housing, these bachelorettes in Parkdale in my riding, and convert them into more liveable housing.

It is shocking to see the number of people, who not only are homeless on the streets of Toronto but who live in such deplorable housing conditions. I see children living in apartments that are water damaged or mouldy. The apartments are cramped, dark and really substandard.

I do not think this program and others did the job. The national housing strategy has been abandoned. What this country needs is a massive investment in housing. We have a national housing crisis. We could have used some of this money and some of this fiscal capacity to invest in housing. Meanwhile people are being evicted.

People could be living in safe, secure and affordable housing. Instead, we are seeing so much of it shovelled to those who already have so much. It defies logic and it defies any kind of humanity to approach our budget this way.

• (1625)

**Mr. Ken Epp (Edmonton—Sherwood Park, CPC):** Mr. Speaker, there is only one thing I would like to address, even though there were many issues in the hon. member's speech.

I am greatly surprised with the issue that the NDP brings up over and over. It is its objection to paying down debt. It is my distinct belief that when people borrow money, it is because they do not have enough for what they want to do. I would like to blame the Liberals from the 1970s on. They drove this country into huge debt from which we need to escape.

The reason I think it is strange for the NDP to have this stance is that people who have more money than they need invest it and buy Canada savings bonds. People who are poor cannot. They are the working poor usually. They still pay taxes. We have a transfer of money from the poor to the rich when we have national debt. We need to get rid of that debt in order to stop that transfer. I am surprised that the NDP does not support the paying down of debt.

*Government Orders*

**Ms. Peggy Nash:** Mr. Speaker, of course, we agree with paying down debt.

It is a question of balance. We do not need to be the most aggressive debt payers of the G-8. To me it defies logic that people would want to completely pay off their mortgage, but have a big hole in the roof and be unable to keep the rain out. It is a question of balance. The debt should be paid down, but we also invest in our society and in our economy today to ensure that we take care of people.

**Mr. Dennis Bevington (Western Arctic, NDP):** Mr. Speaker, it is a privilege to stand again in Parliament and speak about the types of issues that the Conservative Party brings forth within a budget.

We have an amendment now in front of us dealing with Bill C-50 to separate some of the immigration issues that are extremely important to Canadians right across the country and in my riding as well.

We think it is absolutely imperative that the heavy-handed legislation that has been introduced through the budget process be taken out.

For myself and the constituents I represent, the situation with immigration is horrendous. The backlog means loss of productivity and loss of sense of identity for many people across the country. We need to change that, yes, but to change it as it is proposed, where we could arbitrarily choose those we wish to reward with the benefits of a properly working immigration system is really wrong.

We need to keep it democratic and we need to keep it fair across this country. That is why we have put this amendment forward and that is why we will continue to not support this bill as long it contains this type of effort.

Having said that, I would like as well to talk about the budget and the budget implementation bill. In reality, I have actually been harangued by many in the Conservative Party about my position to not support the budget. So, I would like to explain that to people and get it on the record.

The other day the Parliamentary Secretary to the Minister of Finance, the member for Macleod, claimed that my constituents were extremely disappointed with me for not supporting the budget. I do not understand why he would say that, but he continued by saying that a member from the Northwest Territories who did not support a northern residents tax reduction was really failing his constituents.

When we look at the record, we will see that for the past eight years I have been fighting, in three elections, to put forward the concept that fairness within the northern residents tax deduction needs to be addressed.

In this Parliament, I have been consistently bringing this issue up and putting it on the order paper. I have worked with my constituents across the Northwest Territories and in the other northern territories to raise petitions and to bring attention to this issue.

It is nice to see that the Conservative Party has picked up on the issue, but it did not get the job done. A 10% increase to the northern residents tax deduction is simply a convenience to the Conservative Party so that it can say to the electorate "We did this", when in fact

what was required and was asked by all my constituents, whether they be labour, whether they be the chambers of commerce, or whether they be the legislative assemblies, was a 50% increase just to keep up with inflation for the past 20 years.

The Conservative Party did not get the job done in this budget with the northern residents tax deduction and it should be ashamed to try to fool Canadians into thinking that it did.

The Prime Minister was in my riding, in Yellowknife, a number of weeks ago. What did he do? He stood and harangued me for not supporting the budget. The Prime Minister took the time to tear into the member for Western Arctic because I did not support the budget. The Prime Minister used the northern residents tax deduction as a convenient tool to try to increase the electoral chances of his party in my riding. What a shame-faced effort that was by the Prime Minister.

That is the kind of common approach that I see this Conservative Party taking on so many issues for the north. It talks big about what it is doing for the north and yet everything it does has a hidden touch to it; it turns out to be less than what is expected.

● (1630)

The Minister of Indian Affairs and Northern Development came up north the other day and talked about what he had done for crime prevention, with the new fund he set up for police procurement in the north. He is offering up \$800,000 over five years to the Northwest Territories, an amount which the minister of justice in my territory admitted was only 70% of one police officer position.

In a territory that has extreme problems of distance, the cost to move police services across a vast area the size of one-sixth of the whole country of Canada, the government has offered up 70% of a police officer over the next five years to answer our needs. After the kinds of incidents in the north of over the last year with police, the troubles policemen have had, having to act on by themselves because they simply do not have the resources to implement the proper procedures used in normal situations and we this is what we get. Once again, the Conservative Party brags about a program that really amounts to nothing.

Then we go back to previous budgets wherein the Conservative government brought forward a new formula funding agreement, which at the time it touted as being very progressive. Once again, it was established that the funds would go to the three northern territories, not on what it would cost to provide services in the north, but on a per capita basis. Costs in the north are rising daily. The expanding economy in western Canada is driving up the costs to everyone to a great degree.

After the wonderful work the Conservative Party did with the new formula financing agreement, the territorial government now says it is \$135 million short. It will have to cut positions and very particular things that it needs to do to provide decent services within the Northwest Territories. Therefore, we have a problem right now.

*Government Orders*

When we talk about the Northwest Territories, it is an area where money is being made. We in the Northwest Territories want to see devolution. We want to see revenue sharing from resources, which is an important thing for us, but we do not want to be shorted on that as well.

When the Conservative government announced that it would continue the \$500 million socio-economic fund to be set up for the pipeline, what did it say about it? It said that the fund would not be available until the pipeline was guaranteed and that the fund was okay because it would come out of the royalties that would be accrued to the Mackenzie gas project. That is not a subsidy. That is simply giving us the money that should be ours.

If the Conservative Party is providing this fund to the north to mitigate socio-economic activities will come as a result of industrial expansion that will favour southern Canada, it should take that money out of the revenues that accrue to southern Canada, not the ones that come to the Northwest Territories. That is unfair. Once again it shows the nature of the Conservative Party when it comes to funding the north and giving it a fair share.

What about the Norman Wells project? Oil has been pumped through that pipeline from Norman Wells for some 20 years. Right now, the federal government will not put it on the table in devolution. It will not put the revenue from that project on the table. The Conservatives say that it is their money, that they traded royalties for ownership of the pipeline, that they own 33% of the pipeline and they will not share it with us in the Northwest Territories. They say that they will not give us our fair share. What kind of deal is that? What kind of respect for the Northwest Territories is that from the Conservative Party?

Would the Alberta MPs who sit in the House be satisfied with this kind of arrangement for their provinces? I do not think so. I think they would be up yelling like I am right now.

When it comes to the diamond mines, when the original environmental assessment was set up, the benefits the Northwest Territories were to receive were employment and business opportunities based on a certain rate of production. Some of the mines are exceeding their production by 50%. Do we see the government standing up for our interests in this? No. It continues to let it go, with bigger profits and bigger taxes that will accrue to the federal government. Where does that leave the people of the Northwest Territories?

•(1635)

**Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I listened with apt attention to my friend who has the riding just north of mine in northern Alberta. He asked me to say something as an Albertan MP.

I noticed he was a little nervous about the security of his own riding after the Prime Minister visited it and made some great announcements, and I understand his nervousness. However, some of my constituents received an increase in the northern living allowance. After 20 years, that is the first increase in the northern living allowance. I am very proud of our government for that increase.

As well, I want to let the member know that yesterday I had the opportunity to meet with the minister of transport in the Northwest Territories. He is very happy with the federal government. He is very happy with the initiatives we have taken. He is very happy with the money we have invested in the building Canada fund and the other issues in the Northwest Territories.

Has the member had an opportunity to speak with members of the governing body for the Northwest Territories and talked to them about how happy they are with the Prime Minister and how excited they are with this government for the steps it has taken to help them after nothing was done by the previous Liberal government?

**Mr. Dennis Bevington:** Mr. Speaker, the hon. member's riding is next to mine, a riding from which I do get some things. They come in by air, by water and from the development that his riding depends on for its economy.

When the Conservative Party dealt with the capital gains exemption in the last budget, and it had been 20 years since it was increased, it said that it was fair, that it would raise it by 50%. That was the amount of inflation taken out the benefit over that time. What is different about the northern residents tax deduction? Why did we only get 10%? Is that because we are second class citizens up there? Is that because we do not deserve that kind of benefit, that we are not working hard, that we are not contributing to Canada? I do not think so. I think it is because the Conservative Party is treating the north badly.

I spoke to my minister of transport the other day, as well. He is a very positive guy. He would be positive at any time. I certainly hope that his positive nature will not be affected by any more trips to Ottawa to meet with the Conservative Party. If it is, I will have to try to encourage him to keep his smile, to keep working hard for the people of the Northwest Territories.

•(1640)

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Mr. Speaker, I might have a little history check for the hon. member regarding the budget. He talked about the northern allowance. I also remind him of a few other promises the government made when it was in opposition.

The now Minister of Veterans Affairs and Prime Minister both said that if they were elected, they would compensate everybody in the agent orange file from 1956 to 1984. They came out with a package that even the Liberals would not have accepted, and they asked for a public inquiry. It is not done.

The Prime Minister, in a letter to a widow of a veteran, said very clearly that if the Conservatives were elected, they would immediately extend the VIP to all widows of World War II and Korea, not only some. The budget came out and 30% additional widows will get that coverage, while 70% of additional widows need not apply. Why would the government say "all" and only give it to some?

*Government Orders*

The former defence minister and the current defence minister said to our veterans who had been in Nevada for the atomic testing that the government would have a package very soon for them.

The agent orange people are now in court against the government. The atomic veterans have gone to court. The veterans facing the SISIP clawback are in court. Why do these veterans who fought so hard for our—

**The Acting Speaker (Mr. Andrew Scheer):** I have to cut off the hon. member there to allow the hon. member for Western Arctic a chance to respond.

**Mr. Dennis Bevington:** Mr. Speaker, when we are dealing with the Conservative Party, we are dealing with a party that is penny-wise and pound foolish when it comes to turning out things for Canadians. The Conservatives will give away pounds to the corporations. They will turn their pockets inside out for the corporations. However, when it comes to turning over dollars to hard-working Canadians across the country, to the veterans, to all those types of people, the pockets shut, a nervous look comes over their faces and we do not see the generosity they have shown to many of their corporate friends.

**The Acting Speaker (Mr. Andrew Scheer):** Is the House ready for the question?

**Some hon. members:** Question.

**The Acting Speaker (Mr. Andrew Scheer):** 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 Acting Speaker (Mr. Andrew Scheer):** All those in favour of the amendment will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Andrew Scheer):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Andrew Scheer):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Andrew Scheer):** Call in the members.

*And the bells having rung:*

**Hon. Karen Redman:** Mr. Speaker, I ask that the vote be deferred to the end of government orders today.

**The Acting Speaker (Mr. Andrew Scheer):** Accordingly the vote stands deferred until the end of government orders this day.

\* \* \*

**CANADA MARINE ACT**

The House proceeded to the consideration of Bill C-23, An Act to amend the Canada Marine Act, the Canada Transportation Act, the

Pilotage Act and other Acts in consequence, as reported (with amendment) from the committee.

• (1645)

## SPEAKER'S RULING

**The Acting Speaker (Mr. Andrew Scheer):** There is one motion in amendment standing on the notice paper for the report stage of Bill C-23. Motion No. 1 will be debated and voted upon.

[*Translation*]

I shall now put Motion No. 1 to the House.

[*English*]

## MOTIONS IN AMENDMENT

**Hon. Josée Verner (for the Minister of Transport)**

moved:

Motion No. 1

That Bill C-23, in Clause 15, be amended by replacing line 36 on page 7 with the following:

“subparagraph 25(a)(iv).”

**Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I understand the amendment was put forward by the government and accepted by the Standing Committee on Transport, Infrastructure and Communities. The amendment we are debating today corrects a drafting oversight to correct a reference to reflect the new numbering of paragraphs in the proposed amendment to section 25. It brings conformity between the French and the English in this case.

I will not waste the time of taxpayers. We have already debated the issue of Bill C-23, and I do not want to be ruled out of order, Mr. Speaker, as you would do if it went anywhere except for the amendment itself. I do not want to delay such an important bill. How much can we talk about an “a”, which is simply the change?

I would like to read supportive quotes in relation to Bill C-23 from the Shipping Federation of Canada, the Chamber of Marine Commerce and the Association of Canadian Port Authorities, but again, Mr. Speaker, you would rule me out of order because it is not on the point of the “a”.

Clause by clause took 27 minutes, almost a record in the House, because this is such an important bill for our marine industry. However, Mr. Speaker, you would rule me out of order, so in this case I ask that all members of all parties support the bill and the change in the “a”, which is so important to bring conformity between the French and the English.

Having said that, I am done with the debate.

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.):** Mr. Speaker, I am very pleased to be engaged in this debate. My hon. colleague opposite gave me an indication that he wanted to be brief and he was looking for me to, how shall I put it, be like the leopard that could change its spots and perhaps follow his example in brevity.

On a bill of such great import, he wanted me to be brief and not illustrate the import of this bill. I am going to try to follow his example. Even my hon. colleague from Montreal says it is absolutely important for us to stake out a position on this and make sure that we elucidate it with the clarity that we would have on this bill.

*Government Orders*

I am going to try to do it. With all due respect to the parliamentary secretary, this bill, as I said, is extremely important, for a couple of reasons. One of them, of course, is that it falls into the great tradition of Liberal bills that have taken on another coat in this Parliament. It is one of the bills that our government, in its previous Parliament, put forward for consideration. I was pleased that the current government saw fit to emulate the example.

It came before the committee. In the committee, it received thorough discussion, and for the second reason. That second reason is that this is an important economic measure brought forth to ensure that the infrastructure of the ports system in Canada functions according to all of those means and all of those standards that we have come to label as purely Canadian, which are the following: first, transparent; second, efficient; third, building on all of the partnerships involved in ensuring that the ports system will be reflective of the infrastructure needs of this country; fourth, that it involve the people who are expert in the maintenance and in the running of these operations, according to the business models that we expect would pass the scrutiny of our own system, including the Auditor General; and fifth, it would ensure that the inefficiencies that might exist by virtue of the fact that smaller entities operating often in competition with each other are amalgamated into an environment and into an authority that can provide the services required not only by shippers, i.e. their main clients, but also by the macro needs of the country, and that is an efficient transportation system to get our goods and our services, but primarily our goods, to the foreign markets.

Members will recall that in the last Parliament we initiated a couple of gateways to the economic dynamics of Canada, an Atlantic gateway, a Pacific gateway and, as well, an internal Great Lakes gateway, a central Canada gateway. All of these required the appropriate measures to ensure that the port authorities could function as units, as economic business units capable of delivering an economic service and capable of surviving the operational challenges that come to operating a business that has to meet others' needs.

It was important for us, especially in the committee, to understand that the ebb and flow of business patterns does change, but that these ports would be prepared to ensure that those changes in the economic cycles and in the special economic needs would be reflected in their capacities.

The parliamentary secretary and I tried to find common ground on this, as we found with the critic for the Bloc. I always forget what the name of the riding is, but he will forgive me, I am sure. I cannot mention that it is Monsieur Laframboise, so I will try not to, but we tried to find a common ground and make positive recommendations on how to improve legislation, and we did do that.

● (1650)

**Mr. Brian Jean:** Mr. Speaker, I rise on a point of order. The member is always very good at speaking and is a great orator, and I know he wants to take credit for another Conservative bill that we got passed because the Liberals simply did not get it done for so many years, but notwithstanding that, this is debate is on the amendment. It is on the letter "a".

I am wondering if the member could actually deal with the letter "a", because that is what the amendment is all about. It is about bringing the French and the English into consistency. It is not about the bill itself. We have already dealt with that. Could the member deal with the amendment itself?

**The Acting Speaker (Mr. Andrew Scheer):** The hon. parliamentary secretary does bring up a good point about relevance to the actual amendment we are debating. I will also take this opportunity to remind the hon. member for Eglinton—Lawrence that he cannot do indirectly what he cannot do directly. Perhaps he was trying to think of the riding name of Argenteuil—Papineau—Mirabel when he was referring to the member from the Bloc and will not use the member's proper name again.

If he could stay relevant to the amendment and refrain from using proper names, it would be appreciated.

**Hon. Joseph Volpe:** Mr. Speaker, you will not find a more humble member than myself, and I am appreciative of the fact that you were able to assist me, while we were in the middle of debate, in remembering the hon. member's riding, Argenteuil—Papineau—Mirabel, so I want to give him due credit. Now I am going to be forced to give everybody else due credit as well.

I wanted as well to thank the parliamentary secretary, who has just illustrated how we operate cooperatively on the committee, because he has pointed that it is important to understand both the form as well as the substance of the letter "a". If he is suggesting that perhaps by focusing on the letter "a", which has ramifications for some of the economic and financial structures that are part and parcel of the bill in flowing to this particular amendment, I am only hoping that he will be at least as patient when I go through the other 25 letters of the alphabet associated with the bill.

However, he is absolutely right. We are talking right now about an amendment to all of that fine work that we put together as members of the committee. I want to say hats off to the new NDP member on the committee, who is struggling very hard to find something difficult with this bill, and I imagine he is going to have difficulty with the letter "a". Otherwise, he is going to be absolutely happy with everything else.

As I said, the other things that one would be happy with, the other 25 letters of the alphabet or the style associated with the "a", have to do with giving these ports the opportunity to function as true financial entities capable of meeting the challenges of the economic cycles and the opportunity to access all of those benefits available to growing businesses under the infrastructure program. I know the parliamentary secretary would have wanted to say that too. I see him nodding his head, indicating yes, this is right, but I want to thank him as well for reminding me that people can colour a particular letter not only in style, but in a particular kaleidoscope of colours.

However, any way we colour this letter "a", the bill was getting it done, as they say. It has become part of the lexicon of the House now, "getting it done", and it gets done because people in the House are men and women of goodwill and they develop that goodwill from an emotive and religious disposition, an ideological disposition, and convert it into political will.

*Government Orders*

I think what has happened is that there has been an expression of political will to ensure that the bill does receive the support of the House and that when we bring it here, as we are doing now, to discuss nothing more than one small fragment of this great plan, the letter “a” in all of its style and all of its kaleidoscopic colours, really what we mean is the members of the committee, and there are many. I mentioned, of course, the member whom indirectly I could not mention but directly was able to with respect to his riding, and as well the parliamentary secretary. I do not want to lose sight of the fact that the chairmanship of the committee was such that it allowed us to work properly.

That is a lesson that some of the other chairs might learn. They could look at this and see that the positive legislation that has actually come forward in the House. Whether it has been under the letter “a” or the letter “b”, or whether it has come in red vestiges or blue coats, it has really been from that committee of transport.

My hat goes off to my colleagues who worked on that committee together to ensure that we could present the bill. The only fly in the ointment was the letter “a” and I am glad that we are dealing with it today, so the letter “a” should be accepted as well and we would go on with this great bill.

• (1655)

**Mr. Ken Epp (Edmonton—Sherwood Park, CPC):** Mr. Speaker, I just cannot resist this. I do not know whether you are aware of the fact that there is an award in my name on the Internet. It is in honour of members of Parliament who have said the most inane thing.

Apparently at some time back I was found guilty of saying something that was totally meaningless, so an individual created the award in my name, and I believe that the speech just given on the letter “a” qualifies. I hope the hon. member gets the award for this week.

Usually when we give a speech, the reason is to try to persuade other members to our way of thinking on an issue. In this particular case, the amendment is to insert the single alphabetic letter “a”. The member did not propose an alternate letter and he did not propose that it should not be inserted, so it is indeed the most inane speech we have had in the House for weeks.

**Hon. Joseph Volpe:** Mr. Speaker, as we are wont to say in this place, there was probably a question in there somewhere, but I guess my glasses did not give me the appropriate vision to discover it. It must fall under the category of comment.

I think the award the member was thinking of was really one that said “someone who is capable of talking about a very small issue at great length in order to elucidate and clarify the issues for even those who are short of wit and very narrow of sight”. I welcome the flattery associated with that kind of distinction, although I must say, being consistent with what I said earlier about self-characterization of humility, that I cannot accept the compliment.

**Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I want to thank the member, because I think that for all the people who have been listening to the last 10 minutes of the member's speech, that speech really has proven to Canadians that two years and three months ago they actually made the right choice and elected

a government that is getting things done for Canadians, that listens to stakeholders, as it is in this case, that quits wasting time, and that really gets the best things done for Canadians. That is what we are doing.

I thank the member for that and I hope all Canadians were watching, because sooner or later they are going to have the opportunity again. I wonder if the member thinks that this is what is going to happen again.

• (1700)

**Hon. Joseph Volpe:** Mr. Speaker, I am not sure that I can resist the temptation associated with that reflection. I think what my hon. colleague, the parliamentary secretary, wanted to illustrate is that governments can get things done when opposition members are convinced that an idea is well worth supporting. That is how things get done. If one wants to be an obstructionist, then of course one can prevent anything from taking place.

However, here I cannot be humble, I think, because I must accept the compliment for all members of the official opposition party. I am sure the other opposition parties can reflect on their own. As for characterizing us as those who have the gravitas and statesmanship of wanting to see good in legislation and then ferreting out those aspects of goodness that must be supported, then I must accept the compliment for all of my colleagues. Yes, we work hard and we try to get the job done. We are glad that the government supports our perspective.

[*Translation*]

**Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ):** Mr. Speaker, I am pleased to speak on behalf of the Bloc Québécois, to address the amendment to Bill C-23 proposed by the Conservative Party.

First of all, my colleague from Eglinton—Lawrence, who spoke on behalf of the Liberal Party, was quite right to make the comments he did concerning this amendment. It is a very superficial amendment, but it is so important that it is delaying the passing of the bill. Once again, I have a very hard time listening to the parliamentary secretary, a Conservative member. They seem to want to blame the opposition when it comes to discussions on the amendment. Yes, it might seem very minor, since it is an amendment to align—which the Bloc Québécois will support—but it is also important to say that it is a mistake on the part of the government. If Bill C-23 has not yet passed and, once again, the entire marine community does not benefit, it is because the bill was not completed by the Conservative government.

The Conservatives can say what they like. I would very much like to be able to support the government—in committee, the Conservatives were proud that the Liberal Party and the Bloc Québécois were supporting them—but I hope they will show a little respect here today when they ask us, once again, to vote in favour of this amendment. We will do so, but it is also very important that they understand that they are the framers of the bill. If there was a mistake in the bill, the Bloc Québécois and the Liberals are not to blame. It is the Conservative Party's fault.



*Government Orders*

I trust it will be democratic and permit us to explain to all those listening, to the citizens in our ridings and to all those interested in marine transportation, that Bill C-23 must be made complete and that this amendment will improve it. Yes, the Bloc Québécois will support it, but it is important also that the Conservatives understand that the bill was delayed because they did not do their job. Once again, they were in too much of a hurry to introduce the bill. Of course this is typical of the Conservative Party, which is not very rigorous in the way it operates. There is a reason why several committees are paralyzed in this House. That is how the Conservatives operate. However, they will never be able to prevent us from rising to point this out to them and to make them understand this, even if we do support them on occasion.

Bill C-23, first introduced by the Liberals, was reintroduced by the Conservatives. The Bloc Québécois supported it then and will do so today. We wish to help the marine transportation sector. However the bill must be complete.

The proposed amendment is being made for consistency. Those following this matter closely will say that the devil is in the details. Today, this small detail is forcing the government to ask for the support of the House in order to adopt this amendment, which is an important one, even though it is small and consists of only one line. We want to prevent legal proceedings from being taken against the minister—in this case—which could jeopardize the application of all of Bill C-23.

Naturally, I hope that the Conservative members and the parliamentary secretary will understand that it is important for the citizens watching us to know why such minor amendments are made. It is because they are important to an understanding of the law as a whole. We will need it if we ever have to go to court. We have to have a complete bill in order to prevent port authorities from having certain situations, that they believed could arise, challenged in court. That is why this amendment, although minor, is important. And, I will say it again, we will vote in favour of this amendment.

To us, everything is important. Every line, every sentence, every clause in Bill C-23 is important. The government can count on the full support of the Bloc Québécois in implementing this bill, as amended by this amendment, which the government had neglected to make. Once again, the Conservative Party is the legislator and it had neglected this. Again, we can assure the government of our full support so that the marine sector can have space to develop. That is what was lacking.

● (1705)

This is what will enable Bill C-23, as amended, to really help the marine sector develop fully. The port authorities that own the ports and manage the land adjacent to seaports must be able to borrow the money they need and move forward. This bill will mean they can get what they need to develop and keep pace with the surge in marine transportation. This sector is expanding rapidly and needs Bill C-23, as amended by today's amendment.

I hope that the Conservatives will understand that this is important. People who followed the progress of Bill C-23 in committee were wondering why it had not been adopted. It was because the bill contained a small typographical error that the Conservative Party had neglected to correct. Today that error has

been corrected, and the Bloc Québécois is proud to support this measure in the interest of the entire marine sector.

[English]

**Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I highly respect the member. I listened to him intently and he is right. This was an error made at the committee level. It was an omission between French and English, an inconsistency which would not be acceptable to this Conservative government because we look at the French and English languages as being equally important. We are going to respect that and make sure that they are brought in with consistency and that nothing goes through the House without respecting both the French and English language.

The member from the Bloc is right. On this side of the House, the Conservative members of Parliament from Quebec are the only members in the House who can get anything done for Quebecers and we are going to continue to do so.

I am wondering if the member himself saw the error. Of course, he was at the committee with me and I, quite frankly, let it go by because I did not see it at that time. I am wondering if he had the opportunity to see it before the error went to the Senate and came back to us.

[Translation]

**Mr. Mario Laframboise:** Mr. Speaker, that analysis was prepared by officials and legal experts at Transport Canada. The Bloc Québécois does not draft the bills. I would just like to tell the parliamentary secretary that it is his government's responsibility. The government has to accept the mistakes in the bill.

With all due respect, the government is not standing up for the interests of Quebecers; the Bloc Québécois is the party that represents the interests of the majority in Quebec. That is why we will support this Conservative bill, just as we did when the Liberals were in power. Since we first came here, we have taken an interest in the development of the marine sector. At the time, the Conservatives had no interest and could not have cared less. That is a fact. We have to keep that in mind.

Once again, we are proud to support the Conservative Party on behalf of Quebecers even when it fixes the mistakes it has made.

● (1710)

[English]

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, it is a privilege to rise today to speak to Bill C-23 and, specifically, to this amendment. It is a small amendment, but I would also like to thank the parliamentary secretary, as per his comments, for opening this up as a larger debate.

*Government Orders*

He talked about people supporting this bill. He talked about how it is a Conservative bill as opposed to a Liberal bill. He talked about how he was not going to waste taxpayers' money. Although, I would remind him that this is the government that paid \$250,000 for a throne speech.

This is the government, his own department, that put \$116 million of taxpayers' money out the window on an ecoauto feebate program. We actually saw money from Canadian taxpayers going overseas to automotive manufacturers located in Korea, Japan and elsewhere. He has raised all those types of issues in this context.

However, I want to go back to this amendment because I think it exemplifies something, but I also want to say that the New Democratic Party will be supporting this amendment because it is a technical one for language purposes, but we will not be supporting this bill.

This amendment is a glaring example of the type of work that needs to be done to actually put in a proper bill to update our ports, and we are supportive of that.

The amendment is a result of a mistake. It begs the question, "What other mistakes are in this bill?", and that is the problem. I myself, as a committee person, have proposed several amendments to try to change the bill, to make it a better bill, to balance it out, and to make it more strategic. I have some examples, but I want to make sure first of all that viewers here understand that we are not here wasting taxpayers' money. We are talking about a very important bill.

I take offence in terms of the parliamentary secretary trying to blame the committee for missing this error. It was his government that decided to table this bill. It was his government, supported by the Liberals and the Bloc, that wanted to very easily pass this through committee and had plenty of opportunity to make sure that it crossed all its *t*'s, dotted all its *i*'s, and made all its *a*'s work out. But apparently it could not do that.

The member for the Liberal Party said there were thorough discussions with regard to this. We really only had a few sessions at committee. In fact, it was passed very quickly through our committee and that is one of the reasons why there has been a mistake of this magnitude.

It is really offensive for the parliamentary secretary to come in here and blame the committee, when the government really wanted to ram this through and it got help to do that. We really only had about an hour of time to study the bill clause by clause.

If the parliamentary secretary wants to talk about the sloppiness with respect to this issue, then he should be looking at himself and his government for not delivering a proper bill in its current context. That is the problem that they face.

We made some amendments that we thought would add more substance to the bill. Apparently, the Conservatives did not add amendments that added substance; they added technical elements just to make sure it met language laws and would not end up in the court system.

However, we actually made amendments that were significant. One of those amendments was to subparagraph 8(2) of the act. We wanted to introduce the following:

a number of individuals comprising a majority of the board of directors who are either municipal councillors for the municipalities mentioned in the letters patent or appointees of those municipalities.

The reason that we submitted that amendment as opposed to the government's amendment that we are talking about here is because this bill is going to reduce the board of directors in many types of port authorities across the country. That is problematic because it undermines the democratic representation that is necessary for those port authorities. What we are going to see now is government appointments taking on a higher prestige level than before.

**Mr. Brian Jean:** Mr. Speaker, I rise on a point of order. I understand the member wants to debate this entire bill one more time, not just in committee but he wants to debate it here again and again. He wants to debate the same issues that have been supported by all the stakeholders and all the members of this House, except for the NDP members because of course they do not support any initiatives of this government.

I do not make the rules. This debate is supposed to be on the amendment. The amendment is an "a". It is a language amendment; it is a technical amendment. It does not have anything to do with what the member is speaking about. I would appreciate it if he would keep on topic and relevance.

**The Deputy Speaker:** I do not think there is any need. The hon. member is speaking in general to the bill and also to the absence of other amendments. I do not see anything out of order with what the hon. member is doing.

**Mr. Brian Masse:** Mr. Speaker, I think it is important. It really does go to the heart of the matter. How could a mistake like this on the "a", the grammatical aspect, not be addressed? It was because we had moved so quickly with this bill and the process. It is connected. These things do not happen on their own. They happen because things have not been covered off to the fullest extent.

I was trying to illustrate with my one amendment here, and I have others, why it is so important to have that thorough discussion. If we could miss the letter "a" and actually change the language structure requirement necessary for the French translation, then what else could we miss?

I am going to present at least a little bit of discussion with regard to this amendment to illustrate the seriousness of this. What else is missing? What other mistakes are there?

The point I was trying to get across is that the amendment the government is making in this other bill by reducing the board of directors to a smaller component undermines democracy. It also undermines the ability for communities to be represented.

The board of directors is going to one of five to eleven members, down from seven to fourteen. That means that the government appointees have a higher level of support or a higher level of direction which they did not have before. That bias creates all kinds of problems.

*Government Orders*

The parliamentary secretary in trying to limit this debate, in his own words said he was supported by all other stakeholders. This is not true. That is not accurate. It is not factual.

I have a letter that was submitted and we heard testimony. There was a group whose testimony was limited on that too. It was interesting because the time that was spent on the bill was rather quick not only in terms of the presentations of the government, but also presentations from those who were in favour and those opposed. In fact, we did not hear from a single port authority on its own. An association presented to the committee. What we did have were some objectors.

The parliamentary secretary should know this because he received a letter. He is saying it is supported by all stakeholders. Adam Vaughan, a city councillor from Toronto talked about the problems he had with this bill in his own constituency. The Toronto Port Authority is in his constituency.

There is not only this unilateral exclusive component of people who are in favour of this bill; there are those who are opposed and for legitimate reasons. The NDP opposes the bill for a number of reasons. This is an opportunity lost. The bill, for example, could have addressed other matters and it could have addressed things that related to better public policy.

I know the Liberals and the Conservatives are even debating among themselves and trying to take credit for the bill. We think there could have been a better bill. That is why we had amendments in there that would address some of those things that we lost out on.

When we look at the glaring necessity for this amendment with respect to the letter “a”, what other things are missing in this bill?

The bill is very important. It deals with the financing of the port authorities. The member for Eglinton—Lawrence noted some of the important issues related to our ports. The ports are a historic element, which is recognized in the bill. If the letter “a” could be missed, it shows that there could have been more work done to improve the bill with other amendments. Hence we were very disappointed that we could not get those through.

I am a member of the committee and a member of the House of Commons. I do not think that the Liberal member or the Bloc member and those who want to address this are wasting taxpayers' money in doing so. I hope the other parties appreciate that it should not be blamed on the committee alone for missing this amendment. There is a responsibility for the government to produce legislation that is going to work and that actually has the proper elements to it to test the mettle of the legal system. When there is an error such as this one, the government has to take some responsibility.

It is wrong for the government to blame us for missing this in committee. Once again it highlights why the bill needs other amendments. The New Democrats have proposed amendments in order to make sure that the bill was more accountable, more open to the public and that it was going to be better for some of the smaller ports.

To the NDP this is an incomplete bill. We will be supporting the amendment, but not the bill itself.

● (1715)

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.):** Mr. Speaker, it is important to address some of the issues that have been raised in the intervention from the member for Windsor West. I do that because he made reference to some of the objections that came from my own city of Toronto.

Yes, three individuals came before the committee after it had heard all other interveners and stakeholders. Some of those stakeholders decided they would make a collective presentation as associations. We cannot fault them for having ironed out there difficulties among themselves in order to give a greater show of support. On that score, it is unfair for us to fault them for a strategy that resulted in what they thought would be good for them.

With respect to the city of Toronto, there was no position by the city of Toronto. There was an individual from city council, as the member has rightly noted, who objected because the port was in part in his ward, but other members from council who also share that port did not come to give a negative position and the city itself did not have a council position against it.

The other two individuals who objected used language, and I know the member will appreciate this because he is a lawyer, that came very close to the kind of language that had been found in court to be to their disadvantage, where they had agreed that they would not use actions that verged on the libellous. I pointed that out in committee. If we are going to have a constructive and instructive debate, then let us have one that is measured both in language and in substance. Those three were the only ones of all the people who appeared before the committee who had a negative view and it was limited to one port, not the entire system.

It is unfair for anyone to suggest that the committee did not work to bring all of the appropriate amendments forward. The committee, in its collective wisdom, said the amendments that had been brought forward were not conducive to the approval of this bill and did not add anything to the bill, nor did they remove anything that was negative.

If, in the appropriate translation a letter “a” was left out, we know already what else could have been left out because all of the amendments were already considered in committee, all of them.

We have done our work honestly. I do not want to take credit for things that are not ours but, quite frankly, if colleagues on both sides of the House have done the work and have agreed collectively that this is what it is, then I think the House has an obligation to accept the work of its own creation.

● (1720)

**Mr. Brian Masse:** Mr. Speaker, I do not know where he got the idea that anyone is faulting the fact that the port authorities decided to go through their lobbyist element and their group association. I was simply pointing out that we did not hear from some of the smaller ports or all ports in this country about this particular bill. I think they would have added some valuable testimony and would have been something I would have appreciated.

*Government Orders*

It is not a question of blame or finding fault. I do not know where the hon. member gets that type of insinuation, because it certainly is not borne out in anything I said. What it identified, though, was the fact that we did not have some of the smaller ports and some of the more important ports in front of the committee. Maybe they would have actually found the amendment problem we have here today. Maybe they would have been the ones to point out our grammatical errors, I do not know.

There at least has to be some acknowledgement that they were not at committee and it was a strategy that the port authority association took. That is fine. It is fair. I am not saying it is a bad one, it is the one they chose, but it certainly did not provide an opportunity to hear from all ports across Canada. That, to me, was a loss for us.

Second, with regard to the situation, it was very obvious that the member had difficulty when Mr. Vaughan came to committee. It was really a bizarre situation because the parliamentary secretary for the Conservatives actually tried to give up his time to the Liberals so he could question him further. I have never seen that in the years that I have been in Parliament. I have never even heard of the Conservative Party trying to give up time to the Liberals.

Nobody has suggested that the city of Toronto had an official position. That has never been presented by me or in this debate. Second to that, he was identified as a city council representative.

To me, today's debate is important because it signifies the fact that this legislation has problems and I will stand by that.

**Mr. John Maloney (Welland, Lib.):** Mr. Speaker, I would like to provide the House with some background on this legislation.

On November 16, 2007 the Minister of Transport, Infrastructure and Communities introduced Bill C-23, An Act to amend the Canada Marine Act, the Canada Transportation Act, the Pilotage Act and other Acts in consequence. This bill is very similar in most respects to its predecessor, Bill C-61, An Act to amend the Canada Marine Act and other Acts, which was introduced in the House of Commons on June 22, 2005 by the previous Liberal government. That bill died on the order paper with the dissolution of Parliament without having gone beyond first reading.

In 1998 during the Liberal government's term in office the Canada Marine Act received royal assent. The Canada Marine Act was the first comprehensive legislation to govern several aspects of Canada's marine legislation.

In addition, the act allowed for the establishment of the Canada port authorities and continued the divestiture of certain harbour beds.

The Canada Marine Act assisted in the commercialization of the St. Lawrence Seaway and provisions for further commercialization of federal ferry services.

In 2003 the Canada Marine Act was subject to a legislative review.

Since 2003 Transport Canada has carried out a number of studies from which it was able to compile several recommendations to improve the Canada Marine Act.

Canada's 1995 policy framework for federal ports focused on the elimination of over-capacity and a new governance structure to support a more commercial system.

Global trading patterns have not changed the context in which the federal ports operate. Port modernization is required to ensure that ports have the tools needed to compete in a global trade environment and to support the government's new national policy framework for strategic gateways and trade corridors.

Currently, Canada port authorities are located at St. John's, Belledune, Halifax, Saint John, Sept-Îles, Saguenay, Quebec, Trois-Rivières, Montreal, Hamilton, Windsor, Thunder Bay, Port Alberni, Nanaimo, Prince Rupert, and Vancouver, which has been amalgamated with the Fraser River and the North Fraser.

The amendments would include: a modification of the act's purpose; modification of a port authority's access to federal funding; adding provisions regarding the power of a port authority to borrow money; providing additional regulatory powers to the governor in council; adding provisions regarding port amalgamation; modifying provisions regarding the appointment of directors of port authorities; and finally, adding a penalty scheme and streamlining certain other important provisions.

The Liberals supported the bill at second reading in order to send it to committee for further study.

I would like to elaborate on the amendments, the first one being access to contribution funding.

Canada port authorities would be permitted to apply for contribution funding related to infrastructure, environmental sustainability, and the implementation of security measures. The borrowing limits are a tiered approach. They would be implemented to permit larger Canada port authorities, those with \$25 million in operating revenues for three consecutive years, to move to a commercially based borrowing regime. Certain Canada port authorities would be subject to a code that governs borrowing in their letters patent rather than a fixed borrowing limit, as well as enhanced accountability requirements.

Under the amalgamation provisions, the legislation would include a provision that would allow for a consistent approach to facilitate any potential future amalgamations of CPAs and would complement the regulations established in May 2007 with respect to amalgamation.

With respect to governance, the bill incorporates new proposed amendments related to governance that are more responsible to Canada port authority needs and promote a more stable, long term management framework.

● (1725)

**The Deputy Speaker:** I am sorry to interrupt the hon. member. He does have some time left whenever we get back to this particular item.

\* \* \*

**BUDGET IMPLEMENTATION ACT, 2008**

The House resumed consideration of the motion that Bill C-50, An Act to implement certain provisions of the budget tabled in Parliament on February 26, 2008 and to enact provisions to preserve the fiscal plan set out in that budget, be read the second time and referred to a committee, and of the amendment.

**The Deputy Speaker:** It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the amendment of the hon. member for Trinity—Spadina on the motion at second reading stage of Bill C-50.

Call in the members.

• (1755)

[Translation]

(The House divided on the amendment, which was negated on the following division:)

*(Division No. 83)*

**YEAS**

Members

André	Angus
Asselin	Atamanenko
Bachand	Bell (Vancouver Island North)
Bevington	Bigras
Black	Blaikie
Blais	Bouchard
Bourgeois	Brunelle
Cardin	Charlton
Chow	Christopherson
Comartin	Crête
Crowder	Cullen (Skeena—Bulkley Valley)
Davies	DeBellefeuille
Demers	Deschamps
Dewar	Duceppe
Faille	Freeman
Godin	Gravel
Guimond	Julian
Laforest	Laframboise
Lalonde	Lavallée
Layton	Lemay
Lessard	Lévesque
Lussier	Malo
Marston	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathyssen	McDonough
Ménard (Hochelega)	Ménard (Marc-Aurèle-Fortin)
Nadeau	Nash
Ouellet	Paquette
Perron	Picard
Plamondon	Priddy
Roy	Savoie
Siksay	Stoffer
Thi Lac	Thibault (Rimouski-Neigette—Témiscouata—Les
Basques)	
Vincent	Wasylycia-Leis— 68

**NAYS**

Members

Abbott	Ablonczy
Albrecht	Alghabra
Allen	Ambrose
Anders	Anderson
Bagnell	Bains
Baird	Barnes
Batters	Bélangier
Bell (North Vancouver)	Bennett
Benoit	Bernier
Bevilacqua	Bezan
Blackburn	Blaney
Bonin	Boshcoff
Boucher	Breitreuz
Brisson	Brown (Oakville)
Brown (Leeds—Grenville)	Brown (Barrie)
Brunoogoe	Byrne
Calkins	Cannan (Kelowna—Lake Country)
Cannis	Cannon (Pontiac)
Carrie	Casson
Chan	Chong
Clarke	Clement
Comuzzi	Cotler

*Government Orders*

Cullen (Etobicoke North)	Cummins
Cuzner	D'Amours
Davidson	Day
Del Mastro	Devolin
Dhaliwal	Dhalla
Dion	Dosanjh
Dryden	Dykstra
Easter	Emerson
Epp	Eyking
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Galipeau
Gallant	Godfrey
Goldring	Goodale
Goodyear	Gourde
Guarnieri	Hall Findlay
Hanger	Harper
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Holland	Hubbard
Ignatieff	Jaffer
Jean	Jennings
Kadis	Kamp (Pitt Meadows—Maple Ridge—Mission)
Karetak-Lindell	Keddy (South Shore—St. Margaret's)
Keeper	Kenney (Calgary Southeast)
Kramp (Prince Edward—Hastings)	Lake
Lauson	Lebel
LeBlanc	Lee
Lemieux	Lukiwski
Lunn	Lunney
MacAulay	MacKay (Central Nova)
MacKenzie	Malhi
Maloney	Manning
Mark	Marleau
Matthews	Mayes
McCallum	McGuinty
McGuire	McKay (Scarborough—Guildwood)
McTeague	Menzies
Merrifield	Mills
Minna	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Murphy (Moncton—Riverview—Dieppe)
Murphy (Charlottetown)	Murray
Neville	Nicholson
Norlock	O'Connor
Obhrai	Oda
Pacetti	Paradis
Patry	Pearson
Petit	Poilievre
Prentice	Preston
Proulx	Rae
Rajotte	Ratansi
Redman	Regan
Reid	Richardson
Ritz	Rodriguez
Rota	Russell
Savage	Scarpaleggia
Scheer	Schellenberger
Scott	Sgro
Shipley	Silva
Simard	Skelton
Smith	Solberg
Sorenson	St. Amand
St. Denis	Stanton
Steckle	Storseth
Strahl	Sweet
Szabo	Temelkovski
Thibault (West Nova)	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Tilson
Toews	Tonks
Trost	Tweed
Valley	Van Kesteren
Van Loan	Vellacott
Verner	Volpe
Wallace	Wappel
Warawa	Warkentin
Watson	Wilfert
Williams	Yelich
Zed— 201	

*Private Members' Business*

## PAIRED

## Members

Allison	Barbot
Bellavance	Bonsant
Carrier	Doyle
Gagnon	Gaudet
Grewal	Guay
Guergis	Hinton
Khan	Komarnicki
Miller	Pallister
St-Cyr	St-Hilaire — 18

**The Speaker:** I declare the amendment lost.

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**PRIVATE MEMBERS' BUSINESS**

[*English*]

**CRIMINAL CODE**

The House resumed from April 4 consideration of Bill S-203, An Act to amend the Criminal Code (cruelty to animals), as reported (without amendment) from the committee, and of the motions in Group No. 1.

**The Speaker:** The House will now proceed to the taking of the deferred recorded divisions on the motions at report stage of Bill S-203 under private members' business.

The question is on Motion No. 1.

• (1805)

[*Translation*]

(The House divided on Motion No. 1, which was negatived on the following division:)

(*Division No. 84*)

## YEAS

## Members

Alhabra	Angus
Atamanenko	Bains
Bell (Vancouver Island North)	Bell (North Vancouver)
Bennett	Bevilacqua
Bevington	Black
Blaikie	Charlton
Chow	Christopherson
Comartin	Cotler
Crowder	Cullen (Skeena—Bulkley Valley)
Cullen (Etobicoke North)	Davies
Dewar	Dhaliwal
Dhalla	Dryden
Faillie	Godin
Guarnieri	Hall Findlay
Holland	Julian
Kadis	Keeper
Layton	MacAulay
Malhi	Marston
Martin (Winnipeg Centre)	Martin (Sault Ste. Marie)
Masse	Mathyssen
McDonough	McGuinty
Minna	Murphy (Charlottetown)
Nash	Neville
Patry	Pearson
Priddy	Rae
Ratansi	Rodriguez
Savage	Savoie
Scarpaleggia	Sgro
Siksay	Silva
St. Amand	Stoffer
Wasylycia-Leis	Wilfert — 62

## NAYS

## Members

Abbott	Ablonczy
Albrecht	Allen
Ambrose	Anders
Anderson	André
Bachand	Bagnell
Baird	Barnes
Batters	Bélangier
Benoit	Bernier
Bezan	Blackburn
Blais	Blaney
Bonin	Boshcoff
Bouchard	Boucher
Breitkreuz	Brison
Brown (Oakville)	Brown (Leeds—Grenville)
Brown (Barrie)	Bruinooge
Brunelle	Byrne
Calkins	Cannan (Kelowna—Lake Country)
Cannis	Cannon (Pontiac)
Cardin	Carrie
Casson	Chan
Chong	Clarke
Clement	Comuzzi
Crête	Cummins
Cuzner	D'Amours
Davidson	Day
Del Mastro	Demers
Deschamps	Devolin
Dosanjh	Duceppe
Dykstra	Easter
Emerson	Epp
Eyking	Fast
Finley	Fitzpatrick
Flaherty	Fletcher
Galipeau	Gallant
Godfrey	Goldring
Goodale	Goodyear
Gourde	Gravel
Guimond	Hanger
Harris	Harvey
Hawn	Hearn
Hiebert	Hill
Hubbard	Jaffer
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Karetak-Lindell	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kramp (Prince Edward—Hastings)
Laforest	Laframboise
Lake	Lalonde
Lauzon	Lavallée
Lebel	LeBlanc
Lee	Lemay
Lemieux	Lessard
Lévesque	Lukiwski
Lunn	Lunney
MacKay (Central Nova)	MacKenzie
Malo	Maloney
Manning	Mark
Marleau	Matthews
Mayes	McCallum
McGuire	McKay (Scarborough—Guildwood)
McTeague	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Menzies
Merrifield	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	Murray
Moore (Fundy Royal)	Nicholson
Murphy (Moncton—Riverview—Dieppe)	O'Connor
Nadeau	Oda
Norlock	Pacetti
Obhrai	Paradis
Ouellet	Petit
Paquette	Picamondon
Perron	Preston
Neville	Regan
Picard	Richardson
Poillievre	Rota
Rajotte	Russell
Reid	Schellenberger
Ritz	Shipley
Roy	Skelton
Scheer	
Scott	
Simard	

*Private Members' Business*

Smith	Solberg
Sorenson	St. Denis
Stanton	Steckle
Storseth	Strahl
Sweet	Szabo
Temelkovski	Thi Lac
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	Thi Lac
Thibault (West Nova)	
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Tonks	Trost
Tweed	Valley
Van Kesteren	Van Loan
Vellacott	Verner
Vincent	Wallace
Wappel	Warawa
Warkentin	Watson
Williams	Yelich
Zed— 193	

Julian  
Keeper  
MacAulay  
Marston  
Martin (Sault Ste. Marie)  
Mathysen  
McGuinty  
Murphy (Charlottetown)  
Neville  
Pearson  
Rae  
Rodriguez  
Savoie  
Sgro  
Silva  
Stoffer  
Wilfert — 65

Kadis  
Layton  
Malhi  
Martin (Winnipeg Centre)  
Masse  
McDonough  
Minna  
Nash  
Patry  
Priddy  
Ratansi  
Savage  
Scarpaleggia  
Siksay  
St. Amand  
Wasylcyia-Leis

**PAIRED**

Members	
Allison	Barbot
Bellavance	Bonsant
Carrier	Doyle
Gagnon	Gaudet
Grewal	Guay
Guergis	Hinton
Khan	Komarnicki
Miller	Pallister
St-Cyr	St-Hilaire— 18

**The Speaker:** I declare Motion No. 1 lost.

Does the Bloc Québécois whip wish to raise a point of order?

**Mr. Michel Guimond:** Mr. Speaker, I seek the unanimous consent of the House to apply the results of the vote just taken. If any members wish to vote differently, let them say so immediately.

**The Speaker:** Does the House give its unanimous consent in order to adopt this motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** There is no consent.

The next question is on Motion No. 2.

• (1815)

[English]

(The House divided on Motion No. 2, which was negatived on the following division:)

(Division No. 85)

**YEAS**

Members	
Alghabra	Angus
Asselin	Atamanenko
Bains	Bell (Vancouver Island North)
Bell (North Vancouver)	Bennett
Bevilacqua	Bevington
Bigras	Black
Blaikie	Charlton
Chow	Christopherson
Comartin	Cotler
Crowder	Cullen (Skeena—Bulkley Valley)
Cullen (Etobicoke North)	Davies
Dewar	Dhaliwal
Dhalla	Dryden
Faille	Godin
Guamieri	Hall Findlay
Holland	Jennings

Abbott	Ablonczy
Albrecht	Allen
Ambrose	Anders
Anderson	André
Bachand	Bagnell
Baird	Barnes
Batters	Bélangier
Benoit	Bernier
Bezan	Blackburn
Blais	Blaney
Bonin	Boshcoff
Bouchard	Boucher
Breitkreuz	Brison
Brown (Oakville)	Brown (Leeds—Grenville)
Brown (Barrie)	Bruinooge
Brunelle	Byrne
Calkins	Cannan (Kelowna—Lake Country)
Cannis	Cannon (Pontiac)
Cardin	Carrie
Casson	Chan
Chong	Clarke
Clement	Comuzzi
Crête	Cummins
Cuzner	D'Amours
Davidson	Del Mastro
Deschamps	Devolin
Dosanjh	Duceppe
Dykstra	Easter
Emerson	Epp
Eyking	Fast
Finley	Fitzpatrick
Flaherty	Fletcher
Galipeau	Gallant
Godfrey	Goldring
Goodale	Goodyear
Gourde	Guimond
Hanger	Harris
Harvey	Hawn
Hearn	Hiebert
Hill	Hubbard
Jaffer	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karetak-Lindell
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kramp (Prince Edward—Hastings)	Laforest
Laframboise	Lake
Lalonde	Lauzon
Lavallée	Lebel
LeBlanc	Lee
Lemay	Lemieux
Lévesque	Lukiwski
Lunn	Lunney
MacKay (Central Nova)	MacKenzie
Malo	Maloney
Manning	Mark
Marleau	Mathews
Mayer	McCallum
McGuire	McKay (Scarborough—Guildwood)
McTeague	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Menzies
Merrifield	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	

*Private Members' Business*

Murphy (Moncton—Riverview—Dieppe)	Murray
Nadeau	Nicholson
Norlock	O'Connor
Obhrai	Oda
Ouellet	Pacetti
Paquette	Paradis
Perron	Petit
Picard	Plamondon
Poilievre	Preston
Rajotte	Regan
Reid	Richardson
Ritz	Rota
Roy	Russell
Scheer	Schellenberger
Scott	Shipley
Simard	Skelton
Smith	Solberg
Sorenson	St. Denis
Stanton	Steckle
Storseth	Strahl
Sweet	Szabo
Temelkovski	Thi Lac
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	Thompson (Wild Rose)
Thibault (West Nova)	Thompson (New Brunswick Southwest)
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Tonks	Trost
Tweed	Valley
Van Kesteren	Van Loan
Vellacott	Verner
Vincent	Wallace
Wappel	Warawa
Warkentin	Watson
Williams	Yelich
Zed — 189	

**PAIRED**

## Members

Allison	Barbot
Bellavance	Bonsant
Carrier	Doyle
Gagnon	Gaudet
Grewal	Guay
Guergis	Hinton
Khan	Komarnicki
Miller	Pallister
St-Cyr	St-Hilaire — 18

**The Speaker:** I declare Motion No. 2 defeated.

**Hon. Charles Hubbard (Miramichi, Lib.)** moved that the bill be concurred in.

[*Translation*]

**The Speaker:** Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

• (1825)

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 86)***YEAS**

## Members

Abbott	Ablonczy
Albrecht	Allen
Ambrose	Anderson
André	Bachand
Bagnell	Baird
Barnes	Batters
Bélangier	Benoit
Bernier	Bezan
Blackburn	Blais
Blaney	Bonin
Boshcoff	Bouchard
Boucher	Breitkreuz
Brison	Brown (Oakville)
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Brunelle
Byrne	Calkins
Cannan (Kelowna—Lake Country)	Cannis
Cannon (Pontiac)	Cardin
Carrie	Casson
Chan	Chong
Clarke	Clement
Comuzzi	Crête
Cummins	Cuzner
D'Amours	Davidson
Del Mastro	Deschamps
Devolin	Dosanjh
Duceppe	Dykstra
Easter	Emerson
Epp	Eyking
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Galipeau
Gallant	Godfrey
Goldring	Goodale
Goodyear	Gourde
Gravel	Guimond
Hanger	Harris
Harvey	Hawn
Hearn	Hiebert
Hill	Hubbard
Jaffer	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karetak-Lindell
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kramp (Prince Edward—Hastings)	Laforest
Laframboise	Lake
Lalonde	Lauzon
Lavallée	Lebel
LeBlanc	Lee
Lemay	Lemieux
Lévesque	Lukiwski
Lunn	Lunney
Lussier	MacKay (Central Nova)
MacKenzie	Malhi
Malo	Maloney
Manning	Mark
Marleau	Matthews
Mayes	McCallum
McGuire	McKay (Scarborough—Guildwood)
McTeague	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Menzies
Merrifield	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Murphy (Moncton—Riverview—Dieppe)	Nadeau
Nicholson	Norlock
O'Connor	Obhrai
Oda	Ouellet
Pacetti	Paquette
Paradis	Perron
Petit	Picard
Plamondon	Poilievre
Preston	Rajotte
Regan	Reid
Richardson	Ritz
Rota	Roy
Russell	Scheer
Schellenberger	Scott
Shipley	Skelton



*Private Members' Business*

Smith	Solberg
Sorenson	St. Denis
Stanton	Steckle
Storseth	Strahl
Sweet	Szabo
Temelkovski	Thi Lac
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
Thibault (West Nova)	
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Tonks	Trost
Tweed	Valley
Van Kesteren	Van Loan
Vellacott	Verner
Vincent	Wallace
Wappel	Warawa
Warkentin	Watson
Williams	Yelich
Zed— 189	

[*Translation*]

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Mr. Speaker, once again, I seek the unanimous consent of this House to apply the results of the vote just taken to this vote. If any members wish to vote differently, let them say so immediately.

**The Speaker:** Does the House give its unanimous consent to apply the results of the vote as indicated?

**Some hon. members:** Agreed.

[*English*]

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 87*)

**NAYS**

Members

Alghabra	Angus
Asselin	Atamanenko
Bains	Bell (Vancouver Island North)
Bell (North Vancouver)	Bennett
Bevilacqua	Bevington
Bigras	Black
Blaikie	Bourgeois
Charlton	Chow
Christopherson	Comartin
Cotler	Crowder
Cullen (Skeena—Bulkley Valley)	Cullen (Etobicoke North)
Davies	Demers
Dewar	Dhaliwal
Dhalla	Dryden
Faillie	Godin
Guarnieri	Hall Findlay
Holland	Ignatieff
Jennings	Julian
Kadis	Keeper
Layton	MacAulay
Marston	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathysen	McDonough
McGuinty	Minna
Murphy (Charlottetown)	Murray
Neville	Patry
Pearson	Priddy
Proulx	Rae
Ratansi	Redman
Rodriguez	Savage
Savoie	Scarpaleggia
Sgro	Siksay
Silva	Simard
St. Amand	Stoffer
Wasylcia-Leis	Wilfert— 70

**PAIRED**

Members

Allison	Barbot
Bellavance	Carrier
Doyle	Gagnon
Gaudet	Grewal
Guay	Guergis
Hinton	Khan
Komarnicki	Miller
Pallister	St-Cyr
St-Hilaire— 17	

**The Speaker:** I declare the motion carried.

[*English*]

When shall the bill be read the third time? By leave, now?

**Some hon. members:** Agreed.

**Hon. Charles Hubbard** moved that the bill be read the third time and passed.

**YEAS**

Members

Abbott	Abblonczy
Albrecht	Allen
Ambrose	Anderson
André	Bachand
Bagnell	Baird
Barnes	Batters
Bélanger	Benoit
Bernier	Bezan
Blackburn	Blais
Blaney	Bonin
Bosheoff	Bouchard
Boucher	Breitkreuz
Brisson	Brown (Oakville)
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Brunelle
Byrne	Calkins
Cannan (Kelowna—Lake Country)	Cannis
Cannon (Pontiac)	Cardin
Carrie	Casson
Chan	Chong
Clarke	Clement
Comuzzi	Crête
Cummins	Cuzner
D'Amours	Davidson
Del Mastro	Deschamps
Devolin	Dosanji
Duceppe	Dykstra
Easter	Emerson
Epp	Eyking
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Galipeau
Gallant	Godfrey
Goldring	Goodale
Goodyear	Gourde
Gravel	Guimond
Hanger	Harris
Harvey	Hawn
Hearn	Hiebert
Hill	Hubbard
Jaffer	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karetak-Lindell
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kramp (Prince Edward—Hastings)	Laforest
Laframboise	Lake
Lalonde	Lauzon
Lavallée	Lebel
LeBlanc	Lee
Lemay	Lemieux
Lévesque	Lukiwski
Lunn	Lunney
Lussier	MacKay (Central Nova)
MacKenzie	Malhi
Malo	Maloney
Manning	Mark
Marleau	Mathews
Mayes	McCallum

*Private Members' Business*

McGuire	McKay (Scarborough—Guildwood)
McTeague	Ménard (Hochelaga)
Ménard (Marc-Aurèle-Fortin)	Menzies
Merrifield	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Murphy (Moncton—Riverview—Dieppe)	Nadeau
Nicholson	Norlock
O'Connor	Obhrai
Oda	Ouellet
Pacetti	Paquette
Paradis	Perron
Petit	Picard
Plamondon	Poilievre
Preston	Rajotte
Regan	Reid
Richardson	Ritz
Rota	Roy
Russell	Scheer
Schellenberger	Scott
Shiple	Skelton
Smith	Solberg
Sorenson	St. Denis
Stanton	Steckle
Storseth	Strahl
Sweet	Szabo
Temelkovski	Thi Lac
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
Thibault (West Nova)	
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Tonks	Trost
Tweed	Valley
Van Kesteren	Van Loan
Vellacott	Verner
Vincent	Wallace
Wappel	Warawa
Warkentin	Watson
Williams	Yelich
Zed — 189	

**NAYS**

## Members

Alghabra	Angus
Asselin	Atamanenko
Bains	Bell (Vancouver Island North)
Bell (North Vancouver)	Bennett
Bevilacqua	Bevington
Bigras	Black
Blaikie	Bourgeois
Charlton	Chow
Christopherson	Comartin
Cotler	Crowder
Cullen (Skeena—Bulkley Valley)	Cullen (Etobicoke North)
Davies	Demers
Dewar	Dhaliwal
Dhalla	Dryden
Faillie	Godin
Guarnieri	Hall Findlay
Holland	Ignatieff
Jennings	Julian
Kadis	Keeper
Layton	MacAulay
Marston	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathysen	McDonough
McGuinty	Minna
Murphy (Charlottetown)	Murray
Neville	Patry
Pearson	Priddy
Proulx	Rae
Ratansi	Redman
Rodriguez	Savage
Savoie	Scarpaleggia
Sgro	Siksay
Silva	Simard
St. Amand	Stoffer
Wasylycia-Leis	Wilfert — 70

**PAIRED**

## Members

Allison	Barbot
Bellavance	Bonsant
Carrier	Doyle
Gagnon	Gaudet
Grewal	Guay
Guergis	Hinton
Khan	Komarnicki
Miller	Palliser
St-Cyr	St-Hilaire — 18

**The Speaker:** I declare the motion carried.

(Bill read the third time and passed)

**The Speaker:** It being 6:28 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

\* \* \*

● (1830)

**CRIMINAL CODE**

**Mr. Dave Batters (Palliser, CPC)** moved that Bill C-519, An Act to amend the Criminal Code (bail for serious personal injury offence), be read the second time and referred to a committee.

He said: Mr. Speaker, before I begin I will take a moment to explain the medal I am wearing on my right lapel. To explain to the many people across the Canada who would have watched at home, riveted to their television sets, throughout the vote that just took place, the medals we are all wearing commemorate the 91st anniversary of the Battle of Vimy Ridge. We commemorate the courage of those soldiers, who did what many people thought was impossible and took that hill. It was a day when Canada truly came into its own.

As a member of Parliament, one feels a great sense of responsibility when choosing the subject for one's first private member's bill. I have focused my private member's bill, Bill C-519, on a matter very close to my heart. It is rooted in a tragic criminal case, which became one of the main reasons that I entered federal politics.

On November 4, 2003, Michelle Lenius, a 32 year old woman with three children, was murdered by her estranged husband, Kevin Lenius. Michelle was my friend and the friend and co-worker of my wife Denise. Kevin was out on bail at the time of this terrible incident.

Two weeks before Kevin strangled Michelle to death, he waited for her inside her darkened Regina home until she arrived later that night. Then he raped her and assaulted her and threatened to kill her if she went to the police. Despite this threat, Michelle made the brave—

**The Deputy Speaker:** I am sorry to interrupt the hon. member for Palliser, but I have a point of order from the hon. member for Ottawa—Orléans.

## POINTS OF ORDER

VOTE ON BILL S-203

**Mr. Royal Galipeau (Ottawa—Orléans, CPC):** Mr. Speaker, I wonder if I could have the unanimous consent of the House to revisit a mistake for which I was responsible a few minutes ago.

On the fourth vote, I voted to support Bill S-203. In the confusion of all the noise, when the Speaker called for the nays, both chair occupants sitting here in the rump stood again, definitely in error, and my vote was included as having voted against. Thankfully my colleague from Regina—Qu'Appelle was not counted as voting against, but I was. It will appear that I voted twice. My intention was to vote once and was to vote in favour of Bill S-203.

**The Deputy Speaker:** Does the hon. member have the unanimous consent of the House to correct the record?

**Some hon. members:** Agreed.

**The Deputy Speaker:** I might have the chamber take note of the fact that not all chair occupants in that corner voted twice.

\* \* \*

## CRIMINAL CODE

The House resumed consideration of the motion that Bill C-519, An Act to amend the Criminal Code (bail for serious personal injury offence), be read the second time and referred to a committee.

**Mr. Dave Batters (Palliser, CPC):** Mr. Speaker, I believe you were one of those individuals who stood twice, but that is for another day.

I want to get back to the gravity of the matter at hand and this very important private member's bill that I bring to this honoured chamber tonight.

As I was saying, two weeks before Kevin strangled Michelle to death, he waited for her inside her darkened Regina home until she arrived later that night. Then he raped her, assaulted her and threatened to kill her if she went to the police. Despite this threat, Michelle made the brave choice to go to the police and ensure that he was charged for these awful crimes.

Unfortunately, after spending one night in jail, Kevin was released on an undertaking not to contact Michelle and to keep the peace and be of good behaviour. The undertaking was reached by an agreement between the crown prosecutor and Kevin's defence lawyer. The judge who made the decision to release Kevin did not hear the facts of the case. I believe that if all pertinent information had been presented to the judge that day, Kevin would not have been freed on bail and, thus, we would have had a much different outcome.

With Kevin released from jail, Michelle tried to take measures to protect herself from him. She cut down the hedges outside her home. She installed extra lighting and locks. It was not enough.

A Regina *Leader-Post* article, based on the trial transcripts, details what happened on November 4, 2003. It states:

Michelle left the office shortly after 4:30 p.m. on Nov. 4, 2003 and drove the 20 minutes to Kevin's house after he had declined a request from Michelle—relayed by her oldest son—to instead drop off the younger children at her home.

The article goes on to state:

## *Private Members' Business*

"You used your children for bait, didn't you?" prosecutor Al Johnston charged in cross-examining Kevin at trial. "I did not," he replied.

The couple's two youngest sons, then aged five and three, were in a bedroom when Michelle arrived. Within minutes of grilling Michelle about her boyfriend, Kevin grabbed her by the neck and squeezed for at least two minutes until she died.

He then took their children to a neighbour's house, returned to Michelle's body, washed her face, and called police. It was 5:18 p.m., less than an hour after Michelle left the [comfort of her] office.

Kevin Lenius was convicted of second-degree murder and sentenced to life without parole eligibility for 12 years.

These are the tragic circumstances which prompted me to propose this private member's bill, which I will refer to as Michelle's law. The passage of the bill would give our hard-working crown prosecutors another tool to help them in their very difficult jobs.

The bill deals with those accused of a serious personal injury offence, as defined in the Criminal Code. It proposes that in those cases, before a judge rules on that person's release, the crown prosecutor shall present the judge with the prosecution's evidence relevant to the release of the accused. Subsection 515(10.1) would be added to the Criminal Code to achieve this amendment.

It is my hope that the bill will be passed by my hon. colleagues in the House. This legislation would place another check in our criminal justice system to help victims and would-be victims of serious violent crimes.

Michelle's law is designed to apply only in limited circumstances. In order for this legislation to apply, the accused must be charged with a serious personal injury offence, as defined in section 752 of the Criminal Code. In order to alleviate claims that the bill would create too much pressure on our criminal justice system, I have deliberately not proposed that this provision be used in all cases where an accused is seeking bail.

● (1835)

According to that Criminal Code section, a serious personal injury offence must be an indictable offence of a certain severity. Examples of the types of offences included in this definition are attempted murder, manslaughter, criminal negligence, discharging a firearm, aggravated assault, assault with a weapon, or causing bodily harm, sexual assault, sexual assault with a weapon, and aggravated sexual assault.

The heinous nature of these crimes warrants that the victims of these crimes be adequately protected. I want to emphasize today that I strongly support our crown prosecutors and the important and often unheralded work they do every day to keep us as citizens safe. Michelle's law is in no way meant as a criticism of their efforts. Instead I am trying to provide them with yet another tool to assist them in their difficult jobs with hectic criminal docket court schedules.

Many members of the House may be familiar with another very recent case, which I suggest may not have occurred if the type of law we are debating today had been in place.

*Private Members' Business*

In September 2007, in Oak Bay, British Columbia, just outside Victoria, Peter Lee murdered his wife, his six year old son and his wife's parents before he committed suicide. This terrible crime received significant national media attention, with its shocking brutality and ugly contrast to the beautiful Oak Bay neighbourhood in which it occurred.

There is a striking similarity between this case and Michelle's case. Only about a month before Peter Lee took the lives of that entire family, he was charged with aggravated assault of his wife causing bodily harm and two counts of dangerous driving causing bodily harm. Police said that they believed Lee tried to injure his wife when he crashed his vehicle into a pole, causing his wife to break her arm.

According to media reports, the Victoria police recommended to crown counsel that Lee not be released on bail. They were concerned that he posed a serious risk to his family. Unfortunately the crown prosecutor consented to Lee's release. This decision was signed off by a justice of the peace. Lee was placed under conditions not to contact his wife, visit the family home, visit their restaurant or possess any weapons. Again, this was not enough to prevent a horrific tragedy.

According to media reports, British Columbia's Attorney General Wally Oppal has said that crown prosecutors may not have had all the facts when they agreed to release Lee.

Shortly after the murder-suicide, the province of British Columbia announced a coroner's inquest to investigate the handling of this matter. That coroner's inquest will take place in Victoria later this month. The findings from that inquiry will result in recommendations to try to prevent such a situation from happening again.

Since introducing my private member's bill, I have discussed my proposal with a highly respected crown prosecutor. In his view, a more effective solution to the problem which occurred in these two cases would be to place a reverse onus on an accused charged with a serious personal injury offence. That way the burden would be on the accused to satisfy the judge that the accused should be released pending the next court date.

Currently many offenders in serious personal injury cases, even those involving murder, are released pending trial, even when a bail hearing is held. Thus the problem may be rooted in this system of judicial interim release.

Since the Bail Reform Act was put into place in the 1970s, the onus for bail hearings in almost all criminal offences has been on the Crown. This has resulted in violent criminals being released, endangering our citizens. In fact, I understand that in many cases, crown prosecutors do not even pursue bail hearings because it is seen as a foregone conclusion that the accused will be released.

Clearly this situation must be addressed. The needs and the rights of victims are not being protected under our current system. It is incumbent upon us as parliamentarians to change this law to protect the potential victims of heinous violent crimes.

● (1840)

Michelle's law starts the process. I ask all of my parliamentary colleagues to support this bill, to get it to the justice committee where members of all parties can look at amending this bill to institute a reverse onus clause for cases involving "serious personal injury offences". This type of amendment would give this bill the teeth it requires so we can truly improve our criminal justice system.

The specific amendment I would present to the justice committee would be to amend the Criminal Code by adding the following short clause in the reverse onus section, subparagraph 515(6)(a)(v). I would add, "(vi) with a serious personal injury offence as defined in section 752". That section 752 definition of "serious personal injury offence" is the same definition as the earlier provision included in my private member's bill.

We in the House must take decisive action to make our communities safer. In our nation, among solved homicides, half of the women killed were killed by someone with whom they had an intimate relationship.

Further, in a Regina *Leader-Post* article from December 2006, Saskatoon psychologist Deb Farden stated:

Studies show the point at which a woman leaves a relationship can be the most dangerous—when there needs to be the most vigilance by all the systems.

We need to help these women who have made those difficult choices to leave abusive or dysfunctional relationships. I think that Michelle's law can provide some real assistance to these vulnerable people.

I respectfully ask every member of the House to support this bill at second reading stage, to get it to committee where it can be amended and fine-tuned. I have proposed Michelle's law to protect victims of violent crime from suffering at the hands of offenders who are released on bail without the judge being informed of relevant prosecution evidence.

I thank all hon. members for considering my submission.

● (1845)

**Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.):** Mr. Speaker, I want to thank the hon. member for his comments. It must be especially gratifying and yet difficult because in his remarks he indicated that he knew the individuals involved in the case which spurred him to bring Bill C-519 before the House tonight. I respect his courage in bringing the matter forward.

However, I feel, as a reviewer of legislation, that we have to look at the legislation before us. We have to look at the reasonable likelihood that what has been presented will become law. I cannot continue talking about Bill C-519 without talking about the big picture of whether this bill, if sent to committee, will ever become law. That is largely due to the state of dysfunction that we find ourselves in at the justice committee which I have served on for two years since my election to Parliament.

*Private Members' Business*

It is only recently, I might add in a note of partisan comment. The point being that up until recently legislation has been flowing through that committee. I would say a lot of legislation has been flowing through that committee. I might add, and without a lot of compliments to the other side with respect to the workload of the justice committee, that the committee has been loaded down with many laws that have been promulgated by the ruling party to backlog it with respect to many bills.

In a way, I feel that it would almost be disingenuous for us to promise the member that in sending this bill to committee that it will become law, unless, as I make this plea, we come to a reasonable solution to the simple question of why do we not follow the rules around here.

There are rules of procedure. We have to forget for a moment the merit of a debate. Forget whether he or she is right or wrong. We should follow the rules of procedure in this place. That is my lofty preamble on what committees do.

Should this bill be sent to committee, I think the committee would have a very large task in taking subsection (10) of section 515 of the Criminal Code and morphing it on to subsection 515(6).

I would be very open to hearing the other comments of hon. members and from witnesses with respect to whether such amendments would be in order. I too have grave misgivings, as I think now the mover of this bill has about the efficacy of the bill as presented.

I too have sought the opinion of crown prosecutors who I respect. They too have suggested that Bill C-519, the amendment of subsection (10) to add (10.1) to section 515 of the Criminal Code would impose a positive obligation on the Crown to do something and that is to produce all the evidence it has. This was not there before.

In effect, it is a good case of a well intentioned bill actually doing harm to the process. I think it is important. What I mean by this is that the mover of the bill moved quickly from saying that the bill is meant to do this, but now he has talked to prosecutors and he wants to do something else.

Clearly, at committee we would be open to that and that is fine. It is important to lay down the tracks that Bill C-519, as presented, is fatally flawed if we stay within subsection 515(10) or try to add to it.

I want to explain it as simply as I understand it. We are talking about an application for judicial interim release, which must happen sometime between 24 hours and 3 days after individuals are charged and detained of an offence involving a serious personal injury as the facts present here, that is, if they assault someone, typically a spouse.

If they do this on a Friday night, then they will have a bail hearing, depending on the jurisdiction and the availability of judges, for judicial interim release on the Sunday or the Monday, who knows, and at that hearing now the Crown does not have a positive obligation. It is not required to show the judge all the evidence it has to support why the person should not be released. The Crown must only make the case or show cause as to why the person should be detained.

● (1850)

There are many elements in the Criminal Code that suggest that if a person is a flight risk, will do harm again, is under a certain warrant of arrest now or is under certain obligation from the court by way of charge, then he or she should be detained. That is the show cause part of it.

With respect to certain offences, more grave offences, and this is where the member is going but he did not pigeon hole it in his bill, there is an onus on the accused to show why they should be released. That has been the law for some time. To label it a reverse onus right away and to say that this is something new, I do not think is productive to our criminal law evolution but it is in the Criminal Code. It has been for some time, that on very serious offences the accused must show cause why they should be set free.

If that is where we are going to go in committee, I welcome the discussion. Let us hear the evidence. Let us look at the other offences that are included in subsection 515(6) and see whether the serious personal injury offence fits within the tenure of those offences, if they are adequately serious with respect to the other offences. Let us hear the testimony from crown prosecutors as to how this will affect their everyday work.

Bill C-519, as it exists, burdens prosecutors and may in fact, by having them show evidence that they are not ready to present, damage further investigation or the leads that they have with respect to other crimes.

It may in fact lead to the anomalous situation where in order to get the order for detention, crown prosecutors would have to give a file to a judge which is virtually empty and if a fact scenario of a crime was committed on a Friday and on Sunday morning one expected a file replete with witness statements, medical information and other information, one is dreaming to think that would happen. That is not efficacious.

The spectre of having the victim be the evidence by giving viva voce evidence, a hearing to remand the person who beat her up three days earlier, is completely out of the norm of what we would expect with respect to respect for victims rights.

The law, as drafted, and I commend my hon. friend for his intention, is fatally flawed. If at committee we hear evidence that serious personal injury is in the realm of the other offences identified in subsection 515(6), then the committee, if it gets to work, if the backlog, the log jam or legalistic haranguing is gone, if we can get down to business as we did for two years previous, then we can look at this bill and maybe we can fix it.

With that, in conclusion I would like to say that the book called the Criminal Code is an organic thing. It has been with us a long time and it is probably one of the best things that has come out of our marriage between a common law jurisdiction and our vicinity or neighbourhood with the civil law of France and the civil code, and our proximity to the United States frankly. It is somewhere in the middle of the U.S. criminal codes and the common law in Europe as we took it in around 1867, and it is ours.

*Private Members' Business*

If we look at it, and the public should know, there is hardly anything really new that can be added to the Criminal Code. It grows like a plant and what we are trying to do here is see if the horrible crime that my friend describes can be put into this organic document, and it can be made sense of. It has to apply, with all respect, to every fact situation involving a serious personal offence and not just a heinous and egregious crime that he described, and to which he was so close personally.

I will do my part, this is a private member's bill, to ensure to the hon. member that the committee gets working, that his bill gets sent to committee, and that we try to save it and to do justice to the memory of Michelle. We want to ensure other victims, who will be hopefully helped by the fact that we did our work here on this night in Parliament, that the committee tomorrow or the next day will do its work.

● (1855)

[*Translation*]

**Mr. Réal Ménard (Hochelaga, BQ):** Mr. Speaker, I thank my party for allowing me to speak this evening. It is a great privilege.

I must tell my colleague, the member for Palliser, that the Bloc Québécois is not opposed to this bill. We will support it so that it can be referred to the Standing Committee on Justice and Human Rights. I obviously hope that the committee resumes its work.

As an aside, we are chaired by the very impetuous member for Calgary Northeast, who is a former police officer. He has unfortunately made rulings that do not comply with the Standing Orders. Since then, committee work has come to a stop. On the opposition side, the committee is made up of likeable, reasonable people who want to put in an honest day's work, but unfortunately we are unable to do so because the committee is not sitting.

That said, I think that our fellow citizens need to understand the contents of this bill. In our justice system, there are two types of pre-trial release. In the bill, the member is referring to section 515 of the Criminal Code, which has to do with judicial release, often referred to as release on bail. Bail is a condition that will determine whether or not a person who has yet to go to trial will be released, provided he or she abides by some conditions.

The conditions can be financial. In this case, the individual could be required to deposit a sum of money. The conditions can be related to movements. The justice of the peace can order individuals to stay in the city, to hand over their passport, or can prohibit them from contacting the victim. A justice of the peace can impose all kinds of conditions as part of the judicial release. So, in his bill, the member is referring to section 515 of the Criminal Code.

There are also situations where it is not possible to be released from custody, for example, for an offence set out in section 469 of the Criminal Code. The justice of the peace must keep a person in custody if he or she has been convicted of murder and, obviously, very serious offences. There are also situations which involve reverse onus, for example, when an individual is accused of terrorism or gang-related crimes. The accused must prove that he or she is not a threat to society. Only by proving this to a justice of the peace can the individual be released.

The hon. member for Palliser wishes to include a very clear provision in the Criminal Code stating that in the case of a serious personal injury offence, an individual cannot be released on bail until the justice of the peace has been presented with evidence. We are talking about murder, manslaughter, a number of sexual offences and violent crimes.

To the Bloc Québécois, that does not seem to be unreasonable; it is certainly founded. With his bill, the member is correcting the current situation whereby if the Crown does not oppose releasing the individual, the prosecutor may not have to present evidence or the circumstances under which the offence was committed. The Bloc Québécois is not opposed to this bill.

● (1900)

We did have information according to which, in the case of serious injury, the Crown does not allow individuals to be freed. Very often, we have information stating that the evidence has been presented.

All the same, our colleague from Palliser made statements in this House to illustrate that that was not done in at least one case, and that unfortunately, that case turned out to be fatal for his friend Michel. We fully understand the battle he plans to fight, and we will support him in that. This kind of work certainly gives meaning to the activities of parliamentarians.

We know that we also have to be rigorous in criminal law cases, because criminal law can result in the deprivation of liberty.

I do not know if the Bloc Québécois will support the bill as written. We will be pleased to hear witnesses, but the committee has to do its work, of course. I must tell the House that at least three committees are currently experiencing obstruction because the Conservatives are refusing to follow the Standing Orders. However, I do not hold the member for Palliser responsible. He is a likeable, naturally gregarious man, and a good-natured businessman. Therefore, I do not hold him responsible for the bad behaviour of certain other committee chairs.

For instance, the work of the Standing Committee on Justice and Human Rights, the Standing Committee on Environment and Sustainable Development and, until very recently, the Standing Committee on Procedure and House Affairs was obstructed because, unfortunately, members of the government majority refused to cooperate and enforce the regulations. However, I do not hold the hon. member for Palliser responsible for his colleagues' misdeeds and he will have the support of the Bloc Québécois, so that we can study the bill once the committee reconvenes.

This leads me to emphasize that extreme caution is required when it comes to matters of criminal law. I cannot fully go into it at this time. We must appreciate the witnesses who appear before us and appreciate the testimony of our colleague from Palliser.

The Bloc Québécois has always been extremely cautious when it comes to reverse onus. It can be justified under certain circumstances, but the notion of reverse onus requires considerable caution. As we all know, reverse onus goes against the presumption of innocence.

I must say that in the past, under certain circumstances, the Conservative government asked us for reverse onus. We did not agree because we did not believe it to be necessary. I will reserve judgment until we have completed our work in committee.

The Bloc Québécois, because it is a responsible party and the leading political force in Quebec, also presented recommendations in June 2007. I did so with my colleague from Châteauguay—Saint-Constant, the member for Marc-Aurèle-Fortin and the member for Ahuntsic. At the request of the Leader of the Bloc Québécois, the member for Laurier—Sainte-Marie, I chaired a working group to recommend measures to improve the judicial system.

I have to say that I made a certain number of recommendations. When it is my turn—I am the 123rd member on the list—I may table a bill to implement these measures. Or I may table a bill to fight poverty. I hope that, with the help of my friends, I will have the support of all my colleagues in this House.

To conclude, I congratulate the hon. member for Palliser on his bill. I wish him well in his fight to honour the memory of Michelle. We will be pleased to listen seriously to the witnesses who come before the Standing Committee on Justice and Human Rights. I wish him all the best in the future.

• (1905)

[English]

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, it is difficult to speak to this bill when I think of the tragedy the member for Palliser described and which, obviously, he experienced on a close personal basis. I could not help but think of identifying with him. Fortunately, I have never had the experience of having a close friend or family member brutally murdered but I have had several clients over the course of my career who have suffered similar types of assaults and ultimate murders.

The inevitable human response is to question our criminal justice system, to question whether we could have done better, whether it is the conduct of our police forces, our prosecutors, our judges or, yes, we here as parliamentarians.

My colleague from Palliser, through this bill, has given a very real sense of the pain that he went through.

However, I have some concerns about the bill. It is appropriate that we, in our role as parliamentarians, look, on a constant basis, at the Criminal Code to see if there are ways to make it better in order to better protect our society as a whole and our citizens individually.

That obviously is the role that the member for Palliser is playing here as he brings forth this private member's bill. I acknowledge that and congratulate him in that regard.

I think the member mentioned having contact with prosecutors in his home province. I think we all recognize the burden we place on the prosecutors and, to some degree in this process, on our police

### *Private Members' Business*

officers, the insistence that they be perfect. However, they are human beings and they are not perfect, nor are judges.

I have a question with regard to the approach in this bill. Are we placing, and we heard this to some degree from the member for Moncton—Riverview—Dieppe, an additional burden on prosecutors when we know they have great difficulty meeting the burden at this period of time in the process that involves whether a person will receive an interim custodial order or whether they will be released on bail? The bill clearly would place additional burdens on them if it were to ultimately become law as an amendment to the code.

It has been my experience, from the time I first started practising a long time ago right up to the present in terms of my discussions with crown prosecutors right across the country, that our expectations of what they can do—and the same is true of our police officers when they are involved in this stage of the criminal justice proceedings—and what they can present in a timely, efficient manner to a justice of the peace or a judge. They simply cannot do it.

We saw it in the tragedy this past weekend in British Columbia when those three young children were killed. We are hearing some recriminations. I do not know what the reality is. It is clear that the police wanted the person held in custody. Fingers were pointed initially at the justice of the peace for having released the person but now we are hearing evidence from Mr. Wally Oppal, the Attorney General of B.C., that not all the facts were in front of the justice of the peace. That is a classic case and it happens all too often in our country.

• (1910)

It is about resources. It is about giving our prosecutors and police sufficient resources and time, which means we need more of them, to present cases so that our judiciary, whether justices of the peace or judges, have the facts before them so that they can make a fully informed decision as to whether the person should be granted bail or kept in custody until trial.

I have to say that I do not see that this is going to help. In fact it will impose additional burdens. The amount of evidence that will have to be presented based on what is proposed in Bill C-519, in my estimation, would double, triple, maybe quadruple the workload of the prosecutors at that stage. It is going to at least double it. That would require more resources if we are going to do this.

I have to say to my colleague from Palliser that as much as I admire him, and I agree with the other parties that we are going to have this come to the justice committee, if we can ever get it functioning again, it behooves the member for Palliser and the government to take a look at the resources that we are providing to our prosecutors in particular, and to a lesser degree, our police around this issue.

*Private Members' Business*

As a bit of an aside, but it is relevant, I remember the huge fight that prosecutors had in Ontario in terms of their own personal compensation. They were grossly underpaid for a long period of time and only recently, I would say in the last 10 years, have they finally been able to catch up. As they fought for more appropriate wages reflective of their experience, education and the job load that they carried, they kept saying to various attorneys general in Ontario, "More important, we need more prosecutors because we can't carry this workload. You can pay me double what I am getting now, but I can only work so many hours a week, at which point I collapse. Whether you pay me \$100,000 or \$150,000 or \$200,000 a year, it doesn't matter because I can only work 60 to 80 hours a week and do a decent job. We need more prosecutors and it is really as simple as that".

I would say to my friend that is one issue I would point out to him that he may want to try to advocate. I would urge him to advocate with his colleagues in government to look at this area and see that we get more prosecutors, and probably justices of the peace as well, to deal with this particular problem.

I want to raise another issue. He indicated that he will be seeking an amendment to the bill when it gets to committee. I want to caution him that he needs to look at whether the amendment he is proposing is going to be acceptable as an amendment. My preliminary reaction is that it is beyond the scope of the bill. I cannot see any way of correcting it, but he has to look at that. There is some real advantage to taking a look at reversing the onus in some cases.

In that regard, within the last six or eight months we passed a bill through the House and ultimately through the Senate reversing the onus on bail in the situation where guns were involved. That made sense. We have similar provisions in other areas. It may make sense to do it here, but I have to tell him I am not sure it is going to get by the legislative clerk in the justice committee, again if the justice committee starts functioning.

I want to commend my colleague from Palliser on the work that he has done on this. Hopefully we can resolve some of the concerns I have raised when the bill finally gets to committee.

• (1915)

**Mr. Rick Dykstra (St. Catharines, CPC):** Mr. Speaker, I am pleased to speak to Bill C-519, which proposes to amend the bail provision of the Criminal Code to address serious personal injury offences.

The member who sponsored the bill represents the riding of Palliser. He is a fine addition to this side of the House. He does an amazing job here in Ottawa on behalf of his constituents, even though it is a bit of a plane ride back to Pallister, Saskatchewan.

**An hon. member:** Palliser.

**Mr. Rick Dykstra:** He is certainly not afraid to bring forward the will of his constituents here in the House of Commons.

My colleague is inviting us to discuss what I believe is a very important and a very serious issue.

This bill asks us to examine how bail decisions are made in certain cases where the prosecutor and defence counsel have agreed to the release of the accused. Ultimately, this reform would not only ensure

greater transparency and openness, but it would also ensure that the safety of the victim and the public were fully considered.

Bill C-519 proposes that the prosecutor be required to present evidence that is relevant to the release of the accused before a judge or justice of the peace makes an order for release on bail.

Therefore, it appears that this bill seeks to ensure that a bail court receives all of the relevant information that it needs in order to make an informed decision about the pretrial release of an accused.

This new obligation would not apply in all cases but rather only in cases where the accused has been charged with a serious personal injury offence and where the prosecutor and the defence have agreed that the accused can be granted bail.

Serious personal injury offences are defined in section 752 of the Criminal Code as indictable offences that involve the use or attempted use of violence against a person, or conduct endangering the life or safety of another person, or conduct inflicting severe psychological damage on the person and for which the offender may be sentenced to imprisonment for a minimum of 10 years or more. It also includes sexual assault, sexual assault with a weapon, and aggravated sexual assault. Bill C-519 is correctly limited to addressing these serious offences.

It should also be noted that Bill C-519 does not alter the existing standards with respect to bail. It does not change the grounds for detaining an accused. The presumption of innocence and the constitutional right not to be denied bail without just cause are not affected by this proposal.

The law provides that in general, accused persons benefit from a basic presumption in favour of release. As detention results in a complete loss of liberty, the law states that bail shall only be denied when there is just cause to do so.

The current Criminal Code provisions set out specific grounds to justify keeping someone in custody before trial.

Under what is commonly referred to as the "primary ground", bail can be denied when detention is necessary to ensure that the accused does not flee from justice and appears before the court when he or she is required to do so. Under the "secondary ground", bail can be denied to protect the public. As an example, if there is a substantial likelihood that the accused will reoffend or interfere with the administration of justice if released, bail can be denied. Last, bail can be denied under the "tertiary ground", which is when the court considers it necessary in order to maintain confidence in the administration of justice.

The prosecutor normally has the onus of demonstrating why it is justified to detain an accused before trial.



*Private Members' Business*

This bill does not change these basic tenets, nor does it require the prosecutor to seek to detain an accused charged with a serious personal injury offence.

The summary of the bill clearly states that it is intended to apply in what are commonly referred to as consent release cases.

• (1920)

I would like to take a moment to describe the process around the arrest, the release or detention of accused persons in order to clarify at which stage Bill C-519 would apply and to put it into context.

When a person is arrested without warrant by the police, officers must release the person from custody unless they believe, on reasonable grounds, it is necessary to have that person detained. The purpose of detaining the individual may be based on the need to protect victims of, or witnesses to, the offence.

Officers must decide when to release the accused with or without conditions, or to detain the accused so that the accused may be brought before a judge or justice of the peace for what is referred to in the Criminal Code as a judicial interim release order, commonly referred to as bail.

When police officers believe that there are reasonable grounds not to release an accused, they are required under the law to bring them before a judge or justice of the peace within 24 hours, or as soon as possible if a justice of the peace is not available within those 24 hours.

Generally speaking, the type of information that will be available at this stage is the police incident report. The police report is a summary of the offence and the accused's criminal record and prior incidents that required police attention or intervention.

The accused's conduct since being detained may also be taken into account if the accused has displayed aggressive or threatening behaviour, or made statements that raised concerns about the safety of victims or witnesses.

In addition, the accused's lawyer or defence counsel on duty in bail court often provide additional information, which is of course relevant to the release of the accused. For example, they will indicate what measures have been sought in order to ensure that the accused will be able to respect the conditions of his or her release.

Depending on the relevant concerns, they will provide information such as the following: whether the accused will have a surety or a person that will help them to comply with their conditions; whether the accused will provide a cash deposit as a bail security; whether the accused will agree to comply with specific conditions such as reporting to police as required or residing at a particular location, just to name a couple.

Therefore, with information coming from both police and defence counsel, there are cases where prosecutors will be satisfied that the accused can be safely released with those conditions. In these instances, the Crown can decide to consent to the release of the accused and not seek to show cause why it is justifiable to detain the accused in pretrial custody.

It should be noted that in certain situations and causes, the law states that the accused shall be detained unless he or she shows cause

why detention is not justifiable. These are commonly referred to as reverse onus. We have talked about this at the justice committee on a number of occasions in the last couple of years.

These situations apply in specific cases, such as where the accused is charged with breaching his or her bail, committing another indictable offence, trafficking or smuggling in drugs, and as of May 1 of this year, trafficking or smuggling in weapons as well. Therefore, Bill C-519 would only apply where the prosecutor has decided to consent to the release of an accused charged with a serious personal injury offence.

In conclusion, the bill seeks to ensure that in such cases, all evidence that is relevant to the release of the accused is put on the record before the judge or justice makes the bail release order.

I certainly stand here in the House today to lend my support to this bill and get it to committee. I look forward to having the member present at justice committee, of which I am a member. I know it will be a great day when the member is there and is able to present his thoughts on the bill and any positive changes that may be made to it. I think it is indicative of the House that all parties at least support it at second reading so that Bill C-519 has the opportunity to be presented at committee.

• (1925)

**The Deputy Speaker:** Before resuming debate, the Chair feels moved to say to the House that the member who moved the motion is the member of Palliser, not Pallister. People might be confusing this with the name of the hon. member for Portage—Lisgar.

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, I recognize I may not have the full allotment of time, but I will give it my best and you can pull the plug if I go over.

I am happy to speak to Bill C-519, introduced by the member for Palliser. We have already told him what a great member he is, so perhaps we should stop that.

• (1930)

The bill addresses an important aspect of the bill system. More specific, the bill provides that where an accused is charged with a serious personal injury offence, as defined under section 752 of the Criminal Code, the prosecution shall present all the relevant evidence in its possession before a justice makes an order for the release of the accused.

Bail has been described earlier. The type of evidence that would be required is all the evidence that is relevant to the release of the accused, including all relevant evidence respecting the alleged offence and its commission.

As the bill summary notes, the purpose of the proposed reform is to ensure that an accused in such a case is not granted bail as a result of an agreement between the prosecutor and the defence counsel without the judge being fully informed by all of the relevant evidence in the possession of the prosecutor. As the member mentioned in his original comments, he personally knew the people involved in the crime of which he spoke and it is important that these relevant pieces are taken into account.

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Bill C-519 is a private member's bill, not a government bill. Regardless, I am of the view that the bill is consistent with the government's overall crime platform. The government's criminal law reforms have sought to ensure the justice system operates in an effective manner in order to protect victims.

For example, in the last session of Parliament, Bill C-9 was passed in order to prevent the use of conditional sentences, which also refer to house arrest for offences proceeded on indictment that carry a maximum sentence of 10 years. Bill C-18, the DNA databank legislation, also received royal assent, thereby strengthening the Criminal Code regime with this powerful crime solving tool. Also street racing laws were passed with the proclamation of Bill C-19.

In this session of Parliament, Bill C-2, the Tackling Violent Crime Act, received royal assent. This important omnibus bill addresses a broad range of concerns. It tackles serious gun crimes by imposing higher minimum sentences for imprisonment and tougher bail rules. It allows stricter conditions and more effective sentencing and the management of dangerous and high risk offenders. It raises the age of consent for sexual activity to protect our youth from sexual predators. It strengthens the laws against impaired drivers to protect Canadians from those who drive under the influence of drugs or alcohol.

**The Deputy Speaker:** Order, please. I will have to cut the hon. member off right there. I did make a point of not interrupting the hon. member mid-sentence.

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

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## ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

### AUTOMOTIVE INDUSTRY

**Hon. Karen Redman (Kitchener Centre, Lib.):** Mr. Speaker, in February I asked a question in this House concerning the federal government's lack of interest in the recent job losses in Canada's automotive industry.

On that day General Motors in the United States announced the largest loss ever and the elimination of 74,000 jobs. At that very same time Kitchener Frame, Kitchener's largest automotive part maker, indicated it would be shutting its doors and eliminating 1,200 jobs in my community.

The region of Waterloo is home to over 62,000 workers who make their living in the manufacturing sector. Several companies, particularly those involved in the automotive sector, have made deep cuts in their workforce or have closed their doors entirely.

Ledco Ltd. closed its doors this year, after 76 years in operation; Lear Corporation laid off close to 300 employees prior to the new year; Nova Steel shut its doors entirely, this month; and BFGoodrich shut its doors last year.

This is a serious crisis and it is having a tremendous impact on the economy of Kitchener Centre. The crisis in the automotive sector is having a devastating effect in communities right across Canada.

However, the government continues to ignore calls for an automotive policy. Ottawa's reluctance to intervene on behalf of the automotive sector is both disappointing and, frankly, quite surprising. It is surprising because these companies are faltering through little fault of their own.

I think it is fair to say that Waterloo region is home to one of the most resilient, determined, innovative and diverse economies in this great country of ours. At various times in our history, Waterloo region has been known as the furniture capital of Canada, the button capital, the shoe making capital, and the rubber capital.

In spite of deep cuts, it remains an automotive capital with an expanding presence due to Toyota. Food processing has been a mainstay in Kitchener and Waterloo region for more than 100 years. There is diversification beyond manufacturing with a large financial services component through Manulife Financial and Economical Insurance, as well as other insurance companies.

We have embraced the new economy with a tremendously vibrant high tech industry. Waterloo region is a good news story, but even at that the manufacturing sector has been hit very hard.

Some of these plants in my constituency of Kitchener Centre are seeing some of their highest productivity rates ever, but despite this, they have lost their markets. They are well-versed in the causes of the manufacturing slowdown. The strong Canadian dollar has erased Ontario's economic advantage and encouraged companies to shift production to the United States or Asia.

Further, the slowdown in the U.S. economy has had a huge impact on the Waterloo region's economy since the majority of the goods manufactured in Waterloo region, and I dare say across Canada, are shipped to the south, the United States.

The manufacturing industry as a whole has been facing significant challenges in recent years as a result of the rapid, unexpected rise in the Canadian dollar, increased competition from emerging economies as well as the higher energy prices.

This Conservative government remains unwilling to address these big problems. I am not certain if it lacks vision or courage, or perhaps both. It is impossible to imagine that—

**The Deputy Speaker:** The hon. Parliamentary Secretary to the Minister of Finance.

**Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC):** Mr. Speaker, I object to the suggestion of the member for Kitchener Centre that Conservatives do not care about Canadians. We do.

I thank her for this opportunity to speak to our Conservative government's strong economic leadership, leadership that was acknowledged and applauded just today in the IMF's World Economic Outlook.

For the benefit of members who have not had the opportunity to read that document yet, I would like to highlight one comment in particular. It says:

A package of tax cuts has provided a timely fiscal stimulus...the [Canadian] government's structural policy agenda should help increase competitiveness and productivity growth to underpin longer-term prospects.

This Conservative government is taking concrete measures to ensure the long term economic competitiveness of Canada's manufacturing sector, especially our automotive sector. We recognize, and I would hope the member opposite would agree, that our automotive sector is a global leader that supplies high quality jobs in many communities across Canada, most notably in the Province of Ontario.

The actions we have undertaken to support the auto sector range from \$400 million to improve an access road, to the new Windsor-Detroit border crossing, to significant tax relief by 2012-13 that will total over \$1 billion.

As the Canadian Manufacturers & Exporters has declared, following the sweeping tax reductions we announced in our 2007 fall economic statement:

Canada is going to have a very attractive tax environment to retain and attract business investment. ...this keeps us in the game of international investment.

We have built on that tax relief in budget 2008 with numerous measures, such as a \$250 million automotive innovation fund that will support strategic, large scale research and development projects by automotive and parts manufacturers in developing greener, more fuel efficient vehicles.

We have also taken action that will be of special benefit to the automotive sector through an enhancement to Export Development Canada's export guarantee program, increasing the guaranteed coverage from 75% to 90%. Additionally, \$34 million per year has been provided in budget 2008 for new research through the Natural Sciences and Engineering Research Council, targeted to the needs of key industries such as the auto sector. We are also providing key funding support to the development of environmentally friendly E85 fuelling infrastructure that will help promote the commercialization of E85 fuels.

As I have outlined some of the measures we took in budget 2008 to support the auto sector, I believe it would be instructive to hear what the sector's reaction to our budget has been.

I will quote then from David Paterson, vice-president of corporate and environmental affairs for General Motors of Canada. Here is what he said of budget 2008:

Directionally it's very, very positive... they've [the Conservative government] really shown they're listening and they're moving forward.

• (1935)

**Hon. Karen Redman:** Mr. Speaker, I thank the parliamentary secretary because it is very refreshing to hear someone on the Conservative side who is not bashing Ontario, unlike the finance minister who tells the whole world that Ontario is the last place in which they should invest.

I want to point out for my parliamentary friend that 19 of 21 recommendations unanimously brought forward by the industry committee were ignored by the government. Further, the finance

### *Adjournment Proceedings*

minister had the ill-fated feebate project, which came through the last budget, that hurt all the manufacturers in Canada. The cars that qualified for that were not manufactured in his riding of Oshawa, let alone anywhere in Canada. They were manufactured in the United States.

Again, where is the vision of our country? Where is the vision of the government in helping the automotive sector? There is real pain in my community and across Ontario and—

**The Deputy Speaker:** The hon. parliamentary secretary.

**Mr. Ted Menzies:** Mr. Speaker, once again, our Conservative government has demonstrated its support for the automotive sector and the workers in this important industry.

Just a moment ago I outlined what we had done to support the industry. I will add to that impressive list with what we are doing for workers that find themselves negatively impacted by the global economic volatility in certain sectors, such as the auto sector.

These folks are facing these difficult times and it is through our initiatives, like the \$1 billion community development trust, that we have provided as assistance to those people. Through this trust, we are providing the province of Ontario with over \$350 million. I will quote directly from the province's recent budget. It said:

—support improved productivity and competitiveness, technology development, and training in agriculture, forestry and manufacturing (including the auto-parts sector). Initiatives will include new skills training centres—

• (1940)

**The Deputy Speaker:** Order. The hon. member for Pickering—Scarborough East.

### FOREIGN AFFAIRS

**Hon. Dan McTeague (Pickering—Scarborough East, Lib.):** Mr. Speaker, I am very happy to raise the point pursuant to what we discussed during question period on February 26. My question for the Secretary of State responsible for Canadians abroad dealt with the fact that she had taken the time to go to Mexico but failed to actually address the issue of meeting with Brenda Martin.

We know that Brenda Martin has been languishing in a prison for the better part of the past two years. Despite repeated attempts by our party and by this member in particular, attempts in the foreign affairs committee, in late shows like this one and with questions in the House, it seems impossible to understand where and how the government sets its priorities, particularly when there is evidence that a Canadian has been literally railroaded and denied her rights, not only from a Canadian perspective, but under Mexican law in and of itself.

My question for the minister at the time was why could she not take the time to visit Brenda to demonstrate and create a link to Mexican authority in recognition of the fact that we were not interfering with the judicial system but were instead sending a message to Mexicans that we were not exactly pleased with the way in which their judicial system had treated Brenda Martin.

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There are plenty of examples of past cases like this. Particularly in dealing with this one, I note with thanks the efforts of people such as Charles Rusnell of the *Edmonton Journal*. His investigative work in the background has made it possible for us to focus on this question and bring into play the fact that her fundamental rights were denied. In particular, she was not given access to an interpreter. As well, there is the fact that she has been imprisoned with other convicted felons, felons under the Mexican state, which we are not second guessing, individuals who have committed crimes and been found guilty.

She has not been found guilty of anything. There has been a pretrial incarceration of over two years. Desperately, Ms. Martin sought the help of her government to at least pick up the phone from time to time. The same minister failed to do that and, I suggest respectfully to this House, demonstrated a distinct lack or dereliction of her responsibility.

I am very concerned that what I raised on February 26 was also raised again by the Canadian Press story, which went further and confirmed the fact that the minister seemed to be given to swilling back Perriers and canapés as opposed to spending 18 minutes to travel to see Brenda Martin. It is very critical that such was the case. It demonstrates a clear lack of experience by the minister.

There are members on that side of the House who have very good talents and who understand consular affairs. I am hoping that what comes out of this will indeed be an opportunity by the Prime Minister to change the lineup, to change the batting order so that we actually have people who can get onto these cases from the get-go.

I led the consular affairs division for a couple of years and I can tell members that once engaged it was second to none. Most nations have no difficulty becoming involved and I think no less of our ability to do the same. This has been a very public issue with respect to the plight of Brenda Martin. We are hopeful that she will be released, that the judges will find their way to freeing her. We know that Alyn Waage, who was responsible for the fraud scheme, himself has exonerated her twice and has written two affidavits pursuant to the court.

However, let us understand that in this case the prosecutor made the charges so difficult there is no way Brenda Martin can get out without the help of her government. We are asking the Canadian government to get involved, including the Prime Minister, by ensuring that the Prime Minister himself not only picks up the phone but also observes that when an international treaty is broken he has an obligation to stand up for Canadians. We did it on this side of the House. We expect the Conservative government to do the same.

**Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs and to the Minister of International Cooperation, CPC):** Mr. Speaker, as the hon. member himself has stated, in the previous government he was a consul handling this issue, so he is very well versed in how the Government of Canada works when Canadians overseas are in need of consular assistance.

In Brenda Martin's case, specifically, this government has taken its responsibility very seriously and has used every opportunity available to assist Ms. Martin.

I can confirm that consular officials have visited Ms. Martin in prison on 15 occasions and have spoken to her by phone over 75 times. Consular officials have also facilitated and will continue to facilitate regular phone contact between Ms. Martin and her family. We have also taken care to ensure that her well-being and health concerns are addressed immediately and we will continue to liaise very closely with Mexican officials in regard to Ms. Martin's case.

The Government of Canada made numerous representations on Ms. Martin's case. The Minister of Foreign Affairs has raised this issue with the Mexican Foreign Secretary Espinosa on a number of occasions and just yesterday in Washington, D.C. I am encouraged by the reports coming from the media on her comments that she expects this file to move in a couple of weeks.

Both the Secretary of State for Foreign Affairs and International Trade and the Secretary of State for Multiculturalism and Canadian Identity have met with senior officials from the Mexican foreign ministry and the attorney general's office during their respective trips to Mexico. At all levels, the Government of Canada has expressed its concerns regarding the length of time Ms. Martin's case has been taking and sought assurances that the case will proceed expeditiously.

The member stated that he was in charge of consular affairs. I want to say one little thing for all Canadians on this issue. When people apply for a passport, the Department of Foreign Affairs will issue a booklet titled "Bon Voyage, But..." which is handed out with every new Canadian passport. The booklet explains quite clearly what Canadians who travel overseas can expect from the Government of Canada as far as consular cases are concerned.

One of the most important issues mentioned in that publication is that when Canadians are arrested outside of Canada, they are subject to the laws and regulations of the host country. My hon. colleague is well aware of that issue. The Government of Canada cannot influence the judicial process of a sovereign country, just as we would not allow another country to attempt to influence our judicial process. We must always work within the judicial system of the country in question and find the means to assist Canadian citizens.

As the hon. member knows, we make every attempt to come to a consensus and to work with the government in question to ensure that the interests of Canadians who find themselves in difficulties are taken into account. We will provide consular services, access to lawyers and we will do anything in our power to ensure their rights are maintained. However, Canadians must always remember that when they are travelling overseas in a sovereign country, the rules of that country apply first.

In Brenda Martin's case, we are working with the Mexican authorities. He himself has visited and applied pressure. We are very hopeful after hearing the latest comments by the secretary of foreign affairs for Mexico who stated that the case is expected to move ahead in the next two weeks.

● (1945)

**Hon. Dan McTeague:** Mr. Speaker, we are hopeful that we will have a positive outcome and, should she be found guilty under the system, that the transfer of offender treaty will in fact apply to her and she will be able to come home immediately.

Let us be very clear. There are hundreds of cases out there where we do apply and recognize that the judiciary of another country is paramount. Canada is not to interfere, nor does it propose to. However, in the case of Brenda Martin, by all evidence, the laws that apply to Mexico and the obligations Mexico has under international treaty, including the international treaty and convention on civil political rights, were not upheld and were not in force. That is why this member and the Liberal Party went to bat for Brenda Martin.

We believe it is important that, while Canada has obligations to respect other countries, other countries have an obligation to respect our nationals when they are in their country as well, as they would expect of us when it comes to their nationals being here.

I am pleased to see the hon. member is on the file. I am hoping that there may be a change in the next couple of weeks. I understand he is very interested in these cases. I look forward to more cases down the road behind the scenes so we can resolve these problems before they are gone. When the opposition raises this, it is for a good reason.

#### *Adjournment Proceedings*

**Mr. Deepak Obhrai:** Mr. Speaker, the Secretary of State for Foreign Affairs and International Trade and Sport has these cases, and I am sure she will continue working on these files, and I can assure the hon. member that the government has taken this case and the Martin case very seriously.

The Minister of Foreign Affairs, as I stated, talked just yesterday to Mexico's foreign minister and the Secretary of State for Multiculturalism is in contact with Brenda Martin as well. His office is in contact with Brenda Martin at all times. We are watching this file and putting on as much pressure as we can for this file to go very quickly. We are also concerned about her well-being and about the length of time this case has taken.

• (1950)

**The Deputy Speaker:** The motion to adjourn is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:50 p.m.)

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**Publié en conformité de l'autorité du Président de la Chambre des communes**

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