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Thursday, April 17, 2008

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Thursday, April 17, 2008

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*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) I have the honour to table, in both official languages, the government's response to four petitions.

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COMMITTEES OF THE HOUSE

HEALTH

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Health with respect to the new organ donor regulations.

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

AGRICULTURE AND AGRI-FOOD

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I move that the first report of the Standing Committee on Agriculture and Agri-Food with respect to the beef and pork sector income crisis, presented to the House on Wednesday, December 12, 2007, be concurred in.

Hon. Chuck Strahl: Is this the Easter report?

Hon. Wayne Easter: The member opposite asks if this is the Easter report. If the government would just take the Easter report, read it and enact it, farmers would be much more profitable, but the government continues to ignore the farm community.

This was a unanimous report by committee members and it was undertaken out of the dire and unprecedented income crisis suffered by the beef and hog farmers in this country.

Canadian farmers, who are among the most efficient farmers in the world, were then, and still are now, finding themselves facing serious financial trouble and, in many cases, financial ruin. Third, fourth and fifth generation farmers have all done what provincial and federal governments have asked, which was to increase production, increase efficiency and increase exports, and now, in their time of need, the Canadian government is basically leaving them in a lurch.

Believe it or not, the farm community has always been at the cutting edge of technological change. In fact, agriculture leads all sectors in annual production growth, better than manufacturing, construction, transportation, trade, finance and many other sectors. However, farmers are not retaining the income and the benefits of all that productivity growth and all that efficiency. The government, although it talks about acting, has failed to act in their interest.

The real reason for this concurrence motion is that the committee wrote a very good report and it was done in a non-partisan sense. I think government backbenchers on the committee felt that the government might actually do something but we now have before us the government's response.

I am sorry to say this but the Minister of Agriculture's response is absolutely pathetic. Actions speak louder than words. The minister talks about putting farmers first but actions speak, not words. I hate to think what would happen if the minister were to ever say that we would put farmers second, because his first is very far down the line.

The minister talks about putting farmers first but let us look at some of the facts. It is really just an illusion. We know that the Prime Minister and the governing party are very good at creating illusions. Everything from transparency and accountability is just an illusion.

However, it was not an illusion when we saw the police raid the Conservative Party of Canada's office. It was not an illusion yesterday when I raised the fact that the minister was trying to violate the Privacy Act in terms of getting information on individuals so he could attack them over his ideological drive against the Canadian Wheat Board.

I will now turn to the Department of Agriculture's own estimates. The government has been spinning a line that it is putting money out there for farmers. The cost of the production program that the Prime Minister announced has no relationship with the cost of production whatsoever. In fact, I have letters from farmers who have indicated that they have received as little as \$1.28 an animal. It has no relationship with cost of production. It is just an illusion.

Routine Proceedings

The previous minister of agriculture announced the family farm options program, which was going to help farmers in financial trouble. What did the government do a few months later? Without notice, after the fact, it withdrew the program, taking hundreds of millions of dollars out of farmers' pockets. However, the Canadian public actually thought the government was doing something. The government gave it and then took it away.

Let us look at the department's estimates. What really matters is what the government is putting out there in terms of actual cash to the farm community in program payments. I will go to the estimates. On program payments, from the minister's own documents, it states:

Overall, program payments are forecast at \$4.0 billion in 2007, compared to the record level of \$4.9 billion reached in 2005 and a drop of 12% from 2006.

Those are the real numbers. The government tries to leave the impression that it is doing more for farmers than the Liberals did but who was in government in 2005? The Liberals were. When we really look at the numbers, comparing 2005 to 2008, the current government is \$1.2 billion short of where the previous government was.

The hog and beef industry has never faced the kind of crisis that it is facing right now. The tobacco industry is in crisis. The government broke its promises in that regard as well.

What we get from the government are illusions, smoke and mirrors, and no real actions.

It is no illusion that in the last election the Minister of Agriculture and Agri-Food, who is heckling, and his cohort, the Minister of Citizenship and Immigration, promised tobacco producers an exit strategy. I met with tobacco producers last weekend and they are in disarray. They are discouraged and disgusted that the government broke its promise to them. However, that is not unusual for the government. It is pretty good at breaking promises.

The bottom line is that the government should shed its illusions and actually do something about the farm income crisis. In other words, the government talks but does not act.

I will go back to the first report that we are moving concurrence in today. The introduction reads:

The beef and pork industries are currently buffeted by what could be considered a "perfect storm". Decreasing prices, increasing input costs, a strengthened Canadian dollar and regulatory compliance costs are all elements of this storm.... Although both the production and processing sectors are affected, the crisis became acute this fall for hog and cattle producers, who are struggling to meet even their immediate financial obligations.

Let us look at what some of the witnesses had to say. Mr. Curtiss Littlejohn from the Canadian Pork Council had this to say:

Simply put, prices are collapsing, input costs have increased dramatically, and cash losses are mounting at such astonishing rates that entire communities, including producers and their input suppliers, face financial ruin.

I will turn to another statement by Jim Laws, the executive director of the Canadian Meat Council. He stated:

Canada's federally inspected meat processing industry is the most regulated of all food processing sectors. It's estimated that federally inspected meat processors collectively pay over \$20 million per year in fees—fees such as inspection services, export certificates, label approvals, etc. This constitutes a major disadvantage to Canadian processors. ...and Canadian provincially inspected processors, who are not subject to these same additional costs. To create a level field internationally, the fees should be removed immediately.

That was said in November 2007 and the committee asked that those fees be removed.

• (1010)

As well, when I was in Ontario last weekend, on Saturday I met with the president of Gencor Foods, a company that was processing older cattle. It has just gone broke and is in bankruptcy, which now denies Canadian producers a market for about 700 cows a week. There were 120 people laid off. Since the government came to power, there have never been as many plants shut down, not in a long time, whether it is in manufacturing or agriculture, because the government is failing absolutely to act.

There were a lot of good points in this report, a lot of background data, and good recommendations. I just cannot understand how backbenchers over there can sit on their hands when this tragedy at the farm level, this loss, is occurring as it is, but they continue to sit on their hands. They take the speaking notes from the Prime Minister's Office and away they go.

Do those government backbenchers not realize that they were elected to represent their constituents and that they should be speaking out? They should stand up to the Prime Minister. They should stand up to the Minister of Finance, who has basically made bare the financial cupboards of the country.

The government uses the excuse that there is no money to do what ought to be done. There are only two people who are responsible if there is no money available in this country to do things for manufacturing, agriculture, the tobacco industry and many others. Those two people are the Minister of Finance and the Prime Minister.

It is hard to believe that in two short years the Conservative government has taken a country that was seen as the financial envy of the western industrialized world and recklessly spent 2% of the GST on basically nothing, taking away the ability of the federal government to do what it ought to be doing. Thus, the minister is doing very little.

Let me go to the response. As I said, the response of the government to this report is just absolutely pathetic. The government starts by saying:

The Government agrees with the spirit of the report and shares the Committee's commitment to addressing the needs of the beef and pork sector facing serious pressures on its short-term liquidity and long-term competitiveness challenges.

The "spirit" is not going to keep Canadian farmers in business. The minister and the government have the power and the authority to act, but they are failing to act.

As I mentioned a moment ago, yes, the Conservative government has the treasury of the country basically broke, but that excuse is not good enough. We are losing rural Canadians. We are losing productive farms. We are losing our ability to have food sovereignty in this country. As for the minister, he basically sits on his hands.

The government goes on regarding a number of other areas in this report. Let me come to a key point it makes. It states:

The Government recognizes the need to support industry in dealing with serious pressures, but—

There is the big word "but".

—is also conscious of the need to do so in ways that do not mask market signals and are consistent with our international trade obligations.

There is one thing I will say about our major competitor, the United States. It does not put its primary producers second to international trade obligations. It does not put its primary producers second to its financial reserves. It puts its primary producers first.

I talked about the Gencor plant going under. The real reason why that plant went under was the specified risk material fee, which put that plant at a competitive disadvantage to those in the United States. When the United States did not come along with its international obligations as it was supposed to, the Government of Canada should have recognized that it needed to act with financial resources and assist those plants so they could stay in business.

● (1015)

The report covers a number of areas, but here is the worst statement in the government's response. It says that those sectors, the beef and hog sectors, "will need to adjust to the realities of higher feed grain prices and a stronger dollar".

One of the reasons why there are higher feed grain prices in this country is due to the government's policies in a number of other areas. We support an ethanol and biodiesel policy, but the fact of the matter is that if government subsidies to one area are going to distort the feed costs for another area, then the government has a responsibility to assist in that regard.

Before I run out of time, I will make a number of recommendations that the government should listen to. If the government would like, I could table them.

We had the opportunity in the Liberal Party of Canada to have a task force that put out a report entitled "Canadian Farmers: Targeted Action for Results". This report went to a real leader, the hon. member for Saint-Laurent—Cartierville, the leader of the Liberal Party. In that report, there are a number of recommendations on how to deal with this immediate crisis facing the livestock industry. I will run through a few of them, but I want to emphasize that these are recommendations the government needs to act on now.

The government did come out with a \$3.3 billion loan and advance payment program, which was announced by the minister on December 19. The parliamentary secretary said in early February that "the money is flowing as we speak". That was not the truth. It was not flowing as we spoke.

Action from our party in March forced the government to finally move the legislation through this House so the money would actually flow. Primary producers lost three months while the minister had this \$3.3 billion loan program. One cannot borrow oneself out of debt. It cannot be done. The government had the loan program, but it just did not work. After the legislation passed, that program went into effect.

However, let us look at the cost to the government. Before committee, officials from the Department of Agriculture admitted that the additional costs in that program are only \$22 million a year. The Government of Canada and the minister, although they use these huge figures, are really just putting in a pittance. The government is not supporting the industry to the extent it should.

Routine Proceedings

Let me go through some recommendations.

First, the government should put cash in the hands of beef producers immediately by making a special 2007 cash advance payment of up to \$100 and up to \$150 for feeder cattle.

Second, the government should put cash in the hands of hog producers and immediately implement a short term loan for Canadian hog producers to improve cashflows as markets adjust. However, now we have to go well beyond that recommendation.

Third, the government should put on an immediate priority basis the 2006 CAIS payments and 2007 CAIS targeted and interim advance payments for all hog and beef producers.

Fourth, the government should work with all parties to determine how the advance payment program could be improved and accessed by hog and beef producers, including amending the security requirements, unlinking CAIS payment offsets with advances given, and extending time restrictions on advances. There I would add, although I personally have favoured caps on the CAIS payments, a suggestion that we could suspend those caps over the next interim period so that some of the larger operators can get that funding out of CAIS as well. That is how serious the crisis is.

Fifth, we need to also allow all hog and beef producers to be given the option of having the top 15% of CAIS, or the new AgriInvest program for at least 2007 and 2008, and maintain the \$600 million AgriInvest kickstart already announced.

Sixth, we need to defer the interest payments, but also the clawbacks, on CAIS overpayments to hog and beef producers.

● (1020)

There is a number of recommendations—

The Deputy Speaker: Sorry, but the time has expired. Questions and comments, the hon. member for Mississauga South.

● (1025)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I must say that when an hon. member rises in this place and I hear loud heckling and jeering from any other place in the House, I have to wonder whether those members just do not want to hear the good words that are coming from that hon. member. I think this is the case. As we know, the member for Malpeque is one of the most knowledgeable people in this place about agriculture.

I heard one of the members yell out, "But there are no farmers over there". It was a former minister of agriculture who said that and he does not even realize that 70% of the agricultural industry is off farm gate. It is an important industry to Canada. It is important not just on farms, but also because it involves a lot of people and a lot of jobs.

The member laid out from the testimony in the committee that there were problems with the prices going down, the costs of production going up, the costs of regulation increasing, and also, if I recall, problems with the high Canadian dollar having significant implications.

Routine Proceedings

The minister decided to give his advice during the member's speech and in his response to the report, saying that somehow the farm community is going to have to adapt to these realities. It would appear to me that in these circumstances farmers are not going to have many choices other than to just go out of business.

I would ask the hon. member if he would like to amplify a little further about the pressures and about the options, which may not even be available to the beef and hog producers. In my view, it is not going to be acceptable simply to say that they have to adapt.

Hon. Wayne Easter: Mr. Speaker, it is just not enough for the government to say that basically the industry should adapt and be competitive. Our industry is competitive. There is no question that at the moment we are dealing with a surplus of pork around the world. Is the government going to just sit idly by while the pork and hog industry in this country deteriorates and vanishes?

Pork and hog producers are a major part of our rural landscape. They are a major economic contributor. They are going through tough times. They need the government to stand by and back them up.

There is a raft of areas making our industry non-competitive with our competitors south of the border, including inspection fees, specific risk material removal costs and the regulatory regime. Even labelling does not identify for Canadians whether they are buying U.S. pork or Canadian pork.

When the beef industry was in trouble with BSE, the Canadian consumer population bought Canadian beef at that time because of the promotion programs. Our consumption went up. There is a lot that the government could be doing to assist the hog and beef sector, but it sits idly by.

Let me read for members the headlines from yesterday's press, while the government and the minister sit on their hands and put less program dollars out there than were put out in 2005. In some sectors, we are in a worse crisis now.

The *Winnipeg Free Press* of yesterday stated, in a story about the pork cull and whether it will go to the food banks: "Amount of pork headed to food banks unknown".

The *Vancouver Sun* stated: "Hog farmers look at options to cover record feed bills; Slaughter of breeding stock and piglets one route, but humane alternatives sought".

The *Windsor Star* stated: "Pig farmers paid to cull their herds; Pork industry in such a crisis, piglets given away".

Do the minister's department and the Prime Minister just not see these headlines? Do they not understand that behind every one of those farms is a farm family?

I met a guy on Sunday who said that his losses were \$2.5 million. He is one of the most efficient farmers in this country. One of the reasons why he is having those losses is that he made the capital investments governments asked him to do so that he would have an efficient operation. Now, when there is a downturn in the industry, the government says, oh well, the markets will decide the answers.

In terms of food security, food sovereignty and a healthy rural economy, I call on the government to act, to not just give us words but to actually act and come out with some programs that work.

• (1030)

Hon. Joe Comuzzi (Thunder Bay—Superior North, CPC): Mr. Speaker, let me comment on the remarks of the member for Mississauga South about the eloquence of the speaker this morning. He stated that the member for Malpeque was perhaps the most knowledgeable person that he knew when it comes to agriculture. Sometimes I may want to agree with that, but the member should have continued and said "but sometimes the member for Malpeque is often misguided". That is what we have heard here this morning.

Let me explain—

Hon. Joe McGuire: Be nice.

Hon. Joe Comuzzi: That is the comment that we have always had when he and I were colleagues on the same side.

Mr. Paul Szabo: Give an example now.

Hon. Joe Comuzzi: He still insists on heckling. He does not want to listen.

One of the comments that I have is when he said that "Do you not understand that members of this side of the House are elected to represent their constituents?" I refer him to the speech by his former leader given at Osgoode Hall in 2003, when he said in eloquent terms that "It's time that we elected members to the House of Commons who represented their constituents".

That was pretty well the tone of the leadership race that the Liberals just went through. We have to elect members of Parliament who represent first and foremost the constituents that elect them to office.

I would like the member to comment on the statement he made because what he is saying now does not show in the results. What they say and what they do are not the same.

Hon. Wayne Easter: Mr. Speaker, the member is absolutely right if he is applying the remarks "what they say and what they do" to the leader of his party, the Prime Minister of Canada. I do not want to get into misguided, but my personal opinion would be to the member who just spoke that he was terribly misguided when he lost vision and opportunity, and looking forward, and went to the dark side over there, but that is his choice. We all make mistakes and sometimes we regret it.

The most knowledgeable people in this industry are clearly the people who work on the ground, the primary producers. In the report that I said we would make available to the government if it desires it, is really a report by primary producers. They are the ones who are the generators of wealth in rural Canada, but they are the ones who are now suffering because of their efficiencies and their productivity.

The government has to be there to support them. When I was in southern Ontario last weekend meeting with hog and beef farmers, meeting with tobacco farmers and others, they cannot understand where their backbench members are. They do not speak out. Are they scared to challenge the PMO?

Routine Proceedings

I will go to what these farmers said on the areas that are yet to be done. The small step of the government is not enough. Farmers have told me that the government needs to realign Canada's regulatory inspection fees and cost-recovery fees such as those applied to border measures, traceability and food inspections to be competitive with Canada's major trading partners. They need that done and they need it done immediately. Next month or the month after that is too late.

As well, reference margins do not work under CAISP and for those who have had circovirus, they need to eliminate that endeavour and give them a proper reference margin, so that the CAIS program or the safety net program really works for them. Bottom line, the government needs once and for all to stand up for the hog and beef industry in this country.

•(1035)

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, listening to that tireless rant that we hear constantly, I am not sure where to begin. I do know where to end.

I know to end with producers and the direction that they have given us over the last months as we formed government. The member for Malpeque spoke glowingly of his own report. His own party actually put that in, with the cobwebs and the dust, in the bowels of this operation somewhere, and right away they commissioned him to run out and do another one.

While the member for Malpeque and a few of his sidekicks go out there and waste time with study after study, we actually acted. I am proud to stand here and say that we do have the support of primary producers.

If the member for Malpeque and his colleagues over there decide that we do not, there is a little thing called an election. We can sort this out on the ground. We can go out there and actually consult with producers on the ground and find out exactly who they think is in their camp and on their side.

I will work through a few of the points that the member opposite made.

I did read this report as the former chair because some of this work began under my chairmanship and of course before that while the Liberals were still in power. The biggest difference is that there has always been a lack of respect for the primary producer over the years. We have turned that around.

The member talked about the inadequacies of the CAIS program. I think anybody checking the historical documents does not have to go back very far to find out which party put that in place, which party blackmailed provinces to come on board with that, and which party would not address the shortfalls of the CAIS program for over a decade when producers kept telling them they needed something different.

We have addressed that. We have actually gone beyond this report. We have actually taken that as a challenge and moved beyond that on so many other fronts. I believe we have gone point by point and addressed that.

The member opposite brought up a few of them. He talks about the regulatory regime. We have moved beyond that. We did a study. He also knows that under the government—

Hon. Roy Cullen: You did a study?

Hon. Gerry Ritz: Wait a minute. We took that study and gave it to the industry and said, "You decide which parts of this you want to harmonize with the U.S., our major trading partner in red meats, which parts you want to change, and how we involve food safety at the border". They are in the process of giving us some tremendous response on that.

The first thing we found is there is not a smoking gun when it comes to differences. Certainly, we do things differently than the U.S. but it is a different system. We have a little thing called sovereignty here, but we are more than willing to harmonize our systems back and forth across the border.

We found a couple of instances, mostly on the export and importation of live animals and genetics, where our regulatory regime might be a little bit prohibitive. We are addressing that and we will adjust it.

The CFIA has been under a cost recovery moratorium for a number of years and it is capped at 15% recovery. We are actually at 11% cost recovery with the CFIA and if we have to go to zero, we will, in order facilitate that trade. We will take a look at it. That work is ongoing and is ready to go. The member said it has to be done this month. We are already way past that. While he fiddled, we got out there and did the job.

These political rants that I constantly hear might be crowd pleasers but the unfortunate part is, we keep track of where the member is because we always go in and gain a lot of votes afterwards. The crowds that he draws are very small and disgruntled groups, usually the same folks.

I was at a meeting last night with 250 producers sitting in a room. We had a great meal together that farmers produced on the ground. It was a fantastic meal of beef and pork, and all the trimmings that go with it. I had a great dialogue with them for about an hour, taking questions from the floor. They are pleased with the role of this government.

Whether we are talking supply management or producers in beef and pork, and the grains and oilseeds sector, they are happy with what this government is doing, because they are involved. They are helping us to develop the new programs. We did not arbitrarily go out and hammer on them and say, "This is what you get". We went out and said, "How can we best serve you?"

We did that with the livestock sector. As they plummeted down into this crisis, we went to them and said, "How do we best serve you?" They came back and said, "Let us look at some practical solutions. Let us make sure this is not countervailable and that it gives us the liquidity to carry forward".

Routine Proceedings

The member for Malpeque says we cannot borrow our way out of trouble, but then he lists his own recommendations where he talks about loans. It is pretty shortsighted. He has a pretty short memory. We did that. We took a loan and we created it into a situation where it gives them the liquidity. We took second chair when it came to security, keeping the financial institutions on line.

• (1040)

We have created a cash flow situation that will see them through this downward cycle and if we have to adjust, we will do more. They know that. We are in discussions with the livestock sector constantly as to what is happening and how it is working.

Band-aid solutions will not solve the problem. Ad hoc programs that the Liberals were famous for announcing but never really delivering only really reinforce the status quo. With their programming over the years, all they did was mass market signals. They did not allow the market to adjust. The Liberals have maintained a certain rigid focus. They wanted them farming the mailbox but we do not.

We want them drawing their moneys from the marketplace. That is why we are seeing differences in the money out there from the government. The money is still there, but we have not had to deliver it because grains and oilseeds are finally getting their return out of the marketplace.

That is a wonderful thing. That gives us the freedom to move over and help the livestock sector in a more fulsome way and we have done that. We have made unprecedented amounts of money available to them. I do have the power and I have done that. The member said that we should not claw back the money. We made those changes. We did not just think about it or talk about it or rant about it. We did it.

As the minister I have the power, in conjunction with the finance minister, to absolve people of their repayments for up to a year where they are looking at just paying the interest. We can even take that away and give them time to get back on their feet. We did it. The Liberals did not even have that in their plan.

We are making changes to the farm improvement loan so that more people can qualify. We have changed the disaster component under the Agricultural Marketing Products Act. Where it used to be capped at \$25,000, it has now been changed to \$400,000, with the first \$100,000 interest free. That is tremendous liquidity. That provides a tremendous opportunity for the sector to move ahead, and it is. The market is going to drive it. Producers are adapting to it. We are starting to see some light at the end of the tunnel.

The member went on and on about a number of different things that really are not pertinent to this. It was more of a political rant. I am happy to have a debate any time those members want to go to the polls.

The member brought up the issue of Gencor. While we do feel for the company, it is alive and well in certain other sectors. It is a big multinational company. We certainly feel for the people who have lost their jobs and the producers who do not have access to it.

The good news is that this government rebuilt the trade situation in the U.S., and rule 2 is in place which means live animals and

animals over 30 months can cross over the border. Cull animals, and cows and bulls have seen unprecedented value, more than ever seen since BSE. That is what drove Gencor out of business.

The member opposite talked also about the SRM removal and the feed ban and so on. Guess when that started? That happened on the Liberal watch. The industry asked for those types of things to get the border back open. We are now looking at every issue listed under SRM and removing them as we get agreement with our import nations.

We have since made some tremendous moves on getting some of those SRMs out of the system. We have taken away a lot of the regulatory costs on the feed ban. We are looking at on farm mixed feed, which is regulated by the time it gets there, so why would we do it again?

We are listening to producers. We are getting the job done. The opposition cannot seem to get it through its head that we are doing the right things and producers are accepting that.

The member for Malpeque talked about CAIS and how bad it was. He said it did not do this or it did not do that. Guess whose program that was? It was a Liberal program. In 2006 we campaigned on getting rid of it. We have done that because it did not serve producers in any way, shape or form.

Hon. Wayne Easter: And you are using it Gerry.

Mr. Todd Russell: Don't sound angry.

Hon. Wayne Easter: You're using it Gerry. You didn't scrap it.

Hon. Gerry Ritz: Listen to the hollering over there, Mr. Speaker. I must have hit a nerve. I am going to hit a few more and continue to do that right through the next election until there is less than a dirty dozen over there, and you are going to help us do that, Mr. Speaker. I know you are.

The CAIS program never delivered for livestock.

The Deputy Speaker: I would urge the minister to stop trying to drag the Chair into the debate.

Hon. Gerry Ritz: You just look so intense up there, Mr. Speaker, I knew you were hanging on every word and agreeing.

The CAIS program never delivered for livestock. It never really delivered in any way for grains and oilseeds. In the new programs that we have delivered and are going forward, we are working with our counterparts at the provincial and territorial levels in an unprecedented collaborative way, and we have also included industry. There has been a fulsome discussion on what is needed to be in the new programs to make them user friendly. There is no sense developing programs as we did for years under the previous government that missed the mark, that never sent the money where it needed to go. It was eaten up in administration as it went out, was clawed back and changes were done.

Routine Proceedings

We have made changes in the new program. We actually altered the last year of CAIS as much as we could without provincial collaboration. The provinces wanted to hold it as it was; so be it, that is their decision. At the end of the day, we delivered more money in a different way through the old CAIS program than ever would have been thought of because we listened to producers, and we did it without using ad hoc and band-aid solutions that mask the market signals.

Certainly producers are going to have to adjust, but they have to have time to do that. They have to come to grips with the dollar that is up, which this government does not control. They have to look at the instances of input costs going up. There are a lot of things driving that, right back to the cost of fuel in delivering the grain to the elevator.

We have made unprecedented moves to deliver different livestock feeds. There is a biofuels program. The member opposite says he agrees with that, and I welcome that, but his old colleagues from the NFU are going coast to coast on a government grant—figure that one out—saying how bad that is.

Biofuels are the best thing that has been announced for rural Canada in a generation. They are going to reinvigorate rural Canada. They are going to bring communities back onside with the extra jobs. It gives farmers a different place to deliver their product, which helps bring the price up on their products. It is a good news story all around, because it is also very good for the environment to start moving away from fossil fuels and getting into green energy. There are major changes coming on that as we move to cellulosic as opposed to feed grain stocks.

There are a lot of stories out there, and the NFU has fallen for this, that somehow we cannot do both food and fuel. Maybe the way its members farm from the 1940s they cannot, but it will only take 5% of our production to cover off the three billion litres of ethanol that we are calling for with our program, only 5%. The other 95% stays in the food line, in the export line and everything else. Weather systems account for more than 5% in variables, Mr. Speaker. You know that, I know that, everybody in this place knows that. It is a good news story and the crazy stories out there saying that we cannot do both are ridiculous, to say the least and stay polite within the political language that is allowed here.

On trade, my seatmate, the hon. Minister of International Trade, is doing yeoman service. We are out there making bilateral agreements with countries that are looking for the quality that we have in our dairy, our beef, our genetics, and our grains and oilseeds sectors. They are clamouring for them around the globe.

I have had the great opportunity to travel to some of those countries, and I will be doing some more over the break week coming up, to reinvigorate the trade that those guys let slide. The Liberals slagged our major trading partner to the point where we were losing out to the Americans. The Americans did bilateral trade agreements with a lot of the countries that we used to deal with. They are now eating our lunch because those guys looked the other way and did not get it done. On so many levels, the Liberals did not get it done. We have reinvigorated trade.

I have made a move as the Minister of Agriculture and Agri-Food to get rid of KVD, kernel visual distinguishability. The only jurisdiction left on the globe that uses KVD is the Canadian Wheat Board area of western Canada, the only one. What that has done has stopped us from developing innovative varieties of grains that would feed the livestock sector in a better way than they are doing now.

There are grains and so on available to producers in North Dakota and Montana that were developed at the University of Saskatchewan in Saskatoon because they could not do the ground testing in western Canada because of KVD. That is gone. We are not going to allow those types of things to stymie trade.

The member quoted a few articles from the paper but he did it in a cut and paste editorialized way that those members like to do. The reality out there is there are other good news stories. The value of farmland in Canada is up almost 8%. The only jurisdiction where it is down is in the member's own province. People should talk to him about that. Maybe he should get on board with some of our programs.

I have an excellent working relationship with Neil LeClair, the minister of agriculture there. We have done some great things for livestock on the island.

An hon. member: Name one.

Hon. Gerry Ritz: We have reinvigorated ABP, Atlantic Beef Products, to the point where it can stay open and keep the feedlot industry in Prince Edward Island. That is unprecedented. It was built at the end of the Liberals' reign of terror and was faltering. We have made it last. We are helping those farmers out. A member said to name one. That is a shining example.

● (1045)

Even the Premier of Prince Edward Island is happy with that one. We know that. I have talked with Premier Ghiz personally. I know the member for Malpeque got his wrist slapped because he was pushing that one too hard.

We are also talking about major changes to the labelling system in this country. For years under the Liberals, labelling was perverted to the point where it was all based on cost, not on content. We saw product of Canada perverted to the point where as long as it was 51% of the costs, including the packaging, labelling, or whatever else they wanted to add in, made it a product of Canada.

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We are changing that. Right now we are in the consultative phase with industry. Producers are thrilled with this. The horticultural industry that has faced imports from around the world that may not be safe or secure as ours are is ecstatic about this. The product of Canada label will only be applied to content that is virtually all Canadian. That is a good news story. That gets a round of applause from every producer out there, because the producers know they can compete on a level playing field with anybody in the world. We are the best, bar none. This will give them the opportunity to maintain that level playing field when it is based on content, not on cost.

I would point to any number of things that we have done to fulfill that report. I would point to other issues where we have gone beyond that report. I could read quote after quote from the cattlemen's and livestock associations about how they like what we are doing, how they support what we are doing. They are ready to march in droves behind this government. They have had enough of the promises and empty rhetoric from that side.

● (1050)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, the Minister of Agriculture is definitely caught up in his own illusions. Remember the Prime Minister promised during the election that the Conservatives would scrap the CAIS program, that hateful program that was in place, that did put a lot of money out there. Yes, a lot of changes had to be made. In fact most of the changes that the Conservatives made were in the works when we were in government.

The fact of the matter is that changing the name of CAIS to agri-stability is not scrapping the program. In fact that program the Conservatives so hated that they have left in place and changed the name, yes, is the foundation of their agricultural policy. We are saying they need to go far beyond that. I outlined quite a number of those areas.

All we are asking in moving concurrence in the standing committee report is to act on some of the recommendations that are in that report, act on them all. As I said, we need to go beyond that. We need to look at the cap. Are they willing to suspend that for a couple of years? Is the minister willing to look at the reference margin and for those who had circovirus, for instance, in the hog industry, is he willing to factor that in so that at least those producers have a reference margin that will in fact work?

The minister talked about Gencor. I spoke with the president of Gencor on Sunday. The president told me very clearly that it is not what the minister said that drove them out of business. It is not the fact that markets opened up in the United States. It is the fact that Canada's regulatory regime is too costly and that the Americans did not come onside as they were supposed to do, in terms of specified risk of materials and therefore, Canada's costs are that much higher.

The minister talked about meeting with the producers. I have been at some of the meetings he has attended. I have heard about some of the meetings he has attended. It is interesting. I guess it is just the Conservative Party's way. The Conservatives' meetings are usually meetings of exclusion, not inclusion. They usually exclude people. Only certain organizations are allowed into those meetings. Probably they have been given notes from the Prime Minister's Office before they go. We have heard this line before.

He talked about all the things he is doing. He said farmers are pleased. We heard that line before. In fact the last time they said it in December, the president of the pork council appeared before committee and said that the December 19 meeting was a cruel joke. That does not tell me it is pleased.

The bottom line, is the minister willing to deal with the reference margin for the circovirus situation and is he willing to look—

The Deputy Speaker: The hon. Minister of Agriculture.

Hon. Gerry Ritz: Mr. Speaker, I am amazed that the member for Malpeque said that our meetings are those of exclusion, but he was there. We have higher standards than that. I am not sure how he snuck in. I guess anything is possible in Wayne's world.

We did not see a lot of help from the members opposite when we were talking about scrapping CAIS. We have had instances where we have been happy to see them sit on their hands so that we can stand up for agricultural producers and I know they will continue to do that. It is great that they, rather than producers, are taking it on the chin and I love to see that.

The member opposite talked about our scrapping CAIS. Yes, we campaigned on that and we gained a lot of credibility because we wanted to get rid of it. It was seen as a situation where the producers could never see the light at the end of the tunnel. We have done that. We have adjusted reference margins. The member opposite knows that. This is a brand new program. It is a new day. We are starting over. We have made changes to negative margins so that we can flow cash to people who are in trouble. We have adjusted inventory values as they go along on a case by case basis.

I am more than happy to deliver what the sector needs, within reasonable parameters. We cannot open the floodgates because then we start looking at countervailable situations, and industry does not want that.

As I said before, producers do not want to farm the mailbox. They want a decent return from the marketplace. They do not want to see government programs that restrict their ability to read market signals.

We have taken all that into consideration. We have changed agri-stability, the old CAIS reference margin situation. We have a top tier that the government kicked off with \$600 million. We will continue to top that up with an extra \$100 million over the life of the program. If there are changes that need to be made, we have a deal with the provinces that we will look at, adjust and re-evaluate as the program moves along to make sure that it does what we said it was going to do.

We have to stay within cost-cutting parameters. This is a cost shared jurisdiction with the provinces, 60% federal, 40% provincial. The only change to that is on the agri-recovery side, on the disaster component. As the disaster grows, so does the federal component of money and that is the right thing to do. We are not going to shortchange anyone because it ends up at the farm gate with less returns. We have made those changes.

The member opposite said he would like to change the caps. Why did he sit on them in CAIS for all those years when that was one of the problems? We are happy to change the caps. We have actually expanded those. We are happy to see them double. That is the message I am taking to the provinces when I meet them at the end of May in our next face to face meeting.

We have gone back into programs that have been around. We have gone into new programs. We are not scared to take a step back and ask if there is a better way to do this.

Many times what is designed here in the Ottawa bubble does not quite hit the target out there. That is one of the things that drove me into this place. It was that disconnect between what is happening in the real world and what happens here.

The Liberals want to maintain this idea of a bubble here in Ottawa, that bureaucrats can design a program. We will never do that. We will use the bureaucrats to facilitate a farmer directed initiative and make it work for them.

• (1055)

[Translation]

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I am glad to have heard the minister today. I wish he had deigned to show up in the House when the Bloc Québécois called for and got an emergency debate on this subject on February 13.

Regardless, what most displeases us about his speech is his carefree attitude. The minister must be just about ready for retirement, because to hear him tell it, everything is going well and producers are happy. Yesterday, he met with 250 happy producers. I should let him know that agricultural producers are polite people. Obviously, they are going to be polite when meeting with the Minister of Agriculture and Agri-Food. That does not mean they do not have any demands.

He may have met with producers yesterday and shared a good meal with them, and found them to be happy, but I have a hard time understanding his attitude. I would like him to compare that meeting to his meeting with the Canadian Federation of Agriculture not so very long ago. At that meeting, the minister showed up, gave his speech, refused to answer any questions, and left.

In his speech, he said that people should be very careful from now on and that he did not want to hear another word from all of the groups opposed to his policy to dismantle the Canadian Wheat Board. He only wanted to hear from what were, in his eyes, the right groups. Maybe those are the ones he was with yesterday.

If he were to go looking for problems, there certainly are problems to be found. All he has to do is open his eyes and ears. Even though the producers were polite and let him think that everything is going

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well, there are still problems, especially in the specified risk materials file.

In his speech just now, the minister told us that he was seeking to harmonize our regulations with the American ones. I want him to know that nothing has been resolved in the SRM file, nothing whatsoever. The Fédération des producteurs de bovins du Québec is asking for \$50 million over two years, which is not much, to help it adjust to this new policy.

Nobody is saying that the government should not pay attention to harmlessness or security when it comes to SRMs. However, apparently we need harmonization with the United States. What is the minister's position on this issue? What is he doing? What is going on? Instead of meeting only with happy people, maybe he should meet with his American counterparts and do something to resolve this issue once and for all.

• (1100)

[English]

Hon. Gerry Ritz: Mr. Speaker, I will start with the last question.

I have met with my American counterparts. I have had great face to face meetings with the new secretary of agriculture, Ed Schafer. I have met with Collin Peterson, the chair of the Congress committee on agriculture. We have talked about country of origin labelling. The results if they implement it, as they are, it could be the beneficiary for us of a NAFTA panel, and we are not afraid of doing that.

Free trade is only as good as the rules and the enforcement mechanisms. We will stand up for Canadian producers at whatever level we need to that. The hon. member can be assured of this.

He talked about the meeting of the Canadian Federation of Agriculture. I can assure him that I had told its representatives, in the weeks leading up to the meeting, that I was triple booked on that day. I had told them I could not make it to their meeting, but I would try to get to other parts of their function. At the last minute, we were able to rejig my schedule and get over there. We told them a week in advance that I would not have time to take questions. They knew what was going on. It was not a hit and run, they knew upfront. That is the record of which I am proud.

I will meet farmers anytime, anywhere and talk to them face to face, and I will continue to do that, including farmers in Quebec, who do not feel they are served well by the Bloc.

The member opposite talked about the specific risk materials. The Canadian Cattlemen's Association is asking for another \$50 million. It has been asking for that four or five years now, right back to the Liberal government.

Bloc members have been here, but I have never seen them vote for anything like that. They generally do not seem to support producers when it comes to our throne speeches, or our budgets. They actually stand up and vote, unlike the Liberals, but they vote against any of those projects that would see things move ahead for agriculture producers, including their own in Quebec.

The record is there. The member is shaking his head, but the record is there and producers are starting to notice that and call up—

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The Deputy Speaker: I am sorry to bring this exchange to an end, but we need to resume debate.

The hon. member for Richmond—Arthabaska.

[*Translation*]

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I hope that no one will question the relevance of this debate today, despite the fact, as I mentioned earlier when I asked a question, that the Bloc Québécois was able to get an emergency debate on the crisis in the hog and beef sectors not too long ago on February 13.

Nevertheless, I am pleased that the member for Malpeque has reopened this very important debate, because of the government's response to the unanimous report tabled by the Standing Committee on Agriculture and Agri-Food.

The committee's study was not exhaustive—that would perhaps be going too far—but it was still quite detailed on the crisis in the livestock sector. If only the responses had been completely satisfactory. Earlier, we heard the minister make an optimistic speech about how everyone is happy and all is well. But if that were the case, we would not be here today still talking about the situation. The reason is simple; we are talking about it because the government's responses to the report of the Standing Committee on Agriculture and Agri-Food are largely unsatisfactory.

We know that this crisis is due in large part to the increase in the value of the Canadian dollar. The soaring prices of animal feed and the decline in the international hog market have also led to huge losses for producers.

A few moments ago, I spoke about the costs of conforming to specified risk material regulations for beef producers. To this day, I do not understand how the Canadian government came up with such regulations, knowing full well that the Americans would not abide by them. The government has almost deliberately created unfair competition against our producers.

Yet these producers are by no means refusing to comply with the regulations. No one wants a repeat of the mad cow crisis. They are well aware that specified risk materials must be disposed of. The regulations are here to stay.

However, the Fédération des producteurs de bovins du Québec asked for \$50 million in aid over two years. Just now, the minister trivialized the situation and rejected this request out of hand. He gave the excuse that producers have been requesting such assistance for four or five years and that the Bloc Québécois has done nothing. The Bloc Québécois is rising in this House, we are asking for and demanding this aid because we support our farmers. We stand up for Quebecers, as we have always done so well, and often we get results. In this case, the government is asleep at the wheel. Nothing has been done about specified risk materials.

The producers are asking for \$50 million over two years. The minister finds that somewhat ridiculous because producers have been making this request for four or five years. If it is so ridiculous, if it is not so serious or so complicated as all that, then I do not understand why the money is not already in the federation's coffers. This money

would be used for a very simple purpose: to allow beef producers to conform to these regulations.

At present, producers must pay for the removal of specified risk materials from carcasses, and for their collection and burial. They are not sure what to do with the materials. We could invest in the biodiesel plants in Quebec so these materials could be used for biofuel. This waste would no longer be buried and they would know what to do with it. This might be worth investing in.

I did not know that specified risk materials would become a symbol of Canadian unity. The minister reaffirmed Canada's sovereignty when he stated that we are different from the United States. Big deal. SRMs are not going to become a symbol of Canadian sovereignty.

Naturally, standards must be harmonized to the greatest extent possible. If the Americans are not interested, Canada, even if it continues to regulate this area, should help our producers and processors so that they are not penalized by these regulations. For their part, American producers do not have to worry about disposing of specified risk materials as do our producers.

So now, back to pork producers, since they were the main reason we asked for an emergency debate in February. We heard a lot of testimony in committee, but also in our offices, because there had been a campaign.

I simply want to point out that this industry is very important in Quebec. Total agricultural revenue is \$6.198 billion dollars. Of this, 13.6%, or \$844.9 million, is from pork production.

• (1105)

That is the economic impact of the pork industry in Quebec. It accounts for 28,200 jobs and \$1.3 billion in value added. This industry is present in several different regions of Quebec. There are perhaps 400 pork producers in my riding. And the president of the Fédération des producteurs de porcs du Québec, Jean-Guy Vincent, lives in my riding.

It is the leading bio-food export product in Quebec and ranks twelfth among products exported from Quebec. Pork production provides a trade surplus of \$890.5 million, thus producing a positive agri-food trade balance of \$289.2 million, a significant amount. Pork production also generates over \$225 million in government revenue, which is one of reasons that the pork industry is important economically. And it shows why, even today, we need to talk about the crisis in this sector.

I mentioned the emergency debate that was held here in February. The reasons we asked for that debate are just as relevant today, because of the unsatisfactory responses the government has given to the committee's recommendations. We asked for the emergency debate because the livestock industry was going through a crisis caused by the rise in the value of the dollar and the costs of inputs, combined with a major drop in meat prices in the case of pork and additional costs to manage and dispose of specified risk materials in the case of beef producers. This is still true today.

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Pork producers want an immediate program to guarantee loans—they got something that I mentioned earlier, but it is not exactly what they wanted—or take over the interest currently assumed by producers, while beef producers want emergency measures such as a \$50 million assistance program over two years, as I just explained.

There were several reasons why this emergency debate was needed, including the silence of the Prime Minister and the Minister of Agriculture and Agri-Food in the face of all the letters sent to them by producers, in addition to the first report of the Standing Committee on Agriculture and Agri-Food. Entitled “Study on the Collapse of the Beef and Pork Sector Revenues”, the unanimous report recommended transitional measures to alleviate the crisis as well as more long-term measures to improve the competitiveness of the industry.

When I said earlier that some good had come from the emergency debate, I was referring to the fact that, after the debate, the minister contacted the opposition critics to tell us that he wanted to move ahead on Bill C-44. All the parties agreed to fast-track the bill so that producers would have some cash flow.

It has to be said that this is not exactly what producers wanted. It is also important to understand that this is still a debt. Agricultural producers will get loans, but they are still going into debt. Clearly, this is not a magic bullet, but in the short term, we could not disagree with such a measure.

Another program also just came into effect a few days ago, on April 14 I believe, with a view to ensuring that those producers who wanted to get out of the business could receive compensation for shutting down. Of course, the Bloc Québécois would prefer not to see our farms close down, one after the other. We will not solve the problem by simply paying them to shut down.

We need an agricultural sector that is strong, one that contributes to the Quebec and Canadian economy, instead of simply closing down our farms and ultimately being forced to import the products we need, which, incidentally, is already all too often the case. I would like people to become more aware of the importance of buying products from Quebec and Canada.

It is still a problem, despite Bill C-44 and despite the measures to allow farmers to get out. The government's responses are especially unsatisfactory over the long term. In that respect, the committee made some very specific recommendations concerning long-term measures. I will come back to this a little later.

I would like to quote from a letter that was distributed to all hon. members by the Fédération des producteurs de porcs du Québec, expressing just how serious the situation has become:

Given the seriousness of the crisis currently facing the pork industry, the assistance announced on December 19, 2007, the action plan to support Canada's livestock sector, is woefully inadequate.

● (1110)

Bearing in mind these concerns and others, to the effect that aid for producers must come through existing programs, the requests made by the Fédération des producteurs de porcs du Québec are, for the most part, being made within the framework of existing programs. The federation is asking for improvements and changes in the business risk management programs. They want the \$1.5 million ceiling in the AgriStability and AgriInvest programs and the \$3 million ceiling in the AgriInvest Kickstart program to be raised.

The federation also asked that the reference margins to provide appropriate support to producers be adjusted in light of the unique nature of the crisis and the persistently poor market conditions. It asked that the Canadian product labelling rules, designed to ensure that consumers can clearly identify where products come from, be tightened up.

Something was handed out in committee today. Was it the hon. member for Malpeque who brought that? I think he is in the middle of reading, but today in committee someone handed out pork loins. We looked at all the labels from all the angles and still wondered where that pork really came from. It is hard for the consumer to know, let alone those of us who are truly in the process of studying Canadian products in committee. It is even more difficult for the consumer to know whether he or she is buying pork loin from Canada, the United States or elsewhere, since that is not very clear on the label. It was rather difficult to know where the pork came from. The minister said that he is in the process of preparing a policy. I hope that the Standing Committee on Agriculture and Agri-Food is not in the process of working for nothing and that our recommendations will be heard by the minister, because he says he is doing his share of the work. We cannot spend all this time and energy for nothing. Either way, I think the work of the committee is very important and that the minister should listen to its recommendations.

Creating a new fiscal envelope to support shared cost programs would allow for regional flexibility in the next generation of agricultural policies, the famous Flexi-Farm policies, which do not exist because there is AgriInvest, AgriStability and so on. In the end, the government did not think of introducing flexible measures, which we called for after the committee crossed Canada. Producers were unanimous about the need for such measures and made a point of telling us that it was important to put flexible measures and programs in place instead of very rigid national programs applying from coast to coast. When the provinces already had similar sorts of programs, they could no longer adapt or do anything. They were trapped. They could either get on board and duplicate federal initiatives or do nothing and not get any money.

I want to remind the government that all agricultural producers pay taxes. Every province has programs that are more or less effective, more or less good. Whenever a federal program is set up, it should be flexible. I am talking in particular about programs for pork producers. However, in the case of grain producers, the lack of flexibility is even more blatant, because they never receive CAIS payments. For the past 10 years, they have been in serious trouble, and they are the farmers who have suffered the most. Fortunately for them, prices have begun to rise recently, but they are calling for a program that could be called Flexi-Farm. The government can put that in its pipe and smoke it.

The letter ends as follows:

The advance payments program which has just been improved to include stock production, should not use the business risk management program as a collateral since that forces producers to pay back advances when they receive a payment.

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This letter gave a good summary of pork producers' demands. I have also spoken at length about beef producers' demands, to make the point that even though some measures have been announced, the crisis is not over. Despite the cheery speech the minister gave earlier, the crisis in the livestock industry has not been solved.

That is why I congratulate the hon. member for Malpeque for bringing this issue back to the House today so that we can get the machinery working again and make not only the government but also the general public see that this problem has not been resolved.

The problem is that the programs I spoke about earlier do not work. We have been trying for a long time to figure out where to place the blame for the CAIS program. The Liberals and the Conservatives established it; we know that. But everyone agrees that it does not work.

• (1115)

Coming to power and simply changing the name of the program will not solve the problem. Blaming the former government will not solve the problem either. The minister must realize that changing the program's name did nothing to increase the producers' access to it.

They invest and say that there is \$600 million available. Show me agricultural producers that have succeeded in getting any money. When they do manage to get advance payments, or some other kind of payment, there will be something else they have to fork out money for. It is quite ironic to say that money has been invested, but it is basically being put into one pocket and taken out of the other. That is often what governments do, and it is unfortunate.

The Conservative government made grand announcements, but the money is not getting to those who need it. AgriInvest, AgriStability and the advance payments program are simply CAIS programs under other names. On one hand, the government is putting money into a program, but they get it back through a different one. They have made some grand announcements, but the fact remains that farmers are not recouping anything. At the end of the day, the reality is that the government is paying itself.

We must always be cautious about these grand announcements and pay attention to the amounts that are announced. Unfortunately, they are often announced two to six times, but they should not be added up. Canadians would think there was an investment of billions and billions of dollars, when in reality, it is always the same \$600 million program. Earlier, we heard some comments that gave me the impression that the problems in the agricultural sector were over, that there was no longer anything to be done or anything to be demanded, and that the producers were happy. The minister was patting himself on the back about everything that had been done.

We must give credit where credit is due. Some measures have been well received. That does not mean that the government should stop there and no longer make any effort. On the contrary, it must continue to find long-term measures to ensure that Quebec and Canadian producers remain active on the national and international markets. We are talking about exporters.

Not too long ago we had a clear advantage. The Canadian dollar was lower and productivity was higher than in the United States. When everything aligns so that our producers can, with all the necessary work, perform well nationally and internationally, things

go well. But no matter what they want or how competent they are, there are times when the economy causes producers to face stiffer and more effective competition than before. I am referring to the United States, of course. The Americans have improved their productivity, and in some cases, the quality of their products. However, it is especially the rising Canadian dollar that is hurting us.

When the government simply watches what is going on and acknowledges that this is how it is and that we must wait, that is clearly not enough to get this entire industry back on track. There are two choices: the government can abandon the industry or support it. The Bloc Québécois would obviously choose to support it.

I was talking about the long-term measures people have been asking for. That is why I would like the government to take a more serious look at the committee's report. The report did a very good job of explaining long-term measures, especially in recommendations 3 and 4. The government's response to these recommendations did not satisfy the opposition parties, nor did it satisfy agricultural producers, who are not as happy as the minister would have us believe.

This is not about being happy or unhappy; this is about survival. In the livestock sector, this is about survival. If we do not come up with long-term measures and implement them right away—it should have been done the day before yesterday—that means we will no longer be supporting our agricultural producers.

• (1120)

Without support, we will lose our livestock industry.

Slaughterhouses are closing. One closed in Ontario and another in Quebec. The only one that is still open is the Levinoff-Colbex abattoir. People have been asking the federal government for help with this for years, but the government has not given them a penny. The government has to wake up and invest in our slaughterhouses so that this part of the production process happens here at home.

The government says it wants Canadian products, but soon, our products will not even be slaughtered here at home. How will we be able to talk about Canadian products when slaughtering and processing no longer happen here at home? We have to take a close look at this issue too.

[English]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I thank the member for Malpeque and others who have precipitated in this debate because it is an urgent crisis.

Since we had the emergency debate, a whole bunch of factors have expanded an already terrible crisis. In Parliament we do many things that, in the long term, will help people but in a time when there is a current crisis and emergency, where families are losing their homes and farms, we really need to act, which is why this is so important.

Since we had the emergency debate on the pork and livestock producers, does the member think the world food crisis has added to this huge problem? I mentioned earlier this week the fact that rice has gone up three times and people will be starving in the Burma refugee camps in Thailand if we cannot come up with more money from Canada.

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Does the member believe that the rising price for fertilizers, the ethanol demand, the increase in the demand and price for other foods, the droughts in certain parts of the world and commodity speculation, that the crises have happened since our emergency debate and that it has exacerbated this problem for pork producers?

[*Translation*]

Mr. André Bellavance: Mr. Speaker, I thank the hon. member for his question. Clearly, this crisis is dealing us a hard blow at this time, although it is not being felt as drastically in Canada and Quebec as it is in many other countries, where it is even causing riots. Although food is available, people literally no longer have the means to buy it. Obviously, if we are not careful, we too could suffer the consequences.

As the hon. member so aptly said, we must be careful, because everything is happening at a level that eludes us somewhat. Indeed, we are at the point where there is speculation in foodstuffs. We must also bear in mind that in emerging countries, such as China and India, there are more and more middle class people eating more and more food. When those people want rice, it must be available for them. Other countries, such as Argentina, have decided to impose export taxes. Thus, they can no longer export, even if it would be more lucrative to export food than to keep it in the country. Some countries have realized, however, that doing this leads to food shortages at home.

So, clearly, this crisis will affect our producers, from both sides. Pork producers and livestock producers in general have been seriously hurt by rising input costs. And that is only the tip of the iceberg.

If the G-8 countries, which include Canada, do not do something about the situation, there will be problems. A meeting of the Francophonie is being held soon here in Canada, if I am not mistaken, and those countries should add the food crisis to their agenda. This is of the utmost importance.

• (1125)

Mr. Guy Lauzon (Parliamentary Secretary to the Minister of Agriculture and Agri-Food and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I would like to congratulate my colleague on his presentation. This member is very passionate and serious about the situation faced by our farmers. However, I think that he has spent too much time with the member for Malpeque because he is starting to sound like him. He speaks a lot, he makes a lot of noise but, in the end, he says nothing. I think he spends too much time with that member.

I find his comments somewhat confusing. I will try to explain. The reason why I am confused is because he makes many suggestions about how to deal with the challenges faced by farmers but he does nothing. He is a Bloc member and as such he can make a lot of noise but cannot take action. In the past 18 years, the Bloc has done nothing, not one thing, here in Ottawa.

Quebec farmers have told my Quebec colleagues that this member, like the other Bloc members, has a great deal to say but cannot do anything about the challenges. Farmers have told us that this government consults them and then takes appropriate action. That is what must be done.

I would like to ask my colleague if he is embarrassed, as a Bloc member, about being unable to help his fellow citizens.

Mr. André Bellavance: Mr. Speaker, I would be embarrassed to make such comments. What he said is anti-democratic.

Since 1993, Quebeckers have been voting for the Bloc Québécois because Quebec needs Bloc Québécois MPs to represent them; otherwise we would no longer be here. That is democracy. The public chooses to vote for MPs to defend the interests of Quebec and that is what we are doing. I was elected in 2004. The Bloc has been here since 1990 and became the official opposition in 1993. Since that time, it has formed the official opposition twice in this Parliament.

This question is absolutely ridiculous. The hon. member should be ashamed to stand up and play cheap politics, instead of talking about the livestock crisis. Does he want examples of how effective the Bloc has been in taking action? I do not think he was here, but in 2005, on November 22, from this very seat, I had a motion adopted unanimously to protect the supply management system in its entirety. That means that his party, which formed the official opposition at the time, voted in favour of what the Bloc Québécois had presented.

If he checks with Steve Verheul, Canada's chief agriculture negotiator at the WTO, he would see that it is still the same Bloc Québécois motion that is being used in current negotiations. Canada's position is the Bloc Québécois position. It was an ordinary backbencher from Richmond—Arthabaska—whom the parliamentary secretary is disparaging—who presented this motion, who worked on it with his colleagues and who influenced Canada's position today. The hon. member must be embarrassed that a sovereigntist MP and Quebec separatist managed to get such a thing adopted. That is one example.

Another example in this specific matter occurred here on February 13, 2008. Who requested an emergency debate on the livestock crisis? The parliamentary secretary stood up to mock us and tell us it was useless, that everything was just fine and going well, while some of his Conservative colleagues stood up, were brighter and recognized that there was indeed a crisis. Once again, it was the Bloc Québécois who called for and obtained that emergency debate.

Why did the minister contact me a week later to say he would need my help to move Bill C-44 through quickly in order to get cash to farmers? Why did he call me? Why did he ask me for the votes he needed if the Bloc Québécois is useless? The minister needs to wake up.

• (1130)

[*English*]

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I congratulate the member on his remarks but I also want to congratulate him for forcing an emergency debate to deal with the hog and beef industry. It really forced the Minister of Agriculture out of his shell so we could get some action, although not enough.

I have the government's response here, which, as I said earlier, is pretty pathetic. The government responded by saying:

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The beef and pork sectors recognize that long term competitiveness will not be served by lowering regulatory standards, as the strength of Canada's regulatory system is a key driver in maintaining Canada's animal health status....

Those words are typical of how the government operates. It makes it sound like the committee is against the regulatory regime. We are not against the regulatory regime.

What our committee recommended to the government is that in Canada, yes, a regulatory regime is important, but in Canada, why can the Conservative government not fund the regulatory system similar to what is done in the United States and Europe? It is a food safety issue, a consumer issue, and it should not be a producer cost. We have told the government that.

We have already lost the Gencor plant because that government has a specified risk material fee, a cost on that—

The Deputy Speaker: Order, please. We need to give the hon. member some time to respond. The hon. member for Richmond—Arthabaska.

[*Translation*]

Mr. André Bellavance: Mr. Speaker, I thank the member for Malpeque for his question.

Just a few minutes ago, the minister told us that he would like to harmonize the regulations, but it has not happened. So what does he do? He said that he met with the American secretary of agriculture, but to say what? To do as he did with the 250 producers he met yesterday, when he chatted with them and now everyone is happy? He needs to take his job more seriously than that.

The government has created unfair competition between Quebec and Canadian producers and American producers, who do not have to comply with these rules. There is a big difference.

So there are two choices. They can decide to impose rules. As the minister said, Canada is a sovereign country. However, the producers must be supported until these regulations are harmonized. Otherwise, if we abandon them, we are essentially telling them they need to figure it out for themselves, deal with the regulations, remove the specified risk materials and dispose of them.

If there is no harmonization, the government must absolutely provide support. We cannot have one without the other.

[*English*]

Mr. Alex Atamanenko (British Columbia Southern Interior, NDP): Mr. Speaker, I would like to thank the hon. member for Malpeque for bringing this topic forward for discussion today. I also want to thank my Bloc colleague on the agriculture committee for his eloquent speech a few minutes ago.

Three samples of frozen pork were brought to the agriculture committee today by the hon. member for Malpeque where we were discussing the product of Canada labelling. The member had randomly bought the pork samples at a supermarket here in the Ottawa area. Two of the samples had a product of U.S. label and one had no label on it.

That triggered in me a thought. Here in Canada we have a crisis in the pork industry and animals are being slaughtered, not for consumption but because there are too many of them, and yet at a

supermarket, randomly selected by a member of this House, produce can be found that came from the United States. We are not sure where the third sample came from but it was probably from the United States.

Canada has a trade agreement with the United States that allows for the free flow of goods across the border. I suppose, when times are favourable, when our dollar is not that strong and when other conditions are favourable, that is a good idea. However, it seems kind of ironic that we would allow continuing access to products from another country when our own producers are suffering.

Some of the protection measures used by the United States were discussed this morning. It seems to me that when their producers are in a crisis, the American government does not hesitate to assist and ensure help goes to the producers when they are in a crisis. In its farm bill, money has been set aside not only for agricultural producers but for food programs and the environment. The U.S. seems to be able to do that, but here, even with all our good intentions, we always seem to be reacting to certain crises. Now we have a crisis on which we need to react.

• (1135)

[*Translation*]

I would like to review the recommendations our committee made last December. The first recommendation was this:

The Standing Committee on Agriculture and Agri-Food recommends that Agriculture and Agri-Food Canada deploy, before the end of 2007, a special transitional measure that will provide cash-flow in the form of interest-free loans to be paid back over a period of three to five years, and bankable cash advances to hog and cattle producers.

The second recommendation was this:

The Standing Committee on Agriculture and Agri-Food recommends that Agriculture and Agri-Food Canada, in partnership with the provinces and territories, pay out the remaining percentage owed to producers under the CAIS Inventory Transition Initiative (CITI), and respect the federal-provincial funding agreement.

I will also read the third recommendation.

The Standing Committee on Agriculture and Agri-Food recommends that Agriculture and Agri-Food Canada (AAFC) hold formal discussions with the Minister of Finance to show the impact of the strengthening Canadian dollar on the food producing and processing industry in Canada and to examine ways to relieve the pressure on the industry from the rising Canadian dollar. AAFC officials should report back to the Committee on the result of these discussions.

There were also other recommendations.

The sad thing is that we held our committee meetings, we had our discussions, and we made recommendations, but we had to have another committee meeting to talk about the problems in the pork industry.

Then, as someone already mentioned, there was some activity on the minister's end of things. He consulted my colleagues and me, and then we tried to set something up to help producers, mostly through loans. I congratulate him on that.

However, pork producers are facing impending disaster as we speak.

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• (1140)

[English]

The government, as have other governments, has attempted to address the situation. When a crisis happens, we do not seem to have anything in place to deal with it. We are always reacting. We need to have a hard look at how we deal with agriculture in our country. Are we going in the right direction?

These days we are talking about the whole idea of food security and food sovereignty. We know many issues can be addressed and should be looked at, as more and more Canadians realize it is important that we are able to feed ourselves as a country, as world feedstocks go down, and as there is a push for the biofuels industry. People are finally realizing the movement across the country for the need to put more emphasis on buying local. I do not think we will get any disagreement from anybody in the House about that issue.

As I mentioned, we are now debating the issue of the product of Canada. I think there is agreement that we have to look at this and improve what we designate a product of Canada so we do not have processors, and the example was used this morning, importing apples from different countries, making them into concentrated juice and then labelling that carton of juice as “product of Canada”. There is something not quite right about that.

When we talk about labelling, in my opinion, labelling a product of Canada should be compulsory. It should not be left up to industry. After 2004, we asked the industry to voluntarily label GM foods, but this has not happened.

As we move on, a number of issues have to be addressed in the area of food sovereignty. Next week, for example, I will be in the small community in my riding of Princeton with a group of people who work on the issue of food security in their community. We will show a film called, *TABLELAND*, and have a discussion on what this means to that community.

When we get back on April 30, there is going to be an evening in Ottawa, where people will be coming together to talk about the wrong direction the world is going in regard to biofuels and the fallacy of that whole argument.

If we look at Canada's food sovereignty and security and, for example, if we look at the question of peak oil, the industrial agricultural model in Canada was built on, and is heavily dependent on it, our low dollar, as well as the abundant and cheap energy for transportation to market, fertilizer and chemical inputs. These conditions no longer exist and are likely to get worse, making this system unsustainable.

What we are now facing in the pork industry is partly as a result of this. The fact is input costs have gone up, the dollar is low and we have had this free market model to produce with free trade, moving it back and forth as much as possible. Yet the European Union has a quota of 0.5%. Over that, our producers have to pay a tariff to get into that market. At the same, as an aside, at the World Trade negotiations we are being pushed to increase the quota so we can allow more products imported into our country.

Clearly something is not right in the direction we are going. It is time for all of us to look at the idea of our food sovereignty, food

security and safety, as we address the crises that keep come up. Hopefully we can have a plan in place to avert this when they come up. The strong dollar makes our exports too expensive for others to buy. More purchasing power to import food makes us dependent on others for our food supply.

• (1145)

The whole issue of climate change, which we are all aware of and on which we all agree, is increasing drought conditions. We have refugees and resource wars because of this. We have rising commodity prices, which are disproportionately affecting the poor. On top of this, we have the biofuel industry in North America and in other parts of the world, which is not the main reason but one of the reasons that prices of food commodities are going up.

As an example, in the United States farmers are taking away land from soybean production and increasing the land on which they are cultivating corn for biofuels. This means that the effect in Brazil is farmers are planting more soybeans to keep the quota in the world, displacing cattle ranchers from their land to get more land for soybean production. The cattle ranchers are moving into the rain forests and cutting down the forests so they can have land for cattle grazing.

We are getting this spin off effect happening. This in turn is displacing poor people who have been subsistence farmers, in Brazil for example, into the cities. We then have the whole effect of urbanization and migration into the cities.

We see the effect with the NAFTA among Mexico, Canada and the United States. As of January of this year, there has been a free flow of corn across the border. Mexican farmers are not able to compete. They are going broke, so they are leaving their farms, going to the bigger cities and migrating to the United States to work for menial jobs, probably on the black market somewhere, to make a living.

It is time now that we look at the whole industrial model of agriculture. It is time we look at a way of having sustainable communities.

I was in Saskatchewan a few weeks ago and met with some folks who were concerned about the state of agriculture in their province and in Canada. They are saying that they need a policy that looks at not only how they can make the farm more efficient and larger to compete, regardless of our dollar, and keep it moving in that direction. They also need a policy that looks at each community and how they can attract people into the community who can farm, who can have a farm on the outskirts of a small community, for example like Blaine Lake, where my family members grew up.

As well, we need to not only have that community there for farmers, but we need to have affordable housing and a community that is sustainable and able, within the parameters of the community, to feed itself and also feed people in that province and in Canada.

As we move on and look at the way the whole agricultural industrial model is developing, I predict that we will see, and we see it now, more people moving back to rural Canada and who want to work on sustainable farms.

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In my area of the West Kootenays, we have an area just across the mountains, called the Creston Valley, wherein folks are now going to start growing wheat again because there is a demand for it in cities like Nelson and in the West Kootenays, keeping in mind the whole idea of food sovereignty and the 100 mile diet. We see this as a model.

I had mentioned also the whole area of biofuel production. I have many concerns in regard to the current legislation before us. I regret that the amendments I had for Bill C-33 in committee were not passed.

I will read the amendments because I think that had they been passed by our committee and approved by Parliament, we could have more of a sustainable direction in the area of biofuel production.

The first amendment rejected was:

—prohibiting the use of genetically modified grains, oilseeds or trees for biofuel production, except for those genetically modified grains, oilseeds or trees that were used for biofuel production in Canada before 2008...

• (1150)

In other words, what I wanted to have put in with this amendment was that we are not going to give a green light to genetically modified wheat, which in turn would have that contamination effect, would lower the quality and would lower our prestige in the world.

The second amendment I wanted to have put in was:

—prohibiting the use of lands protected by federal legislation and other sensitive biodiverse lands for biofuel production;...

The third one rejected was:

—preserving the biodiversity of lands used in biofuel production;...

The fourth one rejected was:

—prohibiting the importation of grains or oils for use in biofuel production;...

Last week, an editorial in the *Manitoba Co-operator* stated that Husky Oil in Lloydminster, Saskatchewan, and in Minnedosa, initially was going to rely upon locally grown wheat, second quality wheat, which fits in with the Manitoba government's policy of 10% of land devoted to biofuels. However, because of the prices in the grain industry, farmers are not taking the company up on this. The article said that the company is going to be using corn exclusively, because it is complicated to go back and forth between wheat and corn for ethanol production.

The corn now is grown in eastern Canada, of course, but there is also a biofuel industry initiative in eastern Canada. The fact is that the corn now will have to be imported into Manitoba to sustain Husky Oil. Our farmers really will not be taking part in this industry initiative unless they happen to work at that plant.

The other amendment I wanted to put in was this one: establishing criteria in relation to the environmental sustainability of biofuel production to ensure compliance with internationally recognized best practices that promote the biodiversity and sustainability of land, air and water, and also to establish restrictions on the use of arable land in Canada for biofuel production to ensure that biofuel production does not have a detrimental impact on food supply in Canada and in foreign countries.

Now we come to the argument about food for fuel. I think it is a very logical statement that there is land in the world today that is being taken out of food production to sustain a biofuels industry. Recent research, not only here in North America but in the world, shows that taken in a general context biofuel production does nothing to reduce greenhouse gas emissions. By the time we have taken the input energy, the transportation energy and the energy to power the biofuel plants, it becomes unsustainable when we look at it from the point of view of the environment.

I am not sure if members are aware of this, but the hon. member for Malpeque and others of us on the committee went to Washington. We were told by the Americans that they are pushing the biofuels industry in the United States because they have a cap on their imports. They are pushing it because they need more fuel to "fuel" that rising demand. That will come from biofuels produced in their country at the expense of farming.

In summary, I think now is the time for us to take another look at this and to have a new direction in the area of agriculture. I believe that the whole issue of food sovereignty and food security tied in with sustainable farming communities is the direction we should be taking.

• (1155)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, the member spoke fairly extensively about the global situation on food. I met with some Ontario farmers here a few minutes ago. The statistics they gave me are absolutely startling because, although I know the member opposite is not doing this, there is a tendency to blame the farmer, as if he or she is getting the increased prices that are causing this escalation in food costs.

I will give two examples. Both are in dispute: one at this committee and one on ethanol. For a box of cornflakes that costs \$3.54 in the grocery store, the amount paid to the producer who grew the corn is actually 11¢, which is a fairly small share. The beef rancher receives roughly \$1.83 for a prime sirloin steak that costs about \$14.04 in the store.

My point, and I think the member would agree with me, is that the cost of food is not as a result of the primary producer, but I would agree with him that there is some difficulty in other countries because of this.

My question for the member is this. The committee made a number of substantial recommendations in the report about trying to get money out there. In its response, the government had this to say:

The Government recognizes the need to support industry in dealing with serious pressures, but is also conscious of the need to do so in ways that do not mask market signals and are consistent with our international trade obligations.

Does the member believe that is right? We know the minister went down to talk to the secretary of agriculture in the United States before he announced his hog and beef program. Does the member think it is right that the minister seems to be taking more direction from the United States secretary of agriculture than he is from Canadian farmers?

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Does the member think we should absolutely always be putting our international obligations first? This is what the minister is really saying in his response. Other countries such as the United States put their farmers—

The Deputy Speaker: The hon. member for British Columbia Southern Interior.

Mr. Alex Atamanenko: Mr. Speaker, the hon. member's question is a timely one. He will remember that in the all party report we did on food security all the recommendations were unanimous, except for our opposition to the way the government was handling the Wheat Board question. All of us agreed that food security is a major issue.

As for the response, I will give an example. One of our recommendations was that all federal government institutions favour Canadian producers, so that for folks in prisons or other federal institutions, and here in the House of Commons, we will ensure that we have good Canadian food. The response from the minister and the department was that we have to be careful of our trade obligations.

I believe it was one of the pork producers from Quebec who appeared in front of our committee and asked us to help them fight the foreign governments. They asked if somebody could help them fight what foreign governments are doing to them.

We need to have a government that stands up for our food security and for our farmers, even at the expense of ruffling a few feathers. I read an article about an attorney from the United States who said that she could not understand why our minister and our department were being so nice to our trading partners. The United States does not do that and we should not be doing it here.

Mr. Guy Lauzon (Parliamentary Secretary to the Minister of Agriculture and Agri-Food and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, my colleague mentioned that we are reacting to a crisis. We are reacting to 13 years of inaction and incompetence. That is what we are really reacting to. Quite frankly, we inherited a mess from the former government.

My colleague seems to be critical of the progress so far. I would like to ask him this: what is he against? Is he against consultation with the farmers by the minister? Is he against trying to make farms progressive, profitable and sustainable? Is he against putting farmers first? That seems to be what he is saying.

The disconnect between the NDP and Canadian farmers is astonishing. The NDP and its big city caucus simply do not understand agriculture. After listening to the member for the last 20 minutes, I have to ask the question, does the NDP really understand agriculture? Does the NDP understand what we have done in the last two years?

We have delivered on supply management. We are moving forward on biofuels in support of our grain farmers and in support of a greater tomorrow. We are working to give western farmers the same freedoms that farmers in the rest of Canada enjoy. We are continuing to work in support of our livestock farmers. What has the NDP ever done for farmers?

We are putting farmers first. Why are NDP members not?

● (1200)

Mr. Alex Atamanenko: Mr. Speaker, one would think it is election time, but my hon. colleague from the agriculture committee read his notes very well, so I would like to thank him for that.

I will answer the question with a question. When I talk about food security in our country and when I say that we appear to be going in the wrong direction, what is he not in agreement with?

There are programs in place, but obviously something is not right if people are losing money and we have a crisis. As I said, we seem to always be reacting to situations rather than trying to have this infrastructure in place.

I also would like to remind the member that as agriculture critic for my party I represent many farmers right across this land, and we talk on a regular basis. That, for example, is why I cannot understand the government continuing its attack on the Canadian Wheat Board, which the majority of farmers on the Prairies would like to retain as single desk commodity.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, that was a very good presentation by the member for British Columbia Southern Interior. Contrary to what the parliamentary secretary said, a number of New Democrats represent communities that have farmers. My riding, for example, has a very large agricultural industry in regard to farmers and also the processing.

One of the struggles that we in British Columbia have, and certainly in Nanaimo—Cowichan, is that the government has failed to recognize the needs of small farmers, whether it is protection and preservation of agricultural land or making sure their products have access to regulations that make sense for small processors. For example, we have seen the regulations on abattoirs devastating the industry on Vancouver Island.

I wonder if the member could comment specifically on the lack of support for small farmers and the impacts of genetically modified organisms, GMOs, which are sort of coming in a back door through this bill.

Mr. Alex Atamanenko: Mr. Speaker, I would like to point out to my colleague and the previous speaker that in fact it was the New Democratic government in British Columbia that brought in the agricultural land reserve, which since then has been hammered away at by other governments that may favour development.

The fact is that we do have small farmers. I also would like to say that I do represent small farmers in my area, who are being hammered by the meat regulations that our provincial government has imposed, which basically prohibit a farmer from killing and selling meat on and from his or her property. Interestingly enough, this exemption exists in the province of Nova Scotia. This is not the case there. Farmers are allowed to do that.

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All of this is a result of the pressure being put on provinces by our federal government and pressure from the World Trade Organization to harmonize. As we do, as we move into this big agricultural industrial model, which favours genetically modified crops and harmonization, it is the small farmer who is suffering. Somehow, then, we have to help sustain our small communities and keep agriculture alive.

● (1205)

Mr. Guy Lauzon (Parliamentary Secretary to the Minister of Agriculture and Agri-Food and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I am pleased to speak to the recommendations contained in the first report of the Standing Committee on Agriculture and Agri-Food on the beef and pork income crisis.

As others have said, this is a thoughtful and considered report and the government agrees with the overall spirit of the recommendations. As usual, the standing committee has left no stone unturned in its research. The members of the agriculture committee work very well together.

Witnesses were consulted from right across the value chain. Representing producers, there were the Canadian Cattlemen's Association, the Canadian Pork Council, la Fédération des producteurs de bovins du Québec and la Fédération des producteurs de porcs du Québec. Representing processors, there were the Canadian Meat Council and Maple Leaf Foods. This sector-wide approach is appropriate because agriculture is such an integrated industry. No one link is affected without reverberations across the whole value chain.

I agree with this very much. This is why the mantra of the Minister of Agriculture and Agri-Food is farmers first, because if farmers prosper, then processors prosper, retailers prosper and consumers benefit. It all starts with a prosperous, vibrant farm gate.

There is no single factor behind the current crisis in the pork and beef industry. Rather, it is a combination of changes to the economic environment under which the sector is operating today. A strong and rapid appreciation of the Canadian dollar, a cyclical drop in hog prices, a rise in costs for inputs such as feed, fuel and regulatory compliance, labour shortages, wage increases and market access challenges related to the BSE crisis have all come together in what has been called a perfect storm battering our sector both at and beyond the farm gate.

Clearly, a sectoral approach is needed to meet a sectoral challenge. This is the only way forward. It is the way the committee took. It is the way the government is delivering short term assistance to the sector through measures such as the enhanced advance payments program and the sow cull program.

Amendments to the Agricultural Products Marketing Act to enhance the advance payments program were made in full consultation with producers. We spent a lot of time working directly with the Canadian Pork Council and Canadian cattlemen. We looked at a lot of very good ideas.

At the same time, everyone at the table is conscious of the need to ensure that our actions do not mask market signals or attract countervail action from our trading partners. Those good ideas

delivered results. These amendments are delivering exactly what producers asked for: easier access to cash advances. In fact, as a result of the changes made to the act and emergency advances, this government is making up to \$3.3 billion available to struggling livestock producers.

Producers will now have access to that support without having to use other programs as security. Producers will also be able to trigger emergency advances under the amended program. We have grown these emergency advances from \$25,000 to \$400,000. The first \$100,000 is interest free.

The government listened to farmers. The bottom line result is that producers now have quicker and easier access to the cash they need to weather the current storm. But weathering the storm is not enough. This government is committed to helping to build a better future for Canadian farm families.

That is why we also announced a \$50 million cull breeding swine program. We built this program in close consultation with the Canadian Pork Council. The council itself will deliver the program. It is a program that will help the Canadian hog industry become leaner and more competitive in a new and tighter market.

Producers are in the best position to determine the way forward for their industry. They have expressed their appreciation for the collaborative approach that this government and the minister have taken.

● (1210)

For example, Bob Friesen, president of the Canadian Federation of Agriculture said:

These measures give our hard-hit livestock producers more tools for overcoming the obstacles they face and getting through this difficult time. I want to thank [the Minister of Agriculture] and his government for consulting with industry and delivering this much-needed boost.

Beef producers also expressed their appreciation to the government's inclusive response to their needs. Hugh Lynch-Staunton, past president of the Canada Cattlemen's Association, said that the changes to the APP "are consistent with a CCA recommendation and will improve Canadian producers' ability to deal with their liquidity costs". He also said, "We're very pleased with this because it does provide liquidity for individuals to make more sensible decisions than they would in a forced situation". He also said, "It will provide the much needed cash flow for producers at a critical time".

[*Translation*]

They said they were very pleased.

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[English]

“We are very satisfied”, said Claude Viel of the Fédération des producteurs de bovins du Québec. Meanwhile, pork producers were also supportive.

[Translation]

This will be of great assistance given the current difficulties.

[English]

“This will be of great assistance given the serious difficulties we are facing”, said Jean-Guy Vincent, president of Fédération des producteurs de porc du Québec.

Clare Schlegel, president of the Canadian Pork Council, said that the measures provide the breathing room they have been asking for. The measures in the package go a long way to giving producers the tools they need to manage through this terrible crisis.

The bottom line is that we have delivered for producers. We are not stopping there. We will continue to work shoulder to shoulder with the industry to monitor the situation, to identify gaps in programming and to assess the need for further action.

We will work through the beef and pork value chain round tables with producers, processors, retailers and others to make our regulations more responsive, to increase market access for beef and pork, to help industry implement the enhanced feed ban and to help build a sector that can compete and win in the global marketplace.

I happen to know that we are on the right track. I have been across the country making a few visits, but last night in my home riding of Stormont—Dundas—South Glengarry, there were over 200 actual producers who met with the Minister of Agriculture. As he entered the room, 250 farmers got to their feet and gave him a standing ovation for the actions the minister is taking.

To go on further, during the question and answer period, he answered the questions. We got very positive comments for the types of actions we have taken. They told us that after 13 years of getting false promises, finally they have gotten some action. I was so proud to be a member of this government last night.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I really found the member's remarks interesting, because he is the member—

An hon. member: Surprising.

Hon. Wayne Easter: No, they are not surprising.

He is the member who said, either during or prior to the emergency debate on hogs and beef that we had in February, “money is flowing as we speak”. The fact of the matter is, the money was not flowing and the member knows it.

He went on at length about putting Canadian farmers first. When the Government of Canada is allowing a regulatory regime that gives our international competitors a price advantage in the marketplace versus our own producers, is that putting Canadian farmers first? For example, the specified risk material, our inspection fees costs and our total regulatory regime, is that putting Canadian farmers first or is that putting them at a disadvantage? I would like an answer to that question.

The hon. member is the parliamentary secretary to the minister of agriculture. I proposed to him in earlier remarks, and the minister failed to respond to it, but on the circovirus question, the hog industry is in worse shape now than it was prior to the announcement, and I do not even blame the government for this part of it, I will admit, but it actually is. The prices do not look like they will be there as quickly, but the reference margins have to be made to work.

For people especially in the Ontario pork industry that I met with last weekend, who had a disease problem, and I do not want a commitment here today, although I would like one, is the government at least willing to look at factoring out that circovirus disease so that the reference margin would be there as if they would have produced normally? That would make a huge difference to producers.

• (1215)

Mr. Guy Lauzon: Mr. Speaker, I am really confused by that member who used to be the parliamentary secretary to the minister of agriculture.

I think the biggest problem with members on that side of the House is their lust for power. They want power desperately. They had power for 13 years. That member and the former Liberal government had all the opportunities in the world for 13 long years to address the problems with agriculture. We heard it repeatedly last night when the minister spoke with grassroots farmers. They had dialogue with the former government. They talked and talked, just like the member for Malpeque continues to talk and talk.

If he really cared about farmers, if he really wanted to help this government move forward and help the Canadian agriculture industry, then instead of sitting down for one-third of the votes, he would stand up and vote for his constituents and for farmers.

[Translation]

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, I am extremely proud to speak to this afternoon's debate on the income crisis in the pork and beef industry.

It is important for me to rise in this House and speak to this matter, as I did in the emergency debate a few weeks ago. Why is it important? Because this situation is so important to my riding of Madawaska—Restigouche. This is a harsh reality for the producers and farmers there.

Often we think this crisis only affects those who live in rural areas, but it affects the entire country. People in my riding and across the country provide very high quality food for the Canadian consumer.

We also have to realize that these farmers and producers are going through a major crisis that can prevent them from providing that very high quality food for the Canadian consumer. For them this crisis is so significant that a number of them are considering simply leaving agriculture, in a wide range of sectors, but mainly in the beef sector.

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Why is this happening? People are feeling abandoned by the federal government. They know they have to provide high quality food to the public, but they are facing a number of challenges. One of those challenges is foreign competition. Take the beef industry for example. Beef can be imported into any region of the country, from almost anywhere.

Before I go on, I would like to point out that I will be sharing my time with the hon. member for Saint Boniface, who will certainly have the chance to explain what kind of support people from urban centres would like to see given to producers in rural areas.

As I mentioned, producers are facing a number of challenges. One of those challenges is certainly competition, but there are others. We must help our producers. The wealth of rural areas began with agriculture. The settlement of Canada and all our regions began with agriculture. We must be able to continue to support producers and show them that their federal government will support them not only today, but also in the future. They are currently going through tough times.

Federal government support is so piecemeal that we wonder why the government is acting this way.

Various factors are behind the crisis these people are going through. We know that feed costs are on the rise. Beef producers have to feed their animals and fatten them up. The cost of feed has gone up. The price of gasoline and diesel has also risen.

As I mentioned in the emergency debate, the sky is the limit. We know that the Conservative government is singing the same tune as when it was in opposition. The Conservatives believe that the market should take care of everything. But we need to look closely at the situation. Consumers are not the only ones paying the price. The people at the grassroots level, our farmers, are the most affected by the crisis.

Gasoline is certainly another factor, but there are also energy costs. These are significant costs for producers. For a farmer who heats with oil in winter, costs are going up steadily. It is incredible.

Another factor we have to consider is the rise in value of the Canadian dollar, which is having a detrimental impact on our farmers. At present, the higher Canadian dollar and competition from foreign products are two of the things that are hurting our farmers the most.

Here is the government's response to the report of the Standing Committee on Agriculture and Agri-Food. I will read it in English, if that is all right, because I have the English version here:

[*English*]

In order to return to profitability, the beef and pork sectors will need to adjust to the realities of higher feed grain prices and a stronger dollar.

• (1220)

[*Translation*]

That is easy to say. Everyone agrees that there would be no problem if producers were able to get better prices for their animals, because of the rising price of grain, the rising price of gas and the strength of the Canadian dollar. However, that is not the reality.

The government made its response public on April 9, 2008. It was not surprising to hear such remarks. But what was even worse were the comments made by the Prime Minister a few weeks prior to that, specifically because of the strength of the Canadian dollar. The Prime Minister made the comments during a forum he was attending in Toronto. He said that, unlike the opposition parties, he does not believe that every problem that arises requires immediate financial intervention from the government. The Prime Minister maintained that it is a mistake to believe that every problem demands high-cost intervention or subsidization.

How can the parliamentary secretary and the Minister of Agriculture and Agri-Food rise in this House and tell us they are here to support Canadian farmers who are facing a crisis at this time for a number of reasons, including the strong Canadian dollar? Yet only a few weeks ago, rather than saying that things are not going well for the economy, and that the Canadian dollar is one of the problems affecting our economy and our farmers, the Prime Minister turned around and said that the government would not automatically be there to help our citizens and our industries through subsidies.

What is the message? Once again, we are hearing mixed messages, as I said recently. The government stands up in front of Parliament and in front of the cameras and says one thing, but when it comes time to act, it does the opposite.

The proof is that since the Conservatives came to power, we have seen them implement programs here and there and make hasty announcements for farmers because they realize that they have made a mistake. They make another hasty announcement because they realize that they have not necessarily targeted the right group, and they are not actually helping the people who need it in the current circumstances. And yet this has changed nothing. I recently participated in the emergency debate, and afterwards farmers told me that what I said is true—they are in the middle of a crisis, but there is no help for them.

I remember the program that was announced by the Prime Minister on March 9, 2007, again, at the eleventh hour. He said that he would help farmers. During the emergency debate, I gave the example that producers in my area were receiving 26¢ per year for each head of cattle they owned. Does that seem like assistance that will offset the increase in feed costs and the rising Canadian dollar? In any case, with 26¢, these farmers could not even think about putting a litre of gas or diesel in their vehicle.

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How do you think they will survive? It is not a matter of coping but of surviving. That is the challenge farmers face today. If we do not want to lose them, as has happened in other industries, we must ensure that the Conservative government finally wakes up and gives our farmers the money they need to make it through this crisis. This will also reassure Canadians about the quality of food they put on the table for their children. This food will be of excellent quality and will meet Canadian standards, compared to foreign products that meet foreign standards, which are often inferior to ours.

Let us help our farmers once and for all. Had the government done its job, we would not be debating this issue, we would not have needed an emergency debate and farmers would not be telling me that they earn 26¢ per head of livestock per year in times of crisis.

The Prime Minister has spoken. He has said that the government does not intervene in a major crisis. He does not believe in subsidies. Yet other countries heavily subsidize their industries and send us goods of inferior quality. Why are our farmers not receiving the help they deserve today from the federal government?

• (1225)

Mr. Anthony Rota (Nipissing—Timiskaming, Lib.): Mr. Speaker, I listened to my hon. colleague speak and he made many good points. I listened to the members from across the floor and I heard them blame everyone else. They said they have taken some steps, a little here and a little there, but we do not really have a major program in place to support our farmers.

Members from across the floor said they have gone to meet farmers. They talked to them, but they did not listen to them. That is what is missing on the other side of the House.

They also mentioned something else: statistics. Statistics are fine—we can invent all sorts of numbers—until the tragedy strikes us personally, as a Canadian or as a farmer. Only then do we see the difference. Then we are no longer a statistic; we are the ones suffering from the tragedy facing the agricultural sector.

The hon. member also mentioned the price of 26¢ per animal. What a joke. That does not amount to much.

I would like the hon. member to tell me a little about what is happening in his riding. In fact, the situations in New Brunswick and northern Ontario are quite similar. They are similar to what seems to be happening everywhere in rural Canada. Yes, the government is leaving the economy to its own devices, and that is not always the right solution. It is not that easy. If we leave the economy alone, things will not happen on their own. We must help.

What is the hon. member's response?

Mr. Jean-Claude D'Amours: Mr. Speaker, I thank my colleague for that excellent question.

Earlier, I gave examples of what is happening in my riding. There is a problem at the grassroots level. My colleague said it well: is the government listening? No, it is not listening. It may be hearing, but it is not listening. What people say goes in one ear and out the other. Perhaps that is what is happening at present.

What are farmers telling me? First, the process they have to go through to get a little help from the federal government is far too

complicated for the money they get in the end. Often, they pay more in accounting fees than they get at year end.

That is a serious problem. It means that the government's program has a structural problem. That is the first thing.

Farmers wonder why they should submit an application. They say that it has become pointless. They waste their time filling out forms and paying people and in the end they get peanuts, like the 26¢ a head I mentioned earlier. So why submit an application? They get discouraged and give up. The federal government winds up keeping that money and does not invest it in farmers or people who need it.

Second, our farmers are saying that they can no longer survive. They are giving up farming and going into something else. Yet we need these people. That is the reality today.

The government just said that it is listening to farmers. How can it say it is listening to farmers when these people are getting 26¢ a head? The government members should sit down with the people in my riding and ask them whether they agree with the program and the money they get from the federal government.

The parliamentary secretary would be surprised to hear the opposite of what he said earlier, when he mentioned that he and the minister had met with farmers. He would be in for a big surprise in my riding. I invite them to take the time to come and meet with the farmers in my riding, and then they can tell me whether 26¢ a head is reasonable.

• (1230)

[*English*]

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I know the hon. member has a lot of supply management in his riding. That system is successful and it does provide income for producers in that supply managed system.

The fact of the matter is a chicken costs consumers about \$4.99 a kilogram, while the farmer really gets only \$1.20 per kilogram. Under that system, it is a system that works. It is so different than the hog and beef sector.

We hear all the rhetoric from the government on supply management. I have met with producers in the member's riding. Do they really trust this government in terms of its alleged support?

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I rise on a point of order. We are here debating the crisis in the cattle and hog sector and the member for Malpeque wants to talk about poultry. We are definitely off topic if we are going down the road of poultry. We need to be talking about the difficulties facing our hog and cattle producers across this country.

[*Translation*]

Mr. Jean-Claude D'Amours: Mr. Speaker, that is unacceptable. That proves that the Conservative member opposite does not understand that the crisis is happening everywhere and that agricultural producers in general, including those who need supply management to survive, do not trust the Conservative government.

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Of course the Conservatives do not want anyone to talk about this. When they talk to the media about it, they say that they are protecting producers, but when the time comes to negotiate and to stand up for the interests of producers on the issue of supply management, the government is nowhere to be found. I understand why the Conservative member does not want anyone to talk about it: because the Conservatives are not doing anything to help agricultural producers, period.

[English]

Hon. Raymond Simard (Saint Boniface, Lib.): Mr. Speaker, I am pleased to speak to this motion today.

I do not pretend to be an expert on agriculture. I realize there are people on both sides of the House who are either from farming communities or are farmers themselves who probably know a lot more, and my colleague from Malpeque is one of those people. I have seen him in action as he has gone across the country. He has been to Manitoba and has spoken to people to get better informed on what is going on.

This is not a fixed industry. New changes are always happening. I have heard my colleague from Malpeque offer encouraging support to a lot of these producers, which is why I thought it was important for me to be here today and express my opinion.

Even if I am not from a farming community, I do understand the importance of the agricultural sector to Canada. Members would be surprised at how many people call us in the city of Winnipeg telling us that we should be supporting our agricultural producers. I am sure it is the same thing right across western Canada and probably right across the country. It is important for people to hear from urban members of Parliament on these issues and it is important that we debate these issues in the House.

We all have relatives who have tried to eke out a living in the farming industry over the years. My father-in-law, who was a dairy farmer in Manitoba, worked 18-hour days, like most farmers probably. It is not easy work but, if we were to ask farmers, most farmers would tell us that they enjoy every minute of what they do. They have no regrets despite the hardships, the ridiculous hours and all the worries they go through. It is a way of life for them.

If we were to ask farmers the same question today, I am not sure we would get the same answer. Young people can no longer afford to take over the family farm or they simply do not want to go through what their parents have gone through. Should we blame them? They might actually have a point.

Cattle producers suffered through an absolutely brutal time with the BSE crisis in 2003. They were just starting to recover when the Canadian dollar strengthened and feed prices increased and once again they are facing extremely difficult times.

The cattle and pork industries are in crisis and, unfortunately, what the government is doing is too little too late.

Once farmers lose the will to continue to do something they have loved all their lives, what do we do? I think we are at the point where farmers are starting to give up on a livelihood they have enjoyed for centuries. How many farmers do we know who have kept on doing

what they are doing because they love it, even though they just barely make a living?

I think farmers feel they deserve better. They are feeding the world and they deserve to be recognized for the contribution they make. They deserve to do better than just eke out a meagre living and hope to survive until the next year. We are in a crisis because farmers and producers have decided they have had enough. There is no doubt that some very serious structural changes need to take place soon.

Pork producers have been coming to us over the last two years begging for our support. They came to the industry committee and spoke to us about what was happening to them on a daily basis. Producers are losing their farms. They are not able to move their product. They cannot pay their bills. They needed help immediately, not in two months, not in three months, not in six months and not in a year. Farmers needed help when they came to us some time ago.

During the prebudget debates, I argued aggressively that once a hog producer lost his farm, he or she would not come back. People cannot go to their bank looking to start over after they have given everything up. It is not that simple. Once we have lost them, they will not come back, which is something the government has forgotten.

I have been told, but it has not been confirmed, that over 50% of the industry in P.E.I. is already gone. Fifty per cent of a very vibrant industry is gone and will not be coming back.

Yesterday I heard a heart-wrenching story about a family I know very well in rural Manitoba. After generations in the hog producing business, the family went out of business. It was not for lack of trying because they were very smart business people, but they did what they had to do to survive.

● (1235)

I ran into one of the owners a couple of months ago who told me that his family had bought a store in Winnipeg in order to move some of their product. Talk about vertical integration. They were trying everything they could to survive. They are not people who are in the store business, but this is the extent to which they had to go to survive. We just heard this week that the business, which was a huge successful business some years ago in a small community in Manitoba, is closing down.

Those people are not beginners. They have been around for a long time. One can just imagine what will happen to any of the new businesses that may have started in this industry. There are hundreds if not thousands of examples like this across the country and they are not coming back.

The government has allowed a whole industry to be devastated because it did not take it seriously when it said that it needed help. I know the Prime Minister does not like to intervene and thinks that everything will fix itself. He says that we should let the market rule. We have seen the results of that flawed ideology in the manufacturing and forestry industries. We are now picking up the pieces of what is left of the forestry industry and anticipating a further hundreds of thousands of job losses in the manufacturing sector.

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It is important to see that our grain sector is holding its own after many years of difficult times. Farmers have been selling their grain product at the same price for years. One of the major reasons they are now able to sell their product at a more reasonable price is because of the demand for biofuels. Unfortunately, this same demand is one of the reasons that the input costs of pork and cattle producers are increasing.

The time has come to analyze the whole structure of the agricultural industry. We cannot continue offering piecemeal solutions. As we have seen so clearly in the biofuels situation, they are interrelated. We cannot deal with one without analyzing the impacts on the whole industry. I believe that over the years we have failed to look at the big picture and, in fact, we have not given the agricultural industry the respect that it deserves. We have not recognized it for the contribution that it makes to our society as a whole.

Another reason that this motion is important is because it also impacts on the whole rural infrastructure. When farmers and producers are going out of business, guess what happens to the small grocery store, the garage, the hotel and the truck dealership in our small towns? The farmers are their lifeblood, so, yes, there is a crisis in the agricultural sector, but there is a very real risk that this crisis expands to the total destruction of our rural infrastructure.

How many small businesses have closed down because farmers are not buying their products? How many young people have moved to the larger urban centres for work? How many rural schools are having a difficult time attracting good school teachers because the towns are no longer interesting or dynamic places to live?

A small town in rural Manitoba has a pork producer who hires over 300 people. We never used to have towns that were, basically, one industry towns, but it is happening to some extent. We can just imagine what will happen to this small town if that producer is forced to close down.

I am not sure if the government has realized the extent of this crisis. We have farmers who no longer want to farm. We have pork and cattle producers going out of business on a daily basis. We have a rural infrastructure already very fragile and unstable because its youth are heading to large urban cities. I am not sure they can take much more.

We should be immediately reviewing and analyzing the agricultural industry as a whole and the impacts on the rural infrastructure. We should take farmers seriously when they say that they need assistance. They are some of the most independent business people in the country and, therefore, a cry for help should be taken seriously.

This new program proposed by the government is, for many farmers, including my friends in rural Manitoba, too little too late.

• (1240)

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, in his speech, my friend mentioned the issue of biofuels and how that affects agriculture and food prices.

I would like to submit, both for him and for many Canadians, the tremendous good that biofuels will do for not only our farming

community but for our environment and for other industries in Canada.

I do not know if many people are aware that in 2007 food prices increased by 4%. While we want to have reasonably priced food, it should not be at the expense of our farming community. I bring that 4% up because oil prices in the past year have jumped nearly 100%. At the same time, the U.S. produced a record amount of ethanol from corn. The U.S. increased its surplus of corn to more than 1.4 billion bushels, and that was in a record ethanol year.

We need to know that farm marketing costs now account for about 80% of the total cost of food. Marketing costs are different between farm value and consumer spending for food at grocery stores and restaurants.

The other evening I was speaking to some folks in the automobile industry when one of the fellows said that what the government was doing with regard to ethanol and the amount of corn and other farm produce going into ethanol, will double the price of breakfast cornflakes. For those who think it will, corn amounts to less than 5% of a box of cornflakes.

I think folks need to realize that ethanol and biodiesel will be of great benefit to our farmers, not a negative, and they will be of benefit to all Canadians.

Hon. Raymond Simard: Mr. Speaker, if the member were to look back at my speech, he would see that what I said on biofuels was that I was very pleased that farmers were finally making a living selling their grains at a reasonable price. I think biofuels could be very advantageous in the future.

What I also said was that when we look at the agriculture industry we cannot look at it piecemeal. We need to look at the whole structure. When we fund biofuel projects it impacts on something else.

We have actually taken agriculture for granted for too many years and I think it will come back and bite us, and I think we are there.

On the second issue, the hon. member is right. We should be looking at examining the whole food chain and who is making what money in the whole chain. This is long overdue, and that is exactly what my speech was about. It was about re-examining the whole agriculture industry from A to Z, which I do not think has been done for a long time. I think we are all guilty of that and the time has come to look at that.

• (1245)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, the member for Saint Boniface mentioned the difficulty for the producers in Manitoba who have set up a wiener-pig business and are selling it to the United States. With the country of origin labelling coming in the United States, that market has basically dried up.

I believe that many of us in the House, although I am not sure about those on the government side, believe the country of origin labelling is a violation of the trade agreement. People need to euthanize these pigs because they have no barns to house them, no feed to feed them and, if they did feed them, they would be at a loss in this country.

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Therefore, the Americans have broken their contract and, we think, have violated the trade agreement. Should the Government of Canada be standing up to the United States and challenging them under the trade agreement? Should they—

The Acting Speaker (Mr. Andrew Scheer): The hon. member for Saint Boniface has about 30 seconds.

Hon. Raymond Simard: Mr. Speaker, some farms in Manitoba right now are losing \$40,000 a week. If we add the country of origin labelling to this, it will be a disaster.

Therefore, of course we should be doing it and we should be doing it now. We should not wait until the U.S. imposes this and all of a sudden we are reacting to it, because then it will be too late. We will have more closures and more businesses will not be starting up again. Once they close, that will be it. We will have lost them forever.

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I am glad we are here today again talking about the crisis facing our livestock industry. We are talking about the cattle and hogs, although the member for Malpeque was talking about poultry. I think he got a little confused because “pork” does refer to itself as “the other white meat”. He has used the term “pigs fly”. Maybe that is why he decided to look at the feather industry.

We are talking about the great difficulties our facing ranchers, cattle feeders, hog producers and everybody in that whole chain. Not only is it hurting these producers, and we have seen people in my riding and across the country close their doors and walk away from their businesses, which are often multi-generational family farms, but it is hurting the local communities and the feed mills. There is no doubt that the entire support system and infrastructure, which is tied to the livestock sector, are going through the same pains and throws. It could actually change the face of agriculture across the country.

My riding has well over 2,500 ranches and a number of hog barns. The provincial government in Manitoba has put a moratorium on more barns being built in our area. This is unfortunate because there are still a lot of advantages, in the right environmental circumstances, to expand the hog industry. However, there is no doubt that its announcement and decision was made at a time when our hog industry was going through some very difficult times.

We have to remember that what has happened has accumulated over a number of years. On the cattle side, it all started off in 2003 with the BSE crisis. My family and operation felt that hurt severely. We seemed to be getting out of that in the last couple of years, when all of a sudden prices started to plummet on our cattle and hogs and grain prices started to increase, which was great news for our grain and oilseed producers across the country.

However, people are trying to make all sorts of excuses on why grain prices are going up. We hear all these concerns raised around the world about the price of food. We have to realize that the whole global marketplace on world grain has changed. We have growing economies in India and China. They definitely are more affluent now and want to buy higher quality foodstuffs. They are buying it up at record levels. On top of that, we have had some very difficult growing conditions across most of the major growing countries.

We know that this year the U.S. wheat crop had a lot of winter wheat killed. They are rating a lot of those fields down there at only 50% good, which is a terrible situation, and that is helping push wheat prices up again. Feed wheat, a major ingredient in hog feeding, is being pushed higher as well.

For three years in a row, there were major droughts in Australia and very difficult harvesting conditions last year in Europe. Even western Canada came in with less than 78% of a normal crop. Therefore, there was not enough grain out there, and these prices are pushed higher.

I do not see grain prices getting softer. World carry-over stocks are at all-time lows. Since they have been calculating how much coarse grains are in the world on inventory, that number has consistently fallen over the last 10 years, and the grain trade, for the most part, ignored it. Now all of a sudden they realize there is increased demand for food products out there and that has pushed the value of these grains through the roof.

People have made the biofuel argument that we have taken food for fuel. As was just pointed out by my colleague, there is a lot of ethanol production in the U.S. The Americans are increasing their output of corn production and exporting more of it. This has been good news for countries that are buying food. They can get more corn from the United States and other countries that have made some major gains in their research and development of new varieties and have enhanced their productivity.

• (1250)

When we look at other products such as rice, and this is the big concern in Asia where prices have more than doubled, people say that it is biofuel. We know rice is not used in biofuel production. We know the land base and the paddock system they have with the rice paddies cannot grow anything else but rice. It is not competition for land; it is that the world population is growing, people are more affluent and they are buying more and more grain.

We also know that in Canada, the big kick in the teeth for us has been the dollar exchange rate. I guess we all have to wait to see how this will play out. As long as the U.S. economy is slumping, as long as commodity-rich countries like Canada are exporting oil, grain and even our beef and pork, we are going to see a lot of people buying Canadian dollars rather than U.S. dollars, and that is really what is driving this exchange rate.

Ideally I would love to see the dollar come back down under 90¢. We are going to have to wait and see if that is ever going to happen.

As chair of the agriculture committee, we have a great group of people from all parties who are sincere and want to ensure we do the right things for agriculture. We put together a great report. We received a response on the impact of the crisis on the livestock sector, and now a really good response from the minister.

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One of the things we are looking at and studying right now is high input costs. That is really addressing some of the concerns raised by producers across the country. We are doing the research and hearing from witnesses about why fertilizer prices and fuel prices are going so high. We also want to find out if there has been any price gouging or unnecessary profit-taking in certain areas of the country. We are doing a comparison on what is happening in western Canada versus eastern Canada and the corresponding areas along the Canada-U.S. border, in the U.S. Midwest and in the eastern U.S. as well. We want to find out what is happening so we can make proper policy recommendations to the government.

I hear from producers all the time in my riding. I am meeting with farm organizations and producers from right across the country. One of the things I hear from producers, the ones who are committed to being in the industry and who are hurting, is that they are in it for the long haul and they want to know what the future will be. They all realize we will have to change our status quo.

We may not be able to conduct business the way we have for the last 25 or 30 years, building up our reputation as quality beef and pork producers, which is recognized worldwide.

I have been fortunate in that I have been able to go out and make some announcements on behalf of the government, trying to help the industry along, looking at new opportunities. The beef value chain is one. There is a great round table discussion about how they do a better job marketing, not only in Canada but around the world.

We gave some money to the beef value chain to look at developing an omega-3 beef. It has been very successful in the egg industry and in the fish industry, especially with salmon. Now it is time to look at whether we can take those same good fatty acids, those omega-3s and high linoleic acid, identify them and get them increased in the content of beef. People then would not only buy beef for its great taste and ability to enhance their nourishment at the kitchen table, but because a really good claim could be made on the health side of it. Not only is beef and pork high in iron and B₁₂, but there is also an opportunity here to add omega-3.

We are also looking at different rations. At the Brandon Research Centre, we have put together a project with industry and the provincial government to look at different ways of feeding cattle, trying to cheapen up the rations that we are dependent upon, which right now are really grain-based, and moving away to more forages. Maybe there are other crop residues. There is all the distillers' grains coming out of the ethanol industry as well as all the canola meal and soya meal coming out of the biodiesel industry.

• (1255)

How do we take these new feedstuffs, which are being produced on a larger scale, and cheapen our rations so the rancher who has a cow calf operation and sells his calves on the marketplace can get a good price for his calves that come out of the auction market, as well as improve profitability for the feedlots that finish the calves and bring them to the consumer?

I have been fortunate over the last few years to ensure that I have always been in U.S. courts when R-CALF has tried to shut down the border on Canadian beef. I was at the latest one in February in Sioux Falls, South Dakota. One thing I found interesting was the lawyer for

R-CALF, the judge and the USDA lawyers all stated publicly on the record that Canada had a better system for the mitigation and monitoring of BSE than the U.S. has.

One of the reasons R-CALF talks about shutting down the border is because it does not have a good system compared to Canada. It often mentions the enhanced feed ban on our SRM removal techniques and the program we have here as being far superior to what is done in the United States.

R-CALF also talks about the traceability of our animals because we have good animal identification, with radio frequency ear tags, that has helped to improve the entire industry to monitor and move forward with the protection of the consumer, as well as the health of our livestock industry.

We have been talking about the next big challenge, and one is coming up that is going to be incredibly difficult for the cattle and hog industries. It is the country of origin labelling requirements that are coming into effect in the United States. It has created a pile of confusion within the United States market. It is unsure of how it is going to deal with Canadian product, whether it was born here and raised in the United States, or bought here as a market ready animal and taken there to be processed into meat cuts or just buying Canadian product directly from our packers.

There are different terminologies surrounding how it is going to be labelled. I think the U.S. is coming to some decisions on how those labels are going to work. However, because it has taken them so long to define how it will move forward, it has put the whole industry in the lurch. Now we hear from packers and hog finishers in the United States that they will not buy any more Canadian hogs, or piglets or feeder calves. They are concerned that this will not allow them to market their product effectively when they try to sell it to local packers and when it ends up on the retail level in the United States. That segregation and segmentation of the industry is going to be incredibly difficult and detrimental.

I wrote a letter on behalf of the agriculture committee to my counterparts in the United States, the chair of the U.S. agriculture committee, as well as the chair of the U.S. Senate agriculture committee. We also contacted both the House of Representatives and the Senate. We said that we expected the new U.S. farm bill to include that the country of origin labelling had to be trade compliant under NAFTA and the WTO. We wanted to ensure the entire U.S. farm bill, as it ties to subsidies for farmers, would not distort production or the marketplace. We expect the new U.S. farm bill to be WTO and NAFTA compliant as well.

Routine Proceedings

We have taken that stand as a committee. I know the minister, in discussions with his counterpart in the U.S., has carried the same message, that the United States had better ensure that any policies it develops will be compliant. If they are not, when they come into effect, when we can start to take trade action against it, there will be a strong response from the Government of Canada. I can assure everyone of that.

I have had discussions with the hog and cattle producers who have come to my office, who I meet in coffee shops or who are at the various events I attend across my riding. They need some help and they recognize that. The government has provided that help through some of the things we have done through the kickstart program, the previous CITI funding and the changes made to the cash advance program, as well the advances to the old CAIS program and the new agristability program. They have been helpful.

They are still asking for more measures but, at the same time, they want the measures to be trade compliant as well. They do not want to have subsidies thrown at them only to have countervail actions created by the United States, the Europeans, the Australians or the Japanese. I have heard from the other countries that they are watching what we do here in relation to our farm programs and how we help the struggling livestock sector.

● (1300)

The farmers are telling me that they want to make sure they have a future. That future has to be based upon the marketplace and they want that assistance moving forward in developing the marketplace.

I am glad to be part of a government that is signing trade agreements around the world and negotiating more trade agreements, so that we can get that market penetration in countries where they keep their tariffs extremely high on Canadian goods. We want to bring those down, so that we can enhance the opportunity for our hog and cattle producers as well as the packing industry to make money in those more lucrative markets, whether they be in Europe or the Pacific Rim. We are looking at those alternative markets.

We also know that we need to work with industry in developing their market enhancement and brand naming, and taking those things forward.

We are looking forward to all the proposals that have been put forward by the cattle and hog industries, as well as the Canadian Federation of Agriculture. We will try to capitalize on some of these ideas and make sure that those types of initiatives will generate the revenues back to the farm gate.

There has been a lot of work done on this report. It took us quite a bit of time through the fall to put it together. It has been one that was well received in the industry. It is one where I believe the actions taken by the government have largely addressed the concerns that we have raised.

We have to remember that in our actions that we take here that they are often related to not only our partnership with producers but also our partnership with the provinces. Any changes that we make to farm programs impact upon the provinces. Of course, they have a say in how we move forward with the overall agriculture policy framework, with the major one being the AgriStability program.

The Acting Speaker (Mr. Andrew Scheer): It being 1:05 p.m., it is my duty to interrupt the proceedings at this time and put forthwith the question on the motion now before the House.

Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

The Acting Speaker (Mr. Andrew Scheer): The House will now resume with remaining business under routine proceedings. We are under the rubric "Motions".

* * *

● (1305)

BUDGET IMPLEMENTATION ACT, 2008—BILL C-50

Ms. Olivia Chow (Trinity—Spadina, NDP) moved:

That it be an instruction to the Standing Committee on Finance that it have the power to divide 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, into two or more pieces of legislation.

She said: Mr. Speaker, the NDP is determined to take every possible step to stop the Conservatives' irreversibly damaging immigration reforms.

This is the NDP's second attempt to stop the damaging reforms from passing in Parliament and I am proud to stand here again today in the spirit of cooperation to split this bill, and give it the study and amendments it so desperately needs.

A country's immigration policy can build strong communities, an educated and skilled labour force, and a vibrant and sustainable economy. A failed policy, however, can lead to division, resentment and transient communities of single labourers who have no prospects for citizenship, family or community.

Immigration policy that does not integrate immigrants into Canadian society, into our cities, our schools and our economy, undoubtedly leads to division in our society. When kids do not get to play together, the families are not connected and as a result the community is divided.

Canada's immigration policy needs to be much more than just about bringing cheap and skilled labour to Canada. Right now there are two streams. Skilled labour comes into Canada, but then Canadian government wastes their talents by not recognizing their degrees and certificates. As a result they cannot practise the kind of trade or jobs they are trained for. Another stream deals with temporary foreign workers which is basically cheap labour and this is what the bill is designed to do.

Routine Proceedings

The Conservative immigration reforms would: first, give the immigration minister arbitrary powers to move people up or off waiting lists; second, limit immigrants the ability to reunite with overseas family members based on humanitarian and compassionate grounds; and third, let officials prioritize temporary foreign labour over family class and economic class immigrants.

What does this mean for Canada? It means lower wages for working families and it means that we will have divided communities.

It also means that tens of thousands of migrants come to work our land, our farms, wash our dishes, cook our food and pay taxes, but have no prospects of building a life in Canada. They have no prospects for citizenship, no prospect for building a family, a life and prosperous future in Canada.

There are 900,000 prospective immigrants facing really long waits, but the Conservatives' so-called solutions are just wrong. Their solution is to kick people off the waiting list and bring in temporary foreign cheap labour for their friends, especially in the oil sands. After all, the federal government approved over 40,000 temporary foreign workers in Alberta last year alone. That is a 300% jump from only three years ago.

What kind of Canada are we building if we are encouraging the growth of a program that brings to Alberta over 40,000 temporary workers with no rights, no families, and no future here in Canada? I just heard that Tim Hortons in Alberta brought in 100 workers from the Philippines, for example.

While the Conservative government ignores Ontario and Quebec's manufacturing crisis and does nothing to retrain the unemployed across Canada, it is in fact lowering wages and stalling economic prosperity for thousands of families. In manufacturing towns they are facing unemployment, whether they are in northern Ontario, southern Ontario, Quebec, and all across Canada.

Gil McGowan of the Alberta Federation of Labour said recently:

This is essentially a program that has been allowed to grow exponentially without addressing any of the very legitimate concerns that have been raised and without putting any of the necessary safeguards in place.

In an article in the *Calgary Herald* earlier this month, McGowan said:

The foreign workers program artificially allows employers to keep wages lower when employees are scarce, creates a lower class of worker, and will cause tensions between the temporary workers and local, permanent staff.

We are already seeing it.

● (1310)

Rick Clarke of the Nova Scotia Federation of Labour said yesterday in the citizenship and immigration committee that it is not fair to the workers being brought in, it is not fair for our economy, and it is not fair for those being by-passed because access to this program by employers is far too open. He called the program flawed because it allows employers to hire cheap labour without offering any long term benefits to the employee.

New Canadians make this country strong. Immigrants can either help to build thriving and diverse communities, and a 21st century workforce to compete with the world's best or we can use them,

abuse them, and then send them home when we are done with them as the Conservatives' and the Liberals' policy will do.

The NDP said no to Conservatives' backdoor sweeping offensive changes and no to the massive expansion of temporary foreign cheap labour.

Instead, we want to ease backlogs by investing to increase overseas staffing in visa offices, increase immigration levels to 1% of our population, and change the point system, so people of all skills can come to Canada with their families and build inclusive, vibrant, healthy communities and neighbourhoods.

It is time for fairness in our immigration policy. It is time for living wages and family reunification. It is time for strong communities instead of weak, transient, and migrant ones.

However, instead of fairness, we get half truths, spin and a public relations advertising campaign at the taxpayer's expense.

The Conservative government said it is welcoming a record number of newcomers to Canada, but the reality is permanent landed immigrants to Canada dropped by 10,587 people. More shocking still is that while the numbers fell the Liberal and Conservative governments increased their admissions to an extra 24,000 more temporary workers between 2003 and 2006. Of course, we know they do provide cheap labour and drive down wages.

The Conservative government said that there are 925,000 people in the backlog and sweeping immigration reforms in Bill C-50 are designed to ease that. However, the reality is that the legislative changes will not come into effect until after February 28 of this year and will have no impact on the backlog of that said 925,000 applicants.

The Conservative government said that sweeping changes are needed to speed up the processing of applications. The reality is that giving the minister the power to discard applications that meet all immigration requirements is unfair, it is arbitrary, and it is open to abuse.

The Conservative government said that measures are designed to attract and retain foreign students. That is in its PowerPoint presentation, taking it on the road and giving it to everyone who would listen. The reality is that there is no clause in Bill C-50 that addresses foreign students applications.

The Conservative government said that there will be no discrimination as the Charter of Rights and Freedoms will be respected. The reality is that the charter does not help potential immigrants trying to come to Canada.

Routine Proceedings

The minister's instruction is to fast track foreign workers, skilled workers from Mexico as opposed to parents coming from India, the charter cannot prevent—

SUSPENSION OF SITTING

The Acting Speaker (Mr. Andrew Scheer): Order, order. We are going to suspend the sitting of the House right now. It seems like the fire alarm is going off. Members should leave the building and we will come back at an appropriate time.

(The sitting of the House was suspended at 1:14 p.m.)

● (1335)

SITTING RESUMED

(The House resumed at 1:38 p.m.)

The Acting Speaker (Mr. Andrew Scheer): Order. That was a new one on me.

The hon. member for Trinity—Spadina had the floor when the fire alarm went off. I did not hear anything inflammatory in her remarks.

Some hon. members: Oh, oh!

The Acting Speaker (Mr. Andrew Scheer): I could not resist. She has 10 minutes and 45 seconds left in her remarks. We will resume debate.

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, I did not know I was that hot.

Some hon. members: Oh, oh!

Ms. Olivia Chow: I could not resist either.

Mr. Speaker, I was talking about the Canadian Charter of Rights and Freedoms. We note that the charter does not really apply to potential immigrants trying to come into Canada. If the minister's instruction is to fast track foreign worker applicants from Mexico as opposed to parents coming from India, the charter cannot prevent the minister from doing so. If Tim Hortons decides that it wants workers from the Philippines instead of, say, Pakistan, there is nothing in the charter that would prevent that.

Further, the Conservative government said that the minister's instructions will be transparent as they will be published in the *Canada Gazette* and on the immigration department's website. The reality is that the publication of these damaging instructions is not subject to debate or approval in the House of Commons. Elected members of Parliament would have no say over the minister's instructions. That is not what democracy is about.

A large number of immigrant groups have said that they came to Canada because of democracy. They want each member of Parliament to have a say over what kind of immigration policies are established across Canada. They do not want the minister to have the power to say yes or no to individual applications, even retroactively. There is just not enough trust for that to happen.

They also say that if the minister is so sure about these recommendations, why not allow the bill to be split? The immigration portion which is clause 6 of the budget bill, should be taken out of the bill and considered at the citizenship and immigration committee, rather than jamming it into the House of Commons finance committee.

Perhaps it is not a coincidence that these immigration changes are in a finance bill and at the finance committee. Perhaps the Conservative government sees immigrants as economic units rather than human beings and people who bring families together and people who establish communities. To the government they are just economic units. They are here to work, to give more profit to the employers, to the big corporations so that they could pay less. Those people have less power. They probably would not dare to complain because the minute they got fired they would be deported. They would be asked to leave. They have very little power.

The immigrant groups are saying that if immigrants are good enough to work here, they are good enough to stay here. That is why the immigrant groups across the country find that Bill C-50 is blatantly anti-democratic, secretive and dangerous.

The Conservative government in its PowerPoint presentation said that ministerial instructions will not allow the minister to intervene in individual cases. The reality is that in clause 6 of the bill, by changing the word "shall" to "may", applicants who meet all immigration requirements, who receive sufficient points and follow all the rules can still be rejected. The more dangerous part is that because of the change in wording, their rejection cannot be appealed to the courts. The immigrants and lawyers have no access to the Federal Court as a last appeal. In fact, according to the Canadian Bar Association and lawyers who are familiar with this change, that is putting the minister above the law, which again is very dangerous.

● (1340)

The Conservatives also say that families would still be united under humanitarian and compassionate grounds. What they failed to say and the reality is that the minister and her officials would no longer have to consider humanitarian and compassionate grounds if the family member is outside Canada.

A few days ago a lawyer with Parkdale Community Legal Services presented the case of a father of a little child. The father is still in Kenya, which is a very dangerous place. The mother of the little child is trying desperately to get the father to Canada. They have applied for the father to come to Canada on humanitarian and compassionate grounds. If Bill C-50 is approved, this case would probably not be considered again.

The Conservatives said that reforms would bring flexibility to visa offices to bring in steelworkers to meet labour needs. The reality is that much of the labour shortage is also occurring in the lower skills sector and these potential immigrants would never have enough points to come to Canada as permanent residents, even though they may have relatives in Canada. Instead, they are being rushed in as temporary foreign workers, cheap labour, and they will never qualify as citizens or be able to bring their families to Canada.

In conclusion, the immigration changes embedded in Bill C-50, a budget implementation bill, are bad for immigrants, bad for working families and certainly bad for Canada, which is why we certainly have to split the bill so we can defeat the immigration portion of the budget implementation bill.

Routine Proceedings

• (1345)

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs and to the Minister of International Cooperation, CPC): It is amazing, Mr. Speaker, when we look at the NDP's record of what that party has been doing for immigration. That party always picks the most negative and extreme portions of anything that is every proposed in the House.

That party voted against reducing the landing fees. That party voted against anything that was done in immigration. Look at the NDP's record. All the time those members talk about how bad the system is, but they never come up with anything that is positive.

Everyone is complaining about the mess in the immigration system created by the Liberal Party over 13 years. That party created the mess that we have today.

Today, it takes almost 10 years for people to come into this country. People want workers to come into this country. The bill addresses all those issues.

The NDP says that nothing has been addressed. Can the NDP not see what a mess the immigration system is in now? Those members should talk to the people. They should talk to my friends. People complain every day about how terrible the system is, how they cannot get their loved ones into this country, how they cannot get workers into this country, how they cannot get skilled workers into this country.

Finally, somebody is doing something, and what do we have? That party is doing exactly what it did on Afghanistan. They do not want to go there. They do not want to do anything. They do not want anything positive to happen in this country. All they want to do is fearmonger.

Ms. Olivia Chow: Mr. Speaker, I am wondering why the hon. member is so negative toward the NDP.

We have said that there should not be any landing fees. We call it a head tax. We opposed it when the Liberals introduced it. Why did we oppose it? Because the Conservative government only reduced it to half. We believe it should be reduced entirely. There should be no head tax for any immigrants.

On foreign credentials, in January 2007, we had a seven point plan saying that there should be a comprehensive, one stop shop for immigrants before they come into the country, or even when they are in the country, so that they can get all the information about foreign credentials. Lo and behold, the Conservatives adopted a part of the seven point plan. They established some pilot projects in four visa offices overseas, but there are two key areas on which they have done nothing on the foreign credentials. They did not speed up the recognition of foreign credentials.

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, I am delighted to watch this lover's spat on the issue of immigration. On one side the NDP wants to separate a portion of a finance bill which has nothing to do with immigration, and on the other the government is trying to justify what it is doing because it thinks it wants to do something about immigration.

Does the hon. member for Trinity—Spadina truly believe in increasing the number of student visas in this country? Does she

truly believe in fixing the system? Does she truly believe in family reunification? Does she believe in increasing the numbers? If so, then why did she and her party vote against the positive Liberal plan that was associated with dollars?

Both her party and the Conservative Party voted down a Liberal plan that would have put \$1.2 billion toward integration and settlement of those who are here and those who would come here in the future. It would have provided \$700 million to increase the efficiency and operation of the system to ensure that we could accommodate those who had come here under plans which might not have been recognized. This plan would have provided another \$88 million for foreign credentials recognition and ensure that people with qualifications would be matched to the available jobs. Our plan would have provided an additional \$10 million in order to encourage an increase in the number of student visas from 66,000 to 100,000.

Why did her party vote against that?

• (1350)

Ms. Olivia Chow: Mr. Speaker, if the hon. member had even read Bill C-50, he would have noticed that the bill does not mention student visas.

We would not be talking about splitting the bill had the Liberal Party of Canada had the courage to stand up for immigrants and vote against Bill C-50 at second reading. Instead, we saw most of those members get up and walk out of the chamber. Where is their backbone? Where is their courage?

For two weeks nonstop we heard negative comments about the bill, which is fine, but those members are all about talk. Where is the action? What happened to standing up for their principles? We would not have to talk about splitting Bill C-50 had the Liberals actually stood and voted against it at second reading last Thursday.

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, the Bloc will support the NDP motion. However, it is important for all members of this House to know that yesterday, the Standing Committee on Finance, including the NDP members of the committee, unanimously adopted a motion asking the Standing Committee on Citizenship and Immigration to give its recommendations about the part of the bill that concerns immigration and to report thereon to the Standing Committee on Finance.

Obviously, the motion was put forward because nobody knew what would happen to the NDP motion. Nobody knew whether or when it would be put forward. We had to increase our chances of getting a professional opinion from the Standing Committee on Citizenship and Immigration. It was the right thing to do. However, if we manage to split the bill up, that would be even better.

I would like to know if my colleague is at least considering the possibility that the Standing Committee on Citizenship and Immigration might study the part of the bill that concerns immigration. We have to give the committee the opportunity. Should the Standing Committee on Finance's unanimous motion not go some way toward making that happen?

*Statements by Members**[English]*

Ms. Olivia Chow: Absolutely, Mr. Speaker, and I thank the member for his support.

I am a member of the immigration committee. We will certainly study the bill and make recommendations. It is very important that we pull clause 6 out of the finance bill, the immigration portion, and study it very carefully.

Bill C-50 was introduced without any consultations or studies. That is why immigrant groups, lawyers, people who work with potential immigrants collectively are saying from coast to coast that the bill needs serious study. It should be done in the immigration committee.

The Acting Speaker (Mr. Andrew Scheer): There is time for only a very brief question or comment. The hon. member for Winnipeg Centre.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, let me simply say that the whole country saw it as a dirty trick when the Conservatives snuck an immigration bill into the finance bill to try to ram through their radical reform of immigration policy without the scrutiny of oversight or debate or the House of Commons being able to deal with it. I want to thank the member for Trinity—Spadina for giving us at least this brief opportunity to provide some venting on what they are trying to do.

Relying on temporary foreign workers to fill labour market vacancies is not a human resources strategy at all. It is a recipe for social unrest. It should be condemned, not expanded, and I thank my colleague for raising it today.

• (1355)

Ms. Olivia Chow: Mr. Speaker, I hope the Conservative government allows this motion to be voted on so that we can have a thorough debate about this immigration bill. The budget in front of the finance committee is complex. Certainly there will be a lot of discussion on the complex financial issues. As for having the immigration piece pulled in, given there are so many clauses in it, there really needs to be a detailed analysis.

The Acting Speaker (Mr. Andrew Scheer): Resuming debate, the hon. Parliamentary Secretary to the Minister of Finance, who will have about five minutes before statements by members.

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, it is unfortunate that the circumstances of today have shortened my response to this motion from the hon. member.

On behalf of the Government of Canada and the Prime Minister, I rise to oppose this motion introduced by the hon. member for Trinity—Spadina. I would also encourage all hon. members to vote against this motion to divide Bill C-50 into pieces.

There are more than 900,000 people in the queue waiting to come to Canada. If we do not do something about that staggering number now, it will balloon to close to 1.5 million in just four years.

Canada is a destination of choice for potential immigrants from all over the globe. There are millions around the world who would like to come here and who would qualify to come here. They cannot all come here, though, and that is why we need to manage immigration:

to make it a system that is fair to prospective immigrants, fair to their families and fair to Canada.

I was proud on March 14 when our government introduced its budget and proposed amendments to the Immigration and Refugee Protection Act, the IRPA. I am proud that this government is taking positive steps to improve Canada's immigration system.

Let me address why the government has proposed amendments to the IRPA through provisions to implement the budget. Several precedents already exist in which previous governments have used budget bills to make changes to several pieces of legislation and not just to the Income Tax Act. What we are doing is not unprecedented.

As well, like any bill, the budget implementation act is a public document. It will be reviewed by the Standing Committee on Finance and the proposed amendments must be approved by Parliament and receive royal assent before becoming law.

The proposed changes are being sought in a transparent manner. As the House well knows, immigration is a key factor for the Canadian economy and figures prominently in this government's "Advantage Canada" priorities.

Finally, we should consider that the IRPA was passed in 2002, one of the few times, I might add, where major changes to the immigration system were made through wholesale changes to the act and also brought forward through the House of Commons and not done solely through cabinet.

The consultations and parliamentary debate that took place may have allowed for such discussion, but during the time of these discussions, over one million people applied to come to Canada in order to get in under the old rules. This is the genesis of the backlog that we have today, which is why a lengthy public debate on this matter might not help the problem that we are aiming to address. This is not to say that we are opposed to public debate about these proposals, as our efforts here today demonstrate.

I would like to expand on why these measures are important to Canada. I see my time is up, but I want to emphasize the fact that we will not be supporting this motion.

The Acting Speaker (Mr. Andrew Scheer): It is my duty to interrupt the proceedings on the motion at this time. Pursuant to Standing Order 66(1), the debate on the motion is transferred under government orders.

We will move on to statements by members.

STATEMENTS BY MEMBERS

[English]

HOCKEY

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, it is hockey season in the Upper Ottawa Valley.

Statements by Members

We extend congratulations to Pembroke's own Junior A hockey team, the Lumber Kings. For a second year in a row, the team has clinched the title as champions of the Central Junior A Hockey League. As the defending champions of eastern Canada, our boys look forward to travelling to Pictou County, Nova Scotia, to defend the Fred Page Cup. Then it will be back to eastern Ontario, to Cornwall, this year's host for the nationals and Royal Bank Cup.

Not to be outdone, our girls, the Pembroke Lumber Queens, are the this year's peewee and midget champions in their respective divisions in the Ottawa Valley District Girls Hockey Association.

I know, Mr. Speaker, that you will want to congratulate the Ottawa Valley Thunder bantam girls after they defeated their season-long rival, the Kingston Ice Wolves, in the gold medal round last weekend, to be crowned Ontario provincial champions.

Next week, Arnprior and the Ottawa Valley Titans play host to the Telus Cup national midget championships. The Ottawa Valley boasts Hockey Town Canada in Pembroke and the birthplace of the NHL in Renfrew.

We say "well done" to all this year's participants in Canada's national game.

* * *

•(1400)

WORLD MALARIA DAY

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, April 25 is World Malaria Day, a day to acknowledge the global effort to effectively manage and control malaria around the world.

Malaria continues to affect 40% of the world's population, infecting more than 500 million people per year and claiming the lives of over a million.

[*Translation*]

Today is an opportunity for malaria-free countries such as Canada to learn about the disturbing consequences of the disease and join the global fight against malaria.

[*English*]

Most importantly, it is a chance for affected countries and regions to learn from one another and their experiences and to strengthen their collaborative efforts to control the disease.

I urge all members of this House and Canadians alike to engage in local, regional or global efforts to combat this devastating but preventable disease.

United, together we can become the solution.

* * *

[*Translation*]

WORLD MALARIA DAY

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, malaria is one of the worst diseases plaguing humanity. It is spread by the bite of an infected mosquito and kills over one million people a year, mostly children. Every 30 seconds, a child dies from this disease. It is terrible.

April 25 was declared World Malaria Day at the 60th World Health Assembly in 2007. This is an opportunity to raise public awareness about this serious preventable global health problem and to urge the international community to find a solution.

This government must do more to prevent malaria-related deaths. Every one of us can help by buying a mosquito net from an agency like BUY-A-NET, which distributes the nets in African villages. Let us all do our part and save lives.

* * *

[*English*]

SOCIAL HOUSING

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, East Vancouver has suffered from years of government neglect on housing and homelessness. The buildup to the 2010 Olympics has made things worse. Since 2003, 1,300 single occupancy rooms have been lost, eliminating most of the last market housing available to Vancouver's poorest residents.

The federal government has shown again and again it does not care. It pledged another \$25 million for the Olympics in the budget, but there was no new money for affordable housing.

People have had enough. This week, the Carnegie Community Action Project, the Impact on Community Coalition, the Pivot Legal Society and UBC students launched a formal human rights complaint to the United Nations. It exposes how the federal government has failed to uphold the basic human right to housing.

The Conservative government must heed the urgent calls from the community and act now to ensure that existing low income housing is protected and new social housing is built.

No one should be homeless in this wealthy country of Canada.

* * *

CONSERVATIVE PARTY OF CANADA

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, Canadians deserve to be represented by members of Parliament who show up and provide a vision for the future.

Since I was elected over two years ago, I have been part of this team led by our Prime Minister, who has provided tax relief for all Canadians and support for families, northerners, farmers, victims of crime, our troops, immigrants, and all new Canadians.

All we know for sure is that the Liberal opposition leader, if given the chance, would strip it all away. What would he do instead? Who knows? He has no plans. He has no vision. He has no consistent policy.

Statements by Members

Leaders stand up and represent at every opportunity. In this House, the Liberal leader has had countless opportunities to stand up and be counted, but again and again he ducks out, dodges and runs for cover. To cover his shameful track record, the Liberal leader tells fairytales and dreams of made-up scandal.

While the Liberal leader forces his MPs to sit on their hands or run for cover, I can tell members that on this side of the House we are going to continue to stand up for our constituents, do our jobs and get results.

* * *

• (1405)

[Translation]

WORLD MALARIA DAY

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, World Malaria Day was instituted last year at the World Health Assembly, and endorsed by the World Health Organization.

Malaria, which is transmitted by a bite from an infected mosquito, is one of the worst diseases known to mankind. Each year this disease kills over one million people, the majority of whom are children.

Malaria also curbs economic growth, hinders development, and is a huge drain on many countries' health services.

A malaria awareness day shows how this worldwide scourge could be avoided with a concerted effort by all governments.

In Africa, a mother loses a child to malaria every 30 seconds. We can and we must do more to save people from the clutches of this disease.

I urge my colleagues to join me in calling on this government to take a leadership role in the relentless fight against malaria.

* * *

[English]

CHARTER OF RIGHTS AND FREEDOMS

Mr. Rod Bruinooge (Winnipeg South, CPC): Mr. Speaker, today marks the 26th anniversary of the Canadian Charter of Rights and Freedoms.

Today also marks the 23rd anniversary of the coming into force of the section 15 equality provisions of the charter, which took place on April 17, 1985.

Today, as we recognize these two anniversaries, we should take a long, hard look at the fact that there are still Canadians who are not treated equally under a Canadian law inspired by the charter.

Last November, the Minister of Indian Affairs and Northern Development introduced Bill C-21. This bill will right a wrong that should have been addressed many years ago. It will repeal section 67 of the Canadian Human Rights Act and guarantee that Canadians living on reserve benefit from the same access to the act as those living off reserve.

Unfortunately, the opposition parties have watered down the legislation and have taken away the full benefits provided under the Canadian Human Rights Act.

Three years or three months: both are too long to wait. In the spirit of the charter and the equal treatment of all Canadians, our first nations deserve better.

* * *

[Translation]

EARTH DAY

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, on April 22 the entire planet will dedicate a day to celebrating Earth.

Using as its theme "Planet Earth is suffocating... Let's WALK to help her breathe", a group in my riding, Eco Cowansville, is organizing a walk through the city. Participants will be able to visit green information booths, test their eco-knowledge and attend a talk by writer Serge Mongeau, author of a book titled *La simplicité volontaire, plus que jamais...*, and founder of the Quebec publishing house, Les Éditions Écosociété.

The mandate of Eco Cowansville, founded in January 2007 by citizens concerned about the planet, is to make area residents aware of the devastating effects of global warming and to engage its volunteer members in green activities. The Bloc Québécois wishes long life to this organization.

On Sunday, I will be walking for Earth and for a better future.

* * *

[English]

WORLD MALARIA DAY

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, experts believe that one of the many deadly consequences of global warming is a rise in the rate of infectious diseases such as malaria, but as usual when scientists speak the Conservative government does not listen.

In fact, instead of acknowledging the link between global warming and infectious diseases, the Conservative government has cancelled \$1.5 million that was meant to help developing countries meet their Kyoto targets, countries where the threat of malaria is greatest.

It is shameful that this government would cancel a commitment to aid nations where malaria is among the top three killers of children under five.

On World Malaria Day, April 25, we call upon the government to take real action to support international efforts to mitigate global warming and all international efforts to eradicate malaria.

* * *

GREG ATHANS

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, today I would like to pay recognition to the late Greg Athans, who will be inducted into the Canadian Ski Hall of Fame this evening.

Statements by Members

A native of Kelowna, British Columbia, Greg was an accomplished alpine and water skier, becoming the only Canadian to win gold medals in both winter and summer Canada Games. When he turned his talents to freestyle, Greg won a number of World Cup event victories, four World Cup titles and became the World Cup champion in moguls in 1980.

An ambassador of the sport as well as a humanitarian, Greg gave back in many ways. He worked to see the inclusion of freestyle skiing in the 1980 Olympics and supported young up-and-coming skiers to ensure the sport's longevity.

In his private life, Greg was much loved by family and friends for his keen intellect, quick wit and dry sense of humour. Greg is missed especially by his wife Peggy, daughters Carly and Zoe, his brother Gary and his mother Irene, who are here with us today.

Through his family, we congratulate Greg Athans, an outstanding athlete and an outstanding Canadian, on his induction into the Canadian Ski Hall of Fame, and we give him our thanks.

* * *

• (1410)

[Translation]

BLOC QUÉBÉCOIS

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, a few months shy of their 18th anniversary, the Bloc members are hoping to dispel the unprecedented existential crisis they are experiencing as the perpetual opposition party, trying in every imaginable way to justify their presence in Ottawa and even disguising themselves as Liberal Party federalists.

The media reported recently that the Leader of the Bloc Québécois was among the first Canadians to sign a petition urging the Conservative government to reduce greenhouse gas emissions by 25%, compared to 1990 levels, by the year 2020.

This is rather surprising, considering the fact that, according to the Bloc and its head office, that responsibility belongs to Quebec and that the federal government is using the environment as a Trojan horse to intrude on matters of Quebec jurisdiction. Why this hypocrisy? Why this about-face? Why is the leader of the Bloc Québécois not respecting Quebec's jurisdictions?

Fortunately, the Conservatives are in the Bloc's path in Quebec. Thanks to our policy of open federalism, Quebec's jurisdictions are protected from intrusions by the Bloc.

* * *

MONTREAL ASSOCIATION FOR THE BLIND

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, I am proud to rise in this House to celebrate the 100th anniversary of the Montreal Association for the Blind.

[English]

One hundred years ago, the Montreal Association for the Blind opened its doors providing a library, a school and an early step toward full participation in the community for Montreal's blind population.

It started as the dream of my great-grandfather, Philip E. Layton, and his wife, Alice.

Blinded as a teenager, Philip was a successful businessman, but he was appalled that most blind people lived in poverty and had no opportunities for schooling or work. He was determined to improve their plight by organizing the blind community to fight for its rights, a fight that still continues.

[Translation]

Since its inception, the association has provided hope and opportunities to generations of blind people in Montreal. I join all members of the House in thanking and congratulating the staff, students and members of the Montreal Association for the Blind on its 100th anniversary.

Let us applaud the positive impact it continues to have today.

* * *

WORLD MALARIA DAY

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, April 25 is World Malaria Day. This disease kills over one million children a year, most of whom are under the age of five.

Currently, roughly 40% of the world's population living in the poorest countries on the planet is exposed to malaria. Because of the Conservatives, Canada's development assistance is below average for OECD member countries, contrary to what they promised.

They promised they would improve Canada's access to medicines regime in order to ensure access to medicines for developing countries, namely for countries greatly affected by malaria. This is just another broken promise, as we are still waiting.

The government must take action. Canada must honour its development assistance commitments and must facilitate access to the necessary medicines to combat malaria. We have had enough empty promises. Let them show some compassion and take immediate action.

* * *

MINISTER OF JUSTICE

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, what would people say about a Minister of Justice who tells lie after lie, misleads the House, distorts the facts and falsifies the truth? That is what the Minister of Justice and member for Niagara Falls did during question period when he said that the Bloc Québécois did not support him in cracking down on criminals and battling organized crime. I would like to remind him that the Bloc supported Bill C-2, which brought together the five justice bills from the previous Parliament.

The Bloc Québécois has voted in favour of every bill that did not include mandatory minimum sentences and that gave the police more investigative tools. The Bloc Québécois supports or is preparing to support bills on identity theft and auto theft.

Oral Questions

I would ask the Minister of Justice to halt his disinformation campaign about the Bloc Québécois' stance on justice issues. Lies and deceit are the weapons of the weak, as our fellow citizens well know.

* * *

[English]

WORLD MALARIA DAY

Mr. Glen Pearson (London North Centre, Lib.): Mr. Speaker, during the one minute I use to make this statement, two children will die of malaria. It is the leading killer of children in Africa. This mosquito-borne disease is also the leading cause of global poverty.

On World Malaria Day, we are calling attention to this devastating, but preventable, disease. Malaria lacks the profile of other global threats but it is more deadly. The sad thing is that malaria can be prevented.

The World Health Organization says the most effective measure to prevent malaria is as simple as a bed net that covers four family members.

I have fought malaria myself for the last 40 years. My three children have it and I have lost many good friends to it. I urge all of my colleagues in this House to just do a simple thing: buy a bed net for the people who suffer from malaria.

* * *

●(1415)

CITIZENSHIP AND IMMIGRATION

Mr. Wajid Khan (Mississauga—Streetsville, CPC): Mr. Speaker, contrary to the Liberals, this Conservative government values immigration and the critical role newcomers play in making Canada a better place.

The Liberals imposed a \$975 immigrant head tax, froze settlement funding and caused the backlog to skyrocket to over 800,000. The Liberals have no plan, no vision and no right to call themselves the party of immigrants. They are trying to divide ethnic communities with their misinformation and fear-mongering. They should be ashamed of themselves.

Unlike the Liberals, this government is taking real action to help immigrants and their families. In fact, last year we welcomed almost 430,000 newcomers, the largest number in almost 100 years. We cut the Liberal immigrant head tax in half and provided \$1.4 billion in settlement funding. We want to bring families together faster and skilled workers sooner.

This government is helping immigrants succeed because the success of the immigrants is the success of Canada.

ORAL QUESTIONS

[English]

ELECTIONS CANADA

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, in the spirit of transparency and accountability, will the

Prime Minister, the leader of the Conservative Party, consent to unseal the warrant documents used in the RCMP raid?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I do not believe we have even seen them ourselves.

However, the issue at stake, in the contention and dispute between ourselves and Elections Canada, is a simple one. Elections Canada has an interpretation that says that Conservative Party candidates cannot talk about our national leader or our national policy in our advertising and in our promotion. It says that is not allowed but it also says that is only not allowed for Conservatives. We think that is unfair.

We think we can talk about our leader and our policies and we think we should have the same rules apply to us that apply to all other parties. That is why we took Elections Canada to court.

Hon. Stéphane Dion (Leader of the Opposition, Lib.): The question was clear, Mr. Speaker. I will ask the question again because the RCMP raid on Conservative Party headquarters is a very serious matter and the Prime Minister owes Canadians the full truth.

Will the Prime Minister consent to unseal the warrant documents that convinced the court that the drastic gesture of an RCMP raid was necessary?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, that question would be better directed to the people at Elections Canada. They are the ones whose consent he is seeking.

We also have the same question. Why was it necessary? Our party had offered to cooperate in providing every document Elections Canada asked for. In fact, we did provide every document Elections Canada asked for. It leaves a very serious question: Why was this necessary? We do not understand that.

[Translation]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, the question to the government is very clear; everyone understands it and we can see that the government does not wish to reply.

Will the government agree to the disclosure of this information, that is, the information pertaining to the warrant and any information that could reveal, for example, that the Conservative Party did not cooperate with the investigation or that could indicate the extent to which the Conservative Party violated the law in the last election? Will he agree to disclose this information, yes or no?

*Oral Questions**[English]*

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I will say it again. I gather he is not listening or cannot understand what I am saying, but we have not seen the affidavit documents supporting the warrant. We do not know what they are. If he wants to see them, he will need to get the consent of Elections Canada.

We are interested in having the exact same questions answered because all our practices are perfectly legal. They follow the law. They are the same as other parties. We have offered every document to Elections Canada that it has sought.

All those matters concern us. We want to see the same treatment for our party that every other party gets.

• (1420)

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, Elections Canada was forced to obtain a search and seizure warrant for access to information that the Conservatives were obviously desperate to hide.

The government has obstructed Elections Canada outside the House and has insulted Elections Canada inside the House, but the question is about the character of the person who leads the government. Why is he obstructing an institution charged with protecting the integrity of our political system? Who does he think he is?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I honestly thought the member for Etobicoke—Lakeshore was a better man than to assert as fact things that are simply untrue.

The fact is simple. We have provided to Elections Canada in our dispute every document it has asked for. Nothing has been hidden. He is right. It does pose the question: Why was this Elections Canada search necessary?

The essence of the real issue is why the Conservatives are not allowed to talk about their national leader and their national policies in an election. Why are we treated differently from every other party? That is why we took Elections Canada to court.

[Translation]

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, the Conservative Party is the only party to have violated election rules in this matter. Now it is refusing to cooperate with Elections Canada in its investigation, and that has resulted in the search of its offices by the RCMP. The real reason for this sad state of affairs is that the Prime Minister thinks he can thumb his nose at the law.

Is that why we have reached this point?

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, we have taken Elections Canada to court because we disagree with its interpretation of the law. We believe we should be able to talk about our national leader and our national policies during campaigns, even at the local level.

We are not the only people who have taken Elections Canada to court on its interpretations. The member for Toronto Centre, a Liberal leadership candidate, took Elections Canada to court because he disagreed with its interpretation. Guess what? He succeeded because Elections Canada was wrong in its interpretation.

We believe it is wrong once again.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Leader of the Government in the House of Commons is wondering why the Conservatives are treated differently than the other parties. It is really quite simple. It is because they acted differently than the other parties. It is as simple as that.

Having said that, we are asking that he produce the search warrant. He says that they do not even have it. They must be joking. Police forces are required to provide a copy of the search warrants by law. Therefore they have it. They should stop skirting the issue.

They have it. What is preventing them from making the search warrant public and producing it in this House? They have it and they should stop hiding it.

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the essential question is something in which we are interested. We have not seen what was in the affidavit that justified it. If the member wants to know, he will have to ask Elections Canada, as we have.

The fundamental issue arises from a dispute with Elections Canada. We have taken Elections Canada to court because we believe it is an unfair and an unreasonable interpretation that our candidates cannot talk about their national leader and cannot talk about their party's policies in their local campaigns.

We cannot understand why that interpretation is reasonable. I think most Canadians would agree that we should be able to do that.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, when he was president of the National Citizens Coalition, the Prime Minister said this about Elections Canada officials, "Those imbeciles at Elections Canada are out of control."

What the government does have control over is the search warrant, which it refuses to produce in this House. Although they have it, the Conservatives want to hide it just like everything else.

Why are they so intent on not producing in this House that which they have in their possession? Are they trying to force another search just so we can have the right to see the warrant? This is completely ridiculous; we are being laughed at.

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I have answered that question several times. We have not seen the affidavit. It will require the consent of Elections Canada to release it to us or to anybody else.

Oral Questions

●(1425)

[Translation]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, by playing the victim, the Prime Minister is once again showing his contempt for democratic institutions and rules. His crusade against Elections Canada, which goes way back, and his desire to muzzle anyone who does not think like him are obvious evidence of this.

Will the Prime Minister admit that the RCMP conducted a police raid on the Conservative Party headquarters because he is unlawfully hiding documents?

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Not at all, Mr. Speaker. We have made available to Elections Canada every document it has sought with regard to our dispute with the court case we have initiated on the interpretation of the elections law.

[Translation]

Elections Canada's position is as follows: Conservative candidates are not permitted to promote the policies of our party and of our leader. We feel that is absurd.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, must I remind the House that the search was related to a scheme that, according to Elections Canada, allowed the Conservative Party to spend \$1.2 million during the last election in violation of current legislation?

How can the Prime Minister continue to talk about integrity and transparency when everyone sees that, according to Elections Canada, his party bought itself an apparently clean image through advertising, using dirty money?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I would simply like to reiterate that Elections Canada's position is as follows: Conservative candidates are not permitted to promote the policies of our party and of our leader. We feel that is absurd.

Furthermore, we believe that it is unfair that this interpretation applies only to Conservative candidates. This demonstrates that the parties are not treated equally. That is why we are taking Elections Canada to court, which is reasonable and straightforward.

* * *

GASOLINE PRICES

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, a Statistics Canada study shows that the price of gasoline increased by 8% last month—and by 17% in February. In Montreal, they are even paying \$1.30 a litre. The big oil companies are getting major funding from the government, when they are already making huge profits. There is no excuse for the government's lack of action to protect consumers.

When will we see this government take some action at the pumps for the average Canadian?

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, we took action to reduce the cost of fuel for families when we lowered the GST from 7% to 6% to 5%. I know the NDP has a very different plan, a plan to raise the tax on fuels. I read the following:

Green Taxation Reforms: The NDP has emphasized the need to change existing tax laws and tax credits that artificially lower the true costs of fossil fuels...

That is from the NDP action plan, previously posted on the NDP site. Apparently its has taken it off now that this is a hot issue it wants to pursue.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, prices are going through the roof at the gas pumps. The gas companies have long since gobbled up any GST cut that the government gave. It gave a GST reduction and the oil and gas companies grabbed it.

Here are the prices: \$1.19 in Toronto; \$1.26 in the Lower Mainland; and \$1.29 in Bonavista. Because there is not adequate transit, the average working family is forced to use its car to go to day care, or to take its kids to hockey, or to go to work. Yet what we get from the government are subsidies to the big oil and gas companies.

When will we see a plan to protect the consumers of our country?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, he just said it. He believes that oil and gas are unreasonably subsidized. He thinks the prices should be higher. Do not take it from me; take it from the NDP Kyoto plan, which states:

Stop tilting the marketplace towards unsustainable fuel and, over four years, shift... subsidies away from unsustainable fuels towards renewable ones. The first step is to reverse the tax reductions for fossil fuel industries...

NDP members want higher taxes. We are cutting out the tax breaks for big oil. They voted against that. However, what we are doing is lowering the GST, while they are proposing higher fuel taxes for all—

* * *

●(1430)

ELECTIONS CANADA

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the government will not explain what Elections Canada and the RCMP were looking for at Conservative Party headquarters. The Conservatives were clearly asked for certain documents. They obviously failed to cooperate because Elections Canada then had to take the extraordinary step of getting a warrant. That warrant was authorized by a judge and executed by the RCMP. Canadians have a right to know what the search warrant did say they were looking for.

Will the government consent today to a court order to release the warrant and the affidavit that convinced the judge to issue it?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I have said several times that we have not seen the affidavit. Apparently, he has not heard that. The search is a mystery for us.

Oral Questions

What the Liberal House Leader said is wrong. We have cooperated and provided every document that Elections Canada has sought with regard to our lawsuit.

Our view is we simply want the same treatment that others have received. For example, the member for Notre-Dame-de-Grâce—Lachine, in 2004, received \$16,132.93 from the Liberal Party to pay for advertising. Then after the campaign, she transferred back \$16,132.93. It is the same—

The Speaker: The hon. member for Wascana.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, it is just not credible for Conservatives to say that they are victims in the police raid on their party headquarters. They appointed the Chief Electoral Officer. They appointed the Elections commissioner. They appointed the head of the RCMP. It is their own hand-picked people who are pursuing this investigation.

However, here is a different question. Was the Prime Minister personally present at his party's headquarters at any point on the morning this raid began? Was he there and did he have access to any material the police were about to seize?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the questions get more absurd and factually false. I am surprised the Liberal House leader does not realize that a commissioner of elections is not appointed by the government, but by the chair of Elections Canada. He laughs now. He laughs at his own mistakes. I find that not surprising.

However, we know one group was at our headquarters the day the search was undertaken. It was the Liberal Party with its camera crew in tow.

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the minister's answers are vacuous. The Conservative Party is suing taxpayers in a civil, private proceeding to put more cash in the pockets of its local Conservative candidates. That is a civil action.

In civil cases there are no search warrants, no police raids. The warrant and the raid are part of something different and bigger, a quasi-criminal investigation into Conservative overspending at the national level.

Why is the minister so desperate to mislead Canadians away from the truth?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the member for Notre-Dame-de-Grâce—Lachine just had an opportunity to get up and explain to the House her actions in 2004, where she accepted \$16,000 from the Liberal Party, gave it back and then claimed a rebate on it. She did exactly what she says is criminal behaviour by the Conservative Party.

Guess what? She did that and now she claims it is wrong when we do it. That is our concern. We believe all parties should be treated the same. We believe this behaviour is legal, and we do not know why different standards should apply to different parties.

[*Translation*]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, my statements for the 2004 and 2006 elections passed the test. Theirs did not.

Since the Leader of the Government in the House of Commons gives us nothing but doublespeak, I have a question for the Minister of Transport, Infrastructure and Communities. During his election campaign, he personally authorized the advertising on which his party spent thousands of dollars.

How was this advertising able to help him in Pontiac, when it was only used in the Quebec City area, 500 km away?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the member for Notre-Dame-de-Grâce—Lachine pointed out exactly the problem with the situation. Her return was cleared. The Liberal Party of Canada transferred \$16,000, which she used on her campaign. She received it on May 29, 2004. She returned that \$16,000 to the Liberal Party in October 2004 and she claimed a rebate from the taxpayers.

It is the exact same structure that has been used by all parties. We do not understand that when the Conservatives did it, it became inappropriate.

* * *

• (1435)

[*Translation*]

BROADCASTING AND TELECOMMUNICATIONS

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, culture is the cornerstone of the Quebec nation, and broadcasting and telecommunications content should be regulated in Quebec City. This power can be transferred by means of an administrative agreement, without a constitutional amendment.

If recognizing that Quebec is a nation really means something to the Conservatives, then what is the government waiting for to walk the talk and allow Quebec to create its own broadcasting and telecommunications commission?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I understood that my hon. colleague would like there to be a CRTC in Quebec City.

Personally, I would like to see another federal institution installed in Quebec City. Honestly, why not send a Bloc Québécois to Quebec City? The Bloc members have become the senators of the sovereigntist cause here in this House, honorary sovereigntists who blow a lot of hot air. Like Victor-Lévy Beaulieu, it is probably time to—

The Speaker: The member for Saint-Maurice—Champlain.

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, I do not think that the minister's answer will do anything to satisfy the groups that defend Quebec's cultural interests.

Oral Questions

Moreover, when he was Minister of Communications in Robert Bourassa's cabinet in Quebec City, the current Minister of Transport, Infrastructure and Communities asked for the power to regulate broadcasting and telecommunications because the Quebec nation was vulnerable within North America. That has not changed. Yesterday, the same minister said exactly the opposite.

Are we to understand that once he got to Ottawa, the Minister of Transport, Infrastructure and Communities forgot all about Quebec and decided to serve his own interests and those of the rest—

The Speaker: The hon. Minister of Transport, Infrastructure and Communities.

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, yesterday, I referred to the Supreme Court decision in the Guèvremont case, which put an end to the claim that Quebec has authority over telecommunications. In April 1994, the Supreme Court ruled in favour of the Government of Canada.

We know that André Jolicœur handled the case. He was an amicus curiae, and the Parti Québécois candidate in the 2007 provincial election, and the person who defended—

The Speaker: The hon. member for Marc-Aurèle-Fortin.

* * *

PUBLIC SAFETY

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, Quebec opposed the federal-government-supported police intervention in January 2004 on the Mohawk territory of Kanesatake. The Quebec government even distanced itself from the operation, which ended with several peacekeepers being held in the police station, and the home of the grand chief at the time, James Gabriel, being burned by arsonists.

Will the Minister of Public Safety admit that the federal government's stubbornness in proceeding despite Quebec's opposition triggered a crisis, and that the Government of Quebec is still dealing with the consequences of that crisis?

[*English*]

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, our government will not tolerate mismanagement of Canadian taxpayers' money and unlike the previous government, any allegation of mismanagement is a matter that our government takes seriously. That is why we launched a forensic audit.

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, my question for the government is this: will you pay or not?

Since the failed operation, security provided by the Quebec provincial police has cost Quebec taxpayers \$30 million, and now, four years later, Quebec is still absorbing the costs, which go up every month.

The Government of Quebec wants Ottawa to pay a portion of the Quebec provincial police's bill, but the federal government is ignoring the request. Will the federal government pay its share or not?

[*English*]

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, as I said, the government will not tolerate mismanagement of Canadian taxpayers' money. The forensic audit followed up on the observation made by auditors working on a financial audit regarding the management of financial activities at Kanesatake between April 2003 and March 2005, while the other party was in power, as well as the expenses incurred by the Mohawk Police Service.

* * *

● (1440)

ETHICS

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, Chuck Cadman's wife, his daughter and his son-in-law have each confirmed that Mr. Cadman was offered a bribe by Conservative Party officials. The Prime Minister was caught on tape saying: "the offer to Chuck was that it was only to replace financial considerations he might lose due to an election".

What were these financial considerations and why does the Prime Minister refuse to explain the tape?

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, I have answered this question a number of times as has the Prime Minister. I went to my colleague from Vancouver Quadra's website and it says:

Canada's federal government must continue to invest in research and quality post secondary education and I will make that a priority when elected as your Member of Parliament.

She has been a member of Parliament for a few weeks now. Where is the question on higher education? Where is her commitment to the people of Vancouver Quadra to raise substantive issues?

She is lost in fantasyland, but she has an opportunity with her supplementary question to either ask the question she said she was going to during the campaign, or read the question that was given to her by her leader. Let us see what she does.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, another one of the Prime Minister's puppets who usually has his pants on fire and perhaps that is why we had fire trucks here today.

[*Translation*]

On the tape, when the Prime Minister was asked about the offer made to Mr. Cadman, he said, "I don't know the details. I know that there were discussions."

Why is the Prime Minister refusing to answer? Will he explain what he said in the recording?

Oral Questions

[English]

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, I guess the students at the University of British Columbia have their answer about their member of Parliament and her commitment to raise issues regarding UBC in the House of Commons. She can continue to raise these fantasy questions and can continue to try to raise issues and scandals that in fact never happened.

We have answered this question. We made it clear. The Liberals have accused us of offering Chuck Cadman a million dollar life insurance policy. It is entirely untrue. We have stuck to the facts and I wish that my colleague from Vancouver Quadra would stick to the facts on her website where she said she would stand up for her constituents. So much for that.

Hon. Ken Dryden (York Centre, Lib.): Mr. Speaker, with every scandal around him, the Prime Minister can pretend—

Some hon. members: Oh, oh!

The Speaker: Order, order. This is question period not a hockey game. We are hearing now a question from the hon. member for York Centre and we have to be able to hear the question. Order, please.

Hon. Ken Dryden: Mr. Speaker, with every scandal around him, the Prime Minister can pretend it is about somebody else. With the Cadman affair he cannot. It is all about him. His voice. His words.

Yesterday, the parliamentary secretary said there have been 150 questions, and from the Prime Minister, not one answer. But if he does not answer, there will be 150 more.

To the Prime Minister, do not slink down. Stand up. Explain.

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, again, a little bit rich coming from the member for York Centre, asking anybody in the House of Commons to stand up. We have had a number of votes in the House of Commons in the past few weeks where the hon. member was, well, less than standing up.

We have some votes coming up in the future, so I would like to say to the member for York Centre, do not slink down. Do not sit down. Stand up and vote.

Hon. Ken Dryden (York Centre, Lib.): Mr. Speaker, I ask the parliamentary secretary to think hard about two things. Recently, hoping to distract from his Prime Minister's silence, he pointed out how Watergate all happened before he was born, but Watergate was not just about the downfall of a president. It was about a spokesperson, just like him, left in the dark, not asking questions, hung out to dry.

Last week he talked about something else he was almost too young to know. Pull the goalie? This is April. I do not get pulled.

• (1445)

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, he says he does not get pulled. He pulled himself on every confidence vote in the House of Commons. He did not show up.

Again, I know 1972 was a fond year for my colleague from York Centre, and 1974 may be a fond one for him as well with the Nixon administration, but the reality is that we have spoken the truth. We have stood up and have consistently voted in the best interests of Canadians.

The member for York Centre can sit there and sulk, and slowly skate to the bench as he sits there and does nothing for Canadians.

* * *

NATIONAL DEFENCE

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, Chief of the Defence Staff Rick Hillier once called the time the Liberals were in power the “decade of darkness”. That decade is over. Our government is firmly committed to rebuilding the Canadian Forces and supplying our military with the resources it needs in order to protect our land and to offer military assistance around the world.

Our valuable resources are our women and men who dedicate their lives to making a difference and serving their country. Our government is committed to increasing the number of recruits in the forces.

Could the Minister of National Defence tell us what is being done to encourage Canadians from all walks of life to join the military?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, I thank the member for Renfrew—Nipissing—Pembroke for her question and for her support for the Canadian Forces. In fact, I was honoured this week to unveil the latest ad with respect to the Canadian Forces, the recruitment campaign called “Fight Fear”. This is in addition to two previous, very successful, ad campaigns. These ads showcase our work in Afghanistan, the Arctic, search and rescue, and interoperability with the RCMP.

We are proud of the work being carried out by the men and women of the armed forces. We are proud of their professionalism, their great courage, and in fact, as the ad says, they are going to continue to fight chaos, terror—

The Speaker: The hon. member for Outremont.

* * *

[Translation]

PUBLIC SAFETY

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, in the Kanesatake matter, a mere forensic audit will simply not suffice. Last night, Radio-Canada reported that the Liberal government engaged in shameless interference in the 2004 election in Kanesatake and that these irregularities resulted in the tragic events that we are all familiar with.

Will the Minister of Public Safety agree to hold a full investigation? Who orchestrated this interference? Who pulled the strings? Who benefited from it? Canadians have the right to know.

*Oral Questions**[English]*

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, as I indicated earlier, our government will not tolerate mismanagement of Canadian taxpayers' money. There was a forensic audit which followed up on the observations made by auditors working on a financial audit regarding the mismanagement of financial activities at Kanesatake between April 2003 and March 2005. That is why we had that audit done.

[Translation]

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, that is not enough. The documents obtained by Radio-Canada clearly show that the use of all this police force was unjustified. On its own, the police intervention teleguided by Ottawa cost \$900,000. But since the crisis, Quebec has spent over \$30 million on security at Kanesatake, and the SQ patrols continue to cost \$300,000 a month.

Is the government prepared to pay its share of the damage done by the Liberals? That is the question.

[English]

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, as I have already indicated, we had a forensic audit done. The report will be submitted to the minister and we will go from there.

* * *

GOVERNMENT CONTRACTS

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, when the finance minister got caught giving an untendered \$122,000 contract to his friend, he tried to blame his officials. Now we know that the minister was advised not once but twice by those same officials that it was against the rules and he decided to do it anyway.

Will the minister apologize to those officials that he blamed and explain to taxpayers why his friends are on the take?

• (1450)

Hon. Jim Flaherty (Minister of Finance, CPC): What I said, Mr. Speaker, was that administrative functions were not followed, which is absolutely true and accurate. I made that clear in the House. For the hon. member to suggest anything else is beneath contempt.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, just a reminder that the minister is responsible, no one else. He is the minister. He takes the last hit on it.

We already know about two of Mr. MacPhie's finance contracts, one for \$122,000 and another for \$25,000. We also know there was a third contract for work on a tax credit scheme, originally for \$7,500 but ballooned to \$20,000. That is more than \$160,000 in untendered contracts to this Conservative cronny.

Why should taxpayers be on the hook for the minister's political debts?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, we have been open and transparent about these contracts. They were listed online as part of proactive disclosure. They are on the website for anyone to read. Work was done. Value for money was done in very sensitive matters pertaining to national budget matters. Competent work was done.

There was an error made administratively with respect to one of the contracts and I have acknowledged that from the word go.

[Translation]

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, when the Minister of Finance awarded an illegal contract worth \$122,000 to a friend, he said it was an administrative error. Nonetheless, today, we know that his own officials had told him in advance that such a contract was not allowed. It was not an error, but a deliberate act.

Why did he deliberately break the rules? Why did he try to blame others? And why did he mislead the House?

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, if the member opposite is suggesting that I deliberately broke the rules, he is wrong. It is absolutely not so. As I said weeks ago in this place and I will repeat again, with respect to that one contract, the administrative rules were not followed. That has been corrected and has not recurred.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, there have been sole source contracts to friends, a train through his riding that VIA Rail says is uneconomic, big time campaign donors appointed to crown corporations, and millions of dollars of funding associated with his wife.

The Prime Minister sits only feet away from this minister. He must smell the pork by now. Or is it the Prime Minister's view, after the RCMP raid and the Cadman scandal, that pork and corruption are business as usual for the government?

Hon. Jim Flaherty (Minister of Finance, CPC): The member opposite, Mr. Speaker, speaks about pork. Let us talk about beef. Where is the beef? It is in billions of dollars of new support for R and D. It is the landmark tax-free savings account. It is solving the fiscal balance in Canada. It is the lowest unemployment rate in a generation. It is cutting the GST by 2%. It is in the historic \$33 billion for infrastructure. It is the strongest economic fundamentals in the G-7.

We have a plan, "Advantage Canada". The problem over there is that they have no plan, no policy, no vision and no leadership.

* * *

*[Translation]***BILL C-484**

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, the Fédération des femmes du Québec and the Fédération du Québec pour le planning des naissances are again stating their opposition to Bill C-484, because it represents a real threat to the right to abortion. While the women's movement is mobilizing across Quebec and Canada, the Minister of Status of Women is doing nothing.

Will the minister stop hiding behind excuses, such as saying that it is a free vote? Will she do her job and defend women?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I am sorry the hon. member may be offended by a free vote on a private member's bill but that is the case.

We are moving ahead on our agenda and one item is the mandatory jail terms for people who commit serious drug offences and ID theft. I hope the hon. member will support these initiatives.

* * *

• (1455)

[Translation]

JUSTICE

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, yesterday, the U.S. Supreme Court authorized the resumption of executions, ruling that lethal injection is constitutional. With the lifting of the moratorium on the death penalty, which is cruel and unusual punishment, it is more urgent than ever that the government request that the death sentence facing Canadian Ronald Allen Smith be commuted to life in prison.

Will the government finally intervene with the authorities in Montana?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, that particular matter is before the court. However, as we have indicated, on issues involving Canadians outside this country, we will deal with them on a case-by-case basis.

* * *

THE ENVIRONMENT

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, Barry Cooper has been a close friend and ally of the Prime Minister and Tom Flanagan for decades. He is a columnist who has written specifically about the environment minister.

Friends of Science briefed Conservative MPs in May 2006 on its climate change denial rhetoric and 35,000 copies of its anti-Kyoto video were distributed, including to each member of the Conservative caucus.

Will the Environment Minister now admit that he misled this House yesterday when he claimed that he had never heard of any of these people and never heard of Friends of Science?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, let me be clear. Yesterday the member for Ottawa South said that I was the co-chair of the 2006 Conservative Party campaign. That, in fact, was not the case. I have never heard of Morten Paulsen, Barry Cooper or Douglas Leahy.

I did attend a dinner by the Canadian Renewable Fuels Association and I am told that two people from the group in question attended. I do not recall ever seeing them.

Oral Questions

HEALTH

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, Canadians clearly expressed their desire for shorter wait times even though the former Liberal health minister said that it could not be done.

Last year, the Prime Minister and the Minister of Health announced that a significant step had been taken in fulfilling the wait times election promise. Within a year of that promise, all the provinces and territories committed to our wait times project.

Just today, the Wait Time Alliance released its report card on wait times in Canada.

Would the Minister of Health please update this House on the results?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, as the hon. member mentioned, we have signed 13 agreements with each of the provinces and territories respecting Canada's first patient wait time guarantees.

This new Wait Time Alliance report indicates that there has been clear progress in the five priority areas, with marked progress being made in cancer care and cardiac care at a time when the demand for health care only grows.

Progress is being made, more work must be done, but after 13 long years of Liberals doing nothing on the health care file, we are acting.

* * *

AFGHANISTAN

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, Canada's involvement in the combat mission in Afghanistan has increased. Funds for domestic operations of the Canadian Forces have been allocated to the mission in Kandahar. Media reports today reveal that there is a half a billion dollar shortfall for the air force. This will affect transport aircraft, Arctic sovereignty and search and rescue in B.C. and the rest of Canada.

The cost of the war is rising by hundreds of millions of dollars every year. Where will the minister find the money to protect Canada's lands and coasts?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, do you know what is really cynical about the NDP members? They voted against the mission in Afghanistan. They do not support increases for the men and women in uniform, or their families or veterans.

Being a defence critic for the NDP is a bit like being a tailor in a nudist colony. There is lots to see, lots to talk about but at the end of the day they do not do anything. That is the naked truth about the NDP.

Business of the House

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, 442 Squadron is flying 50-year-old Buffalo search and rescue planes. Only two other countries use these planes. The Kenyans sold theirs and the Brazilians are selling parts to us but there are not enough propellers to go around.

The government promised to replace the aging fixed-wing aircraft. Now it will be waiting six more years.

Our SAR techs are doing their best to provide safety for British Columbians. Will the government give them the modern equipment they need to do their job today?

• (1500)

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, again, it is not only cynical, it is hypocritical for the member from the NDP to be getting up and somehow trying to suggest that she is worried about the health, welfare and well-being of the Canadian Forces.

On every occasion we have brought legislation, we have brought bills, we have brought initiatives before this House for support for the Canadian Forces, the veterans and their families, that member and that party in the communist corner have voted against them.

* * *

THE ENVIRONMENT

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, the minister seems to forget about a lot of dinners. Let us refresh his memory.

Mr. Paulsen acted as a spokesman for him during the last election while on Friends of Science's payroll. Friends of Science says that it was Mr. Paulsen who was responsible for selecting the ridings where these illegal third party radio ads ran.

Will the minister simply tell Canadians who in the Conservative Party helped Mr. Paulsen choose which ridings to target and what exactly was promised to Friends of Science in exchange for its climate change denier attack ads?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, a spokesman for me? I have never met the man. I do not know the man.

What is very clear here is that all the Liberal Party has left is smear, slander and character assassination.

The member for Ottawa South has nothing better to do with his time than to make things up. The fact that he will not repeat any of these allegations outside the House of Commons speaks volumes of the character of the member for Ottawa South.

* * *

ANTI-DRUG STRATEGY

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, last October, the Prime Minister announced Canada's new national anti-drug strategy. Groups from every sector of the addictions fields came out in support of the strategy because Canadian parents have been bombarded by confusing mixed messaging from the previous Liberal government for far too long.

The Liberals' poorly devised and misplaced messaging has led to some Canadians wondering if marijuana is still illegal.

Since launching the strategy, the Minister of Health has strengthened and improved the messages we send to Canada's youth on drug abuse.

Would the Minister of Health please update this House on how that process is going?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, it is going very well, and the hon. member has outlined our national anti-drug strategy.

When I became the health minister, I found a Liberal, government funded booklet which says that young people would choose marijuana to have a good time, to experiment, to relax, to relieve boredom, to cope with problems and to be different.

Canadians deserve clear anti-drug messages to protect their kids. They do not need Liberal Party talk that would confuse our young people and lead to harm.

* * *

[Translation]

GOLDEN NEMATODE

Mr. Luc Malo (Verchères—Les Patriotes, BQ): Mr. Speaker, when I ask the question, the government says there is plenty of money to resolve the golden nematode crisis in Saint Amable.

Can the Minister of Agriculture and Agri-Food tell us whether he was more selective in his comments when Christian Lacasse, president of UPA, told him during their meeting, "Quebec is prepared to come to an agreement but the federal government is dithering"? When will there be a long-term plan to help the producers in Saint Amable?

Hon. Christian Paradis (Secretary of State (Agriculture), CPC): Mr. Speaker, my colleague knows as well as I do that the federal government has shown leadership on this issue. We have resolved the crisis in the short term. Now we are working on the medium and long terms. If the hon. member were honest in the House, he would see that work is being done on the ground, that the industry is being consulted and that departmental officials are working flat out, as requested by the Minister of Agriculture and Agri-Food, to put this problem behind us.

What are they doing? They are doing nothing. They just talk and talk.

* * *

[English]

BUSINESS OF THE HOUSE

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, I wonder if the government House leader would be good enough to explain not only what he has in mind for the rest of today and tomorrow, but for the week that the House will resume after the April break.

Since the government House leader designated this particular week as a week of fighting crime, I wonder if he would explain how that has been going, especially at Conservative Party headquarters. I wonder if he would take the opportunity to explain the difference between financial transactions and political parties that are under the national spending limit and those transactions that exceed the limit and break the law.

• (1505)

The Speaker: The question concerns the business of the House. I think perhaps the government House leader might want to stick to that in his answer rather than wandering off as invited by the opposition House leader.

[Translation]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, in last fall's throne speech, our government presented five clear truths to Canadians.

[English]

We said we would get tough on crime, maintain our prosperous and vibrant economy, improve the environment and health of Canadians, strengthen our federation and restore Canada's place in the world. Over the past few months we have made significant progress in all of these areas with lowering taxes and debt, extending the military mission in Afghanistan, and passing the Tackling Violent Crime Act to get tough on crime.

This week is indeed stronger justice system week. We have been successful so far in moving forward on our plan to tackle violent crime with Bill C-31, a bill to amend the Judges Act which has been sent to the Senate, and Bill C-26, our anti-drug law which passed second reading.

However, we will not rest on our laurels. Today and tomorrow we will wrap up our stronger justice system week by hopefully returning our bill on criminal procedure, Bill C-13, to the Senate. We also hope to debate our bill to reinstate modified provisions of the Anti-terrorism Act, Bill S-3, as well as Bill C-45, dealing with our military justice system.

[Translation]

Next week's theme is "putting voters first" because MPs will be returning to their ridings to consult Canadians in their communities.

The following week, we will be examining another priority: "improving the environment and health of Canadians".

As members already know, our environmental plan announced in the throne speech was adopted by the House last fall.

[English]

There is, however, more to be done. We will start by debating Bill C-33. This bill requires that by 2010, 5% of gasoline, and by 2012, 2% of diesel and home heating oil be comprised of renewable fuels. This bill will help reduce greenhouse gases and represents an important part of our legislative plan to reduce greenhouse gas emissions by 20% by 2020.

Business of the House

[Translation]

In addition, we will begin debate on two very important bills concerning food safety and consumer and health products in Canada, namely Bill C-51 to modernize the Food and Drugs Act and Bill C-52 to establish An Act respecting the safety of consumer products.

[English]

Taking together, these two bills represent an extraordinarily tough and thoroughly new approach to consumer safety. I hope that the opposition will work with the government to ensure these pass through the legislative process in a quick and timely fashion.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I would like to pose a supplementary question with regard to the Thursday question.

Having looked over the House calendar very carefully, the first thing that is obvious is that there is a real dearth of new legislation, which leads one to the conclusion that the government certainly seems to have run out of steam and ideas. There is really nothing there. In fact, some pieces of legislation that the government did introduce are actually provisions that were previously approved but did not get through, so they are just a reintroduction.

I would like to ask about two bills that have gone through the House but have yet to come back. Bill C-21, deals with human rights for aboriginal people. From the first session of this Parliament, there is Bill C-30, the climate change bill. Both of these bills have been through committee. We are waiting for both of them to come back into the House. I think the government should give us an explanation as to why these bills are not coming back to the House.

I also wonder if the government House leader would illuminate us as to whether or not there are other opposition days. We know that there will be one when we get back, but I wonder if he would tell us if he is allotting the other oppositions days and what days they will be.

Hon. Peter Van Loan: Mr. Speaker, I apologize if I do not answer all the questions. There were a lot.

In terms of bills that we wish to bring forward, I have a card here the two sides of which are full of legislation.

We introduced a new bill this week on auto theft, which we hope to be debating this week. We introduced the bills on food product and drug safety that I just spoke about. We will be continuing to introduce bills.

We already have an enormous amount of legislation that is either held up at committee or being debated. It is often the NDP that likes to debate these bills at greatest length here in the House. I am very anxious to have the support of the NDP to help facilitate the passage of bills, and the more we do that, the more we will be able to bring them forward here.

In terms of opposition days, between the Easter break past and the end of our sitting toward the end of June, we have to have eight opposition days. Four of those have already been allocated, so that means between now and the end of June, we shall have four more.

Speaker's Ruling

• (1510)

Hon. Ralph Goodale: Mr. Speaker, on that last point, just to be clear, is it the government's intention to designate opposition days in the first week that we are back after the April break?

Hon. Peter Van Loan: Mr. Speaker, I will designate opposition days at a point when we are prepared to do that. There will be four between the time when we return and the end of June.

* * *

PRIVILEGE

STATEMENTS REGARDING VOTING RECORD OF MEMBER

Hon. Raymond Chan (Richmond, Lib.): Mr. Speaker, I rise on a question of privilege. In the April 13 edition of the *Sing Tao* newspaper in Vancouver, the Secretary of State for Multiculturalism and Canadian Identity said, "The member for Richmond, when interviewed by the Chinese media, claimed that the Immigration Act amendment is a terrible matter, but voted yes in Parliament". He went on further to say, "This is a serious credibility problem".

The secretary of state's claim is completely baseless and false. I voted against Bill C-50 at second reading, a fact that is on the public record. This is clearly recorded in *Hansard* and in the House of Commons *Journals* of April 10.

It is unbelievable that the secretary of state thinks that such a blatant misrepresentation and perversion of the facts would be accepted. It is being outright dishonest, and such spiteful and deceitful behaviour is unbecoming to the House.

Mr. Speaker, I ask for your ruling that the secretary of state is in contempt of the House by misrepresenting House proceedings, and demand for him to take the honourable step of immediately issuing a public apology and retraction of his comments.

Hon. Jason Kenney (Secretary of State (Multiculturalism and Canadian Identity), CPC): Yes, Mr. Speaker, I would be happy to review the voting records.

I do know that the party of that member voted to allow the adoption of the bill, unamended. I will review his specific voting record on all of the individual matters.

Quite frankly, I find his submission somewhat disingenuous, given that it is clear that it would not have passed without the support of his party.

I think this is a matter of debate and not a prima facie question of privilege.

The Speaker: The difficulty the Chair faces is that questions of privilege must relate to proceedings in the House. If the member for Richmond is alleging that the secretary of state committed an act that is contemptuous in some way of the House, it seems to me that the act has to have been committed in the House. It is the general principle on which Speakers operate in dealing with questions of privilege.

In this case, while I am sure it will be helpful to have the secretary of state review the facts on which he made the statement, and we now have a copy of the newspaper article in question, I note that this is a newspaper article and not a statement made in the House, so I am reluctant to get into a dispute. In my view, it is not in the Speaker's

jurisdiction what may arise between members for things that happen outside the House and do not concern the House itself.

I am aware that the suggestion that a member voted one way or the other can be a matter of some contention, or what a vote is to be interpreted as meaning, even if it is a yes or no on an issue, it may be interpreted in different ways by different people, but it is not for the Speaker to make rulings in regard to those matters.

Accordingly, I do not feel there is a question of privilege here, but perhaps the hon. members can look at the facts and then if some kind of statement or whatever is necessary, it could be done either inside or outside the House, but I do not think it needs to come back here.

* * *

[*Translation*]

POINTS OF ORDER

COMMENTS BY MEMBER FOR HOCHELAGA

Mr. Guy Lauzon (Parliamentary Secretary to the Minister of Agriculture and Agri-Food and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I rise on a point of order.

During question period, the member for Hochelaga asked the Minister of Justice a question. He said:

Mr. Speaker, what would people say about a Minister of Justice who tells lie after lie, misleads the House, distorts the facts and falsifies the truth?

I think the member should withdraw these remarks and apologize.

• (1515)

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, I do not know what the member is referring to, since the member for Hochelaga did not ask a question today.

Mr. Guy Lauzon: Mr. Speaker, I apologize, it was obviously not today, but he asked the Minister of Justice a question, and the quote is correct. I think the member should apologize or withdraw his remarks.

The Speaker: Obviously it is difficult to establish the facts, since the hon. member is not here. Furthermore, the hon. member indicated that it was not a question asked in this House.

Mr. Guy Lauzon: Mr. Speaker, it was not a question. I apologize for my mistake. It was said during members' statements.

The Speaker: I will examine the statements when the blues become available. If there is a problem, I will get back to the House.

[*English*]

BILL C-505—CANADIAN MULTICULTURALISM ACT—SPEAKER'S RULING

The Speaker: I am now prepared to rule on a point of order raised on April 9, 2008 by the hon. member for Scarborough—Rouge River concerning Bill C-505, An Act to amend the Canadian Multiculturalism Act (non-application in Quebec).

I would like to thank the member for Scarborough—Rouge River for having drawn this matter to the attention of the House, as well as the hon. whip of the Bloc Québécois, the hon. House leader of the Bloc Québécois, and the hon. member for Mississauga South for their comments.

[Translation]

The hon. member for Scarborough—Rouge River raised two issues in relation to this bill. First, he argued that the bill as formulated is unconstitutional in that clause 2 states, “The Government of Canada’s multiculturalism policy does not apply in Quebec”. This, he believed, was inconsistent with section 27 of the Charter of Rights and Freedoms.

[English]

Second, he argued that Bill C-505 could be seen as a de facto constitutional amendment. He based this assertion on the claim that the provisions in the Canadian Multiculturalism Act mirror the provisions concerning multiculturalism that are enshrined in the Canadian Charter of Rights and Freedoms. If the proposed measure is indeed an attempt to amend the Constitution, the member argued, as his second point, that it should not be in the form of a bill but, instead, in the form of a resolution. His conclusion is that Bill C-505 is not in the correct form and requested either clause 2 be struck from the bill or that the order for second reading of the bill be discharged and that the bill be struck from the order paper.

[Translation]

In his intervention, the Whip of the Bloc Québécois pointed out that one of the criteria used by the Subcommittee on Private Members’ Business in determining the votability of an item is whether or not it appears to be unconstitutional. As the subcommittee did not judge Bill C-505 to be non-votable, the member argued that the matter of constitutionality had been settled.

In his arguments on April 10, the hon. House Leader of the Bloc Québécois argued that the objections raised to the bill were of a legal nature, and not procedural, and reminded the House that the Speaker does not rule on legal matters. He also claimed that the bill seeks to amend an existing law only and has no effect on the Constitution.

The member for Mississauga South stated that the Subcommittee on Private Members’ Business, in determining whether or not a bill should be votable, may not be in a position to assess fully its constitutionality. He maintained that the process for dealing with reports of that subcommittee did not afford an opportunity for members to express concerns regarding constitutionality and stated that it was therefore appropriate for the member for Scarborough—Rouge River to seek a ruling from the Speaker.

In light of the issue at hand and the arguments put forth, I would be remiss if I did not refer members to *House of Commons Procedure and Practice*, at page 542, which states:

Though raised on a point of order, hypothetical queries on procedure cannot be addressed to the Speaker nor may constitutional questions or questions of law.

• (1520)

Mr. Speaker Fraser also succinctly addressed this limited role of the Chair, when he declared in a ruling regarding a similar matter,

Speaker's Ruling

which can be found in the *Debates* of September 16, 1991, at page 2179, and I quote:

It may later be for a court to decide that the House has done something that does not have the force and effect of law, but that is a matter for the court and not a matter for the Speaker.

[English]

Therefore, mindful of my limited responsibility in this case, I have undertaken to examine the bill only with respect to whether it is in the appropriate form for the purpose that it seeks to achieve.

Let me first address the contention of the hon. member for Scarborough—Rouge River that amendments to the Constitution must be in the form of a resolution. There is no disputing that the House has in recent years considered several resolutions of the type referred by the hon. member. For example, on November 18 and December 9, 1997, the House adopted resolutions dealing with the school systems in Quebec and Newfoundland respectively; and, on October 30, 2001, the House adopted a resolution changing the name of Newfoundland to Newfoundland and Labrador.

[Translation]

But the House has also seen bills proposing to amend the Constitution. Examples in this Parliament include Private Member’s Bill C-223 An Act for the Recognition and Protection of Human Rights and Fundamental Freedoms and to amend the Constitution Act, 1867, standing in the name of the hon. member for Yorkton—Melville; as well as government bills C-22, An Act to amend the Constitution Act, 1867 (Democratic representation) and C-19, An Act to amend the Constitution Act, 1867 (Senate tenure), both standing in the name of the hon. Government House Leader.

[English]

I offer these examples simply to explain that this bill cannot be considered not in order simply because it is in the form of a bill and not a resolution. That said, let us examine the actual provisions of the disputed bill.

Bill C-505 consists of two clauses, both of which seek to amend provisions of the Canadian Multiculturalism Act. Clause 1 proposes the addition of a new paragraph to the preamble of the act, concerning the special situation of Quebec and clause 2 adds a subsection to section 3 of the act, exempting the province of Quebec from the government’s multiculturalism policy. There is no reference in the bill to any other statute or for that matter to the Canadian Charter of Rights and Freedoms.

[Translation]

I have therefore concluded that, since the purpose of this bill is to restrict the application of an existing statute and since this bill proposes an amendment to the existing statute to achieve that objective, Bill C-505 is in the proper form.

Government Orders

[English]

As your Speaker, I have no authority to rule on the constitutionality of Bill C-505. Accordingly, given that Bill C-505 is in the proper form, deliberations on it may continue in accordance with our rules governing the consideration of private members' business.

I thank the hon. member for Scarborough—Rouge River for having raised this matter.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

The House resumed from April 16 consideration of the motion.

Hon. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, I am very pleased to participate in the debate on Bill C-13, An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments).

I should note that the bill was originally introduced as Bill C-13 in the first session of the 39th Parliament. It passed all stages in the House of Commons, was sent to the other place and is back here now with some amendments, which I and my colleagues believe enhance the bill. I will be supporting the bill, and I expect my colleagues on this side will as well.

We support the bill because it would a number of positive things to improve and enhance our criminal justice system. Some of these matters are quite procedural and technical in their nature, but, nonetheless, they are very important to ensure the system in the country works efficiently, effectively and brings justice to all.

Some of the aspects of the bill, for example, increase the maximum fine that can be imposed for a summary conviction offence from \$2,000 to \$10,000. The \$2,000 limit had not been changed for some 30 years. The bill also calls for the suspension of a conditional sentence order or a probation order during an appeal. That enhances this law as well.

The proposed bill also provides the power to delay the sentencing proceedings so an offender can participate in a provincially approved treatment program. That is very important. In many cases we can lock people up and throw away the key, but eventually they will get out and have to be functioning and responsible citizens of our country. Therefore, if we can help someone deal with drug or alcohol abuse or some other social problem, this is to be very much encouraged.

In the case of a person serving a youth sentence who has received an adult sentence, the bill clarifies that the remaining portion of the youth sentence is converted to an adult sentence. This follows through on some of the changes that were made previously to the Youth Criminal Justice Act and something I think many Canadians often do not fully comprehend.

There is an impression that young people can commit crimes at will, flaunt the system and do not receive the types of sanctions that many Canadians think they should. However, we need to understand that if we put young people in jail, they can become hardened

criminals. If they are not rehabilitated or given the appropriate treatment, in jail they will become even worse criminals. When they get out, they will offend again.

It is important that all criminals be rehabilitated while they are serving their time. At the same time, the youth criminal justice changes we made when we formed government allow a judge, at his or her discretion, to sentence a young person as an adult if, in the view of the judge, that young person deserves to be sentenced as an adult.

If I recollect correctly, the cutoff is age 14, and that is a very young. When people tell me that the age should be reduced further, I tell them that it is not something I would advocate. In fact, 14 is young enough. I think many judges would not be inclined to impose an adult sentence on someone of those young years unless the circumstances warranted it in the view of the judge. Nonetheless, it is important to have that provision so a judge can have the flexibility to do things like that.

One aspect that is not in the bill, although I hope it will come at some point in time, is an initiative that our government started. After two years of serving as government, I am surprised the Conservatives have not really acted upon it. It has to do with the modernization of investigative techniques.

• (1525)

I notice in the bill there are amendments which call for the use of telecommunications to forward warrants for the purpose of endorsement and execution in a jurisdiction other than the jurisdiction where the search warrant was obtained. Therefore, there are measures in the bill dealing with telecommunications, but we still do not have legislation to modernize investigative techniques for our law enforcement personnel. Let me describe what that is.

If we look at our Criminal Code today, if law enforcement officers can convince a judge that there are significant grounds, the judge can execute a search warrant. However, the search warrants and the wiretapping warrants are tailored to technologies that have been superceded, although not completely, and replaced by other types of media, other types of technology.

For example, wiretapping warrants on our books today, in terms of law, deal mostly with land phone lines. We know criminals today use wireless devices. They use cellphones, computers and the Internet. The problem is our laws are archaic in the sense that the police cannot tap these types of technologies. The problem, again, is criminals have moved ahead of law enforcement. In fact, some criminals will make a few calls on a cellphone and then chuck it away. They will do the same for other kinds of wireless devices.

When we were the government, we began a process to modernize these investigative techniques. It raised some concern in certain quarters that this was calling for a change in the ability or the power of the police to seek out a wiretap. The reality is it changed nothing in that regard. Law enforcement would still have to convince a judge that the wiretap was necessary. The only thing that it would do is it would allow the wiretap to be executed against a cellphone number, or a BlackBerry, or an Internet account, or some other telecommunications device.

Government Orders

While there is some confusion and some angst among citizens and others about what this type of legislation would do, in fact, it would do nothing more than what is on the books right now. It would not give the police the power or the authority to wiretap someone's line without a duly executed warrant by a judge.

The Conservative government talks about how it is getting the job done and how there has been 13 years of inaction. Here is something upon which the government should be acting.

There are a couple of other issues with telecommunications companies and servers. There are costs associated with adapting this technology or being in a state of readiness. If a warrant is executed by law enforcement officers, they need to have the capability and capacity, the technology within their own shops. There are costs associated with that.

There are also costs on a going forward basis if we require these telecommunications companies, like a server or mobile phone company, to retrofit to ensure their technologies are capable of putting these wiretaps on this technology. If this law were passed, companies would have to ensure the technology was engineered in such a way that if a warrant were executed, they could implement the wiretap on a cellphone, or on a BlackBerry, or on an Internet account. I believe this is holding the government back from doing something on this initiative, and that is a wrong reason.

● (1530)

Why should we be compromising the safety and security of Canadians because some telecommunications companies are anxious and nervous about the costs they would be faced with to adapt and execute this type of technology?

When we were the government, there were a lot of discussions and negotiations back and forth. My recollection is that there was some compromise, some meeting of the minds, as to how to move forward in this particular environment.

If my memory serves me correctly, these companies indicated a willingness on a going forward basis to build in the technologies and infrastructure needed so they would be in a state of readiness for warrants like this to be executed. I am not sure where those discussions went finally, but it is a matter of negotiation.

As for retrofitting, that is a bigger issue. It is a question of making the law come into force so the companies would have to retrofit all their technology, which is a big ticket item, and that is a matter for negotiation with the government.

However, I am surprised that it has taken two and a half years to negotiate something that would be reasonable in the circumstances. With the passage of time, the safety and security of our citizens have been put at risk. I do not think that is acceptable.

In fact, when we had the new civilian Commissioner of the RCMP, Mr. Bill Elliott, come to the Standing Committee on Public Safety and National Security, I asked him if the tools he needed to deal with this type of technology were there to make sure we were up to date with the technologies the criminals were using. He indicated that it would be an improvement if enabling legislation were in place so that we could beat the criminals at their own game.

Therefore, I encourage the government to bring forward legislation such as this, which would modernize our investigative techniques and give the police the same tools that criminals have. Does it make any sense for police officers to be using land line phones when the criminals are using not land lines but other technologies? It seems to me that this is an initiative that could have been incorporated into this bill, but it was not. I do not know where that particular item is.

We find in this bill that there are some improvements in the process that deal with our justice system. As I said earlier, I think some of them are more housekeeping in nature, but it is important housekeeping. It is something that I would encourage this House to support.

As an example, the amendments say that a summary conviction trial with respect to co-accused can proceed where one of the co-accused does not appear.

Another feature introduces changes to the process with respect to the challenge of jurors to, among other things, assist in preserving their impartiality.

It also brings in other amendments with respect to language rights provisions of the Criminal Code. This is a very important part of this legislation.

It means that an accused is informed of the right to be heard by a judge or a judge and jury who speak the official language of Canada that is the language of the accused, or both official languages of Canada. The amendments to this bill codify the right of the accused to obtain a translation of the information or indictment on request.

These are very important elements. We live in a bilingual country. We value our bilingualism. It is part of our national heritage. It is part of our strength as a nation. We also respect the right of individuals to be heard and listened to in the official language of their choice, one of the official languages of this country. I think that is also a very important part of Bill C-13.

● (1535)

I encourage the House to get on with this bill. It has been here before, it has been in the other place and it is back. Again, while sometimes the members in the other place are criticized, or that institution itself is criticized, there are many fine and competent people over there who can add value to legislation. In this case, I think they have done that.

I would encourage members of this House to support Bill C-13 in its current form. I certainly will be voting for it.

● (1540)

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, I will resume with my discussion about recognizance with conditions. I ended my remarks by saying that it is a basic tenet of our system that a person has to be proved guilty of doing something or plotting something in order to be detained. Arresting and holding people with no evidence against them is totally unreasonable.

Furthermore, on release these individuals would be subject to a peace bond, but unlike those subject to a peace bond, these people may have done absolutely nothing wrong. The purpose—

Government Orders

The Deputy Speaker: Order. I am sorry, but we have a point of order from the hon. member for Selkirk—Interlake.

Mr. James Bezan: Mr. Speaker, we are debating Bill C-13. I believe the member is speaking to Bill S-3.

Ms. Penny Priddy: Mr. Speaker, my apologies. I thought we were resuming debate on Bill S-3.

The Deputy Speaker: We are debating Bill C-13. Is there anybody who would like to rise to speak to Bill C-13?

Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Deputy Speaker: I declare the motion carried.
(Motion agreed to)

* * *

CRIMINAL CODE

The House resumed from April 16 consideration of the motion that Bill S-3, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions), be read the second time and referred to a committee.

The Deputy Speaker: When the House was last debating this matter, the hon. member for Surrey North had the floor. She has five minutes left, which I presume she wants to exercise.

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, forgive my eagerness to speak to the many flaws in the bill.

As I say, this bill supposedly has a provision for the arrest of a person involved in an imminent terrorist threat, thereby disrupting the terrorist activity. We support the idea that we should disrupt an activity like that, but if someone is planning a terrorist act, the Criminal Code already allows for him or her to be arrested and held for up to 72 hours.

The bill also says that persons will have a peace bond for something that they may not even have done. We have never seen this before with peace bonds. Why do we need this? Under the Criminal Code mechanism, if no evidence is found leading to charges against the person, he or she must be released. That is what the Criminal Code says.

However, Bill S-3 goes one step further, and that is the problem. These individuals are released under conditions. There could be a variety of conditions. They may be perfectly reasonable for somebody who is convicted of being involved in terrorism, but not when there is no evidence of doing anything wrong.

It is extremely unjust. As Craig Forcese said, "One would imagine that a peace bond is likely to be ineffectual in relation to a suicide bomber".

The last point I would make about this, and civil liberty groups have sharply criticized this as well, is that if a person is detained, a file is opened on that person. If a file is opened, it stays with that

person and impairs his or her freedom to travel and apply for a job. It is a negative stigma that stays around the individual.

Let us keep in mind that we are talking about people who may have done absolutely nothing wrong. New Democrats will not and cannot support a bill that will punish people who are not guilty of any criminal activity.

As I mentioned earlier, many members of other parties in this House are also opposed to this legislation. I am speaking now specifically for my Liberal colleagues, as many of them took a very principled stand and voted against this legislation when it came to the House earlier in the session. They did the right thing. They stood up, but what will they do now?

I expect that they may do what they have done all along since the member for Saint-Laurent—Cartier won the leadership of the party. They may sit on their hands. I find it particularly egregious that Liberals would support the bill when I know many members of their caucus share the same concerns I have voiced here today.

Voting for Bill S-3 is not like voting for the budget as a strategy to avoid an election. Standing shoulder to shoulder with the Conservatives and voting for Bill S-3 is giving approval to major changes and it strikes at the heart of Canadian values. I am calling on my Liberal colleagues today to do the right thing and vote with the NDP against the legislation.

I understand that members of the Bloc Québécois are on the same side of the issue as we are expressing, so a Conservative-Liberal alliance will be what it will take to pass Bill S-3. I hope Liberals have the courage to take a stand. As I have already said, ensuring public safety is about protecting quality of life. A good quality of life depends on a balance between freedom and security.

The investigative hearings are flawed. They do not accommodate the guidance of the Supreme Court of Canada. This is vulnerable to misuse. The recognizance with conditions provision is fundamentally opposed to a core value in our justice system: that a person must be guilty of doing or plotting something in order to be punished.

Therefore, both provisions of Bill S-3 are flawed beyond repair, but the NDP's main reason for opposing the legislation is that in point of fact it is unnecessary. The Criminal Code can be used to attain the goals that I have spoken of today.

Many groups have spoken to the standing committee. I think we will be hearing from other speakers later in the day who have talked to Muslim and Arab groups, who know there are particular people who may be more vulnerable to these kinds of conditions under Bill S-3, just as they were under Bill C-3.

It is simply unacceptable to take something that has been a core value of this country for so long, which is that one must be guilty of something for us to punish that individual, and throw that away and say no, we just have to think that someone might think about doing something. It is unacceptable to say that we do not actually know that someone will do something, but we are still going to find that someone guilty and punish him or her by placing conditions upon that person.

Government Orders

It is simply unacceptable. It hits at our core values. As Canadians and as parliamentarians, we should absolutely reject any kinds of changes that go down what is a very slippery slope toward taking away the freedoms of Canadians.

● (1545)

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, I would like to ask the member if she could tell us what are the consequences, in her opinion, for individuals who may be condemned—if we can say that—to having to sign a recognizance with conditions? What are the consequences, in today's world, that an individual will have to live with afterwards and, if the suspicions about them were completely unwarranted, what means are available to remove this mark from their file?

[*English*]

Ms. Penny Priddy: Mr. Speaker, I think many people will look at the conditions in the bond and sign it but not understand what the conditions will mean in what they are able to do in their lives.

Let us think for a minute. People frequently travel back and forth across the border between Canada and the United States. They will get to the border, the border officials will check their name and they will find they have a peace bond against them. They will likely be refused. They may have family in Europe, the continent, India or wherever. Many people go back and forth to visit family. I have, as others have. They will be refused.

They need to make a living. Will this be reported to their employer? When they go to change jobs and people do proper reference searches, which they should do, of course, what will show up is that the person has been detained and has had to sign a peace bond to be out in the community. For employers, who may have a variety of people to pick from, and certainly in many areas they do, then the person with the peace bond will, most likely, not be selected. It has now affected his or her employment.

What if this is a mom who is in the hospital delivering her baby. She may require some medical assistance, assistance from social services around parenting or a public health nurse. If people look at her file and find that she has a peace bond against her, will that influence the way that people hover and watch the way she raises her child, although potentially she may have done nothing wrong?

My colleague raised a very important question about travel and employment. If people do have a peace bond, I do not think that many of the people who will be doing a reference check or a check for medical or social services will wonder whether the person was really innocent even though she or he has a peace bond. Most people will assume that the person is guilty and that she or he has done something wrong. That negative stigma and that file will stay with the person.

What can people do about it? My understanding is nothing. Actually, they can go to jail for a year by refusing to say anything, but in that case they would not find themselves with the peace bond. However, their only other option is to say nothing and potentially go to jail for a year. They do not have an appeal process. They do not know why they have been picked up and detained. As in Bill C-3, they have very little recourse to protect themselves.

● (1550)

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I have a question for my colleague relating to Bill S-3.

We are watching the erosion of civil liberties. She has really articulated the connection of the individual impact but also how it will relate to their employment and their family, which has greater consequences for us. Living on the border, I deal with that on a regular basis. Even with mistaken identity, where people are often assumed to be someone else, that has affected their clean record to get across the border.

We have been clear on our strategy about this. Why does the member believe the Liberal Party is backing away or splitting on this issue when it really has significant consequences? A lot of time and money has been wasted in the House with regard to failed bills in the past and this one seems to be setting itself up to be a failure.

I would like to hear her comments on that.

Ms. Penny Priddy: Mr. Speaker, I can only speculate. I would hope that some of the Liberals who are in the House today will be standing to speak on behalf of the bill. From the calls I have had to my office, I know they must be getting the same calls from people concerned about the bill.

When bills have failed before around Conservative-Liberal alliances, it may have been because some of those times the Liberals have agreed with the Conservatives. They would applaud that I am sure.

It seems to me that much of this is about strategy. I understand that political strategy is a consideration as we think about voting, although I would hope in the end never the consideration. However, for it to cause an election and to take away basic rights and freedoms that Canadians have always had in order to forestall facing the voters would chop away at the whole underpinning of Canada and Canadians and what people in this Parliament have striven to put in place for a balance between freedom and security.

We have seen quite a bit of political strategy on the part of the Liberal opposition. They are not standing up to vote on matters that seem pretty clear and ones they would normally vote on. I think the public is beginning to understand that is not what their constituents are telling them. They only seem prepared to talk about their right to govern.

● (1555)

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, I just wonder if the member would share her thoughts on what the Liberals' position is on the bill.

Ms. Penny Priddy: Mr. Speaker, we will not know their position until the bill comes to a vote.

I was pleased that the Liberals supported it when it was in the House before so I would expect them to support it this time. My understanding, from speaking with people, is that they will not be supporting the bill. Perhaps I will be surprised. They stood before to support it and they may stand again to support it. It will be a busy world.

Government Orders

I will be surprised if the Liberals stand in support of this legislation. Since there has been no change and since they supported before, I expect they will support it again. However, my understanding is that they will not be supporting it, although that is not official as I have not heard it from their leader. We will wait and see. If they supported it before and there is no change, and they do not support it this time, it will be very clear to everybody, including their constituents, why they have not supported it.

* * *

ROYAL ASSENT

The Deputy Speaker: Order, please. I have the honour to inform the House that a communication has been received as follows:

Rideau Hall
Ottawa

April 17, 2008

Mr. Speaker:

I have the honour to inform you that the Hon. Marshall Rothstein, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of the Governor General, signified royal assent by written declaration to the bills listed in the schedule to this letter on the 17th day of April, 2008 at 3:01 p.m.

Yours sincerely,

Sheila-Marie Cook

Secretary to the Governor General and Herald Chancellor

The schedule indicates the bills assented to are Bill S-203, An Act to amend the Criminal Code (cruelty to animals)—Chapter No. 12; Bill C-298, An Act to add perfluorooctane sulfonate (PFOS) and its salts to the Virtual Elimination List under the Canadian Environmental Protection Act, 1999—Chapter No. 13; Bill C-37, An Act to amend the Citizenship Act—Chapter No. 14; and Bill C-40, An Act to amend the Canada Labour Code, the Canada Student Financial Assistance Act, the Canada Student Loans Act and the Public Service Employment Act—Chapter No. 15.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

The House resumed consideration of the motion that Bill S-3, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions), be read the second time and referred to a committee.

Mr. Gord Brown (Leeds—Grenville, CPC): Mr. Speaker, I am very happy to address hon. members in this House on the importance of the powers contained in Bill S-3, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions).

The investigative hearing and the recognizance with conditions provisions are tools that were designed to assist law enforcement agencies and strengthen their ability to prevent acts of terrorism.

I would also like to note that I chaired the subcommittee of the Standing Committee on Public Safety and National Security which reviewed the anti-terror bill. At this time I propose to describe in some detail what these two provisions achieve. I will then address how this bill responds to the interim report of the House

subcommittee that tabled that report in October 2006, and the Senate's special committee report that was tabled in February 2007.

First, I will talk about the investigative hearing.

The investigative hearing provision would allow the courts to compel a witness who may have information about a terrorism offence to testify and provide information about the offence. The process relating to this provision works as follows.

With the prior consent of the Attorney General, a peace officer investigating a terrorism offence that has been or will be committed may apply to a judge for an order requiring a person who is believed to have information concerning the terrorism offence to appear before the judge to answer questions and/or produce something.

If a judge believes there are reasonable grounds that a terrorism offence will be committed in the future, that the person has direct and material information and that reasonable attempts have been made by other means to obtain the information, the judge may make an order for the gathering of information.

It is important to note that this investigative hearing provision and the process were found to be constitutional by the Supreme Court of Canada in 2004. The reason this provision was found to be constitutional lies in the safeguards that are intimately attached to the exercise of this power. I will note those safeguards.

First, only a judge of a provincial court or of a superior court of criminal jurisdiction can issue the order to hold an investigative hearing.

Second, before an application for the investigative hearing order can be made, the Attorney General of Canada, or the Attorney General or Solicitor General of the province, needs to consent to making the application for the order.

Third, the person ordered to attend at the investigative hearing has the right to retain and instruct counsel at any stage of the proceeding.

Fourth, any incriminating evidence given by the person at the investigative hearing cannot be used against him or her in a further criminal proceeding except for prosecutions for perjury and giving contradictory evidence. This prohibition also applies to derivative evidence, that is, evidence that is found or derived from the evidence initially gathered in the context of the investigative hearing.

Fifth, the Supreme Court of Canada has also ruled that through the use of this provision there is a constitutional exemption against self-incrimination that precludes testimonial compulsion where the predominant purpose of the proposed hearing is to obtain evidence for the prosecution of the person. In other words, a person cannot be brought before a judge and be compelled to provide evidence if the predominate purpose is to gather evidence against that person to lay charges against him or her.

Sixth, the Attorney General of Canada and the Attorney General of the provinces were and continue to be required to report annually on the use of the investigative hearing provisions.

Government Orders

Finally, it is to be noted that the Supreme Court of Canada held that the protection against self-incrimination in investigative hearings carried out in the context of criminal investigations also extended to deportation and extradition matters.

At this time I would like to move on and talk about the recognizance with conditions provision.

This provision would give the court the power to issue an order requiring a person to enter into an undertaking whereby he or she accepts to respect certain conditions imposed upon him or her to prevent the carrying out of a terrorist activity. The purpose of the provision is to create a mechanism that would allow the authorities to disrupt the preparatory phase of terrorist activity rather than act after the fact.

● (1600)

The provision is not designed to detain a person, but rather to release the person under judicially authorized supervision. The process by which the recognizance with conditions operates is as follows:

With the prior consent of the Attorney General, a peace officer who reasonably believes that a terrorist activity will be carried out and who also reasonably suspects that the imposition of a recognizance with conditions or the arrest of a person is necessary to prevent the carrying out of a terrorist activity, may lay an information before a provincial court judge. That judge may then cause that person to appear before him or her or any other provincial court judge. In very limited circumstances the peace officer may arrest that person without a warrant in order to bring him or her before the judge.

In any event, a person will be brought before a judge within 24 hours, or as soon as possible, if a judge is not available within this time period. If the person is detained to protect the public or to ensure his or her attendance at a subsequent hearing, the matter may be adjourned for a maximum of 48 hours. Thus, generally speaking, the person can only be detained for up to 72 hours.

If the judge determines that there is no need for the person to enter into a recognizance, the person will be released.

If the court determines that the person should enter into a recognizance, the person will be bound to keep the peace and respect other specified reasonable conditions for a period not exceeding 12 months.

Only if the person refuses to enter into such a recognizance can the judge order that he or she may be detained for up to 12 months.

As in the case of the investigative hearing, the recognizance with conditions is also subject to numerous safeguards. These are:

The consent of the Attorney General of Canada or the attorney general or solicitor general of the province is required.

The peace officer could also only lay an information before a judge if he or she believes on reasonable grounds that a terrorist activity will be carried out and suspects on reasonable grounds that the imposition of a recognizance with conditions on a person, or the arrest of a person, is necessary to prevent the carrying out of a terrorist activity.

The judge receiving the information would have a residual discretion not to issue process, for example, where an information is unfounded.

A warrantless arrest of a person could only be made in very limited circumstances, for example, where the grounds to lay an information exist, but by reason of exigent circumstances, it would be impractical to lay the information, and the peace officer suspects on reasonable grounds that the detention of a person is necessary in order to prevent a terrorist activity.

If a person is arrested without warrant, the officer must either lay an information before the judge, generally within 24 hours, or release the person. Before laying the information, the peace officer must obtain the consent of the relevant attorney general.

A person detained in custody must be brought before a provincial court judge without unreasonable delay and in any event, within 24 hours of arrest, unless a judge is not available within that period, in which case the person must be taken before a judge as soon as feasible and the hearing must be held within 48 hours.

A judge must be satisfied on the evidence adduced that the peace officer has a reasonable suspicion that it is necessary to have the person enter into a recognizance with conditions before ordering that the person enter into a recognizance to keep the peace and be of good behaviour, and to comply with any other reasonable conditions for a period of 12 months.

Only if the person refuses or fails to enter into the recognizance can he or she be jailed for up to 12 months.

The person entering into a recognizance has the right to apply to vary the conditions under the recognizance order.

Federal and provincial attorneys general would continue to be required to report annually as appropriate the use of this power, while the Minister of Public Safety and the minister responsible for policing in each province would continue to be required to report annually on the arrest without warrant power.

I have focused my remarks on two well-designed tools that are meant to aid law enforcement agencies in their efforts to prevent the commission of a terrorist activity, tools that are also dressed with robust safeguards. One of the provisions has already been declared constitutional by the Supreme Court of Canada.

● (1605)

How much better can it get? One would think that there is no need to make changes to the wording of the original provisions considering the above, but as always, this government continues to strive to make our laws better and to do so in cooperation with all members of the House and the Senate. For that very reason, our government has responded favourably to a good number of the recommendations of the House subcommittee and the special Senate committee that reviewed the Anti-terrorism Act. Both of these committees made a number of recommendations in relation to these two powers.

Here are the amendments to the original provisions that the government either proposed or accepted, and that are now found in Bill S-3:

Government Orders

Subparagraph 83.28(4)(a)(iii) was modified by adding a safeguard to the section dealing with past terrorism offences. Under the proposed legislation, an order for an investigative hearing may be issued only if the judge to whom the application is made is satisfied that “reasonable attempts have been made to obtain information” by other means. In this context, “reasonable” means that, where possible, police will have tried other sources for obtaining the information they seek before resorting to the use of investigative hearing.

Previously, a similar but narrower provision had applied only to future terrorism offences, not past ones. This new wording also applies to future terrorism offences, as can be seen in subparagraph 83.28(4)(b)(iii).

The bill also caps the maximum detention time for a witness brought in under an investigative hearing order by specifying in subsection 83.29(4) that section 707 of the Criminal Code, which sets out the maximum period of detention for an arrested witness, applies to investigative hearings. This is meant to address the concerns that were expressed by the House subcommittee that it was unclear to what extent release mechanisms elsewhere in the code applied to the investigative hearing process. Technical wording changes were also made to address various recommendations made by the House subcommittee.

Finally, proposed subsection 83.31(1.1) would enhance the reporting requirements by the Attorney General of Canada with respect to the investigative hearing provisions. The Attorney General of Canada would be required to provide his or her opinion, supported by reasons, as to whether these provisions continue to be necessary. This change implements part of recommendation 17 made by the special Senate committee.

As can be noted in regard to the investigative hearing provision, Bill S-3 effectively incorporates many of the recommendations made by the House of Commons and the Senate. The one substantive proposal that the bill did not incorporate was the recommendation of the House of Commons subcommittee that the investigative hearing power be limited to the investigation of imminent terrorism offences and not past terrorism offences.

The government could not respond favourably to this recommendation and there are many reasons why this is so. To begin with, this proposed limitation would forestall entirely the possibility that the investigative hearing could be used in relation to the ongoing Air-India investigation.

This recommendation would also prevent the use of an investigative hearing to gain information about a terrorism offence after the offence has already occurred, even in the very recent past. For example, if a terrorist attack were to occur in Canada similar to the attacks in the U.K. on July 7, 2005, the police, on the day after the attack, would not be able to use this power, since the attack would have already taken place and despite the fact that it may be a prelude to a further terrorist attack.

This recommendation implies that terrorists will only ever commit one terrorist offence. The better view is that after a terrorist group has committed an offence, whether it is participating in a training camp, fundraising, or an act of violence, the justification for the use

of the investigative hearing is even more compelling. This is because, aside from the need to bring the perpetrators to justice, there is a requirement to prevent the group from continuing with its activities.

To adopt this recommendation would have the effect of preventing the use of an investigative hearing to gain information about a terrorism offence after the offence has already occurred, even an offence that has occurred in the very recent past.

● (1610)

This government believes that a terrorist activity, be it past or future, unquestionably merits the same tools as they both respond to a specific need expressed by our law enforcement agencies in their fight against terrorism. To do otherwise would be unacceptable.

Moving on with the other amendments that this government agreed to make in response to the committee's recommendations, though largely unchanged from its previous incarnation, the recognizance with conditions provision in Bill S-3 brings about an additional annual reporting requirement that was recommended by the special Senate committee on the Anti-terrorism Act.

As for other changes brought to the original legislation, the House of Commons Subcommittee on the Review of the Anti-terrorism Act recommended that both provisions be extended for five years, while the special Senate committee recommended that they be extended for three years subject, in both instances, to the possibility of a further extension following resolutions passed by both houses of Parliament.

What Bill S-3 proposes is to allow Parliament to extend the existence of one or both provisions for a period of five years. While the original legislation made it clear that a resolution could be tabled to extend both provisions, it was not clear from the wording whether a resolution that would extend only one of the powers could be tabled. The new wording would explicitly permit the extension of either or both of these provisions.

Other changes made by the Senate will be referred to by other hon. members who will also speak.

As has been made clear in my remarks today, there is no question that the government has given proper consideration to the various recommendations made by the House of Commons and the Senate and that, in doing so, we have improved both the investigative hearing and the recognizance with conditions provisions. Given this, I invite all members of the House to support this bill and reinstate these two important tools.

● (1615)

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, one thing that has to be addressed is that this is a Senate bill and there is an important element to that. We are talking about a bill that nobody can deny is going to change civil liberties in this country. It is going to create another procedure that is different, that limits rights and limits the ability for people to even defend themselves in the context of our current laws. That is even acknowledged by the Canadian law society and others that have advocated for different amendments, because it deals with things such as personal information that could be exposed not only internally but externally and the legacy that could leave on a person's life.

Government Orders

I would like to ask my colleague how he feels about this bill originating in the Senate. His party has been saying that there needs to be Senate reform, despite the fact that the Conservatives appointed a member to the Senate, a cabinet minister, and the Prime Minister has been critical of the Senate in the past. At the same time, when it comes to seeing significant changes in Canadian democratic law, they come from the Senate, which is not accountable.

I would like the member to address that issue. It is a quandary. This issue which is so important for our democratic rights in Canada is coming about by a group of individuals who are not accountable.

Mr. Gord Brown: Mr. Speaker, the member expressed some concerns about the content of the bill. There are safeguards built into this bill. The fact is that members from his party and all parties in the House were members of the subcommittee. There was the special Senate committee as well. They spent many hours working to try to improve these provisions. They were built into the committee reports.

I encourage the hon. member to read both the Senate committee and House subcommittee reports. The fact is there is accountability. The hon. member will have an opportunity to stand in his place and have a say on that. It originated in the other house, but so many of the attempts by this government to get legislation through have been slowed down in committees and have continued to be stonewalled.

In terms of the democratic opportunity, the hon. member will have an opportunity in the House to stand either way on this bill.

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I am happy to stand in the House and compliment my colleague, who has had a very active part in a lot of this legislation. He has taken a very active role and has a keen interest in it. I recognize his interest purely as a Canadian to start with, but he certainly has some border crossings in his area and these issues are important to him.

Equally, I know that he is also concerned about the rights and freedoms of Canadians. I would like the member to tell us if it has been tested as far as the constitutional correctness to hold investigative hearings. Have the courts had a look at it?

Mr. Gord Brown: Mr. Speaker, the fact is that back in June 2004, in reference related to the Air India prosecution, the Supreme Court of Canada upheld the constitutionality of this provision. In a companion case, the court held that there was a presumption that investigative hearings should be held in open court. Although upheld as constitutional, a hearing was never convened, but the fact is that this has been tested in court. It has been upheld as being constitutional.

• (1620)

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, there are many concerns about this legislation, that this legislation compromises many fundamental and key principles of our justice system.

One of the concerns about investigative hearings is that upsets the usual practice of the courtroom. It upsets the usual role of a judge in those circumstances. It actually puts the judge and prosecutors into the role of investigators, something that is not their normal role in the judicial process in a court hearing, and something for which many

people believe they do not have a particular background or training to play that kind of role in our judicial system.

I wonder if the member might comment on that fundamental shift in the role of judge and prosecutor.

Mr. Gord Brown: Mr. Speaker, I encourage the member to read those reports, but the fact is that these are extraordinary powers. These powers would only be used in extraordinary cases where Canadians' safety was at risk.

I believe that Canadians want to have some protection. They want to know that their law enforcement agencies have the ability to keep them safe in a time of a potential terrorist attack.

We have heard that Osama bin Laden has Canada on the list as a potential target for a terrorist attack. We have seen other countries that he in fact mentioned have been subject to terrorist attacks and many people have been killed.

Does the government believe that it is important? We will see what happens in the vote. The fact was that the majority of members of the subcommittee that I chaired, which ended its work about a year ago, actually recommended that these go ahead and we have seen them upheld in court. Therefore, I think that this is something that Canadians would like to see.

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, I want to ask my hon. colleague about what other countries are doing.

The reason I would like to know this is obviously the world has changed since 9/11 and sometimes countries have to prepare for these eventualities rather than just simply sit around and sift through the rubble, as I have heard the minister say.

I wonder if my hon. colleague, who has in fact done a lot of work on this and I congratulate him for that, could identify or even suggest if there are any other countries that are doing similar work to protect their citizens.

Mr. Gord Brown: Mr. Speaker, that fact is that the committee did look at what was going on in other countries. One of the countries that was recently attacked of course was the United Kingdom. In the U.K. the police may arrest without warrant persons whom they reasonably suspect are terrorists.

The maximum time that a person could be held in detention without charge under the power that the U.K. has had since 2000 was from 7 days to 14 days and now it is 28 days. This is quite a bit more than what we have in Canada, but I go back to once again, that Canadians are looking for law enforcement to have the tools to help keep them safe. I will be supporting this. I know members of the government will be supporting this and I know Canadians will be behind them in that.

Mr. Bill Siksay: Mr. Speaker, in response to my previous question the member said that these were extraordinary measures and that we expected that people would use them judiciously and with caution. I am not quoting him exactly but he implied that this was his feeling about this.

Government Orders

My first response is that we all know which road is well paved with good intentions and I think we have to be cautious, when we extend these kinds of broad powers, and very careful about the potential when they will be used. There is no sense putting a law in place that we do not expect to be used some day.

Right now, under the Criminal Code of Canada every crime that I can think of that would be related to terrorism is already treated as a very serious crime under the Criminal Code.

Can the member tell me of any crime that is not covered by the Criminal Code that might be part of a terrorist activity? Certainly murder would be one as well as conspiracy to commit a terrorist act like exploding a bomb, all those kinds of things would currently be covered under the Criminal Code of Canada. Why is something more than the Criminal Code of Canada necessary to protect us from acts of terrorism?

• (1625)

Mr. Gord Brown: Mr. Speaker, I appreciate the hon. member's passion on this.

The fact is that the committee did spend a lot of time considering the importance of human rights and the potential of abuses, and they are addressed. The safeguards are built into this legislation, into investigative hearings, and into recognizance with conditions.

I know that he is concerned about some of the potential offences there, that he was looking for other ones, but the fact is that this is designed to help prevent a terrorist activity or to prevent another one that may be happening after one happens. The fact is that law enforcement has been looking for this and other governments have been looking to have this. We saw that the Air India inquiry was looking for this.

Parliament actually did not extend the provisions back in February of 2007, but the bill is now before us and the member will have an opportunity to have a say on it.

[*Translation*]

The Deputy Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Ottawa—Vanier, Telefilm Canada.

[*English*]

Resuming debate, the hon. member for Davenport.

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, there is little doubt that the bill we are debating today, Bill S-3, remains a very divisive topic for Canadians and parliamentarians.

We are dealing with a bill which proposes amendments to the Criminal Code that would reinstate anti-terrorism provisions that expired under a sunset clause in February 2007.

These provisions would essentially bring individuals who may have information about a terrorist offence before a judge for an investigative hearing. It would deal with recognizance with conditions and preventive arrest to avert a potential terrorist attack.

These provisions have gained the interest of the general population and many groups have voiced their opinions on these extraordinary measures.

The first measure deals with the provisions to bring a person before a judge by subpoena or by arrest who, perhaps, on reasonable grounds, has knowledge of the whereabouts of someone who may be suspected of being involved in terrorism activity.

The second portion is equally extraordinary because it deals with the detention and recognizance of someone who is suspected of having something to do with a terrorist activity. As we know, to arrest somebody we need reasonable grounds under our current system.

When we look at that provision, which is the most litigated part of the Criminal Code, we see there is a great difference between suspicion and belief. There is a significant line there and this is why this legislation has raised such interest and concern for Canadians.

Since the terrible attack on the U.S. on September 11, 2001, which was a crime against humanity, states throughout the world have changed their domestic laws in order to respond to the new realities of terrorism. Canada of course is no exception.

In the United States, the patriot act was passed with wide margins in both houses of Congress, and has since then been criticized by civil liberties groups as fundamentally weakening human rights. Canada also enacted a legislative response to the events of September 11, 2001, through the Anti-terrorism Act.

Both statutes were speedily enacted and intended to address the threat posed by the attack and designed to give government agencies additional tools and powers to prevent and combat terrorism. However, there are key differences between the Canadian and the American legislative approaches.

Prior to the coming into force of the Anti-terrorism Act, the Canadian Criminal Code did not contain a definition of terrorist activity. To date, the Supreme Court has made several important rulings on the need to balance human rights and national security. One important one that comes to mind is the decision in the case of Cherkaoui and security certificates.

Another very important one is *Suresh v. Canada*. The Supreme Court of Canada discussed this balancing approach in relation to a decision to deport a suspected terrorist from Canada on assurances that he would not be tortured if returned to Sri Lanka.

The court noted that the balance to be struck in this situation was between Canada's interest in combating terrorism and the deportee's interest in not being deported to torture, taking into account the circumstances or conditions of the potential deportee, the danger that the deportee presents to Canadians or to the country's security and the threat of terrorism to Canada.

The Supreme Court concluded that this balance will usually come down against expelling a person to face torture elsewhere with the result that deportation should generally be declined where on the evidence there is a substantial risk to torture.

As *Suresh v. Canada* illustrates, the balancing process involved, where removal is contested on human rights grounds, is tested further in the context of state responses to terrorism.

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It is important to note that after September 11, the United Nations has, on numerous occasions, called upon states to bring to justice to those involved in terrorist activities through the process of extradition or prosecution while, at the same time, reminding states that any anti-terrorism measures must comply with international human rights law.

• (1630)

If we go back to 2001, the sunset clause, originally introduced in the Anti-terrorism Act, states that these provisions would cease to apply at the end of the 15th sitting day of Parliament after December 31, 2006, unless they were extended by a resolution. As of February 2007, no investigative hearings have been held and no reported use of the provisions on recognizance with conditions.

It is important to note that while the provisions introduced today are similar to those that expired in February 2007, they are not identical. Some of the key changes in the bill include: placing an emphasis on exhausting all reasonable attempts for the collection of information about potential or prior terrorist activity before the ordering of an investigative hearing; and requiring the Attorney General and the Minister of Public Safety and Emergency Preparedness to issue separate annual reports with their opinions as to where these provisions should be extended.

If we look back to the month of February 2007, the government put forward a motion to extend the measures without amendments for three years. This was eventually defeated in the House by a vote of 159 to 124. Even with ominous threats from the Prime Minister to trigger an election if amendments were made to the bill, the Liberals still pushed to have additional safeguards to these provisions. As such, I am pleased to find that these safeguards, which were also recommended by both the House and Senate committees, have been added to the bill.

These provisions include: an increased emphasis on the need to have made reasonable attempts to obtain information with respect to both future potential terrorist activity and such activity in the past; the ability for any person ordered to attend an investigative hearing to retain and instruct counsel; the flexibility to have any provincial court judge hear a case regarding a preventive arrest; and a five year end date unless both Houses of Parliament review and resolve to extend the provisions further.

However, the fact is the Prime Minister still refuses to listen to the democratic majority and, instead, dictates to the House that no amendment should be made to this bill or, once again, it might trigger an election.

Even the Supreme Court of Canada suggests that the bill be amended on a number of issues. I will not go into all the recommendations made by the court, but I must point out that the government has once again chosen to ignore its important recommendations.

As I have already mentioned, these provisions have attracted the interests of academics and the general population alike. This has been evident in both the House of Commons and the Senate committees that have studied this issue. In fact, these committees heard from a broad spectrum of witnesses, who have voiced opinions on these extraordinary measures.

On the one side, some feel that these provisions do not violate rights, that, in fact, they reduce potential threats and address them in a practical manner. Some would also argue, such as Gary Bass, deputy commissioner for the RCMP, that these “renewed provisions will assist with those who might otherwise be reluctant to testify”.

Mr. Bass maintains that with these provisions, witnesses would no longer have any choice but to testify truthfully. On the other side, people have argued against this view and expressed the opinion that such provisions could be counterproductive and detrimental to witnesses.

In fact, Yvon Dandurand, a criminologist at University College of the Fraser Valley, British Columbia, argues that compelled witnesses are still exposed to potential retaliation from those who expect them to lie if compelled to testify.

Also, some have felt that the Anti-terrorism Act represents a substantial departure from Canadian legal traditions and fear that use of these provisions might eventually extend beyond terrorism offences to other more generic Criminal Code offences. Such provisions also make it clear that those who volunteer information to the authorities could find themselves subject to an investigative hearing, preventive arrest or a charge for a terrorism offence.

• (1635)

Canada historically has been a leader in maintaining balance between human rights and public safety. I believe all of us want Canada to remain a safe and secure country. I also believe Bill S-3 could potentially cross an important thin line and violate the rights of Canadians and compromise civil liberties.

I am reminded of the famous words that were uttered, after September 11, by Cardinal Theodore McCarrick, the archbishop of Washington, in a mass on September 12, 2001, for the victims in the immediate aftermath of the terrorist attack on the U.S. He reminded us all that:

We must seek the guilty and not strike out against the innocent, or we become like them who are without moral guidance or direction.

Although Bill S-3 has had attached to it new safeguards in comparison to the original provisions, I feel it must be sent to the House committee again to be thoroughly studied and debated so Parliamentarians can make the right and educated decision on this controversial matter.

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I listened to my hon. colleague across. I know he is very passionate about his comments, and I appreciate that.

Has he spent any time talking to his colleagues who were on the committee and who dealt with this over a considerable length of time? I understand his concerns are about the innocent, but has he given consideration to how the police can function in a society when we deal with terrorism?

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I believe the rules are in there to protect the innocent and to protect Canadians in the broadest sense, and it has been determined to be constitutional. However, has he directed his mind as to how Canadians can be protected against terrorists using the existing laws? If he has spent time in talking to his colleagues who were on the committee, did he not talk to them about those issues dealing with terrorism and the protection of Canadians?

Mr. Mario Silva: Mr. Speaker, I have had an opportunity to speak to my colleagues on this side of the House. Many of them have assured me of some of the provisions within this legislation. I have also have an opportunity to speak with many human rights groups that also have concerns about what could happen.

I have always believed we have to listen to the different groups to ensure the legislation we bring forward is in fact balanced. I am proud to live in Canada, a country where we respect the rule of law. I know the rule of law and the laws that we make here as parliamentarians are extremely important, both in how we assess civil liberties and human rights and how we protect the safety and security of our citizens, which is one of the major responsibilities we have as parliamentarians.

I take that job very seriously. It is one of the reasons why, even though I have some concerns and reservations about the bill, I have asked that we at least send it to committee, have it studied, listen again to the different groups out there and then make a final decision when it comes back. I will make a final decision when it comes back for third reading.

• (1640)

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, in my opinion, the measures we are being asked to enact require a couple of things.

The first one is that we have complete trust in our judicial system, and I do. I am not questioning the ability and the independence of our judicial system, although there have been murmurs from the government about the meddling of our judicial system and correspondingly, appointments that may reflect a certain bent. However, that is not the question.

Would my colleague agree that the same kind of trust, if we are to adopt these measures, would be required of our national police?

Mr. Mario Silva: Mr. Speaker, I appreciate the question of my hon. colleague on the issues of trust, both in our judicial system and in our police.

The Supreme Court has made several rulings, which are worthy to be considered since September 11, and I think I alluded to a couple of them, the Suresh decision and the Charkaoui decision. The court has talked about the balance between human rights and national security. It is always a struggle for parliamentarians to get the legislation right in terms of that equal balance.

I believe very strongly and passionately that our judicial institutions do an amazing job in protecting the human rights of Canadians. I have full respect and confidence in their decisions and rulings, as well as our police forces, which have called for these additional tools as well so they can combat security risks.

There is always a struggle between human rights and national security, but they are not incompatible. There is no question that they can coexist.

Our party, which brought in the Anti-Terrorism Act after September 11, really did try to look at the balance and put in sunset clauses to bring about that balance as well. We have struggled, but we balanced it quite well.

We have done better than most other countries in western Europe. We certainly have much more broader legislation with respect to rights in Canada than there is in the Patriot Act in the U.S. Our legislations in Canada have been much broader and more respectful toward civil liberties than many of the countries in western Europe.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, one of the problems that different lawyer associations and groups have raised is that some personal information could exit this country and could then be used against individuals. As we know from the enactment of the Patriot Act, Canada has yet to have a privacy agreement. We need a treaty to understand what happens to the Canadian information, where it goes, how it is used and so forth.

This issue has not been addressed in the bill, and I will ask the hon. member about that situation. I know we have had a series of problems in my constituency with regard to tracking the direction of personal information.

Also there are very serious cases, like the Maher Arar case wherein information was shared with another government's officials and departments. We do not know where that information goes. The Patriot Act prevents access to that type of knowledge and also the ability the scrub that information. It also has other consequences, for example, where individuals cannot get themselves taken off a no fly list.

Could my colleague tell us if those issues have been addressed by the bill?

Mr. Mario Silva: Mr. Speaker, I quite agree with the hon. member. It is an issue of great concern, and the sharing of information is something I have raised in the House.

As the hon. member is probably aware, I have spoken as well against the no fly list, but the U.S. is demanding it of our country, which is a violation of our sovereignty.

The sharing of personal information is something that greatly disturbs me, specifically how that information is used. I would like to see in committee how this issue could be addressed. The committee stage is a good opportunity to deal with an issue as important as this.

I did not get a chance earlier, but I will take this opportunity to state that Canada is not immune to terrorism. We had a terrible terrorism act in Canada with the Air-India bombing.

Canada has always tried to balance human rights and national security. Getting it right is very important to parliamentarians. It is a struggle I will have to go through as we debate the bill at second reading and at committee stage. When it comes back to the House for third reading, I will make a decision whether I will support it.

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•(1645)

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, I am pleased to join today in the second reading debate of Bill S-3. I would like to focus my comments more specifically on the amendments themselves as made by the Senate to the bill. I want to assure this House, though, that the people of Cambridge and North Dumfries in my riding wish me to support this bill, so I am happy to speak in favour of it.

I would like to mention, too, that I will be splitting my time with my colleague from Selkirk—Interlake.

Some people may think that my riding of Cambridge is one of those communities that is not on the terrorist list and would wonder why I would be up in the House speaking to this issue, but my riding has one of the busiest highways in all of Canada, the 401, going right through it. We have an urban area of about 110,000 to 113,000 people, divided into nice little communities that we used to call Hespeler, Preston and Galt.

Within 45 minutes of Cambridge, there are three airports and the riding itself is actually very diversified. One of the largest veal producers in North America is in my riding. Eighty per cent of the satellites that circle this world have parts from COM DEV in my riding. A statistic that shocked me is that there are 150 million people living within an eight hour drive of my riding, so I think it is exceptionally important for the folks in my riding that we concern ourselves with the threat of terrorism.

[*Translation*]

I am very pleased to have the opportunity to debate, at second reading, Bill S-3. I will limit my comments to the amendments made to the bill by the Senate.

[*English*]

When the Minister of Justice appeared before the Senate special committee on December 3, 2007, the committee questioned the constitutionality of the wording that was used in section 83.3, which deals with the recognizance with conditions provision.

The concern raised flowed from the 2002 judgment by the Supreme Court of Canada in a case called *R. v. Hall*. In the *Hall* case, the Supreme Court considered the constitutionality of the specific wording in the bail provisions, wording which was replicated in actual fact in Bill S-3.

Specifically, the Supreme Court found that paragraph 515(10)(c), the third ground for denial of bail, was unconstitutional under sections 7 and 11(e) of the charter, in particular because of its use of the words “any other just cause and, without limiting the generality of the foregoing, that...”.

As I said, as introduced, Bill S-3 had also proposed the use of the same wording in the recognizance with conditions provision.

The government obviously agreed that this needed to be corrected. The amended version of paragraph 83.3(7)(b)(C) now begins with the words “the detention is necessary to maintain confidence in the administration of justice”, and it goes on from there. I refer my colleagues to lines 28 to 30 of page 6 where they will find that the wording has been corrected and is now quite constitutional.

The second amendment addressed inconsistencies in the wording that appeared in clause 1 of the bill. Subsection 83.28(4) contains two paragraphs. The first one focuses on past terrorism offences. The second one focuses on future terrorism offences.

As introduced, however, there was an inconsistency in the use of the terminology between the two paragraphs. The former referred to “a terrorism offence”, whereas the latter referred only to “the offence”. The French version suffered the same defect.

The special Senate committee therefore amended subparagraph 83.28(4)(b)(ii) to ensure consistency in the wording in both provisions and of course in both official languages.

Finally, the third amendment made by the Senate to Bill S-3 was to subsection 83.32(1.1). This subsection originally proposed that a review of these two powers proposed by Bill S-3 be made at the discretion of Parliament. The Senate amended this particular provision to make the parliamentary review of these powers mandatory.

As we can see from the summary of the Senate amendments, these were slightly technical although very important amendments and they did not alter the essence of Bill S-3.

The proposals in Bill S-3 provide law enforcement agencies with the proper tools. I will point out that the committee met with a number of law enforcement agencies that deemed these tools to be necessary to help them do their jobs in addressing the ever present threat of terrorist attacks. They also include safeguards required to help preserve the safety and security of all Canadians, as well as to protect their fundamental rights, the right of hard-working Canadian families to play, to feel safe at night and to live their lives in peace.

•(1650)

I am asking all hon. members in this House to hear the facts of this bill and understand the need for such important legislation. I ask them to join me and support it.

[*Translation*]

I urge all members of this House to support Bill S-3.

[*English*]

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, in my colleague's speech today he talked about his home constituency of Cambridge. I went to Wilfrid Laurier University, which is in Kitchener-Waterloo, just outside of Cambridge. It is a very beautiful community, one with a lot to be proud of, and is very diversified. He mentioned the 401 and concerns. Everybody in Canada really is concerned about terrorist attacks.

My riding actually has the busiest international border crossing in the world. In fact, more than 30% of Canada's entire trade to the United States goes through my riding on a daily basis, including more trade than all of Canada's to Japan. There are actually four crossings, but the main crossing is the Ambassador Bridge.

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On that bridge, there is a system right now whereby someone drives on and does not actually get checked until getting to the other side. As well, the only real plan for security, for appearances and so forth, is to rent a police officer once in a while who goes underneath the bridge. This is a four lane bridge that obviously is very important for the economy, connected right to this member's community.

Given the fact that these are the government's criteria for security, I would like to ask the member whether he thinks that is sufficient. Why have there not been, in this private enterprise, the mandated improvements to make sure? There are 24 international bridges and tunnels between Canada and the United States. Only two are privately held. This is one of them. I would like to hear from the member as to whether he is satisfied with that type of security provision from this private operator.

● (1655)

Mr. Gary Goodyear: Mr. Speaker, the hon. member raises a very good point. In fact, he is not mistaken. Regarding the Ambassador Bridge, I have heard numbers indicating that \$1 million a minute of trade goes across that privately owned bridge. I cannot account for how that bridge ever became private. I suspect that it was done before I was born, which was not that long ago, just to be clear.

With all due respect, though, the fact is that the member is looking at this single bill as the be-all and end-all of this government's agenda to fight terrorism and to make Canadians safe. The truth is that this is only part of the government's anti-terrorism efforts. I know that there is a front away on our infrastructure funding of \$33 billion to improve that border crossing. Part of that will obviously include increased border security.

I would like to suggest that the previous government had an idea of putting an inspection ground on the American side. Of course the Americans said that not in their lifetimes were they going to have our vehicles come into the country and then be inspected.

I know that our government is looking at putting inspection 15 miles away from that bridge, for example, so that we can in fact increase the security of that border, which in my opinion is actually an economic security as well. I appreciate the hon. member's question, but I want the hon. member to rest assured that this is only one piece of this government's anti-terrorism actions.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I listened intently to my good friend and colleague speak on this important amendment and bill. I would like him to expand a bit, but it is important to understand why we need anti-terrorism laws, why we need this legislation and where this began.

We know about 9/11 and we know that the United Nations passed a resolution requiring all its member nations, thus most of the world, to begin to enact measures to defeat terrorism or to protect their citizenry and the world against terrorism. Canada, of course, being the good member of the United Nations that it is, took upon itself the need to have anti-terrorism legislation.

I wonder if the hon. member might expand a bit on that and other items concerning this legislation.

The Acting Speaker (Mr. Royal Galipeau): The hon. member cannot expand very much because there are only 20 seconds left.

Mr. Gary Goodyear: Mr. Speaker, I will be very brief. The sad truth is that terrorism is still alive and well in the world and we cannot sit back, put our heads in the sand and deny that it exists. We have to step up to the plate.

The number one job of a government is to keep its citizens safe. We will do what we have to do and that is what we are doing.

* * *

PRIVILEGE

STATEMENTS REGARDING VOTING RECORD OF MEMBER

Hon. Jason Kenney (Secretary of State (Multiculturalism and Canadian Identity), CPC): Mr. Speaker, I will be brief on this matter which arose after question period and an undertaking I gave the Speaker, pursuant to a question of privilege raised by the hon. member for Richmond, in which he claimed that in a recent interview with the Chinese Canadian media, I had mischaracterized his voting record regarding Bill C-50.

I had told media outlets that the member for Richmond was saying one thing to them about this bill, but voting a different way in the House. The member for Richmond rose today on a question of privilege to contest that fact. I undertook to review the voting records. I have done so, and although I do not think I need to table the *Hansard* transcripts of the debates of this place, the transcript of *Hansard* from Wednesday, April 9, 2008 with respect to the votes on the Budget Implementation Act demonstrates clearly that the member for Richmond did in fact vote against a motion in the name of the member for Trinity—Spadina which sought to split Bill C-50 and which, had it passed, would have effectively been a confidence measure and defeated the bill.

I am therefore pleased to present this as per my undertaking which underscores the veracity of my remarks and the fact that the member for Richmond did effectively vote to support the government on this matter.

● (1700)

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, I am rising on the same point because my colleague from Richmond is not here to comment.

I know that he would have liked to thank the Secretary of State for Multiculturalism and Canadian Identity for his perspicacity, but he probably would have asked that it be indicated that the vote would have been required at any rate. The NDP motion could not possibly split the bill. What my colleague would have said is he would have voted against the measure when it came at third reading.

The Acting Speaker (Mr. Royal Galipeau): I am not sure that either point is a point of order. With respect it appears as if the House just heard points of debate and not points of order.

Resuming debate, the hon. member for Selkirk—Interlake.

*Government Orders***CRIMINAL CODE**

The House resumed consideration of the motion that Bill S-3, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions), be read the second time and referred to a committee.

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I am pleased to speak to Bill S-3, an act to amend the Criminal Code (investigative hearing and recognizance with conditions).

Today I will focus my remarks regarding Bill S-3 on these provisions and how they compare with the provisions found in the anti-terrorism legislation of other major democratic countries. I will do so in order to show that the provisions in this bill are either similar to or in some cases narrower than those of other countries.

Let us first turn to the proposed investigative hearing procedure. Other democratic countries have similar procedures.

The United States has a grand jury procedure. A federal grand jury can compel the cooperation of persons who may have information relevant to the matters it is investigating. It can subpoena any person to testify under oath. If the individual fails to appear or refuses to answer, or fails to produce evidence or documents in his or her possession, he or she may be held in contempt absent a valid claim of privilege. If a witness or the custodian of a document asserts a valid privilege, he or she may be provided with use and derivative use immunity and then be required to comply with the subpoena to testify or produce evidence.

Investigative hearing provisions roughly equivalent to those proposed in this bill are also found in Australia and South Africa. The United Kingdom goes even further.

In 2001, the U.K. amended its Terrorism Act 2000 to create a crime of withholding information relating to a terrorism act. Specifically, a person commits a crime who fails to disclose information to the police which he or she knows or believes might be of material assistance in preventing an act of terrorism or in securing the apprehension, prosecution or conviction of someone for an offence involving the commission, preparation or instigation of a terrorist act. Punishment for this crime is up to five years' imprisonment.

Also, the U.K., through the Terrorism Act 2006, applied to terrorism investigations the disclosure notice procedure that was created by the Serious Organised Crime and Police Act 2005. Under that legislation, an investigating authority such as the director of public prosecutions, can have a disclosure notice issued to a person. The notice could require the person to answer questions relevant to the investigation, provide information or produce documents.

Let me now turn to the recognizance with conditions provision. First, the arrest without warrant power found in this provision would be, as before, very limited in scope, for example, where pressing exigent circumstances make it impractical for a peace officer to go before a judge and have the judge compel a person to attend before him or her. Where the person is arrested without warrant, the peace officer would have to bring that person before a judge within 24 hours or, if not feasible, as soon as possible thereafter.

If the judge decided to adjourn the hearing and detain the person until then, the adjournment would be for no more than 48 hours. Thus, under the recognizance with conditions power, the maximum period of time for which a person could be detained until the hearing takes place would generally be for no more than 72 hours.

However, the United Kingdom has a much broader arrest without warrant and detention power. Under section 41 of the Terrorism Act 2000, the police may arrest without warrant a person whom he or she reasonably suspects is a terrorist. The maximum period of time that a person can be held in detention without charge under this power was extended from seven days in 2000 to 14 days in 2003 and was increased again to 28 days in 2006. In January 2008, the United Kingdom government introduced a new counterterrorism bill which, if passed, would extend this period of detention, in extraordinary cases, for up to 42 days.

The U.K.'s Terrorism Act 2000 also contains other police powers not found in our Criminal Code, such as the power of a senior police officer to designate a cordoned area where considered "expedient for the purposes of a terrorist investigation". This allows the police to, for example, order a person to leave the area or not enter the area, and failure to obey the order is an offence. The police may also be authorized to search premises in the area.

There is another power that allows a senior police officer to authorize a uniformed constable to stop and search a vehicle or pedestrian in an area set out in the authorization where the officer "considers it expedient for the prevention of acts of terrorism".

As well, in 2005, the U.K. put in place a system of control orders which may be imposed on a person, citizen or non-citizen alike, to prevent terrorist attacks. There are two kinds of control orders that may be imposed, those that do not derogate from the European Convention on Human Rights and those which do derogate from the convention. The latter would, arguably, apply in cases of house arrest.

●(1705)

Some of those non-derogating control orders that had imposed lengthy, daily curfew periods were successfully challenged in the lower courts and these decisions were appealed to the House of Lords.

In the fall of 2007, the House of Lords ruled that a number of control orders that had imposed an 18 hour curfew violated the right to liberty under the European Convention on Human Rights, rendering these orders null. However, it upheld control orders that imposed 12 or 14 hour curfews.

Australia has also enacted legislation that creates a system of control orders and preventive arrests of terrorist suspects. The Australian federal police may apply for an order for preventive detention for up to 48 hours of a terrorist suspect where there has been a terrorist act or where a terrorist act is imminent. Additionally, Australian states and territories have enacted legislation allowing preventive detention for up to 14 days.

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To summarize, Bill S-3 proposes a maximum period of detention of generally 72 hours in relation to the recognizance with conditions power. In contrast, a suspected terrorist in the United Kingdom may currently be detained without charge for up to 28 days. In Australia, states and territories allow for preventive detention for up to 14 days.

It is obvious that in contrast to the United Kingdom and Australia, the power to detain persons in Canada to prevent terrorist activity is far more narrow in scope. The investigative hearing and the recognizance with conditions were drafted with due regard for the Canadian Charter of Rights and Freedoms. They help to protect Canadians from the scourge of terrorism in a manner consistent with human rights. As the comparison with other democratic countries show, they have been crafted with restraint.

We must also not forget that these powers can serve to respond to our international obligations to prevent and suppress terrorism. In this regard, it should be noted that United Nations Security Council resolution 1373 states in part that state parties are to “take the necessary steps to prevent the commission of terrorist acts”.

These provisions are necessary to prevent the commission of terrorist acts and therefore they respond to the international obligation set out in resolution 1373.

For these reasons, I will be supporting this bill and I urge all hon. members in the chamber to do likewise.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I want to thank the member for Selkirk—Interlake for enlightening us on the law that is being debated here today. In particular I want to expand on what he mentioned a few moments ago with regard to the United Nations requiring its member nations to begin to enact the anti-terrorism laws and to begin to fight the global war on terror.

Some high school students were in to see me last weekend. With regard to human rights and what is occurring around the world vis-à-vis countries using children to do some very improper things, such as strapping ammunition or explosives to their bodies and sending them into places where people are shopping, et cetera, I reminded them of what a late great world leader said. She said that this war between us and our foes will end when the enemy begins to love their children more than they hate us.

However, we are discussing the Anti-terrorism Act today and in particular some of the issues surrounding it. I want to ask my friend, the member for Selkirk—Interlake, what are some of the safeguards in respect to investigative hearings that are currently in this law?

• (1710)

Mr. James Bezan: Mr. Speaker, I agree 100% with what the member said about the need to protect our citizens in Canada, that we have some international obligations to carry this out. Definitely, Canadians right across the country expect the government and this Parliament to initiate these types of measures to ensure that terrorism can be disrupted.

When we know a terrorism undertaking may be happening, we need our police officers and our judges to have the tools they need to execute the necessary measures to disrupt the planning process. We need to be able to hold people, investigate what they are doing and, hopefully, charge them under the Criminal Code for their activities.

We need to remember there are a number of safeguards to protect the rights of these citizens we are so concerned about, especially when we talk about investigative hearings. We need to remember that this does not just involve the federal government. It also involves the provincial jurisdictions. The peace officers, of course, will be the ones carrying out the investigations, looking at the situation and then making their recommendations to the court but they will need to come forward with a pretty strong case.

First, they will need to get the consent of the attorney general of either Canada or of the respective provinces to go ahead with the application. A judge will then need to look at the information that is presented, weigh it off against the rights of the individual, along with the information as presented, and then will need to exercise his or her authority as to whether an order will be provided for the investigative hearing. Therefore there is that safeguard.

It also is important to note that both federal and provincial crown attorneys general would be required to report annually on the use of any of these investigative hearings.

This is a five year process that we are undertaking here right now with the legislation, with the review after 2011, and these annual reports will help set the tone, I believe, on ensuring the process does work, that it does protect Canadians, and that it looks at the overall scope of how this whole process was applied through the investigative hearing.

Hon. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, I am pleased to participate in this debate on Bill S-3, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions) or, as I prefer to call it, the investigative hearings and preventive arrest.

This bill is a follow-up to Bill C-36, which went through the House of Commons and through the Senate in time for the provisions of investigative hearing and preventive arrest to be continued because they were sunsetted and were about to end in February 2007.

At that time there were some discussions and agreement that perhaps some enhancements could be made. The Senate has considered some enhancements to what was Bill C-36. At least the bill was passed in time for these provisions not to lapse. Now we have before us an improved former Bill C-36 in the form of Bill S-3.

I will comment in a moment on the enhanced provisions, but I would like to set the stage for a moment. It is my own view, and I think largely the view of this side of the House and our caucus, that this bill is needed for a few reasons.

First, the threat of terrorism is still with us. The threat of terrorism has not subsided. We saw not too long ago in the newspapers and other media a case in the United Kingdom where a cell of alleged terrorists had been plotting to blow up aircraft that were destined for Canada and the United States. Admittedly, they will be facing those charges in court, but there have been terrorist events preceding that.

Government Orders

I think we need to be ever vigilant. In fact, in Canada we should be somewhat proud that we have had a regime in place that perhaps has been successful in thwarting any attempts to compromise our national security. Having said that, we need to be ever vigilant because the terrorists do not sit idly by. It is known that al-Qaeda has Canada on its list of targets. It is no secret that our troops are in Afghanistan and that causes some consternation among certain parties. I believe this anti-terrorism regime and these provisions are still needed because terrorism is still around us and still a threat.

I also believe these provisions are needed because I do not subscribe to the argument that because we have not had a terrorist event in Canada since the original Anti-Terrorism Act was enacted that we do not need these provisions any more. To me, it is sort of tantamount to saying that if one's house has not burned down one does not need fire insurance. I think that is folly for an argument and we need to have these provisions in place to ensure we do not have a fire in our home.

Third, I think the concerns of some, when these original provisions were enacted, that they would be used in a less than judicious way by the law enforcement agencies, has proven to be wrong. The fact is that they have never been used but that should not mean that we do not need them because we do. We need to have this tool in the toolkit of our law enforcement people in Canada so that if the day comes, and hopefully it will not, they can resort to it.

There is no greater responsibility of a government than to protect and safeguard its citizens. This always needs to be carefully balanced with the civil rights of its citizens. It is a very delicate balance. I do not think anyone would be as naive or as vain to think that we always have the balance right. It is never an easy task but we need to deal with it and that is why this bill is before this Parliament. As parliamentarians, we need to wrestle with these issues and deal with them.

• (1715)

We have a group in Toronto that was rounded up a couple of years ago, the Toronto 15. There is some confusion I think among Canadians about how these people were charged and rounded up. The fact is that provisions of the Criminal Code were used to arrest these people.

One could argue that if we used the provisions of the Criminal Code there, why could we not always use provisions of the Criminal Code? It is a good point but it is not a compelling argument because in this particular case the police had informants. They had information and certain evidence.

At the end of the day, of course, these people are being tried and dealt with by the prosecutors, the courts and the police. Some of them have already been released. If they were completely innocent, it is unfortunate that they had to be incarcerated for a period of time. I am not sure if some of them got out on bail but it is always an unfortunate event if people are arrested and then not subsequently charged. However, in this particular case, the police had sufficient evidence and arrested them under the provisions of the Criminal Code.

This type of situation does not always exist. We know that terrorists communicate, sometimes in encoded ways, sometimes

electronically, sometimes in various shapes and forms, and our investigative forces, law enforcement and other security forces in Canada, have ways of tracking this type of communication traffic. There will be a time, and perhaps there has been already one that we are not aware of, when the law enforcement agencies will pick up something that indicates that perhaps a terrorist event is about to be committed but they do not have sufficient evidence to lay a charge or to have these people arrested.

I had the good fortune and honour to serve on the subcommittee of the Standing Committee on Public Safety and National Security. We investigated, exhaustively, the anti-terrorism legislation in Canada when it was up for review after five years. I will never forget the testimony of a gentleman who came from the United Kingdom. I forget his exact title but he was responsible for overseeing the anti-terrorism provisions in the United Kingdom.

The analogy he used was that if the police pick up information that a bank is about to be robbed, what they can do in a case like that, and they often do, is stake out that particular site. If the crime is perpetrated, then the police are there, they arrest the criminals and that is it. However, we cannot do this with a terrorist attack.

People move, and we see it all the time in various shapes and forms, different guises, perhaps with munitions strapped to them and it is often impossible to stake out. We could stake it out but then the terrorist event could happen and innocent people could lose their lives. Therefore, it is not really susceptible to that same type of action by law enforcement agencies.

I want to talk briefly about what the Senate has done to improve these provisions of preventive arrests and investigative hearings.

First, the Senate amendment calls on law enforcement to convince a judge that all reasonable attempts for the collection of information about potential or prior terrorist activity has been done before an investigative hearing is ordered.

An investigative hearing would be when the police bring together a group of people to seek out information about a possible terrorist activity. In my own judgment, I am more interested in the proactive view of how these provisions would be applied. I am not that interested in how they could be applied retroactively because I think the whole idea of the anti-terrorism legislation is to prevent a terrorist event, not go back in time, but, nonetheless, I know there are others in this House who feel differently about it. However, we need to at least have the provisions that would look forward to any proposed or possible terrorist event in the future.

• (1720)

What these amendments do is say that law enforcement must have to convince a judge that all other reasonable efforts have been made to deal with this, without having an investigative hearing. At an investigative hearing people are rounded up and asked to come before a judge and there are questions, and it is somewhat of an infringement on civil rights.

Private Members' Business

Nonetheless, a judge is involved within 24 hours. In other words, a hearing has to be conducted in a very swift fashion, and the same applies to preventative arrests. In fact, the people under the provisions of our law have to be released within 24 hours, and as others in this House have pointed out, these provisions are actually less onerous than those in countries like United States, United Kingdom and Australia. These amendments in the Senate call for that.

Also, another important change is that the bill now has narrower wording stipulating the grounds on which an individual may be detained. It is useful and responsible for legislators to be precise and to not leave it open to misuse. This bill and the amendments that are placed in it allow for that.

There are other provisions that call for the review of this legislation, in fact, making it mandatory to review these provisions. Rather than as an elective, Parliament is required to review these provisions at the appropriate time and interval.

These enhancements improve these measures. We never like to infringe on the civil liberties of our citizens, but at the same time we have to have measures in place that adequately safeguard our citizens. We are blessed in this country that, although I know some would argue the other way, our law enforcement people act responsibly and we have to have continuous oversight.

The RCMP has been under the public microscope lately and I am sure it has some improvements to make. This is not a police state, and we want to make sure it never even comes close to that, but our law enforcement people generally will use these tools only when they have to.

I recall at the subcommittee we had a panel. We looked at the provisions of the former Bill C-36, and this was particularly in the context of the security certificates. Even though security certificates are outside the scope of the anti-terrorism legislation, the subcommittee was tasked with looking at the provisions of the security certificates.

There was an official who came from the Department of Public Safety and National Security with a brief and a dossier on an individual who was an alleged Iranian assassin and who was being detained under a security certificate. Of course, some of the material in the dossier had to be whited out to protect allies who had provided various information and sources of information, on the grounds that it would compromise our national security. The dossier was nonetheless a very thick dossier and the official took the subcommittee through this file, indicating why this person was being detained under a security certificate.

On that same panel, there was a representative from the B.C. Civil Liberties Association. I remember turning to him at that point in time and asking whether, after hearing the profile of this particular gentleman who is being detained under a security certificate, would he like to have this person as a next door neighbour. It was kind of a risky question, but I thought it was a reasonable question to ask. In response, he said that he would not. If anyone heard this dossier, they would say that no reasonable person would want this person as a next door neighbour.

• (1725)

He was opposed to these kinds of provisions. I asked what the problem was and he replied that it was the process. We agreed that the process needed improvement and that is why, with respect to security certificates, that was enhanced.

We need to understand that citizens of this country want their government to have a balanced set of measures that would keep their families and themselves safe and secure in their neighbourhoods, and would have the optimal balance between those requirements while protecting the civil liberties of Canadians, which is equally important. Balance is something that we must continue to strive for in the House.

Bill S-3 provides a very good balance between those two competing elements and I certainly will be supporting it.

• (1730)

The Acting Speaker (Mr. Royal Galipeau): It being 5:30 p.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

When we return to the study of Bill S-3, there will be four minutes left for debate for the hon. member for Etobicoke North and 10 minutes of questions and comments.

PRIVATE MEMBERS' BUSINESS

[English]

AIRLINE PASSENGER BILL OF RIGHTS

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.) moved:

That the House call upon the government to bring forward an airline passenger bill of rights similar in scope and effect to legal instruments being either proposed or enacted by jurisdictions within Europe and the United States for the purpose of protecting passenger interests in a consistent and rules-based way and to provide a means of ensuring adequate compensation being offered by the airline industry to airline passengers who experience inconveniences such as flight interruptions, delays, cancellations, issues with checked baggage and other inconveniences incurred while travelling on commercial passenger airline services originating from anywhere in Canada.

He said: Mr. Speaker, I believe that Parliament must take immediate and decisive action on a matter that is of vital importance to Canadians, creating a guaranteed protection for the rights of airline passengers.

Air travel is not an elitist privilege or at least it should not have to be. Air travel is the way that millions of Canadians, living and working in every part of this country, reunite with their families and stay connected to each other. It is how many Canadians from coast to coast to coast choose to explore the beauty and expanse of this great country, and it is vital for a country as large as ours that we remain truly linked together.

Air travel is an important part of that. The actual experience, however, is not always a positive one.

Private Members' Business

How many Canadians have felt the sheer frustration of sitting in an airport waiting area, straining to listen to hear the crackle of an inaudible overhead PA system wondering if this might be the long awaited boarding call for their flight, one that has already been delayed for five hours, and one for which absolutely no explanation has been offered by the airline as to the original cause of the delay?

How many Canadians have felt the anxiety of having a connecting flight cancelled while in mid-journey, a situation completely beyond their control and one that will inevitably force them to incur unanticipated, unbudgeted for, additional costs, such as hotel bills, taxis and meals? This is money they may not necessarily have.

How many Canadians have arrived at the assigned gate for their flight, boarding passes in hand, only to be told to go back to the desk because the airline decided several weeks ago to oversell the same flight to ensure that it would take off full?

How many Canadians have been forced to remain on board an aircraft, held captive with no place to go, no choices available for them to make themselves, and delayed for hours with no end in sight?

How many Canadians have arrived at their destination only to find that their bags have not and then to discover that there is no one available at the airport to explain what they should do next?

Instead, they are told to get in touch with a call centre located in India where the person on the other end of the phone tells them how they can make a claim in 30 days if their bags are not found by then. Obviously, it is impossible they are told to say from India whether their bags are still in Winnipeg or in Toronto.

How many times do Canadians, who are grieving loved ones and who are awaiting the remains to be returned back home in time for the funeral services, have to find out that the body was bumped in Montreal for either better paying cargo or because clerical errors at the airline? We are not sure which?

The answer is that these situations occur far more often than any of us may actually think. These are the stories of real passengers and real problems, and these problems in the airlines are getting worse.

Let me be clear at the outset. Canadians should rest completely assured that when it comes to flight safety, Canada has one of the most effective regulatory regimes in the world. Canada is a global leader in ensuring mandatory flight safety. We are always looking for better ways to make improvements on that impressive record.

The problems, however, that I refer to are not ones of flight safety but of that woefully inadequate consumer protection for passengers of commercial airlines. Let me put it this way. These issues do not occur while the planes are in the sky. They are ones more typically that occur when the planes are still on the ground.

A well run competitive airline should not consider reasonable customer service as an option to be exercised occasionally and then only for the highest paying passengers.

In Canada airline passengers are left completely vulnerable to the recent industry turbulence that has been created by a complete lack of any regulated consumer protection. In Canada there are precious

few rules protecting passengers, but there is a lot of legal language that limits the liability of the airlines themselves.

This inadequacy of voluntary compensation strategies and yes, commercial greed and abuse directed toward paying customers is the issue at hand. Once we pass through security or on the aircraft, the airlines duty of care and the responsibility inherent in that relationship are no longer a matter for the marketplace to direct.

It is a matter for the regulator to oversee. In any other circumstance this lack of consumer protection would never be tolerated, especially when we consider that the airline industry is guarded by the oversight responsibility of the federal government.

• (1735)

Since tabling my motion in the House, my office has been inundated with faxes, emails, telephone calls and letters from ordinary Canadians, airline passengers and consumers, who paid good money for a ticket thinking it was a contract to travel from one destination to the other.

Reaction to their experiences range from genuine empathy to sheer horror at the extent to which greed and neglect has been shown to them by certain airlines. They all have an interesting story to tell. All were paying customers.

None, however, can illustrate any better why a Canadian passenger bill of rights is so badly needed here in Canada than Cubana Airlines flights 170 and 172, which flew on March 8, six short weeks ago.

Having left Havana en route back to Montreal, two plane loads with hundreds of Canadian passengers on board had to be diverted to Ottawa when Montreal closed down due to weather. When they arrived, there was no bus waiting for them to continue on to their final destination. Nor was there a lounge where they could relax, get a cup of coffee and wait it all out. Instead, after five hours in flight, over 300 Canadian passengers were held on a runway for 12 hours, with the cabin doors closed and no way for them to escape. The plane did not connect to a gate.

After about eight hours of this, food and water began to run out. Then toilets completely filled and began to overflow. Still neither the company, nor the captain, nor the Ottawa airport authority took effective action to ensure that the flight hooked up to a gate and the passengers were unloaded. Fingers are still pointing as to whose fault this all was. Personally, I do not particularly care. It should never have been allowed to happen, period, not in Canada.

It was not until one of the passengers had the good sense to dial 911 on his cellphone, demanding to be put through to an RCMP duty officer, that something finally happened. The clear distress and desperation in the passenger's voice caused police to intervene and the plane finally docked so passengers could leave.

I can only imagine what law was used by the RCMP against those who caused all of this. I can only imagine because there are no rules in Canada against such clear cut consumer abuses when it comes to the Canadian airline industry.

Private Members' Business

I can only assume that the sole tool police had available to them that night to assist those passengers was the powers of the Criminal Code. Without any laws or regulations to protect these passengers, I can only presume that the police must have advised all involved that if those passengers were not allowed to get off those planes of their own free will, immediately, police would be forced to seize the planes and lay charges related to involuntary confinement under the Criminal Code.

The Criminal Code seems like a rather blunt instrument to ensure basic consumer rights are protected in Canada. Plainly put, that is why we need a airline passenger bill of rights, legislation similar to what is already in force throughout all of Europe.

On February 17, 2005, European parliamentarians brought in a passenger bill of rights, requiring all European airlines, as well as foreign-based airlines flying out of European airports, to provide reasonable care and compensation to passengers in the event of delays, cancellations, denied boarding, delayed or lost baggage, along with legal requirements to publicly report the reasons for flight delays and to ensure that customers were made aware of the full extent of their rights.

Three years after coming into force, no one in Europe today is saying "let's get rid of it". The legislation is applied fully regardless of what the actual cause of the original delay to begin with, whether it was a storm, company negligence, or mechanical issues.

Jacques Barrot, the European Commission's vice-president responsible for transportation, noted that when he announced the European airline passenger bill of rights back in 2005, "Competitiveness and competition in the air sector must go hand in hand with guaranteed passengers' rights".

Here is a special point of interest to the debate. Even non-EU airlines that fly from European airports are required to comply with the European airline passenger bill of rights.

● (1740)

In other words, when Air Canada or any other Canadian airline leaves an EU airport to fly back home to Canada, its passengers are given statutory rights to service and compensation through the EU's bill of rights. However, when that same Air Canada flight arrives back home and goes on to a new destination, these rules no longer apply. It is an interesting point.

People might be interested to know as well that the United States has already enacted airline passenger rights legislation. They may have heard about the state of New York's laws that created significant legal obligations on air carriers choosing to fly in and out of that state. The rules that New York created were clear and meaningful and provided for significant fines against any breach by an airline. It was struck down, however, but only because responsibility for aviation regulation is a federal jurisdiction, not a state prerogative. This regulatory void, however, is quickly being filled by the legislature with appropriate jurisdiction, the U.S. Congress.

H.R. 1303, the airline passenger bill of rights act of 2007, which is currently before the House of Representatives, and S. 678, the airline passenger bill of rights act of 2007, which is currently before

the U.S. Senate, are both moving forward. These bills deal specifically with airline passengers' rights in the case of flight delays.

At the same time, there are also two other bills before Congress that include the same provisions as the two bills I just mentioned, but are part of a much broader package of amendments to certain other acts that create even greater airline passenger rights for U.S. customers. Those bills are H.R. 2881, the FAA reauthorization act of 2007, which has already been passed by the House of Representatives, and S. 1300, the aviation investment and modernization act of 2007, which is currently before the Senate.

Bill H.R. 2881, namely, sections 401, 406 and 418 to 423, may be of particular interest to members as the legal requirements established for both U.S. and Canadian carriers flying within the U.S. clearly protect consumer rights. My question then is: Are we prepared to have a two tier international aviation system, with Canada being on the bottom rung?

It is almost a certainty that the U.S. will be imposing these regulations, similar to what is already in place in the European Union. This creates an important consideration for the Canadian airline industry and its oversight of it. Failure to at least match consumer protection standards of our international competitors will leave the Canadian industry with a serious competitive disadvantage.

If one has an option to travel on a British Airways flight, for example, or on Air Canada on a return trip to the U.K., which airline would one fly on? The airline in which the European parliament will be guaranteeing a person's consumer rights or one where the Canadian Parliament is guaranteeing a person nothing?

The international context of an emerging best practices model in the aviation industry is moving rapidly toward providing superior state enforced customer service minimums and this is not something that Canada should ignore or avoid. The time for the Canadian airline passenger bills of rights is now.

I implore the House to dig into this issue further. I would enjoy the opportunity to work with each and every member to draft legislation and bring it forward.

Given that my time is up, if anyone wishes to continue this exchange or look for more indepth information or analysis, I invite people to visit my website at www.gerrybyrne.ca, where they will find significant research and background information on this issue and an opportunity to provide feedback.

● (1745)

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, the member and I share a concern that consumer protection be robust in Canada, especially for those who use the airlines to travel. He made specific reference to a model that I think he would like us to follow, the model used by the European Union, which has a bill of rights for airline passengers.

Given the fact he has quoted that as a model, could he elucidate for us a little further the advantages that model would have over Canada's current system? Perhaps he could also comment on Bill C-11, which was passed in the last Parliament and which seriously enhances consumer protection for airline passengers in Canada?

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Hon. Gerry Byrne: Mr. Speaker, the international governance model for air carriers is covered under both the Warsaw and Montreal conventions. There are rules in place related to international carriage. What the European Union has decided is that there needs to be further enhancement to that. As we know, both the Montreal and Warsaw conventions do not apply uniformly because not all states have signed on.

One of the issues that I think is really relevant is there are a number of discount carriers that exist in the European Union. Some of them offer flights for one pound or one Euro per flight. The European Union has decided, regardless of the price of the ticket, to put in place specific mechanisms, specific fees or fines that are payable back to the consumer should there be a breach of a contract related to the passenger bill of rights. That is a very important point because in Canada there are no consumer airline passenger orientated rights that go with them.

Each airline in our country, under the Canadian aviation regulations, is required to submit and publish tariff schedules, but those tariff schedules do not guarantee or require specific remedies or prescriptions should a customer issue service arise. It simply says that the airline must indicate what it would do in a particular circumstance. The Canadian airline, when it publishes its tariffs, could simply say that it will do nothing, and that complies with the Canadian aviation regulations. There is a void on this issue.

While there are some basic protections, we obviously need to do more. Ask the passengers on Cubana Airlines if those are the facts.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, at the end of January, I brought forth a call for the government to bring forward legislation. We have not yet seen that, but this motion at least creates a process, a potential element to deal with the situation.

One of the points the member made, which I think is important, is that the European Union as well as the United States are looking at different models as well. Would he expand again on the importance of Canada being left out if we do not do the same?

Hon. Gerry Byrne: Mr. Speaker, we live in a global marketplace and we live under the examples and the benefits of best practices models.

I will repeat again the clearly logical example that if a Canadian airline fails to operate under a set of norms or a consistent set of rules, rules which are being applied in other jurisdictions by other competitors, and if those rules do not raise the standards for customer service and expectation, then Canada is really left at a competitive disadvantage. The Canadian airline industry will be held to a competitive disadvantage. Customers will make their choices.

Again, if there is an airline operating with state-guaranteed protections for a customer's interests in one instance and another airline is operating without such guarantees, where will the international customer gravitate its business to? Obviously to the airline operating under a better customer service quality standards. That is a good best practices model.

• (1750)

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I want to thank the member for bringing this motion forward. In principle, I do

support the motion. Whatever we can do to strengthen consumer rights in Canada is welcomed.

I am also an air traveller. I travel every week to and from my riding, and I know what it means to be delayed, to sit on the tarmac waiting for a plane to take off.

I want to start by unequivocally stating that our government is committed to consumer protection for Canadians. Our country has a solid, effective and constantly improving consumer protection regime, and that applies to those Canadians who travel by air.

Canada's approach to air travel has always been to put the safety of the travelling public first. That is non-negotiable. That is why Canada is a world leader in aviation safety, as the member mentioned. Canada has even been cited by the International Civil Aviation Organization as having among the best safety standards in the world. Safe operation of our aircraft is our paramount consideration.

What about some of the other aspects of air travel? What about the comfort, safety and convenience of the travelling public?

The motion before us asks us to do a number of things. It calls upon our government to protect air passengers' consumer interests in a consistent and rules based way. It also asks us to provide adequate compensation to air travellers who experience inconveniences and delays on commercial flights originating in Canada.

The motion seeks to address those concerns by formally calling upon our government to implement a passenger bill of rights similar to the one in Europe and the one in the United States. Let us look at those models. Let us first review the situation in the United States.

As it turns out, the United States actually has no national passenger bill of rights. Although the state of New York tried to adopt a law which would have addressed health and safety concerns related to long delays on the tarmac, the U.S. Court of Appeals actually struck down the law. Despite past efforts, the United States has never been able to implement a broad passenger bill of rights to date.

Not only does the United States not have a passenger bill of rights, but it does not even have a complaints mechanism available to passengers. A discontented passenger is left to deal directly with the airline and has no other recourse for resolution aside from the courts.

Only Europe has a passenger bill of rights at this time, and it is appropriate for us to reflect on the particular circumstances of that bill of rights.

The fact that the European Union has some 20 different member states, many with their own air carriers, explains why the EU was so anxious to have a consistent set of rules and approaches to consumer complaints.

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What was worse was that in Europe there were persistent challenges with congestion and overbooking, challenges which existed as early as the 1990s, which is approximately when the European passenger bill of rights was originally introduced. The European aviation industry was known to regularly overbook passengers, cancel undersold flights and make refunds very difficult.

Europe also faced serious challenges when its airline industry saw over 35 low cost carriers exit the market between 2003 and 2006. That in itself would have been a huge blow to consumer confidence in the European airline industry.

The European Union passenger bill of rights addresses specific situations where either boarding is denied by the carrier or flights are cancelled or delayed for a long period of time.

That bill of rights also requires each member state to have an enforcement body to deal with consumer complaints. Surprisingly, its enforcement process has many similarities to our Canadian approach. Just as in Canada, enforcement bodies in the EU provide recourse to passengers for complaints not resolved by the carrier.

However, European Union resolution of complaints is limited to the very issues I have already articulated: denied boarding, cancellations and delays. This is different from our system where our complaints enforcement body, the Canadian Transportation Agency, has a much wider mandate. The agency has the power to address a wide variety of air traveller complaints as reflected in the broad range of carriers' terms and conditions.

The EU passenger bill of rights does not address the concerns raised by the United States regarding lengthy delays on the tarmac, nor does it address the issue of lost baggage.

Let me elaborate further on the situation right here in Canada.

• (1755)

I would first like to address the unfortunate circumstances that have probably triggered the motion before us. Let us not beat around the bush. This last winter was a tough one for Canadians. It is easy for me to sympathize with those people who were victims of delayed and cancelled flights during the 2007 Christmas holiday season as a result of the winter storms in eastern and Atlantic Canada. I happened to be one of those passengers. Indeed, some Canadians rely on air transportation as their only means of travel. It is also regrettable that vacationers had their reading week and spring break trips cancelled or significantly delayed as a result of the massive storms that hit Toronto, Ottawa and Montreal on March 8 and 9. These were very unfortunate events that are a product of our northern climate.

I began my comments with the statement that we in Canada are fortunate to have strong consumer protection laws. Let me take a few minutes to remind members of what that regime actually entails.

In Canada, as in most other countries, the terms and conditions of carriage are set by carriers that compete aggressively with each other. They are not set by government. This approach is consistent with our privatized air industry framework which relies heavily on the competitiveness of the marketplace to ensure that terms and conditions of carriage are reasonable and fair.

In Canada, airline passenger rights are protected through the provisions in the Canadian Transportation Act. All carriers operating within Canada or arriving or departing from Canada are required to develop terms and conditions of carriage and to make them readily accessible to the public. The information contained in the carrier's terms and conditions of carriage is important to consumers because it sets out that carrier's obligations and commitments to passengers.

As my colleagues in this House know all too well, the Canadian Transportation Act was recently amended unanimously by the Standing Committee on Transport, Infrastructure and Communities. I am a member of that committee and I was part of that review process.

Bill C-11, an act to amend the Canada Transportation Act, was passed and received royal assent in June of last year. It included enhanced consumer protection for air travel. These enhancements were in addition to existing consumer laws that we already had in place. I would like to list some of those improvements we made under Bill C-11.

Under that bill airlines are now required to prominently display and post their terms and conditions of carriage at the business offices of their domestic airlines. Bill C-11 also made permanent the informal and flexible complaints resolution process within the Canadian Transportation Agency. It integrated the role and functions of the Air Travel Complaints Commissioner with the authority and day to day operations of the agency.

The changes introduced under Bill C-11 are improvements to an already open and transparent reporting process. It is also important to understand how the complaints process in Canada works.

Canadian passengers are first required to address their complaints directly to the airline. To me, that seems reasonable. They then have recourse to the Canadian Transportation Agency if they are not satisfied with the carrier's response. Consumers can also seek redress and file a complaint with the agency if an airline fails to follow its terms and conditions of carriage. As a result of the complaints process, the agency can then assess monetary damages, if appropriate.

When considering whether to introduce our own passenger bill of rights, we have to consider many of the elements that are already in place in Canada. These are terms such as those that lay out the obligations of a carrier when flights are cancelled or delayed, conditions that determine how lost baggage is dealt with, which does not happen in the European Union, and an existing thorough and comprehensive complaints process.

The bottom line is that Canadian air passenger consumer protection laws are much stronger than those in the United States, and they more than hold their own when compared to the passenger bill of rights in the European Union.

Let us wind up this discussion by simply saying that Canada should not sell itself short. We are doing a good job in the area of consumer protection. What I do not want to do is till soil that has already been thoroughly tilled.

While I do not for a moment question the motives of the mover of this motion, I am not yet certain that a new passenger bill of rights is absolutely necessary, but I am certainly open to hear his remarks and the rest of the debate on this motion. I am certainly open to having my mind changed on this issue.

• (1800)

[Translation]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to speak on behalf of the Bloc Québécois to Motion M-465 to bring forward an airline passenger bill of rights. Some things have been said by the hon. member who made this proposal, the hon. member for Humber—St. Barbe—Baie Verte, and the Conservative member who just spoke. Let us be very clear.

First, allow me to read an excerpt from a letter I received from ATAC, the Air Transport Association of Canada, “I wish to inform you that our industry is not opposed to the principle of this motion”.

That means that even the industry is not against the principle of this motion. However, it hopes that all stakeholders will be included in this.

The hon. Liberal member who presented this motion cited events related to two Cubana Airlines planes, dramatic events that involved passengers returning from Cuba, whose flight was rerouted to Ottawa because of the weather and who had to spend hours on the plane. This type of bill of rights is not going to help those passengers. It is not just the airlines who are to blame; it is the airport authorities, including those in Ottawa and Montreal.

In my opinion, there needs to be a major investigation into this. The Liberal member who spoke earlier led us to believe that adopting this motion would prevent this type of situation.

I agree with the Air Transport Association of Canada on that point, that the people responsible also need to understand the consequences. I am talking about those responsible, but it is not always the airlines. In this case, there needs to be an investigation to find out who made the wrong decision: the airline that was supposed to land in Montreal but was rerouted to Ottawa and did not take care of its passengers, or the airport authority?

There needs to be an investigation to get to the bottom of this. We cannot suggest to the passengers who suffered through that terrible day that the hon. member's motion will resolve this problem. That is why, when the time comes, I hope we will have an informed debate, where the airlines can be heard and the airport authorities can be involved in the discussion, as they share some of the responsibility in this case.

Let us not forget that in some cases we are talking about an independent company. NAV CANADA is practically a quasi-governmental agency with an independent administration, and CATSA is responsible for security.

Canada has its way of doing things, and the airlines should not always get the blame. When the time comes to debate and update this motion, we will have to look at the big picture. I know that the Air Transport Association of Canada is not opposed to this motion in principle. I have the text of the regulation adopted by the European

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Parliament on February 11, 2004, and I will read a summary of the purpose of the regulation, which is clear and simple:

1. This Regulation establishes, under the conditions specified herein, minimum rights for passengers when:

- (a) they are denied boarding against their will;
- (b) their flight is cancelled;
- (c) their flight is delayed.

The regulation is clear. We can see that it is not possible to regulate every single situation. Obviously, once again, each situation will have to be considered, when a passenger is denied boarding, when a flight is cancelled or when a flight is delayed.

It goes on to say:

3. This Regulation shall not apply to passengers travelling free of charge or at a reduced fare...However, it shall apply to passengers having tickets issued under a frequent flyer programme...by an air carrier or tour operator—

This is becoming increasingly common considering the points individuals can accumulate by using credit cards. Thus, the tickets purchased using frequent flyer points are covered by this regulation.

• (1805)

Obviously, sometimes situations arise where passengers are denied boarding. The regulation clearly explains in article 4 what this means:

When an operating air carrier reasonably expects to deny boarding on a flight, it shall first call for volunteers to surrender their reservations—

The regulation explains what happens if passengers are denied boarding. Article 5 pertains to cancellations and article 6 to delays:

When an operating air carrier reasonably expects a flight to be delayed beyond its scheduled time of departure:

- (a) for two hours or more in the case of flights of 1500 kilometres or less; or
- (b) for three hours or more in the case of...flights of more than 1500 kilometres—

The regulation is extremely detailed. When passengers are denied boarding or when their flight is cancelled or delayed, they are entitled to compensation in euros. I will spare you all the details, but the regulation provides for compensation. In addition, passengers are entitled to assistance, reimbursement, re-routing and care. Passengers do not just receive compensation, but assistance and care. Care is covered by article 9:

Where reference is made to this Article, passengers shall be offered free of charge:

- (a) meals and refreshments—
- (b) hotel accommodation—
- (c) transport between the airport and place of accommodation—

The regulation details everything the airline is to provide for passengers free of charge.

Article 10 even covers upgrading and downgrading. It states that if an airline upgrades a ticket, it does so at its own expense, and that if it downgrades a passenger, it must reimburse the passenger accordingly.

Article 11 of this regulation—and I am still reading from the *Official Journal of the European Union*—even provides that “operating air carriers shall give priority to carrying persons with reduced mobility” or special needs.

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This is where things are at with our airlines. That is why I want to again quote the letter I received from the Air Transport Association of Canada. I understand them when they say, "I wish to inform you that our industry is not opposed to this motion in principle".

That is why I am having a hard time understanding why the Conservatives are opposed to this motion. If the airline industry is not opposed to this motion in principle, then I would ask my Conservative colleagues to reread the regulation adopted by the European Union.

We are talking about the right to care, assistance and compensation. We are also talking about people with reduced mobility and the services that must be offered to them. That is how far we have come. We must partner with the airline industry, pass the motion that my Liberal colleague has put forward, and work with the airline industry to improve things in such a way that all major stakeholders will be involved. And coming back to the incident with Cubana Airlines, because the majority of those involved were Quebeckers, we must be able to shed some light on the subject.

In my opinion, the fact that the two Cubana Airline planes were redirected from Montreal-Trudeau airport to Ottawa merits an independent inquiry. Once again, merely passing this bill of rights for passengers will not fix the problem for the simple reason that in Canada there are authorities that have responsibilities, that take care of the tarmac, the airport, that welcome passengers and that are not airline companies. Security companies, like CATSA for one, take care of security and could be responsible for delays. NAV Canada is in charge of directing the planes.

We have to be able to write a bill of rights for passengers that is consistent with our needs. And all of the reasons I mentioned prove that we are at that point.

• (1810)

[*English*]

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, it is a pleasure to speak to Motion No. 465 this evening. The NDP supports this motion.

About a month ago, I issued a challenge to the government to bring forward a passenger bill of rights. Motion No. 465 is very complementary to that. I would like to read the motion for those who are joining the debate tonight.

The motion is very open and also provides a mode of flexibility and has been crafted in a very good way. The member should be recognized for that because it provides an opportunity to have a good debate about airline passenger service in this country and the way in which problems and issues are dealt with and whether or not we are satisfied with the status quo.

Most people across the country are not satisfied. Most people recognize that, not only in the European Union but also in the United States.

The motion addresses a few of the concerns. I am concerned that members of the Conservative Party do not want to participate in this type of process. This process would be helpful and would also get to other airline issues that need to be debated in this country.

The motion states:

That the House call upon the government to bring forward an airline passenger bill of rights similar in scope and effect to legal instruments being either proposed or enacted by jurisdictions within Europe and the United States...

I will halt there for a second, because what the member has done, and this is what I was concerned with in regard to the government's presentation, is clearly outlined that other jurisdictions have enacted legislation, for example in the European Union. The Bloc member went through some of the details of that legislation which was to deal with very difficult problems that the EU had and the EU felt that it had to enshrine something.

The member also recognizes the fact that the United States is going through a process. There is a bill in the house and a bill in the senate in the United States with respect to a passenger bill of rights. There has been a significant change in the U.S. airline industry and it has rocked the nation in many respects. There are going to be continued issues around passengers and their ability to get value because there is going to be another potential merger. There has been a lot of change, a lot of bankruptcies and many other issues. We have seen all too often footage not just in terms of weather delays but also cancellations related to aircraft being grounded and airlines that have gone bankrupt. A lot of travelling Americans and Canadians have been left high and dry.

These are very important issues. The member has acknowledged that those are the ones to be looked at.

When we look at this issue we cannot put our heads in the sand and say that the European Union has not solved everything and the United States has not quite done it yet so we should just forget about it and wait and see what happens.

There is an opportunity in the House to actually engage in this. Airline travel involves everything. We travel on personal visits with our families and our friends but airline travel is also very important for business and economic development across the country, especially as we are looking at competing in larger markets.

These issues are very important. When a person purchases a ticket, it should come with some basic rights. That is what we are really getting at.

The motion continues:

...for the purpose of protecting passenger interests in a consistent and rules-based way...

I want to stop there. When we talk to airline passengers and when we talk to people who work in the industry itself, the rules based approach is very important. People do not understand all these aspects. There are hidden charges. I know the industry is very concerned with a number of different fees that have been added on by the government. One example is the airline security tax. There have also been increased costs for landing fees. Also Nav Canada has been allowed to accumulate over a \$60 million surplus. All these costs have to be passed on to the passenger.

There is concern from the industry that there has not been a real review of those types of things and those costs get passed on to the consumer. Similarly, there has to be a rules based approach when it comes to expectations when a person buys a ticket.

Bill C-11 was mentioned, but the fact of the matter is even when there is legislation the government has failed to live up to some of the principles of the legislation. In particular on Bill C-11 there was supposed to be consultation with different groups of Canadians about how to bring in a ticket pricing element that was fair and transparent.

• (1815)

CBC's *Marketplace* had very good program that outlined how some ticket prices have increased 50% because of fuel charges. People see a flight advertised at a certain price, but when they go to purchase their ticket, they are in for a big shock. We should have a rules based approach on issues like that so consumers know when an advertised price includes that charge, when it does not and all the airlines would have to follow that.

Having that element specifically mentioned in the motion gives some good ground to create fairness. This would create expectations not only with regard to when passengers should arrive, but what they should do to prepare themselves for air travel and what they should do in their conduct in air travel. Also, there would be an understanding of the company's obligations so that passengers can meet those types of conditions.

I have talked to representatives of some of the companies. They have expressed a bit of concern around issues related to checking in and so forth. For example, if there are not enough security officers to screen people, there is a problem. If people arrive too late, there is a problem.

In this debate, we can look at that context. We can look at the issue of whether the security charge that has been applied and continued by the government is going to be one that has value in terms of making sure that air travel is safe, but also making sure that we are going to reduce wait times and meet a mandate within a passenger bill of rights. Those issues can now come to the forefront.

The end of the motion is important as well. It talks about:

...adequate compensation being offered by the airline industry to airline passengers who experience inconveniences such as flight interruptions, delays, cancellations, issues with checked baggage and other inconveniences incurred while travelling on commercial passenger airline services originating from anywhere in Canada.

It refers to "such as", and therefore, it does not have to be exclusively those items. The items can be looked at to determine whether they are appropriate or not, but at least it opens up that opportunity.

It is important to note that some airlines are actually moving on some of these items right now but they are charging extra fees for them. One airline has introduced a new service where for \$25 or \$35 passengers rise up a level and are able to bump other passengers. There are also emails and other services with regard to food and hotel accommodation.

Some of those things should be included in the price of the ticket right now but they are going to offer those services, the costs of which are going to be passed on to the customer. It is going to create another class of individuals who will be able to afford that \$25 or \$35, depending upon the fee, who will then purchase better tickets than other people who did not want to put that money on the table or

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could not afford to put out that money. That is important, because if we do not set some minimum standards and expectations with regard to airline passenger travel, then the companies are probably going to take advantage of customers. That is not right.

I only have a couple of minutes left, but I want to touch on a couple of issues. The issue of the Cuba to Montreal flight was mentioned. It is really important to acknowledge that those people were stuck on a plane for over 10 hours without the proper hygiene, nourishment or supports. They were having to sit in those seats for a long period of time. The basic health and sanitation systems had failed on the plane, and it took a 911 call to get some action.

That is enough to say if this extreme situation is going to happen in our country, in our nation's capital, there needs to be a change. We cannot simply leave things to the courts and other types of operations where there are no expectations or rules. We need to establish a bill of rights.

I will conclude by pointing out that we are going to once again have an opportunity to move forward on this or we will fall behind and watch our competition move ahead. It is important to point out that we will lose out on this.

In my area, many people choose to fly from Detroit, Michigan as opposed to going from Windsor on another air carrier to Toronto. That is because of the extra rights they are granted. The airlines and groups that are involved want to develop something right now. They want to clear the air. This motion is a start.

• (1820)

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): Before moving on to the next speaker, I would like to share with the House something remarkable that I have observed over the last 40 minutes. All political party members who spoke were also in attendance during their opponents' speeches.

[*English*]

This shows a great deal of respect and courtesy to each other, and I hope will serve as a model to all members of this House.

The next speaker is the hon. member for Eglinton—Lawrence.

[*Translation*]

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, I hope that I will be equal to the task of demonstrating the degree of respect you have observed.

[*English*]

I want to compliment my colleague from Humber—St. Barbe—Baie Verte because I think he presented his motion in a most precise, persuasive and, I might say, compelling fashion.

I note that in part of our discussion we highlighted some of the points by focusing on what happened in the beginning of March. However, I remind all colleagues who have made some very thorough and thoughtful presentations that the motion was actually presented before the events of the beginning of March which underscored the need for this motion.

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I think that the motion has stimulated good debate. I want to focus on a couple of points, if I might, first, before I carry on.

This is a debate that has been long overdue. We have, from Canada's four major airports, at least 60 million passengers utilizing plane service every year. That is twice the population of Canada. So, as my colleague in his motion indicated this is not a service for the elite; it is for everybody. We have come to point where we need to address the specifics about good service. It is time, as my colleague from Windsor West said, that Canada got with the program.

The Europeans have gone through this kind of turmoil. They continue to go through turmoil, but they have recognized that what needs to be put in place is a rules-based system to which both the service provider and the client can point to for an appropriate level of service.

My colleague from Argenteuil—Papineau—Mirabel says more or less the same thing. He says what we need to do is point the finger at all of those who have a responsibility but the responsibility, first and foremost, rests with the regulator.

My colleague from Abbotsford pointed out that perhaps we might be moving a little too quickly on this, and perhaps unnecessarily so, because we have already passed Bill C-11 in this House after some thorough discussion in committee and that provides the bases for a bill of rights, that is, a series of services to be provided by the carrier to its clients whether they be passengers or material that needs to be transported. So, we are dealing with a system that is not only a transport system but it is a transportation system.

I dare say, if I might, that we can add that this is no longer just a service; it is in fact an experience with real live individuals. Roughly 60 million of them a year in Canada are engaged in just those four major airports.

Back to what my hon. colleague from Abbotsford indicated in Bill C-11. There is a clause, clause 27, that calls on the government to help put in place what we might refer to in this motion as a bill of rights, to work with the industry, to consult with all the stakeholders, and to come forward with a basic standard of service criteria to which everybody can point. The government has not acted on that, yet.

Furthermore, there is another clause in Bill C-11, and I know my colleague knows this for sure because he, along with me and the member for Windsor West and the member for Argenteuil—Papineau—Mirabel worked on this in committee, clause 64, that imposes on the cabinet an obligation to ensure that clause 27 is enacted. In other words, that those consultations take place and that the criteria, the regulatory framework, be put in place.

Not only has been clause 27 not been acted upon, clause 64 has virtually been ignored and so, one should not be surprised that my colleague would present Motion No. 465 in order to address these issues.

It is important for us to get a handle on that relationship between carriers, for example, one of them, Air Canada, who last year reported operating revenues in excess of \$10.5 billion, and its vast clientele. There has to be a relationship where the clients, the passengers, can accede to a rules-based system that says this is what

we contract to receive. I pointed out Air Canada perhaps unfairly. It is all carriers.

• (1825)

I point to Air Canada because my colleague from Windsor West and I both were part of the panel. I see that he pointed to it again today, that in response to the activities to the events of last March, instead of looking at how to enact some of these rules voluntarily, Air Canada came forward with a package that said “pay \$25 or \$35 and you can enhance your service”.

Now we are talking about increasing prices for a level of service that everyone expected would be part of the ticket price initially. I do not know whether that was good public relations or not. The people who we deal with at Air Canada are always wonderful people, but certainly the company in this instance made an error.

However, this motion is not in response to that error. It is in response to a genuine need, a get with the program need for Canada to join such other countries like those in the EU and the United States in coming forward with a bill of rights that says that passengers are entitled to this kind of service.

It cannot simply be case of *caveat emptor*. It has to be a case where there is a reciprocal obligation implied, understood and accepted by the carrier that receives the money as its part of the contract.

My colleague from Argenteuil—Papineau—Mirabel says we should include as well all the other service providers. He points to the fact that the Air Transport Association of Canada says it accepts this concept in principle. It does accept it, but we should bring into the equation all those other associations, many of which operate thanks to the regulator's authority, for example, Transport Canada, and that is fine.

However, my colleague's motion is very specific about what should be included. It does not necessarily point to what CBSA and CATSA and what anyone else might do. They have their responsibilities under a different set of regulations and they are held accountable for them. They should be held accountable for the service that they must provide not only to the airport authorities or to the carriers but to the passengers as well.

The most important thing is for this House to be seized with the thrust of the motion. The thrust of the motion says there are already models for us to follow. People have already gone to court to ensure that some of these be enacted, witness the example in the United States that my colleague so rightly pointed out.

However, there are also examples in Europe and 27 European countries are getting together and accepting it. All 27 countries and jurisdictions are in a position to adopt a bill of rights that addresses specific items. My colleague from Abbotsford said yes, but there are three specific areas. Three specific areas no doubt, but there are an addition 12 others that indicate the kinds of elements that must be addressed in this bill of rights.

We have models. We have American models and we have European models. There is no reason why we cannot adopt both. As the mover says, if everyone else can provide that service and constrain our carriers to provide that service when they fly over foreign airspace, why can those same carriers not be constrained, compelled and encouraged to provide a bill of rights for those same passengers over Canadian airspace?

That is the essence of this motion. Let Canadian passengers be treated on a par with Canadian passengers flying other carriers in other jurisdictions. We should offer no less and I encourage this House to adopt my colleague's motion.

• (1830)

The Acting Speaker (Mr. Royal Galipeau): 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.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

TELEFILM CANADA

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I wish to address this evening the matter of the exhibition transportation service program that was eliminated by the current government just a few days ago.

At the outset, I should ensure people understand that these are comments that I am making on a personal level, not as a critic. This is a function I no longer exercise. However, I believed then and I still do believe that we are making a big mistake here.

In March of last year, the government announced that it would basically abolish the exhibition transportation service, a service that had been working since 1976 through the aegis of the Canadian Conservation Institute and serving well over 100 institutions: galleries, exhibition centres and museums, large and small, throughout the land. It was mostly useful to ensure that works of art and exhibitions of interest to Canadians could move from larger centres, sometimes national collections from the National Gallery of Canada, and be seen throughout the land in smaller places, whether it be in the Northwest Territories, Yukon or Prince Edward Island.

The program was designed to do that and it did that very well. However, in March of last year an announcement was made, and I will quote the government document, which I would be quite prepared to table, in which Jeanne Inch, CCI director general, said:

We regret shutting down this service, and in fact, examined every option to keep it going. Unfortunately, we had no choice. It is, as one of our clients said, the end of an era.

This is where I have a problem. On November 19, I asked for a briefing from departmental officials and I did receive it. During that briefing, I asked them if they had considered one particular option. It is an option that members would be quite familiar with. In the nineties, the Government of Canada at the time had wanted to reduce

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the size of its public service, and there was an example that worked very well in terms of another approach.

The example was at the National Capital Commission where the people who worked at the park at the time were offered the option of creating a corporation of their own, which became Lafleur de la Capitale. They were given, on a sole-source basis, a first contract of five years, after which it would have to be renewed on a competitive basis. I believe it was once and now the corporation is working around town. It is actually doing some work on the Hill. I do not believe it has the contract anymore but it is still a going concern.

I was told at the time by the officials at Heritage that they had not thought of that and that they had not considered it. On December 6, I believe, I asked a question in the House and I was given an answer that they were working on it.

When the minister came to the committee in December, I repeated the suggestion personally to her and her deputy minister. However, it has been confirmed to me by the people at the exhibition transportation service that this was never considered and never discussed with them. I think at some point we need to start asking what the intent really was.

Did the government really want to save this useful program, which costs, not in the hundreds of millions, not even in the tens of millions and not even in the millions? It costs in the hundreds of thousands of dollars and serviced well over 100 institutions in the country and yet to no avail. The government shut it down and that is a terrible loss for—

The Acting Speaker (Mr. Royal Galipeau): The hon. Parliamentary Secretary to the Prime Minister and for Status of Women.

[*Translation*]

Mrs. Sylvie Boucher (Parliamentary Secretary to the Prime Minister and for Status of Women, CPC): Mr. Speaker, it is my pleasure to be here this evening on behalf of the Department of Canadian Heritage, which takes its responsibility to exhibit and preserve Canadian heritage very seriously.

A number of existing programs support museums in their presentation of Canadian heritage to the public. For example, the Canada travelling exhibition indemnification program helps Canadian museums save millions of dollars a year on the cost of insurance for travelling exhibitions. The museums assistance program provides financial assistance for the development and circulation of travelling exhibitions throughout the country.

Our government is responsible for ensuring accountability and transparency. That is why this decision was not taken lightly.

Following an audit of the Canadian Conservation Institute's financial and contracting procedures, it was found that the fine art ETS contract workers could no longer be hired under contract. The practice did not comply with Canada Revenue Agency rules for employer-employee relations.

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Rest assured that we examined all options that would allow the ETS to continue operations, including hiring truckers and handlers of artwork as employees of the Government of Canada. The possibility of creating a corporation of their own, as was done at the National Capital Commission some years ago, was also considered. However, the situation of the ETS is quite different from that of the NCC. The NCC was able to provide a contract that guaranteed that the NCC would provide former employees with a specific amount of work over a period of several years. In the case of the ETS, the means of transportation is decided by the museums. Thus, the Canadian Conservation Institute could not provide the same guarantee. Neither the ETS employees nor the contract truckers and handlers of artwork expressed an interest in taking over this service.

The decision to cancel the exhibition transportation service was made for operational reasons when it became obvious that there was no other option.

The Canadian Conservation Institute announced that it was cancelling this service in March 2007 so that the museum community would have one year to adjust to the use of commercial shipping for artwork.

The Canadian Conservation Institute organized a two-day workshop in order to help the museum community make cost-effective choices when planning and managing the shipping of artwork and artifacts. Free workshops were offered to all museums across Canada in the winter.

Various commercial shipping services have been available to the museum community for a long time. On April 1, the *National Post* wrote:

The managing director of the country's largest private art shipping company said the price differences between ETS and his company are smaller than have been reported. Mark Starling, managing director of Pacart, a Toronto-based company that specializes in the transportation of art, said private shipping prices will eventually come down as public museums use the private sector more often. Starling said his company was already lowering its charges by bundling multiple jobs together as its trucks crisscross the country and that museums will be satisfied. In fact, he had just come back from St. John's last week—

● (1835)

The Acting Speaker (Mr. Royal Galipeau): I am sorry to have to interrupt the hon. parliamentary secretary.

The hon. member for Ottawa—Vanier.

Hon. Mauril Bélanger: Mr. Speaker, first of all, what we have just heard basically shows a complete lack of imagination on the part of the government to try to come up with a solution. Based on the

existing budget, it could have reached an agreement with those people. Incidentally, I spoke with some of them and they expressed their agreement. They were interested in doing so. I am very surprised to hear the reverse.

Thus, it shows a lack of imagination, but it also shows a fierce determination to privatize everything. There was an allusion to private services. I could give loads of examples of museums and galleries all over the country that are complaining that the cost of services that will be provided from now on is going up by 30% or more. Thus, it shows a lack of imagination, as well as a desire to let the private sector do everything.

This really shows an unwillingness when it comes to having pride in these cultural instruments and this is causing a gradual, sometimes very underhanded, dismantling of the support given to culture and our institutions—

The Acting Speaker (Mr. Royal Galipeau): I am sorry to have to interrupt the hon. member for Ottawa—Vanier. The hon. Parliamentary Secretary to the Prime Minister and for Status of Women.

Mrs. Sylvie Boucher: Mr. Speaker, I must admit, I find it unfortunate that the Liberal Party still refuses to respect the rules of fiscal responsibility.

As we speak, museums across the country are presenting travelling exhibitions that have been made possible thanks to the support of the Department of Canadian Heritage and the Canada Council.

The department and the council will continue to support the creation and circulation of travelling exhibitions. The decision to discontinue the exhibition transportation service was made official when it became clear that no other option could guarantee the maintenance of those services. The Canadian Conservation Institute is working closely with the museum community to ensure that museum staff have the knowledge and skills they need to take advantage of the transportation services offered by the private sector.

The institute developed special courses that have been offered to museums across the country. Seven training sessions have been presented across Canada this winter and spring.

● (1840)

[*English*]

The Acting Speaker (Mr. Royal Galipeau): The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 6:41 p.m.)

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