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OFFICIAL REPORT
(HANSARD)

Wednesday, May 14, 2008

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, May 14, 2008

The House met at 2 p.m.

Prayers

• (1405)

[*English*]

The Speaker: It being Wednesday, we will now have the singing of the national anthem led by the hon. member for Timmins—James Bay.

[*Members sang the national anthem*]

STATEMENTS BY MEMBERS

[*English*]

ALS SOCIETY OF CANADA

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I rise today to acknowledge volunteers present from the ALS Society of Canada.

The ALS Society of Canada, founded in 1977, is the only national voluntary health organization dedicated solely to the fight against ALS, amyotrophic lateral sclerosis, also known as Lou Gehrig's disease.

Three thousand Canadians suffer from ALS and two to three Canadians with ALS die every day.

I have been personally affected by this disease as my father succumbed to ALS a number of years ago, and, in 2005, I introduced a private member's bill that would ensure that June of every year in Canada would be known as ALS month.

There is no effective treatment for ALS and no known cure. Volunteers and staff of the ALS Society participate in annual fundraising events throughout the country to create public awareness about the disease and raise funds to find a cure.

I urge all Canadians to donate to their provincial ALS societies so that the dream of finding a cure can soon become a reality.

RETIREMENT CONGRATULATIONS

Hon. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, a tireless community worker, Ms. Delia Dyke, has recently announced her retirement.

Delia has been a diligent worker, a committed volunteer and a true friend of the residents of Etobicoke North.

She began her career at the Willowridge apartment complex and, while there, Delia helped set up a day care centre, Willowridge Training Wheels and Welcome Baby, as well as many other neighbourhood programs.

In 1997, Minister Marc Lalonde appointed Delia to the National Council on Welfare.

Delia then began working at Albion Neighbourhood Services in 1988 as an information counsellor and, later, as the manager of its access program.

Delia's wry sense of humour as well as her reputation for assisting Etobicoke North residents with their income tax preparation will be missed. She was also a very able and hard-working Commissioner of Oaths.

Letters of congratulation to Delia have been pouring in over the years from mayors, MPs, MPPs and city councillors. The letters that touched Delia the most were from the residents she has helped over the years.

We wish Delia the very best that life can offer in her well-deserved retirement.

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[*Translation*]

GATINEAU OLYMPIQUES

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, it is with considerable joy that I acknowledge the great triumph of the Gatineau Olympiques in winning the President's Cup, the top trophy in the Quebec major junior hockey league.

The Olympiques beat the tough Rouyn-Noranda Huskies in five games in the final round. This is the fifth time the Olympiques have won the President's Cup since 1995. Such a record is a testament to the solid organization of Gatineau's hockey team and the talent of its players.

Statements by Members

On behalf of the Bloc Québécois, I want to congratulate the Olympiques. We are behind the Olympiques 110% as they head to the grand finale of major junior hockey, the Memorial Cup, which is starting this week.

Go Olympiques go.

* * *

[English]

HAMILTON POLICE SERVICE

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, it gives me great pleasure today to pay tribute to the Hamilton Police Service, which is celebrating its 175th anniversary.

It was on March 11, 1833 that the newly elected board of police in Hamilton took the momentous step of hiring John Ryckman as Hamilton's first paid law enforcement official. There is an unbroken line leading to today's Hamilton Police Service, a lineage unparalleled by any other police agency in Canada.

It is particularly fitting that in this anniversary year, the Hamilton Police Service received its Grant of Arms and Flag from the Queen. Last Monday night's anniversary celebration included the unveiling of the Grant of Arms and the consecration of the flag as an official police colour.

However, as the only women MP from Hamilton, I want to acknowledge another special milestone within the Hamilton Police Service. This year marks the 50th anniversary of the hiring of the first female police officers. Today, there are 148.

As female officers, they face many of the same challenges as other women do in their workplaces. However, if last December's fundraiser is any indication, their courage, determination and support for each other cannot help but ensure continued advances for women in law enforcement.

I salute the women and, indeed, all members of the Hamilton Police Service.

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FORESTRY DAY

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, I am pleased to welcome stakeholders in Canada's forest industry to Ottawa today for Forestry Day on the Hill.

Yesterday, the Minister of Natural Resources co-hosted a very productive round table discussion with forest industry stakeholders to discuss how we can create a prosperous future for Canada's forest sector.

While our forest sector faces challenges, we heard that Canada was well-equipped to meet them with groundbreaking innovations and responsible environmental stewardship. That is why our government invested new money in the 2008 budget to promote Canada's forest sector in international markets as a model for environmental innovation and sustainability.

Canadians should truly be proud of our environmental management of our forests, which is why we have invested so heavily in

innovation through our forest industry long term competitiveness initiative.

With the full support of the Canadian government, the forest sector in Canada has a bright future indeed.

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● (1410)

NURSES WEEK

Hon. Robert Thibault (West Nova, Lib.): Mr. Speaker, I am happy to rise in the House today to recognize Nurses Week in appreciation of the men and women who work on the front lines of patient care. The 270,000-plus registered nurses in Canada constitute this country's largest group of health care professionals, representing one-third of all workers.

[Translation]

Unfortunately, we have a major nursing shortage in this country, a shortage that is only getting worse. If we continue down this path, Canada will be short 78,000 nurses by 2011 and 113,000 by 2016.

[English]

The shortage of nurses is tied to the fact that education seats in nursing were cut, the nursing workforce is aging and a large percentage of the workforce is not employed full time.

In addition, men only make up 6% of nurses in Canada. If we are to solve the lack of nurses, we must work with the Canadian Men in Nursing Group to encourage young men to consider this most noble of professions.

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TERRORISM

Mr. Deepak Obhrai (Calgary East, CPC): Mr. Speaker, yesterday, the citizens of Jaipur, India became the victims of terrorism when several bombs detonated in a crowded marketplace. Nearly 300 people were targeted, 80 of whom have died.

These terrorist attacks against innocent civilians are a gross violation of human decency and a tragedy for all peace-loving people.

The affects of terrorism transcend borders. Although India was the target of these recent attacks, my family here in Canada has been profoundly affected by the possibility that our family members in Jaipur were in harm's way. Thankfully, our family was not harmed but these attacks have shattered the lives of several hundred people.

We must be vigilant in our efforts to end such acts of terrorism. Canada must stand firm in condemning individuals who spew an ideology of hatred and those people and organizations that finance it. They have innocent blood on their hands.

Statements by Members

[Translation]

INTERNATIONAL FEDERATION OF HUMAN RIGHTS LEAGUES

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, the International Federation of Human Rights Leagues, or IFHRL, is a non-governmental organization that defends human rights.

Created in 1922, today the organization has 155 leagues in 100 states, including the Montreal-based Ligue des droits et libertés.

At the 36th IFHRL conference held on April 23 and 24, 2007, in Lisbon Portugal, the IFHRL took a momentous decision and for the first time elected a woman, Souhayr Belhassen, as president.

Ms. Belhassen is an Arab and the first woman to hold this position. She sees her election as the culmination of a long journey. An Arab Muslim woman becoming president of the IFHRL is an extremely significant step in recognizing women in the Arab world, where culture and tradition are sometimes used to muzzle women and curb their emancipation.

On behalf of the Bloc Québécois, I want to commend this exceptional woman who is visiting Parliament Hill today.

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[English]

JUSTICE

Mr. Rod Bruinooge (Winnipeg South, CPC): Mr. Speaker, this past Monday, Winnipeg mayor, Sam Katz, told us how he really feels about the Liberal's soft on crime agenda. He said:

The last time the federal government took some initiatives, they were stalled in the [Liberal] senate for a long time.

Mayor Katz, however, is not the only Manitoban fed up with the Liberals. Gord Mackintosh, former minister of justice, said:

I was through enough years with Liberals in Ottawa to know that I always find it amusing when a Liberal asks a question about getting serious on crime.

For 13 years, why were sensible measures not taken to reduce crime?

Who can Manitobans count on for their safety? The member for Winnipeg South Centre, who sat on her hands for 13 years of Liberal inaction? No. The member for Saint Boniface, who flip-flopped and voted against our government's efforts to restrict the use of conditional sentences for serious offenders? No.

Manitobans cannot count on anyone but the Conservative government because when it comes to safety we will not take no for an answer.

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ALS SOCIETY OF CANADA

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, the ALS Society is a leading not for profit health organization working nationwide to fund ALS research and work to improve the quality of life for Canadians affected by the disease.

Can anyone Imagine not being able to walk, write, smile, talk, eat and sometimes breathe on one's own and yet the mind remains usually intact and the senses unaffected? This is what it is like for

3,000 ALS victims across the country. Along with ALS, neurodegenerative diseases include Alzheimer's, Huntington's and Parkinson's disease.

According to the World Health Organization, neurodegenerative diseases are predicted to surpass cancer as the leading cause of death in Canada by 2040. There is no effective treatment for ALS and no known cure, yet. Eighty per cent of people diagnosed with ALS die within two to five years. It is a disease that bankrupts families emotionally, physically and financially.

Volunteers and staff of the ALS Society participate in annual fundraising events, such as the Walk for ALS to create public awareness. Let us get behind ALS across this country and find a cure.

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● (1415)

FEDERAL ELECTION

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, constituents in the riding of Central Nova were quite surprised when they learned about the red-green alliance between the Liberals and the Greens, when the leader of the Green Party, Elizabeth May, was chosen as the de facto Liberal candidate in that riding.

Now we learn of another alliance the Green Party leader is looking to form. This time it is with the Bloc in Quebec.

[Translation]

Yesterday, Elizabeth May said she was "open to any alliances". She would not hesitate to enter into strategic alliances with the Bloc Québécois. I wonder if she will encourage Liberals in Quebec to collaborate with the Bloc, like her.

[English]

Does the Liberal leader agree with his star candidate that she should collaborate with the Bloc in the next federal election? Will that be his plan for Liberals in Quebec?

* * *

NAV CANADA

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, over the past few months many people in the Guildford area of Surrey North have raised concerns about airplane noise over their neighbourhoods. The decision to reroute flight paths over Surrey communities was made without consultation in an attempt to reduce fuel costs for airlines.

This is a serious problem. Low-flying planes disrupt peaceful neighbourhoods. They cause air pollution and lead to lower property values. There are also safety concerns about planes flying so close to the ground over residential neighbourhoods.

None of us would want to live under a low flying zone. It is a constant disruption that causes a great deal of stress to people.

Oral Questions

I recently met with Nav Canada. Its answer: more consultation, noise monitoring and studies. All of this is unnecessary when the answer is simple. Nav Canada should immediately restore flight paths that were in place before the changes last spring.

Today I am calling on the Minister of Transport to intervene. Saving a few dollars for the big airline companies is not worth the cost to my neighbours.

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[Translation]

MEMORIAL CUP

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, last Friday, the Gatineau Olympiques, under the expert guidance of head coach Benoît Groulx, won the President's Cup for the seventh time in their history, a record in the Quebec major junior hockey league. This famous trophy, their third in six years, means the team will proudly represent Quebec at the Memorial Cup.

The 90th Memorial Cup, to be held May 16 to 25, will bring together the country's best junior hockey players. Loyal Gatineau Olympiques fans will turn their attention to Kitchener, which is hosting the 2008 Mastercard Memorial Cup. Naturally, I do not doubt for a moment that this team, from my riding, will be successful in the tournament.

I invite my colleagues in this House to join me in wishing all the players, and especially the Gatineau Olympiques, every success in this 90th Memorial Cup.

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RICHARD PARÉ

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, I would like to pay tribute to a man who touched the lives of many parliamentarians in this room. Richard Paré, the Parliamentary Librarian, passed away in April at the age of 70.

After serving as Associate Parliamentary Librarian for 14 years, Mr. Paré was appointed Parliamentary Librarian by the Prime Minister of Canada in 1994. Mr. Paré, who was from Côte-de-Beaupré, in my riding, was the first francophone to occupy the position. He had extensive experience in library science, and in his more than 20 years in this career, he focused particularly on systems and services.

On behalf of my Bloc Québécois colleagues and the citizens of Château-Richer and Saint-Joachim, I would like to offer my sincerest condolences to his family and friends.

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[English]

MERITORIOUS SERVICE

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, Lieutenant-General Roméo Dallaire holds the Order of Canada, the Order of Military Merit, the Ordre national du Québec, the Meritorious Service Cross, and the Canadian Forces decorations. The Secretary of State for Multiculturalism does not.

General Dallaire graduated with a bachelor of science from the Collège militaire royal de Saint-Jean and was commissioned into the Canadian armed forces. The Secretary of State did not earn a degree and did not serve in the Canadian armed forces.

General Dallaire commanded the 5e Régiment d'Artillerie Légère du Canada and the 5th Canadian Mechanized Brigade Group. The Secretary of State did not.

General Dallaire has a school named after him in Winnipeg and a street named after him in Calgary. The Secretary of State does not.

General Dallaire holds the Pearson Peace Medal. The Secretary of State does not.

General Dallaire is an officer of the highest American military decoration for foreigners, the Legion of Merit of the United States. The Secretary of State is not.

Lieutenant-General—

• (1420)

The Speaker: The hon. member for Nepean—Carleton.

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TERRORISM

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, Omar Khadr, believed terrorist and Taliban fighter, is charged with throwing a grenade and killing a medic. Fighting alongside the same Taliban terrorists that are killing our troops is an attack against us all.

Now the Liberals want to bring Khadr to Canada. Yesterday a Liberal senator compared the Canadian government to al-Qaeda and the Taliban. The secretary of state did not.

He also suggested that Canada's refusal to bring Khadr to this country is just as bad as strapping explosives onto a handicapped girl and sending her to blow up civilians.

This is the kind of scorching rhetoric that one would expect from the Khadr family. To see it adopted by a Liberal senator is truly shocking. Following this outburst, Canadians want to know where the Liberal leader stands. Will he rise now and call on his senator to apologize?

ORAL QUESTIONS

[English]

FOREIGN AFFAIRS

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, Canada was a founding nation of the United Nations. A Canadian wrote the Universal Declaration of Human Rights. A prime minister of this country won the Nobel Peace Prize for creating UN peacekeeping. Since then, Canada remained a leader at the United Nations.

Yet in two years, the Prime Minister has diminished our place at the United Nations. When the Prime Minister said "Canada is back", did he mean Canada is turning its back on the world?

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): This, Mr. Speaker, is from a leader whose idea of foreign policy is asking questions about somebody's girlfriend.

Canada continues to play a leading role in the world.

Whether it is a leading role in the United Nations mandated mission in Afghanistan, or in Haiti, or as a contributor in Darfur as the second largest donor to the World Food Programme, this government does not just make bold declarations: this government actually acts on them.

[*Translation*]

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, Canada led the charge for the International Criminal Court and for the international treaty banning land mines. Canada has championed multilateralism at the United Nations. Canadians do not want to see their influence in the world eroded because of this Prime Minister and his narrow-minded ideology.

Will the Prime Minister campaign to ensure that Canada gets a seat on the United Nations Security Council or not?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, cabinet has not yet made a decision about a campaign, and it is premature to talk about it.

However, I can say that Canada is a leader on several United Nations missions: in Afghanistan, Haiti and Darfur. We have taken action against tyranny in Burma by applying the strictest sanctions in the world. Moreover, we got a resolution on Iran's human rights record passed in the United Nations.

We do not just make declarations; we act on them.

Hon. Stéphane Dion (Leader of the Opposition, Lib.): Mr. Speaker, Canada has had a seat on the United Nations Security Council more often than any country other than the permanent members. Every time Canada asked for a seat, we got one. However, the Conservative government has tarnished our international reputation to the point that the Prime Minister is afraid that for the first time in our history, we will be refused a seat on the United Nations Security Council.

He said that he is taking action, so will he act now, or will he admit that he is not campaigning for a seat because he is afraid of rejection?

• (1425)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the government is not campaigning. We are working on major international issues. For example, this week, while the Leader of the Opposition was asking questions about girlfriends, the Minister of Foreign Affairs was taking action on issues in China and Burma.

That party does nothing but make empty declarations. This government, in contrast, is taking action.

[*English*]

INTERNATIONAL AID

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, in the immediate aftermath of the tsunami in 2004, the previous government, the Liberal government, committed over \$40 million to relief aid. As the crisis grew, that sum increased to \$425 million.

In the aftermath of the cyclone in Burma, the government has committed \$2 million. By international comparison, Australia has committed \$25 million, the British \$10 million, and the Japanese \$11 million.

Why are we not giving more when we can clearly do so? Where is the leadership from Canada?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, in the case of the tsunami, of course, the previous Liberal government could not actually get to Sri Lanka, so each week it had to announce more and more money it would spend as compensation.

The reality is that this government now has the capacity to move the DART around the world and be where a catastrophe is actually happening. That is the difference between this government and that government.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, the numbers I just read out in the House speak for themselves.

[*Translation*]

The Minister of Foreign Affairs is refusing to say the words "responsibility to protect" despite the fact that it is a principle invented by Canadians.

If he cannot bring himself to say these words, will he enforce the principle? What is this government doing to promote the principle, which says that no country has the right to deny its own citizens humanitarian aid?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, it is quite clear what we are doing. I said it in the House yesterday, and I will say it again today. We are speaking with our international colleagues. We have taken the matter to the United Nations Security Council and have asked for an emergency debate on Burma. We asked for that several days ago, while the European community only brought this important matter to the Security Council yesterday or today. We were one step ahead. We are players on the world stage, and we are urging the Burmese regime to open its doors to Canada.

* * *

REGIONAL ECONOMIC DEVELOPMENT

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the announcement made by the Minister of the Economic Development Agency of Canada for the Regions of Quebec to end funding to not for profit organizations that work in economic development is another fine example of a purely ideological decision. These cuts threaten the activities and very existence of organizations such as the Saint-Maurice valley Technopole and Montreal International, which contribute to the emergence of job-creating businesses throughout Quebec.

Oral Questions

Does the Prime Minister realize that by eliminating funding for organizations that support businesses, he is threatening the economic fabric of the regions of Quebec?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, why did the Bloc Québécois say that federal programs and organizations that contribute to regional development are a waste of energy and money? That is what the Bloc Québécois platform said. The Bloc writes one thing in their platform and when they get to the House, they ask us for another thing.

What is more, the Bloc voted against creating the Economic Development Agency of Canada for the Regions of Quebec. How can they vote against that and now ask for something else?

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I will explain, since he does not understand. We voted against it because we knew they would make an utter mess of things and that Quebec would have to pick up the pieces and make it work. That is why we voted that way.

That said, he should ask why the Bloc Québécois shares this opinion with the Quebec federation of chambers of commerce, the Quebec manufacturers and exporters association, the Conseil des relations internationales de Montréal, the Parti Québécois, and the Government of Quebec. They all denounce this decision. How can the minister of patronage be so out of touch with Quebec's reality?

• (1430)

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, again I want to remind hon. members that we will continue to support economic organizations, but we are supporting them through one-off projects that will be submitted to us and reviewed. We want to have projects that have a beginning, a middle and an end.

We will no longer be funding operating costs, salaries, pencils and paper, forever. We want to fund one-off projects. We want to help renew recreation, tourism and economic infrastructure in the regions, through projects submitted to us by organizations.

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, the bad decision made by the Minister of the Economic Development Agency of Canada for the Regions of Quebec will be disastrous for a large number of regional high-tech hubs such as the maritime technopole in Rimouski, the Saint-Maurice valley and Chaudière-Appalaches technopoles, and the Lanaudière bio-food development board. Such cuts will cripple these economic development agencies and, in the worst case scenario, they may disappear altogether, which will have a negative impact on all regions in Quebec.

In light of these facts, how can the minister be so intransigent and ignore the Quebec consensus?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, the Economic Development Agency of Canada has a budget of approximately \$200 million per year. The Liberal policy of saying yes to every organization and funding their operating expenses forever has put the department's back to the wall.

That is why we are going in another direction. We will support the economic organizations but on the basis of specific projects, namely those with a beginning, middle and end.

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, when we debated Bill C-9 in February 2005, the Bloc Québécois had proposed an amendment that would make Quebec the sole authority for its regional development and allow it to recover the money that the federal government spends there. The Conservatives voted against this amendment.

Is the government's ideological intransigence not proof that Quebec must repatriate all these powers?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, Quebecers have had two opportunities to have their say in a referendum on Quebec independence and both times they chose to remain in Canada.

I would remind my colleague that under the Canadian Constitution, economic development is a jurisdiction shared by Quebec and Ottawa. It is our mission to help the economic development of Quebec regions.

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GASOLINE PRICES

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, summer holidays are just around the corner, and consumers are yet again being gouged at the pumps, while oil companies are making huge profits and benefiting from huge subsidies and tax cuts from the government.

Does the Prime Minister know that gas has reached \$1.40 in Montreal? Does he realize that consumers are suffering? His GST cut was swallowed up in no time by the companies, not making any difference for consumers. Does he realize that?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government has not given a single subsidy to the oil companies. We have cut taxes for businesses—and also for families and consumers—by reducing the GST.

The NDP should support these benefits for the people.

[English]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, there are hundreds of millions of dollars going right into the pockets of the big oil and gas companies this very year, contrary to what the Prime Minister keeps trying to convince Canadians.

The fact is that whether we are at the pumps or whether we are at the grocery store, our prices are going up. The government has absolutely no plan to help out ordinary Canadians. It has no strategy whatsoever to deal with the rising costs. It has no vision other than just untrammelled development of the tar sands, without any restrictions at all.

Oral Questions

So, when it comes down to the gas prices, just whose side is the Prime Minister on anyway?

• (1435)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, in budget 2007 the government brought in the elimination of subsidies for the oil sands that the previous government had put into place. The NDP opposed that. The government, in the last year, has cut taxes, raised the basic personal exemption, cut the lowest tax rate, and cut the GST for ordinary consumers and families. The NDP voted against that.

The government has also made clear that it will require carbon capture and storage for future oil sands development. The NDP was against that, too. So, whose side is the NDP on anyway?

* * *

GOVERNMENT CONTRACTS

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, yesterday the finance minister tried to distance himself from all blame for a \$122,000 contract that did not follow Treasury Board guidelines and which his department told him should not be sole-sourced. He blamed his former chief of staff, who has since been promoted to a \$200,000 job.

It sounds like the minister said this to his chief of staff, “Hire MacPhie but spare me the details”. Is that what happened?

Some hon. members: Oh, oh!

The Speaker: Order. I know there is a hue and cry to hear the minister, but I cannot hear with all the noise.

The Minister of the Environment now has the floor. We will have some order.

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, let me tell members what was said in this place. That member unconditionally and falsely smeared the minister, smeared the minister's wife, and smeared the minister's family. If he can smear and recklessly attack innocent people, he can unconditionally apologize to this House, and apologize to the minister and his family.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, the simple fact of the matter is that the finance minister will not answer me because I asked about his financial interests in a school which may have benefited from his budget. That is a perfectly legitimate question. So, will the minister simply rise and tell us why he broke the rules to help Hugh MacPhie?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, the Liberal Party thinks it is perfectly acceptable to falsely and inaccurately smear individuals. The member from Markham should listen to one of his own constituents who wrote the government this: “I am pleased to lend our enthusiastic support to re-establish the Peterborough Rail Line which passes through the east end of Markham. This timely investment is crucial for the greater Toronto area”.

Who said that? Frank Scarpitti, the mayor of Markham.

[*Translation*]

MINISTER OF FOREIGN AFFAIRS

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, my question is for the Minister of Foreign Affairs.

Given the concerns, not of political partisans, but of national security experts, can the minister personally assure us that his particular situation is being reviewed independently and that it does not create any concerns or problems with respect to national security?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I have assured the House that the government would not put national security at risk. Notwithstanding the approach used by the hon. member, the reality is that this is an issue that has nothing to do with anything except for the prurient interest in people's private and personal lives.

That is not what politics is about, but it is what we have seen throughout and we will continue to see throughout question period: a Liberal Party that prefers smear to policy. It is very different than what the Liberal leader once said he would do. He once said, “I would be very pleased to see less personal attacks, less low politics”. Guess what? He is not following that direction, nor is his competitor for the leadership.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, it would appear there are more ventriloquists over on the other side than there are on *Sesame Street*. I put a question to the Minister of Foreign Affairs, I received an answer from the government House leader, and I will ask my supplementary to the same minister.

The question about policy is this. It is not just a question of political partisanship. I see that the Prime Minister is giving him an answer. I will let the Prime Minister finish his briefing of the minister.

Some hon. members: Oh, oh!

• (1440)

The Speaker: Order. It appears that is now complete. The government House leader has the floor.

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I would only say to the hon. member that I hope he would get his policy briefings from a more serious program on television.

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, when Jean Chrétien formed his first cabinet in November 1993, Alfonso Gagliano was excluded because the RCMP had discovered that he was the accountant for a man who was linked to organized crime. The RCMP had alerted the Prime Minister's Office, which delayed Alfonso Gagliano's appointment until a more thorough investigation enabled him to join the cabinet.

Today, the government would have us believe that the RCMP and the Prime Minister's Office knew nothing about the questionable relationships of the Minister of Foreign Affairs.

Oral Questions

Can the Prime Minister confirm, here in the House, that the RCMP did provide him with information about the shady past of the former partner of the Minister of Foreign Affairs?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, an unprecedented human tragedy is taking place in Burma. China has been rocked by a deadly earthquake. Civil war could resume in Lebanon.

But the only thing the sovereignist gossips in this House have wanted to talk about for at least a week is the past relationships of the Minister of Foreign Affairs. The Bloc is an embarrassment to Quebeckers.

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, as we have often found, question period is not necessarily answer period for this government.

If the answer were no, would the Minister of Public Safety launch an investigation to determine why the RCMP did not do its job? However, the likely answer is yes. At the time, the Reform Party called on the government to table the security reports about Alfonso Gagliano's friends and professional associates.

Now that the Conservatives are in power, can they ask themselves that question?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, a few months ago the Bloc was interested in having a national conversation. Now it is more interested in neighbourhood gossip.

* * *

FOREIGN AFFAIRS

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, the federal government is about to withdraw Canada's candidacy for a seat on the prestigious UN Security Council. There is every reason to believe that Canada would not be elected anyway, because of the Conservative government's alignment with George W. Bush's policies.

Is it not true that the Canadian government wants to quietly pull out in order to save face and avoid embarrassment?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, I would remind my hon. colleague that the election to the Council will take place in 2010. That being said, we are a proud partner and participant in the United Nations, and we will remain just that. For instance, we are implementing the United Nations' resolution regarding Afghanistan. We are proud to be working with NATO in Afghanistan. We are proud to be working with the UN in Darfur. We are proud of what we are doing and we will always be a UN partner.

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, our traditional allies have noticed our departures from our traditional foreign policies, whether concerning the environment with the rejection of Kyoto, concerning the Middle East with Lebanon and the Israeli-Palestinian conflict, or concerning human rights with the death penalty and the torture of prisoners of war. These policy shifts affect our alliances and undermine Canada's credibility on the international scene.

Does this come as any surprise, considering how much this Minister of Foreign Affairs lacks vision and influence?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, I thank my hon. colleague for her question, since it allows me to explain to her what we are doing on the international scene.

Some \$300 million has been earmarked for the Middle East peace process. We are among the top five major donors to the peace process. Some \$275 million is earmarked for peace in Sudan. We have imposed the toughest sanctions in the world on the appalling Burmese regime. We are working with NATO on a number of international missions, including Afghanistan. This government has a good record. We are proud of our record on the international scene.

* * *

● (1445)

[English]

ETHICS

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, the RCMP is conducting interviews with respect to Conservative attempts to bribe Chuck Cadman.

My question is for the Prime Minister. Has he or any members of his staff been contacted by the RCMP regarding an interview?

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 answered this question the other day.

The RCMP, of course, if they are doing any kind of investigation or questioning, the people whom they speak to is entirely up to them. They hold those lists themselves. My colleague can understand the reason the RCMP would do that in terms of their procedures.

If my colleague wants to know whom the RCMP have spoken to, perhaps he should call the RCMP, because it was he himself who asked the RCMP to do the interviews.

* * *

ELECTIONS CANADA

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, since the Parliamentary Secretary to the Minister of Public Works is on his feet, I want to ask him a question he can answer.

The in and out scheme was about buying advertising with national money and fraudulently calling it local spending. The Conservatives forced many Conservative candidates in hopeless ridings to play this game, like the four ridings south of his, and spent the money to benefit marginal ridings, like his riding of Port Moody—Westwood—Port Coquitlam.

Is that why the parliamentary secretary condoned the illegal in and out affair?

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, of course we followed, and I followed, all the campaign rules in all three of my successful election campaigns.

Oral Questions

With regard to Chuck Cadman, as I said yesterday, we wanted Chuck Cadman to rejoin the Conservative Party so he would vote in the House of Commons and throw the corrupt Liberals out, so we could get a Conservative government in that would deliver on its word. That is exactly what we are doing in this government.

The member for Vancouver Centre can continue to throw mud, but the facts are on the table and the facts are clear. Canadians spoke. They wanted a new government. They got a new honest Conservative government that has kept its word.

* * *

MUNICIPAL AFFAIRS

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, my question is for some senior minister over there who might want to earn his or her salary.

The OPP, who have not cleared the environment minister in the O'Brien affair, interviewed John Light, who works in the constituency office of that parliamentary secretary. Mr. Light says that Conservative operatives told him Mr. Kilrea would not be a factor in the Ottawa election because he was being taken care of and was going to be offered something.

Could some senior minister over there tell the House when they first learned of the bribe to Mr. Kilrea?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I am only 45; I am not yet a senior.

That being said, what we continue to see from the other side is a policy plate that is entirely void of any substance whatsoever. Every single question in this House has nothing to do with anything, except for imaginary scandals in their desperate effort to find something to hold together a fracturing party that lacks any policy. But you know what, Mr. Speaker? They have a policy coming. It is the key to their success. They have decided in this time of rising gas prices that the key to winning the next election and keeping their party together is to raise those gas prices on ordinary Canadians. That is the plan their leader is going to be unveiling in the weeks ahead.

* * *

ELECTIONS CANADA

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, it is like playing Whac-a-Mole today: we ask a question of one, and a totally different one pops up, so I have a question for the House leader since he is on his feet.

It is clear that Michael Donison was the key architect of the in and out scheme. Strangely, Mr. Donison got a promotion after the last election. He is now the top adviser to the House leader.

How can the House leader think it is appropriate to get strategic advice from Mr. Donison when his scheme is considered illegal by the elections commissioner?

• (1450)

Mr. Pierre Poilievre (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, I have noticed for some time that the members across the way have been tense. As a result, I have developed a routine of reminding them of their own election

practices. We all know what I am talking about: \$5,000 in, \$5,000 out; in, out. Where is Elections Canada?

When I ask these questions, it is to remind them that what they did in the last election, just like what we did, is common practice. It is perfectly legal, and I thank them very much for giving me so many occasions to point that out.

* * *

HUMAN RIGHTS

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, yesterday at the House of Commons Subcommittee on International Human Rights, a Liberal senator said the Canadian government was morally equivalent to al-Qaeda and the Taliban for not seeking the immediate release of Omar Khadr. Offered several opportunities to retract his remarks, the Liberal senator doubled down and repeated them.

Does the Secretary of State for Canadian Identity think the senator's comments will affect Canada's reputation on the world stage?

Hon. Jason Kenney (Secretary of State (Multiculturalism and Canadian Identity), CPC): Mr. Speaker, I am afraid it might. I was deeply disturbed to hear the remarks of the Liberal senator who repeatedly and deliberately said that there is a moral equivalence, that is to say no moral difference, between the mass murder of civilians by terrorist organizations like al-Qaeda and the policy of Canada on the Khadr matter, a policy established by his own Liberal government.

I find and I am sure that all Canadians find these remarks unacceptable, extreme, odious and demanding of an immediate apology from that senator and from his leader.

* * *

[Translation]

FOREIGN AFFAIRS

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, the Conservatives seem to have given up on the idea of Canada having a seat on the United Nations Security Council. There are only two possible explanations for that. Either the government is afraid of losing the seat because it knows Canada's lack of leadership on the world stage is hurting the country's chances, or the government has given up on the idea of Canada as a world leader. What is the government's explanation?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, as I explained earlier, we continue to play an important role in the United Nations. That is our country's historic role. We are in Afghanistan because of a United Nations resolution. We are in Darfur because of a United Nations resolution. We are working in the best interest of Canadians and the entire international community. We are proud and we will continue to take action on the world stage as a member of the United Nations.

*Oral Questions**[English]*

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, it is like this. We have concerns about Darfur. We have concerns about the Middle East. We have concerns about Africa. All of these issues are decided at one place in the United Nations, at the Security Council.

What we are asking the government and what Canadians want to know is, will the government put forward a name? Will the government take some action to make sure that Canada is in the running?

I hear the Prime Minister say that no decision has been made yet. The Prime Minister should know. He does not have to worry. The Minister of Foreign Affairs does not have to sit at the Security Council table so we could have some competence there.

Will the government make a decision? Will it put a name forward, yes or no?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, in 2010 a vote will be held in the UN concerning a seat for the Security Council. It is important for us.

Each time I meet with my counterparts, I always speak on behalf of Canadians. I am worried also about what we can do and what Canada's role will be in the future for the UN. The UN appreciates what we are doing. We are going to be an active participant in the UN in the near future.

* * *

*[Translation]***INTERNATIONAL TRADE**

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, yesterday, the NGO Development and Peace presented a petition with over 190,000 signatures, calling on the government to stop turning a deaf ear and to take action by responding now to the national round table recommendations—of March 2007—on corporate social responsibility for Canadian companies involved in the development of extractive resources in developing countries.

When will the government make a decision and address the concerns of over 190,000 Canadians?

● (1455)

[English]

Hon. David Emerson (Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, the Government of Canada has actually endorsed and encourages Canadian companies to abide by the OECD guidelines for international companies. We have embraced a number of international standards relating to corporate social responsibility. We are considering the report from the advisory round tables on corporate social responsibility in the extractive sectors. We will have a strong response to that report very soon.

[Translation]

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, “very soon” means nothing.

I need not remind the House that 60% of the mining companies in the world are Canadian, and that the report from the round tables enjoyed a consensus among experts, NGOs, the industry and civil

society. One important point in this report was the recommendation that an independent ombudsman's office be created, which would have the power to receive and investigate complaints.

Does the government support the idea of having an independent ombudsman, yes or no?

[English]

Hon. David Emerson (Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, the Canadian mining industry is actually a leader in corporate responsibility. Obviously there are examples out there, not too many, where conduct is not what we would like to see. Most Canadian companies have a very strong commitment to corporate social responsibility.

The member will see very soon that this government is more committed than any previous government to corporate social responsibility in the extractive sector.

* * *

INFRASTRUCTURE

Mr. Paul Zed (Saint John, Lib.): Mr. Speaker, the city of Regina has waited nine months for \$20 million from the Conservative government so that IPSCO Place can be expanded. The city of Regina was told all it had to do was meet the project requirements. It did and it is still waiting. In February the Conservatives claimed that construction could start on May 1, yet today is May 14 and the city is still waiting. These delays are costing the city of Regina \$1 million.

Why is the government playing games with the citizens of Regina?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I am happy to have this question from my colleague. It gives me once again the opportunity to say that this government is getting the job done with \$33 billion for infrastructure across the country.

IPSCO Place is a very important project. We have told the people of Regina that they can count on this government. We will get the job done there.

Mr. Paul Zed (Saint John, Lib.): Mr. Speaker, the construction season is here now and cities and towns across Canada want their tax dollars reinvested, now, to address the \$123 billion Conservative infrastructure deficit.

The government has told several cities and towns in Ontario, Alberta and Saskatchewan that their projects will receive funding, but not one cheque has gone out for transit, highways or roads.

When will the minister start reinvesting in real projects instead of phantom trains to Peterborough?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, we are cleaning up the mess the Liberals left us when we took power. That is the first order of business.

It enabled us not long ago to go to the Toronto Transit Commission and, in effect, hand over the money that was required to purchase buses, which the Toronto Transit Commission had already bought. Therefore, we got the job done on that.

We put money in FLOW in the greater area of Toronto. We have helped the Evergreen Line. I can go on for 20 or 30 projects, including in his riding. We are getting it done.

* * *

[Translation]

FEDERAL SPENDING POWER

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, the Minister of Labour stated this morning, with regard to a promised bill to limit the federal government's spending power in the jurisdictions of Quebec and the provinces, that no one is obliged to do the impossible.

Is the minister telling us that the bill, which was promised several times to the Quebec nation, including in the latest throne speech, will be another broken Conservative promise?

• (1500)

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, hon. members will recall that our throne speech, tabled in this House not so long ago, indicated that we intended to move forward and to correct a historic mistake for the country.

As everyone knows, our government keeps its promises. Our government resolved the fiscal imbalance, to the dismay of the Bloc Québécois. However, I will remind our colleagues in the House that the Bloc once again voted against the throne speech.

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, I see that the Minister of Labour can no more rise and defend his statements than he can defend Quebec's interests. However, the Prime Minister referred to this bill as a historic measure that was welcomed by the Government of Quebec.

Is that not further proof that, within Canada, the interests of the Quebec nation have very little weight and that the Prime Minister's promise to limit federal spending power in Quebec's areas of jurisdiction was just an election ploy?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I know that the Bloc Québécois voted against the throne speech. However, the Bloc members have the unique opportunity to support the budget of my colleague, the Minister of Finance, which resolves the issue of the millennium scholarships.

They have a historic opportunity to correct a mistake and to truly defend Quebec's interests. Let them rise and defend the interests of Quebec and stop sitting on their hands and doing nothing for Quebec.

* * *

[English]

CANADIAN COAST GUARD

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, the Canadian Coast Guard College in Cape Breton has been the latest victim of the Minister of National Defence.

Already Nova Scotians have watched the minister sit silent, while Coast Guard vessel after Coast Guard vessel, and the navy subs, have been shipped out of Nova Scotia. Now we learn that the *Cap*

Oral Questions

Percé is being shipped out. Again, there is nothing from the so-called regional minister.

I have this question for the minister from Nova Scotia. Will there be any ships left in Nova Scotia by the time he wakes up?

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, the boat the member is talking about is one of several associated with the college, a college that the Liberals were going to close down. Where it was used for training, it will now be used to save lives.

Where was the minister from Nova Scotia? He was around the table supporting \$1.5 billion to improve the Coast Guard. He was here to support money for not only the infrastructure but to keep the boats at sea. The previous government left them tied up to the wharves.

* * *

ARCTIC SOVEREIGNTY

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, Canadians are proud of our identity as a northern nation. Our government is taking real action defending Canada's Arctic. We understand the importance of protecting and preserving Canadian sovereignty over this vital part of our national identity. This is one of the key strategic priorities in our new 20 year Canada first defence plan.

Could the Minister of Natural Resources tell the House what further action the government has taken today to defend Canada's Arctic?

Hon. Gary Lunn (Minister of Natural Resources, CPC): Mr. Speaker, 50 years ago today a Conservative prime minister created the polar continental shelf project to expand Canada's sovereignty in the Arctic. This has helped thousands of scientists throughout the Arctic advance science and knowledge in the north. Today the Minister of Indian Affairs and Northern Development and myself have marked this anniversary with major commitments that will bring new research and information about our Arctic.

We are investing \$20 million in providing the scientific basis to demonstrate Canada's rights in the Arctic. As well, my colleague announced \$5.2 million for projects to increase awareness of the Arctic research for Canadians.

We are committed to the Arctic, and we are getting the job done.

* * *

NATIONAL DEFENCE

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, in the previous government, the Liberals spent millions of dollars to find out that privatizing the supply chain was not only irresponsible, but extremely costly to the Canadian taxpayer.

Routine Proceedings

My question for the Prime Minister is quite clear. Are there any discussions with Haliburton or any other companies regarding the privatization of the supply chain of Canada's military?

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the government takes the supply of our troops extremely seriously. There have been some issues raised recently by the Auditor General, who alluded to about a penny on the dollar of the money that is spent to equip our troops.

After a decade of darkness under the Liberals and a long period of utter contempt by that member and his party for any kind of defence spending, I find it a bit ironic to get a question on an item like this by him.

The Auditor General, in fact, praised the department for taking action on the items she raised with respect to the supply system, even as her report was underway. As usual, we are getting the job done.

• (1505)

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, the supply chain of the military supplies everything from pencils to planes. There are 3,000 businesses from Victoria to Gander that currently have access to DND. The privatization of that supply chain will kick them out of the business. As well, 1,600 full time public service jobs will be gone if it is privatized.

My question for the government is very simple. I know it cannot handle easy questions, so I will say it very slowly. Is it or is it not privatizing the supply chain of Canada's military?

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, let me say this very slowly for that member and his party. This government supports the Canadian Forces. We will supply the Canadian Forces with the equipment they need. It will be done in the interests of the Canadian Forces. It will be done in the interests of Canadian industry.

The Prime Minister and the Minister of National Defence recently announced the Canada first defence strategy. That will give the defence department and the Canadian Forces the tools they need for the next 20 years and beyond to do the jobs that the member and his party would rather they not do in the first place.

* * *

POINTS OF ORDER

ORAL QUESTIONS

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, during question period, the hon. Minister of Fisheries and Oceans fabricated the notion that the previous government was going to close the Coast Guard college in Sydney.

This is a blatant falsehood, and I would like to invite him to correct the record and apologize.

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, let me remind the member that there is no graduation at the college this year simply because there was no registration three years ago. The college had been downgraded so much, plans were made to shut it down, and he well knows it.

The Speaker: It sounds like a dispute as to facts to me rather than a point of order. I will consider the matter, one that is available for debate on another occasion.

ROUTINE PROCEEDINGS

[*Translation*]

CANADIAN PARLIAMENTARY DELEGATIONS

The Speaker: I have the honour to lay upon the table the report of a Canadian parliamentary delegation concerning its official visit to Peru from March 14 to 20, 2008.

* * *

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official language, the government's response to seven petitions.

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INTERPARLIAMENTARY DELEGATIONS

Mr. Russ Hiebert (Parliamentary Secretary to the Minister of Intergovernmental Affairs and Minister of Western Economic Diversification, CPC): Mr. Speaker, pursuant to Standing Order 34 I have the honour to present to the House, in both official languages, a report from the Canadian branch of the Commonwealth Parliamentary Association on its recent bilateral parliamentary visit to Nuku'alofa, Tonga, from January 15 to 22.

* * *

COMMITTEES OF THE HOUSE

FISHERIES AND OCEANS

Mr. Fabian Manning (Avalon, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Fisheries and Oceans on the main estimates for the fiscal year ending March 31, 2009.

ACCESS TO INFORMATION, PRIVACY AND ETHICS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Access to Information, Privacy and Ethics.

The report recommends to the House an amendment to the conflict of interest code for members of the House of Commons. More specifically, with regard to the code for members of Parliament, it would have the effect that if a member were named a defendant in a lawsuit regarding matters before Parliament or a committee of Parliament, that this would not constitute furthering the private interests of the member or the interests of another person.

Routine Proceedings

This is a very serious matter and we certainly look forward to having it dealt with by the House.

* * *

•(1510)

CRIMINAL CODE

Mr. Brent St. Denis (Algoma—Manitoulin—Kapusksing, Lib.) moved for leave to introduce Bill C-543, An Act to amend the Criminal Code (abuse of pregnant woman).

He said: Mr. Speaker, the reason I am tabling the bill is many of us felt that Bill C-484, while it did attempt to accomplish certain things in protecting pregnant women from assault or abuse, left too many unanswered questions and too many doors were left open.

For those of us who are pro-choice, but did not want to go down that road, I have created a simple bill, which would provide judges with the ability to increase the penalties for those who would knowingly assault or abuse a pregnant woman.

I have had this tested to see whether it would open the door to recriminalization of abortion, and it will not. I have had it tested to see whether it would have any censure against the women herself, should she choose to have an abortion, and that will not be the case. In fact, it plugs all the holes left by Bill C-484.

I invite members, who felt as awkward as I did in not supporting Bill C-484, to look at this as a very helpful option to assist pregnant women, should they be attacked by those who are knowingly aware they are pregnant.

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

* * *

[*Translation*]

EXCISE TAX ACT

Ms. Caroline St-Hilaire (Longueuil—Pierre-Boucher, BQ) moved for leave to introduce Bill C-544, An Act to amend the Excise Tax Act (children's diapers and products for newborns).

She said: Mr. Speaker, today I am pleased to be tabling in this House a bill to amend the Excise Tax Act in order to exempt children's diapers from the goods and services tax and so follow the lead of the Quebec government, which has not charged sales tax on these products for several years now.

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

* * *

TEXTILE LABELLING ACT

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.) moved for leave to introduce Bill C-545, An Act to amend the Textile Labelling Act.

She said: Mr. Speaker, Canadians are increasingly demanding that our investments and consumption, both at home and abroad, be a constant testament to our principles and values of transparency and accountability. It is time that our government responds to this call.

[*English*]

My bill would require labels on clothing to include a reference number that consumers could use to identify the name and address of a factory where an item of clothing was produced. This measure has been highly recommended by a number of advocacy groups, including the Ethical Trading Action Group and Amnesty International.

If this bill is passed, Canadians will have access to even more information when making their purchases. For those of us who believe that under no circumstances should we benefit from the exploitation of workers in poor countries, knowing exactly where a piece of clothing was produced will allow us to vote with our feet: to refuse to buy clothing made in factories where conditions are unacceptable.

[*Translation*]

According to Amnesty International and the Ethical Trading Action Group, if the public knows exactly where products are being manufactured, businesses will have to self-regulate for fear that civil society will use this new tool to publicize the names of the companies responsible for unfair employment practices.

[*English*]

I hope this House will indeed support my private member's bill.

[*Translation*]

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

* * *

•(1515)

FARMERS COMPENSATION AND BLUE-GREEN ALGAE PROLIFERATION PREVENTION ACT

Mr. Thomas Mulcair (Outremont, NDP) moved for leave to introduce Bill C-546, An Act to provide compensation to farmers and prevent the proliferation of blue-green algae and to amend the Canadian Environmental Protection Act, 1999 (use of phosphorus).

He said: Mr. Speaker, this enactment provides for compensation to any farmer for losses suffered as a result of complying with regulations requiring a 10-metre buffer zone within which farmers are prohibited from farming.

[*English*]

It would also interdict the importation of any dishwashing liquid or powder that contains any amount of phosphates, in both cases to eliminate blue-green algae.

[*Translation*]

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

* * *

[*English*]

HOLOCAUST MONUMENT ACT

Mrs. Susan Kadis (Thornhill, Lib.) moved for leave to introduce Bill C-547, An Act to establish a Holocaust Monument in the National Capital Region.

Routine Proceedings

She said: Mr. Speaker, I am very pleased to introduce in this House today my private member's bill, An Act to establish a Holocaust Monument in the National Capital Region.

This proposed permanent monument here in the nation's capital will ensure that Canada as a nation will never forget the Holocaust and the millions of people who died at the hands of the Nazi killing machine, including over 6 million Jews. This monument will serve to forever remember the victims and survivors and inspire everyone to be vigilant and take action against acts of hate, anti-Semitism and racism.

We must not forget that at the time there was a universal belief that a mass genocide like the Holocaust could never happen, which was proven wrong in the most heinous and tragic way possible. This monument will serve as a memorial to the past and a beacon to the future. I hope every member in this House will support this important bill.

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

* * *

[Translation]

PETITIONS

MOHAMED KOHAIL

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, I am pleased to rise under Standing Order 36 to present a petition signed by a number of students from Place Cartier school concerning Mohamed Kohail, who was sentenced to death for a crime he claims he did not commit.

The petitioners are calling on the Canadian Parliament to ensure that the rights of this Canadian citizen are respected and that he will receive a fair and equitable trial by Saudi authorities.

[English]

UNBORN VICTIMS OF CRIME

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, I am proud to present on behalf of several Canadians a petition wherein the petitioners note that under current federal criminal law unborn children are not recognized as victims of violent crimes. They also note that a majority of the public supports such laws to protect unborn children when they are victims of violent crimes when their mothers are attacked.

The petitioners call upon Parliament to enact legislation that would recognize unborn children as separate victims when they are injured or killed during the commission of an offence against their mothers.

[Translation]

BILL C-482—CHARTER OF THE FRENCH LANGUAGE

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, I have the honour to present a petition signed by over 1,000 people from my riding, calling on Parliament to support the bill of the member for Drummond. This bill would apply the Charter of the French Language to Quebec businesses under federal jurisdiction.

Some provisions of the Canada Labour Code are already delegated to the provinces, for example, minimum wage and workplace health and safety.

Quebec has been recognized as a nation, and respecting the Quebec nation means respecting its language and language policies. This bill simply requires that federal businesses be subject to the same laws as businesses regulated by the Government of Quebec.

• (1520)

[English]

SENIORS

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, today I have the honour to present two petitions. The first petition was signed by 60 people from my riding and from Vancouver Island. The petitioners want the government to enact the seniors charter that was passed by a majority of this House.

The Conservatives promised they would honour the will of this House. These petitioners are calling on the government to keep its promises.

SEALING INDUSTRY

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, the second petition is from just over 100 petitioners in my riding who are asking the government to end the east coast Canadian commercial seal hunt.

The petitioners are concerned about the destruction of seal habitat. They are also concerned that the seal population has been devastated. The petitioners are very worried about the cruel and needless slaughter and they want the seal hunt to end.

[Translation]

WIKANIS MAMIWINNIK COMMUNITY, LA SARRE

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I am honoured to present to the House a petition signed by residents of the Wikanis Mamiwinnik community of La Sarre. These people are Métis, but would like to be recognized as aboriginals within the meaning of the law and enjoy the rights to which they are entitled under the Indian Act.

[English]

HERITAGE SITES

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, it is my privilege to table a petition that arises out of the 250th anniversary of Nova Scotia as the first representative government in North America. One of the first acts of that government was to establish a lighthouse on Sambro Outer Island, which stands proudly to this day as the oldest working lighthouse in both North America and South America and is a valued national historic site.

The petition calls upon the federal government to show proper respect for the Sambro Island lighthouse, for Atlantic mariners and for the history of democracy in this country by instituting the necessary building repairs and restoring the sound signal upon which local fishermen, to this day, depend in foggy conditions.

Routine Proceedings

[Translation]

INCOME TAX ACT—BILL C-207

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, I am honoured to present a petition on behalf of citizens from various regions of Quebec who support Bill C-207. This bill would give an income tax credit of up to \$8,000 to recent graduates who accept employment in a region that is facing economic difficulties. The bill is designed to keep our young people in the regions, to develop a skilled labour force and to reduce or stop the exodus of these young people.

There will be a vote in the House in early June. I hope the members across the floor, particularly the Conservative members, will vote in favour of this bill. I am optimistic that this bill will pass.

[English]

TAXATION

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am pleased to table two petitions today, both of which call on the House to pass Bill C-390. The bill amends the Income Tax Act to allow tradespeople and indentured apprentices to deduct travel and accommodation expenses from their taxable income so they can secure and maintain employment at construction sites that are more than 80 kilometres from their homes.

This time, the petitions have come from British Columbia's lower mainland and the greater Sudbury area in northern Ontario. I particularly want to thank Bruce McNamara of IBEW Local 1687, Jim LaJeunesse of the Iron Workers, Local 786, Roger Michaud of the Sheet Metal Workers and roofers, Local Union 504, and Andy Holder of the Boilermakers Local 128, all from Sudbury, for their support of Bill C-390 and for circulating this petition among their memberships. It is a privilege to table the petition in the House of Commons on their behalf.

ANIMAL CRUELTY LEGISLATION

Mr. Alex Atamanenko (British Columbia Southern Interior, NDP): Mr. Speaker, I have a petition of over 70 names from the greater Vancouver area from folks who would like us to strengthen the animal transport regulations. They say that our allowable transport times are among the longest in the industrialized world and are not consistent with scientific findings on animal welfare during transport.

The petitioners would like the government to be consistent with the findings and to reduce transport times for pigs, poultry, horses, calves and lambs to eight hours, and to twelve hours for cattle, sheep and goats, and ensure adequate enforcement of the regulations. They ask that the amendments be passed quickly.

• (1525)

INCOME TRUSTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to again present an income trust broken promise petition, this one on behalf of a number of petitioners from Calgary, Alberta. The petitioners remind the Prime Minister that he promised never to tax income trusts but he broke that promise by imposing a 31.5% punitive tax which permanently wiped out over \$25 billion of the

hard-earned retirement savings of over two million Canadians, particularly seniors.

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

ABORIGINAL AFFAIRS

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, I have the honour to present to the House a petition with regard to the tragic land claim situation in Caledonia. Over 1,000 Hamilton area residents have signed this petition, which calls on Parliament to halt development of those lands currently under dispute until the claims are justly settled.

I will be forwarding copies of the petition to the Minister of Indian Affairs and the Prime Minister for their response.

* * *

QUESTIONS PASSED AS ORDERS FOR RETURN

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, if Question No. 215 could be made an order for return, this return would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 215—**Mr. Scott Simms:**

With regard to the Small Craft Harbours Program of the Department of Fisheries and Oceans, what was the funding amount allocated, granted or contributed to each harbour in each federal electoral district within the province of Newfoundland and Labrador, in each of the years 2003 to 2007, inclusive?

(Return tabled)

[English]

Mrs. Lynne Yelich: Mr. Speaker, I ask that all remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

*Points of Order***MOTIONS FOR PAPERS**

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

POINTS OF ORDER

ALLEGED UNPARLIAMENTARY BEHAVIOUR

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I would have raised this point of order earlier, but I have only just seen the video.

On Monday evening during the vote that took place in the House, the member for Thunder Bay—Rainy River made a very unparliamentary gesture. I would like to give the member the opportunity to apologize to the House and to Canadians.

The Speaker: I am sure the hon. member will take note of the hon. member's comment and come back to the House if necessary when the matter has been brought to his attention.

STANDING COMMITTEE ON ACCESS TO INFORMATION, PRIVACY AND ETHICS

Hon. Jay Hill (Secretary of State and Chief Government Whip, CPC): Mr. Speaker, I rise on a point of order concerning the report of the Standing Committee on Access to Information, Privacy and Ethics, which was presented to the House earlier today by the chair, the member for Mississauga South. I submit that the report is out of order and that it is beyond the mandate of the committee, as set out in Standing Order 108. I would like to begin with a bit of background.

The committee report recommends an amendment to the Conflict of Interest Code for Members of the House of Commons. Standing Order 108 makes it clear that the Conflict of Interest Code for Members of the House of Commons does not fall under this committee's mandate. Standing Order 108(3)(h) states that the Standing Committee on Access to Information, Privacy and Ethics has responsibility for overseeing "the effectiveness, management and operation, together with the operational and expenditure plans relating to the Conflict of Interest and Ethics Commissioner", as well as the commissioner's annual reports on activities in relation to public office holders.

On the other hand, Standing Order 108(3)(a)(vii) states that the Standing Committee on Procedure and House Affairs is responsible for reviewing "the annual report of the Conflict of Interest and Ethics Commissioner with respect to...her responsibilities under the Parliament of Canada Act relating to Members of Parliament...".

Furthermore, Standing Order 108(3)(a)(viii) states that the procedure committee's mandate includes, "the review of and report on all matters relating to the Conflict of Interest Code for Members of the House of Commons".

It is, therefore, clear that the Conflict of Interest Code for members of the House of Commons falls under the mandate of the

Standing Committee on Procedure and House Affairs rather than the Standing Committee on Access to Information, Privacy and Ethics. It therefore follows that the report of the Standing Committee on Access to Information, Privacy and Ethics is beyond the committee's mandate.

I recognize that the Speaker often declines to interfere with committee proceedings by noting that committees are their own masters. However, in your ruling on March 14, 2008, in which you expressed your concerns over committees exceeding their mandates through, in your own words, "tyranny of the majority", you stated:

However, if and when the committee presents a report, should members continue to have concerns about the work of the committee, they will have an opportunity to raise them in the House and I will revisit the question at that time.

The authority for the Speaker to rule a committee report out of order is confirmed in Marleau and Montpetit at page 879, where it states:

Committees are entitled to report to the House only with respect to matters within their mandate. When reporting to the House, committees must indicate the authority under which the study was done, i.e. the Standing Order or the order of reference. If the committee's report has exceeded or has been outside its order of reference, the Speaker has judged such a report, or the offending section to be out of order.

In conclusion, I understand that the chair of the Standing Committee on Access to Information, Privacy and Ethics had ruled this motion out of order on the ground that this issue did not fall under the mandate of his committee. However, his ruling was subsequently overturned by a majority of committee members.

Mr. Speaker, you have already raised concerns in the House that procedurally sound decisions by committee chairs are being overturned by majorities on committees. In your March 14, 2008 ruling, you stated:

...appeals of decisions by chairs appear to have proliferated, with the result that having decided to ignore our usual procedure and practices, committees have found themselves in situations that verge on anarchy.

I submit that this is another example where a sound decision by a committee chair has been ruled out of order. While I am confident that this report itself will be ruled out of order, it does not address the problem that the committee proceedings that lead to reports of this nature may damage the reputation of an individual or a political party, and the committee is allowed to do so by breaking the rules.

Mr. Speaker, in your ruling, you quoted Bourinot and how he described the first principle of our parliamentary tradition as:

To protect the minority and restrain the improvidence and tyranny of the majority, to secure the transaction of public business in a decent and orderly manner...

● (1530)

If we are truly to protect the minority from the tyranny of the majority, then the rules must be respected at the front end of the process as well, and that is at committee. If we are to avoid anarchy in the committee system, then the majority must respect sound rulings by chairs, particularly those that touch on the authority provided to the committees by the Standing Orders.

As the Speaker ruled on June 20, 1994 and on November 7, 1996:

While it is a tradition of this House that committees are masters of their own proceedings, they cannot establish procedures which go beyond the powers conferred upon them by the House.

Points of Order

Again, Mr. Speaker, I am confident you will rule this report out of order and I thank you for allowing me to express my continuing concern and caution over the ongoing defiance of committee mandates by brute force of numbers in our standing committees.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, as you know, on March 3, I raised a point of order in the House on a similar matter with regard to the Standing Orders. The Speaker gave a very extensive ruling on March 14. I accept the ruling and I do not want to repeat all of the citations because they were quite extensive.

However, there is a further aspect that must be considered in regard to the matter that came before the committee and that has been reported to the House today during routine proceedings.

The committee, as the government whip has indicated, has the responsibility, under our Standing Orders as approved by the House, to deal with that matter and similar matters related to the Standing Orders, which include appendix 1, the conflict of interest guidelines for members of the House of Commons.

However, Mr. Speaker, as you know, that particular standing committee has not been able to discharge its basic fundamental responsibilities assigned to it by the House of Commons. In fact, it has put political interests ahead of the best interests of the House.

The matter that is being addressed by the seventh report of the Standing Committee on Access to Information, Privacy and Ethics is a very serious matter. It has to do with the rights and the privileges of members of Parliament. It is a fundamental matter to be dealt with by this place and it is being frustrated by the government's imposed hijacking of the procedure and House affairs committee, which you, Mr. Speaker, are well aware of.

The committee was well aware that the matter was outside of our mandate. A vote by consensus or simple majority is the minimum threshold required to proceed on such matters. Even to change the Standing Orders, it only takes a simple majority of the House. However, in the context of the environment in which the House is operating, in the context of the seriousness of the question that has been raised by the report of the Ethics Commissioner and in the context that members' rights and privileges may be restricted for the wrong reasons, I believe the member who was cited in the Ethics Commissioner's report has already indicated that he accepts the report. I suspect that he will want to make further submissions with regard to it.

The Ethics Commissioner herself suggested, encouraged and, I think, even prompted members of Parliament to seek an amendment to the guidelines on conflict of interest, which are included in our Standing Orders.

We could see absolutely no horizon where this matter would be dealt with. We could see no opportunity where the government would permit this to move forward.

Mr. Speaker, I was prepared today, under routine proceedings, to ask for the unanimous consent of the House to move concurrence in that report so we could have a debate here, put this forward and let the House decide. Government members are not going to permit that. They do not want this to happen. They have made it very clear that, as far as they were concerned, if the member has been named in a lawsuit, his rights and privileges as a member of Parliament have

been impeded in some respect. That should be the subject of a debate and a vote by Parliament.

Mr. Speaker, in light of your ruling, we fully understand that the matter is beyond the mandate of the committee, but the consensus and simple majority of the committee did overrule my ruling, in accordance and in upholding the Standing Orders, to say that members of Parliament wanted to deal with this matter because they felt it was important and felt that there was no other opportunity for us to have this quickly discharged. It has been dealt with by those members, debated for a full hour and all government members had an opportunity to speak.

● (1535)

It is clear that there is some disagreement as to the interpretation of certain items, and to the enforceability and propriety of the decision made by the Ethics Commissioner. Those still have to be examined and explored. It should be done by the procedure and House affairs committee. If it could only get its act together, we could get this matter dealt with because it is too important.

I believe that is the motivation of the hon. members on the committee. They want it to be dealt with because it is a question that the House of Commons should be able to deal with on an urgent priority basis, a matter of urgent and pressing necessity. That is what it is about. It is about dealing with the rights and the privileges of members of Parliament. What could be more fundamental and important to this place?

Mr. Speaker, please take this in the context that the committee, in good faith, is recommending to the House an amendment to the conflict of interest guidelines for members of the House of Commons. It would provide the House an opportunity to debate it and determine whether or not simply being named in a lawsuit would constitute a possibility of furthering one's private interests.

The members in their vote decided that, in their view, it did not. The debate shows that there is an opposing view. But the consensus said that this change should be made. It has been presented to the House.

We seek direction from the Speaker, as we did when I raised my point of order in the first place. As a committee chair, I want to be able to uphold and defend our Standing Orders. But the problem that existed when I first raised it back on March 3 continued to exist.

I suspect that if committees like the procedure and House affairs committee and the justice committee do not resolve their problems, the issues that are before those committees too will ultimately have to come to the ethics committee if that is the only committee that is going to be able to take up these important questions and to discharge them.

If they are in order in terms of proper business of parliamentarians, there should be no delay. This is an issue similar to justice delayed is justice denied. A resolution of serious parliamentary issues which is delayed is also similarly totally unacceptable in our parliamentary environment.

Points of Order

I ask you, Mr. Speaker, to seriously consider what options are available to Parliament to deal on a priority and urgent basis and to recognize that this is a matter of urgent and pressing necessity. To in fact rule this report out of order would simply again be an indication of a roadblock that the government would like to put in front of us to say that it does not want this thing to move forward and that it does not want it to be addressed by Parliament. Let us have the House vote on whether or not this is a matter of urgent and pressing necessity.

● (1540)

[*Translation*]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I will not talk for long. This shows what has become of Parliament and the committees.

Ordinarily, the Standing Committee on Procedure and House Affairs should deal with this, but the Conservative government has decided not to elect a new chair. As a result, problems are arising in some committees, and others are not functioning at all.

A parliament exists to make laws, but the Standing Committee on Justice and Human Rights is not functioning, just like the Standing Committee on Procedure and House Affairs, which ensures that the House of Commons functions properly and which handles everything that has to do with the code of ethics—I am thinking of Elections Canada, for example.

The committee members made it clear that they did not have confidence in the chair. They called for his resignation, and he agreed.

Mr. Speaker, we recommend that, in your decision, you find a solution to problems such as this one, especially when a member of Parliament could lose his privilege to ask questions in the House of Commons.

The Prime Minister decided to sue the Leader of the Opposition. Because this case will go to court, does that mean the Leader of the Opposition will no longer have the right to ask questions in the House of Commons? This is unacceptable.

The members of this House must be treated in the same way as the Prime Minister or the Leader of the Opposition. Our privileges cannot be taken away, and that is what is disturbing about this situation. This problem can be solved with an amendment to the code of ethics, and Parliament must decide.

I want to add my voice to this debate so that this problem will be addressed as soon as possible and Parliament can carry on with its work. The Conservatives do not want Parliament to function, but that is not our problem. They form a minority government, and they will have to accept the will of the Canadians who elected them to Parliament.

[*English*]

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I have two points on this procedural issue. The first one deals with the procedural acceptability of the committee's report on this subject matter. If one were to look at the Standing Orders, one would see that the subject matter jurisdiction for ethics of members of Parliament is assigned to the procedure and House affairs

committee and oddly enough, not to the access to information, privacy and ethics committee. That was a decision made by the House some time ago. In terms of pure subject matter, the ethics committee is actually not the primarily assigned committee to deal with the ethics of MPs and conflicts of interests of MPs.

However, I submit that there is another perspective on this and I am going to suggest that you, Mr. Speaker, consider that the committee, while not having a subject matter jurisdiction, may well have had a procedural jurisdiction in that one of its own members was, by reason of the decision of the ethics commissioner in the report introduced in the House, handicapped or obstructed in his work in the committee, which reported.

In a procedural way the committee itself said it had to do something about the failure to accord full rights and privileges to this member of Parliament, the member for West Nova. There may be some procedural mandate here in the hands of the committee, the colleagues on the committee, in reporting to the House the problem.

The fix of the problem, however, may not reside with the committee and I will leave that to you, Mr. Speaker, to figure out how we might do a fix if there is a fix. I submit that there was some procedural jurisdiction here that the committee has responded to and it is not so egregiously out of order perhaps as the government House leader suggests, although I do accept the jurisdictional subject matter point that he made primarily.

The last point I want to make is that I did give notice to the Chair of my intention to raise this as a matter of privilege as an individual member and under the circumstances the best thing for me to do is to await your decision on the procedural acceptability of the report from the committee. I am prepared to stand and deliver my remarks and submissions on this subject matter as a matter of privilege at your convenience, at the earliest convenient date for you, Mr. Speaker.

● (1545)

Hon. Jay Hill: Mr. Speaker, I will try to be very quick. I have a few points that I want to add to this discussion and to your further deliberation on this matter.

First of all, I would like to point out that it is more than a little bit ironic that the chair of the ethics committee suggests that it should be acceptable to bring forward a report back to the House outside of the mandate.

He fully admitted it and in fact ruled that way, that this report was outside of the mandate of his committee, but he uses as an excuse the fact that the procedure and House affairs committee currently is not sitting. He uses that as an excuse.

I would point out the irony in the situation. The procedure and House affairs committee is not sitting because, as he stated, the imposed hijacking by the government. The procedure and House affairs committee is currently not sitting because the tyranny of the majority at that committee ruled a sound ruling by the chair, the member of Parliament for Cambridge, out of order, and tried to overrule it and ultimately remove that chair from his position.

Points of Order

The government members on that committee are determined to support the member for Cambridge and his chairmanship. It was a sound ruling when he ruled against an investigation into what opposition members called the so-called in and out financing of the Conservative Party of Canada in the last election campaign. They wanted that committee to be seized with an investigation and the chair ruled that it was beyond the mandate of the committee.

That issue, as you know, Mr. Speaker, is before the courts. There is an ongoing dispute between the Conservative Party of Canada and Elections Canada on the interpretation of the election laws and the chair, the member for Cambridge, ruled that out of order.

Subsequently, the majority, made up of opposition members, overturned his ruling. It is exactly the same situation that happened to my hon. colleague, the member for Mississauga South, when he ruled something out of order and as he fully admits it is out of order, it is beyond the mandate.

So the very thing that you, Mr. Speaker, warned about in your ruling is coming about more and more often, that the tyranny of the majority is alive and well in committee. Sound judgment, sound rulings by the committee chairs are overturned by the majority because they do not like them for partisan political reasons.

There are other options. The member for Mississauga South asked what are the other options without the procedure and House affairs committee sitting? It is the rightful committee that should have dealt with this issue or should be dealing with it is perhaps a better term. A party could obviously bring forward an opposition motion and get a vote that way. There are votable opposition motions if this is really of such huge importance that we have to deal with it immediately. We could deal with it that way.

The member from Bathurst, a few moments ago, said that we need to find a solution. I agree with him that we need to find a solution. I think the solution is quite simple. When the chairs of committees make a sound procedural ruling that is supported by the clerk of the committee, the committee has to uphold and respect that ruling. That is not too difficult. That is what happened in the past. The solution is simple. All committees should follow the rules and respect the rules, the Standing Orders of the House of Commons. Then we will not have this problem.

• (1550)

The Speaker: We are getting a little beyond the point of order that was initially raised and that deals with the admissibility of this report.

What goes on in the procedure and House affairs committee, in my view, is quite irrelevant to the argument that is currently before the House as to the admissibility of this committee report.

The hon. member for Mississauga South in his argument admitted that this committee report appeared to be beyond the scope of the committee because the Standing Orders give the powers to another committee, but because that other committee was not functioning therefore this committee did the work.

In my view that does not sound like an argument that is going to work with me. Because of the fact that a committee is not functioning or is not doing its job or is not filing a report does not

mean others then get jurisdiction just because the committee that has the jurisdiction did not do it.

If the committee had done a report that was unpopular with the ethics committee, that does not give it jurisdiction to then come in with another report on the same subject and say “we don't like this one, so here's an alternative”. That is not the way the rules in my view ought to be interpreted.

However, I am not going to give a final ruling on this matter today. I will review the remarks that were made by all the hon. members who contributed to the discussion.

[*Translation*]

I would like to thank the hon. member for Acadie—Bathurst, the hon. member for Scarborough—Rouge River, the Secretary of State and Chief Government Whip and the hon. member for Mississauga South for their comments.

[*English*]

I think they have all been very helpful in this case. I will review them all and then come back to the House in due course with a ruling as to the propriety of this committee report and its acceptability as such in the House, given the Standing Orders. I will say right off, it will be a tougher one, I think, to argue that this is in order than not, given the state of the Standing Orders on this point. I do not think we need to get into a lengthy discussion about what is going on in the other committee, because in my view it is irrelevant to the point before us.

Is the hon. member for Acadie—Bathurst rising on another point?

Mr. Yvon Godin: On another point, Mr. Speaker, just for the record, at the committees we have the right to challenge the Chair. That is what we have done and that is in the rules. It is not because the chair decides one way that he is the master of the committee, because the committee is its own master, and the decision was taken by the majority of the committee. That is directly in the rules. I want to set the record straight.

The Speaker: There is no argument on that. The rules of the House used to allow for appeals from the rulings of the Speaker, and the House in its wisdom many years ago got rid of that provision, and I am very thankful for that.

I agree, committee chairs' rulings can be appealed. It is part of the rule and the hon. member for Acadie—Bathurst is quite correct in pointing that out.

Is the hon. parliamentary secretary rising on this point also, or is this another point?

• (1555)

Mr. Russ Hiebert (Parliamentary Secretary to the Minister of Intergovernmental Affairs and Minister of Western Economic Diversification, CPC): Mr. Speaker, I just want to point out that a moment ago the member for Scarborough—Rouge River suggested that it might be appropriate for the ethics committee to have ruled on this particular matter, because the member for West Nova, over whom this matter was first raised by the Ethics Commissioner, was a member of the ethics committee.

Government Orders

I simply want to point out that the member for West Nova was not and is not a regular member of our committee, the ethics committee, so I think that should be set aside.

The Speaker: I thank the hon. member for the clarification. As I say, I will examine all these matters in coming to a decision on this matter and will come back to the House shortly.

GOVERNMENT ORDERS

[English]

FAMILY HOMES ON RESERVES AND MATRIMONIAL INTERESTS OR RIGHTS ACT

The House resumed from May 13 consideration of the motion that Bill C-47, An Act respecting family homes situated on First Nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves, be read the second time and referred to a committee.

Ms. Nancy Karetak-Lindell (Nunavut, Lib.): Mr. Speaker, I am very pleased to speak to Bill C-47, the act respecting family homes situated on first nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves.

Some people who were speaking to this yesterday brought a lot of dimension to the very difficult situation that exists on first nations reserves. This legislation is necessary because at the moment there is no legislation to which people can turn when there is a need for matrimonial real property laws. This is also an issue of human rights for women and children who live on reserve. Really, it is a human rights issue for the families.

The Liberal Party is certainly a great supporter of the Canadian Charter of Rights and Freedoms and we do support this measure to extend matrimonial real property rights to first nations. While the Liberal opposition supports the intent of the bill, we do not support the unilateral process taken by the federal government to introduce this piece of legislation.

I am going to speak more on matters of governance and capacity building, also in support of why we would like the federal Conservative government to listen to the people and take the road of real partnership and consultation. What we have been trying to say for the last two years as members of the aboriginal community, members of the aboriginal affairs committee and our party is that if we want to see real solutions in our aboriginal communities, there has to be real partnership and collaboration, and that they not be token gestures.

For me, real partnership is going to be based on respect, collaboration, courtesy and compromise. The negotiations would be on the level of diplomacy that I think most of our communities are very good at. All our aboriginal communities are interested in seeing their communities move forward to being healthier and safer for everyone who lives in those communities, whether they are on reserve or off reserve. These are our homes, our lands and areas of great historical connection. These are communities in which we are going to continue to live.

Of course we want to look for solutions that will see healthier communities able to take care of their own and offer solutions. In order to take steps that will move our communities forward, we need to also look at the governance issues. We need to give people an opportunity to be part of the solution, and to offer solutions to issues that are coming before us, in particular for reserves that have been under the rule of a 130-year-old law, the Indian Act.

We know that none of the solutions is going to be quick. History has a way of coming back and making it very difficult for our people to move forward, especially with people who have lived under the Indian Act.

We were reassured when the government came into power and sought the advice of the aboriginal community, especially by appointing Wendy Grant-John to engage in consultations with the people. NWAC was involved. The aboriginal communities were involved. She came back with a report that many people were comfortable with as the basis from which some legislation would come forth. I am sad to say that none of that seems to have made it into Bill C-47.

• (1600)

NWAC and the AFN have put out press releases giving their opinions on Bill C-47, and they have not been complimentary. They feel that all the work they did in helping with the consultation was not taken into consideration. The communities feel that they have been let down. As with the specific claims process, there was praise given to the government for allowing them to be part of the decision making and working with them to produce the act.

We all know that any legislation that comes to this House will not have the support of each and every person out there. However, as a government and having been in government, we feel that we can move forward with a piece of legislation when many people acknowledge that it is a work of collaboration and good consultation. People feel it is one which they can live with and support, given that they will be given a chance to report on it in three to five years, depending on what is in the legislation and that there will be some opportunity to make some improvements to it. Once there is that kind of feedback from the people who are going to be impacted by the legislation, then we know that there is an opportunity that the legislation will actually be implemented and supported by the communities. However, that is not the case with Bill C-47.

I remember when we worked on the First Nations Land Management Act, some bands were quite skeptical that another piece of legislation was dealing with a tiny piece of the Indian Act instead of an overall deletion of the Indian Act.

I have been a member of Parliament for almost 11 years now, and I am proud to say that I am probably the only member of Parliament who has stayed on one committee for the whole term. I have the good fortune of being able to remember how many pieces of legislation have gone through our committee and the number of witnesses that we have heard from all over on the different pieces of legislation that have come before our committee.

Government Orders

When the First Nations Land Management Act came in, there was some skepticism, but after it was implemented and people started to see the benefits for their own bands, they were very open to trying it out. It was voluntary, but more people were applying to go into that regime than the act was capable of taking on. If we do that type of work with the communities and try to help them in their capacity building and in their own governance, I think we will see more success with legislation being put forth that concerns aboriginal people in this country. Because there was cooperation and less conflict, people were open to suggestions. That is what we want to see with legislation that comes forth. We want people to feel that they can contribute, try something out and see whether it will work for their communities.

We do not want to see intimidation. We do not want to see heavy-handed approaches, which is how a lot of decisions were made in the past, especially in the 1960s and even before that, where someone in Ottawa made decisions and told the community what would have to be done. We had no say in any of that. It does not produce good governance or cooperation from the people. It alienates everyone who might have wanted to cooperate to make his or her community a better place to live.

• (1605)

I am sure most Canadians know now that most of the land in our communities are communally owned. I know we are not bound by the Indian Act in Nunavut, but our land is community owned. We have to always take this into consideration when we make any legislation that deals with how one disposes of property, homes or, in this case, matrimonial real property.

Because of these special situations, we need to have an understanding of what solutions will work. This is why it is so important to have the members of a community behind any legislation that will affect their lives.

We know violence affects many homes, whether they are aboriginal communities or not. Unless we have programs to help people, we will not see a lessening of that. Having strictly legal measures to deal with this issue is not the answer. There has to be non-legislative measures also alongside legal measures. That was a very strong point put forth by NWAC, the National Women's Association of Canada. Not only do we need the legal measures and the law that people can go to for assistance, but we also need the measures in the community that will help women usually and children in these cases.

As I said, when I started this debate, we very much support seeing legislation that will help these communities, but how we go about it is fundamental in whether it will be accepted and implemented to the extent that it could help people more if there were more collaboration with the community.

We live in a day and age now where we want to solve more conflicts in the world peacefully and by involving the very people who are in the conflict. We cannot just go in, take over and decide this is the way things should be done. That certainly does not exclude our aboriginal communities. This is what we want to see. We are not saying that there should not be legislation to help families, especially the women and children, but we want to do it in a way that will work.

We are beyond the days of someone saying that they know best how to deal with our communities. It is very sad that we cannot take an opportunity like this to work with the people and have them help Parliament to address the very issues that sometimes end up putting a lot of children in care and our aboriginal people in jail. I do not think families get a real chance to stay together and work things out.

When these children go into care, or some other facility, or jail, it creates another breakdown where one loses their language or their culture, and it is very difficult to heal from that. We cannot keep inflicting damages on communities when we are still trying to recover from mistakes made in the past, such as residential schools, community relocations, people who lost their status and were reinstated, but with no resources for a smooth implementation. We cannot expect communities to move forward in a healthy and safe way when they do not have the capacity to deal with other social situations.

• (1610)

If we do not take into consideration the fact that we have to give the bands the ability to work together with different levels of government, then surely the legislation will fail in the key point, and that is to help women and children live safer and healthier lives.

We all want that. I do not think anyone here will argue that we all have the same goal, but it is how we do it. I cannot emphasize enough that we have to do things the right way with collaboration from the people, with solutions from grassroots. Surely we should know by now that the way we have done things in the past does not work.

I want to see the legislation in committee so we can hear from different witnesses, good experts in this matter, and hopefully see amendments that will improve it.

Committee work is all about that. It is about trying to improve the legislation that comes before us. In the past at committee our experience has shown that the government takes these as attacks, not opportunities to improve legislation. As parliamentarians, our job, as we sit in these chairs inside this chamber, is to provide the best laws and policies we can for our country, to improve it and make it a better country.

Canada is the best country in the world to live. I have seen that as I have travelled a few times internationally. We have a lot to offer, but we also have a lot to learn. The fact that we are open to different ideas and ways of doing things gives a lot of hope to Canadians. They have seen actual changes happen in committee as a result of our listening to witnesses.

We cannot please everyone and come up with the perfect piece of legislation, but at the end of the day, if we all work together, we can come up with legislation with which everyone can live. In a country as diverse as we are, to produce legislation that a lot of people can actually support is a great accomplishment.

Government Orders

I look forward to seeing the legislation in committee. I look forward to hearing from different witnesses. Hopefully we can improve it and make it legislation that communities will be proud to implement.

All those bands will welcome the opportunity to have this type of legislation to work with on their reserves. I do not think we will hear people say that they do not support some kind of legislation, or some kind of rule, or tools or capacity building that will make their reserves healthier and safer communities for their women and children.

When the legislation goes to committee, I strongly urge the government to be open to witnesses and to amendments. No one is arguing that this is not the time for the legislation. It is how we do it, how we implement it and whether we put the resources with it to ensure the communities can work with it in a positive way.

• (1615)

Mr. Rod Bruinooge (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, I appreciate the intervention of the member for Nunavut in this regard as she has a long career of advocating on behalf of first nations, Inuit and Métis people throughout Canada.

I would like to explore a few of her comments. She indicated that, as a government, we had not included any of the ministerial representative's recommendations in the bill. In fact, a number were incorporated in the bill, including providing basic protections for individual residents on reserves during and after the breakdown of a conjugal relationship, balancing individual rights with collective rights, including the opportunity for first nations to exercise their law-making responsibility in this area, as well as providing for an initiative that will bring about a centre of excellence.

The member comes from a territory within Canada, where individuals have full access to matrimonial real property, as do I, as a Métis citizen from Winnipeg. The people of my community in Manitoba, who live off reserve, have this opportunity. It is something I know she believes needs to be extended.

In light of the fact that the bill provides first nations with the opportunity to develop their own codes on this matter, does the member not believe this is basically the ultimate opportunity to opt out of what we provide as legislation should a first nation believe it needs additional requirements within its code? Does she not see that as a great reason to support the bill?

Ms. Nancy Karetak-Lindell: Mr. Speaker, I acknowledge that maybe I should not have said "any". However, the overall feedback we are getting from the communities that are going to be affected is the government is being selective in the points it is putting into the legislation. One of the comments is the legislation does not recognize first nations governments, which is fundamental. If we are going to recognize and give credence to the bands as the law-making, or the band having the power to make rules and laws for their reserves, then I go back to my first statement of doing token measures.

If we are not going to recognize people as having the jurisdiction to make changes in their community, then we are only going

halfway. The way the bill is written, they feel this could intrude on their jurisdiction and law-making practices. There is no planned transition period and support for first nations capacity building and development. If we are to give them the ability to make their own codes, then we have to give them the resources to do the research, to be able to implement them properly. It is fine and dandy to say to people that they can do a certain thing, but not give them the capacity to do it, or to have the people know what their rights are. If they do not know their rights, they will not exercise them.

If we give the law-making ability to make their own codes, and I know some of the land claims agreements have their own codes but they built into them the capacity and the resources with that, then we can work with the first nations to produce those codes. However, they need the money to research them. They need the money to consult with the people as to what those codes are. I know some of those codes are even higher than some of the provincial legislation, so it has been done. It is not like we have to reinvent the wheel.

• (1620)

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, my colleague serves the largest riding in Canada and serves with distinction. Anywhere in her riding is a long way from Ottawa.

Some of the points that she just made have a direct impact on my riding. In her riding, she must fly everywhere. I represent 21 first nations in northern Ontario and I must fly to them all the time. Roughly one-quarter of all the fly-ins in Canada I serve in the Kenora riding.

One of the things she talked about just recently was the capacity. Even the most sophisticated urban reserves that have communities on them have resources or have access to resources. When we get to the remote sites that she serves and that I serve in northern Ontario, those challenges can be escalated. They do not have any resources and they have no information. They know nothing or very little of what is going to happen. We can feel the apprehension in these communities when we travel to them.

I would suggest that the hardest areas to serve are the remote sites, the fly-in sites, because the resources are not there. Unless they are specifically identified, these people will not have the opportunity to participate or to have the information and they will not be able to move this issue forward in any way. I think they will be afraid of this legislation.

I would like to hear her thoughts on those comments on the remote sites.

Ms. Nancy Karetak-Lindell: Mr. Speaker, I thank my colleague for pointing that out. In this country we expect a certain level of services, whether it be in education, health, corrections or legal aid. We all have the expectation that every Canadian has access to services but in some of the smaller communities, such as those in his riding and in mine where there could be only 300 people, they do not have the services in that community to meet the needs of the people.

In many of those cases, the women and children are flown out, usually to a southern municipality, away from their home, their school and their work, in order to deal with a marriage breakdown. That is a reality.

Government Orders

We need to have an understanding of the special needs that are going to be inflicted on these small communities. Unless they are given the resources and the capacity building, it will be very difficult to offer any services that are required by this legislation.

[*Translation*]

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, I would like to congratulate my Liberal Party colleague for her presentation on Bill C-47. She is obviously well versed on this subject given that she has sat on the Standing Committee on Aboriginal Affairs and Northern Development for a number of years.

I would also like to point out that she was part of the previous government when an agreement was made with first nations stating that each time legislation concerned them and could change their way of life, the government had to consult them.

In this regard, be it with Bills C-44, C-21, C-30 or C-47, is the current government consulting and respecting this agreement?

• (1625)

[*English*]

Ms. Nancy Karetak-Lindell: Mr. Speaker, that topic of the duty to consult is an area that every government needs to take to heart. If the people feel that they were not part of the decision making, the policy making and the drafting of legislation, it will be very difficult for any government, no matter which party is in government, to get full cooperation on implementing a piece of legislation if the people feel they were not part of it. One of the key points to introducing any legislation is that there must be proper consultation.

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): 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 Hull—Aylmer, Manufacturing Industry.

Resuming debate, the hon. member for Abitibi—Baie-James—Nunavik—Eeyou has the floor.

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, in the current context of Bill C-47, we know that laws currently exist in Quebec and the provinces and territories of Canada on matrimonial property that recognize the general principle of equality between spouses. These laws govern spousal rights during the marriage and in the case of marital breakdown. They help define the personal and real matrimonial property of the spouses. They also allow for a system of mandatory rights and protections when it comes to matrimonial property and, in the event of a marital breakdown, the establishment of legal presumption in the equal division of matrimonial property. The laws also include various protection measures for each spouse, for example, in the case of the sale of the family home, where the signature of both spouses would be required.

Nonetheless, between Quebec and the provinces and territories of Canada, there are a few differences when it comes to common law relationships, same sex relationships, rights in the event of the death of a spouse and issues involving family violence.

These laws also apply to first nations spouses off reserve, but do not apply in the same way to people living on reserves administered

by the Indian Act, mainly in terms of matrimonial real property, cases of family violence and marital breakdown.

The Indian Act provides for a land management regime that includes a system for making individual allotments of reserve lands to members of the band for whom the reserve has been set aside, but it is silent on the question of matrimonial property interests. It does not provide for a law-making power on the part of first nations in regard to matrimonial property, real or personal.

Bill C-47 concerns family homes situated on first nations reserves and matrimonial interests or rights in or to structures and lands situated on those reserves. It seeks to close the existing legal gap to ensure respect for basic and matrimonial rights and to offer recourse during a conjugal relationship, when that relationship breaks down or on the death of a spouse.

Basically, the bill seeks to balance individual and collective rights, to clarify the inalienability of reserve lands, and to provide greater certainty to spouses and common-law partners on reserves with respect to family homes and other matrimonial interests or rights.

Bill C-47 would set out provisional federal rules as well as provisions for the enactment of first nation laws. The federal rules would be a provisional measure, but would account for the reality that some first nations may not develop their own laws to address matrimonial interests or rights. The bill would enable communities to develop their own laws. Each first nation would be subject to the provisional federal rules set out in the bill until they adopt their own laws, with the exception of those that already have laws about matrimonial real property.

The proposed bill would be subject to the Charter. It would also be subject to the Canadian Human Rights Act insofar as its provisions fall within the scope of that act.

Not all off-reserve matrimonial real property remedies can be replicated on reserves. Given the collective nature of the reserve land regime, land on reserves cannot be owned outright, and the rights to possession differ between band members and non-members. For greater accuracy, the proposed act therefore refers to “interests or rights regarding family homes on reserves and other matrimonial interests or rights,” rather than “matrimonial real property” which, off reserves, refers to both land and structures.

The bill also proposes some provisions related to separation due to family violence.

I think all my colleagues here will agree that despite all the work that went into this bill, the government has still displayed a vindictive and know-it-all attitude when it once again failed to consult women or the Native Women's Association. Yet again, it managed to forget to resolve major flaws.

This week's visit from the president of the Quebec Native Women's Association, Ms. Gabriel, made this very clear.

Government Orders

• (1630)

The proposed act respecting family homes situated on first nations reserves and matrimonial interests or rights in or to structures and lands situated on those reserves would fix a major shortcoming in the current legislation.

Although the Bloc acknowledges this, and knows that we must act quickly, for the good of women and first nations communities, we think that the government has failed in its duties in some areas.

I would like to show my colleagues, here in this House, how the government did not fulfill its commitments. I would also like to explain what the Bloc Québécois proposes to fix the major shortcomings not only in this bill, but also in the entire process surrounding the bill.

To back up my comments about how the current government has not fulfilled its commitments in developing this bill, I would like to go back in time to discuss a political accord that was signed in 2005. As we all know, in order to get into power, the Conservatives ran a campaign based on demonstrating transparency and respecting commitments.

The past few months have shown us that this party does not seem to be any better than its predecessors. Allow me to quote some of its members: "It is our duty as elected members to ensure that the public can continue to have confidence in us. We must demonstrate integrity and consistency in our decisions."

The process leading up to Bill C-47 runs counter to an important agreement signed between the Assembly of First Nations and the Government of Canada in 2005. I will read an excerpt from this political accord of May 31, 2005, an accord we have been referring to since Bill C-44 was introduced in 2006:

No longer will [the government] develop policies first and discuss them with [the members of the first nations] later. This principle of collaboration will be the cornerstone of our new relationship.

It also says:

The minister and the Assembly of First Nations commit to undertake discussions: on processes to enhance the involvement of the Assembly of First Nations, mandated by the Chiefs in Assembly, in the development of federal policies which focus on, or have a significant specific impact on the First Nations—

The purpose of the accord was to enhance cooperation between the Assembly of First Nations and this government on the development of federal policies on first nations. Can someone please explain to me why that very Assembly of First Nations, the Assembly of First Nations of Quebec and Labrador, Quebec Native Women Inc. and the Native Women's Association of Canada are against this bill?

In the process of drafting this bill, it seems clear that an important aspect of communication was forgotten. We can all agree that in a discussion, two parties meet to share ideas. Consultations were indeed held with a whole host of groups representing first nations and with first nations women's groups, since this bill primarily concerns women.

However, it seems that if Indian and Northern Affairs Canada did indeed listen to the first nations representatives, it did not take into account or did not put enough stock in what they said. I do not think

the government representatives acted in bad faith, but the spirit of the 2005 accord, where the cooperation and involvement of the first nations should have prevailed in the drafting of this bill, was not respected.

It would therefore make no sense to go ahead with second reading of this bill. That is why the Bloc is asking the House to refer Bill C-47 to the Standing Committee on Aboriginal Affairs and Northern Development so that the committee can amend the bill to make it acceptable to first nations communities.

The Bloc Québécois firmly believes that the first nations have an inherent right to self-government, and it will ensure that that right is not undermined by the implementation of this bill. However, we also believe that such a bill can fill gaps in the current regulations while communities develop their own law on family homes.

Bill C-47 could be passed once it has been studied and amended by the Standing Committee on Aboriginal Affairs and Northern Development, this time in collaboration with designated first nations representatives.

• (1635)

At this point, I would like to give some more concrete examples of the reasons why the Bloc Québécois is asking that this bill be referred to committee.

Many of my colleagues are aware that the first nations are an integral part of the human landscape of my riding. I would therefore like to speak from my own experience with various nations.

One of the concerns that aboriginal women's groups have pertains to the lack of housing on reserves, because one of the provisions of this bill deals with obtaining accommodation after a conjugal relationship breaks down.

Having visited a number of aboriginal communities repeatedly, I can state that this concern is certainly justified. How many times have I seen whole families squeezed into cramped quarters? How many times has the message been hammered home to me, during meetings with chiefs, that the biggest challenge in communities is the lack of housing? I have lost count. In addition, in communities such as Eastmain, on James Bay, some families are living in buildings despite mould problems so severe that the buildings need to be reconstructed. When there is not enough housing, it becomes difficult to relocate families for any reason.

From my experience, I also wonder about another aspect of this bill. It establishes procedures, including referral to legal procedures that do not always take into account the cultural reality and the access that these communities—often isolated or impoverished—have to certain information and certain services. There is nothing in the bill regarding how the communities will be able to access information and legal services.

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For the Bloc Québécois, it is crucial that these realities can be considered and these questions addressed. That is why we would like to know how the government plans to implement this, and how it intends to allocate funding to ensure that the people in question can benefit from the bill. I would also like to ask the government how much funding is earmarked for the communities in order to prepare for implementing the legislation. Finally, we would like the government to submit to the committee the studies concerning the impact of Bill C-47 on the communities as well as the measures that will be put in place to encourage communities to develop their own laws concerning matrimonial homes.

In closing, given the importance of the issue and the insecurity it causes for people living on reserves, the government must take action immediately. It must allow aboriginal people on reserves to exercise their matrimonial rights to and interests in structures and lands situated on reserves. It must ensure that all its actions and decisions comply with the recommendations of the main aboriginal organizations and those of the standing committees, while still honouring the political accord reached with the first nations in 2005.

I believe it would be possible to amend this bill and address the dissatisfaction expressed by aboriginal groups, for example, issues pertaining to the implementation of the action plan, available resources and access by women to legal processes. We undertake to work closely with the first nations and the government, whose actions will respect the 2005 agreement, in order to amend Bill C-30 and ensure that it is satisfactory. We will do the same for Bill C-47.

However, I must point out that the Bloc Québécois has questions about the government's plans for implementation of this bill. We also wonder about the funding that will be provided to the communities and about the introduction of measures to make the procedures accessible to the population, bearing in mind the information that must be provided to the population and the poverty and the geographic isolation, which could restrict the practical application of this bill.

To summarize, the Bloc Québécois is in favour of Bill C-47 being sent to the Standing Committee on Aboriginal Affairs and Northern Development to study the ins and outs and, above all, to hear the testimony of stakeholders.

But first, we wish to know the intentions of the government concerning the possible amendments to Bill C-47 that it would be willing to accept.

• (1640)

[*English*]

Mr. Rod Bruinooge (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, the member has attended a number of aboriginal affairs committee meetings and has provided considerable insight into the issues facing aboriginal Canadians throughout our country and in his own riding.

A few of my questions for him would be in relation to some of the matters he raised. One of the words he used in relation to us bringing forward this bill was the word “revenge”. I am hopeful that was just some sort of word lost in translation because that would never be a

motive for our government. I just do not understand how that could come into the context of this discussion but I am sure he will perhaps illuminate us a little more on that.

However, I have a more specific question. He referenced consultation and how he felt that it was inadequate. We held over 109 consultation sessions throughout the country at 64 different locations. Many individuals came forward. How much adequate consultation does the member think a government, any government but, in our case, this government, needs to engage in before we can proceed with such an important bill to deliver matrimonial real property rights to first nations citizens and, of course, first nations women?

[*Translation*]

Mr. Yvon Lévesque: Mr. Speaker, I would like to thank my Conservative Party colleague for his question. I did not say “revenge”; I said “vindictive”, which is a word used to describe someone who always makes the same mistake or insists on repeating it.

With respect to consultations, I am sure the Minister of Indian Affairs and Northern Development talked about what constitutes consultation. Our position on this, a position shared by all opposition parties, is that the consultation should have been defined, as set out in the 2005 agreement, by the first nations' elected representatives and the government. In other words, the government should have worked with them to define what adequate consultation would be on various issues.

Had that been established from the very beginning, many problems and demands could have been eliminated that have been a waste of time for government members and all members of Parliament.

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I was here to listen to the presentation by the member for Nunavut and I must say that she has been a champion on behalf of the interests of first nations, Inuit and Métis.

In a prior session of Parliament, on government Bill C-30 dealing with climate change, I can recall that there actually was a point of order raised with regard to the release of a draft bill to the public prior to it being tabled in the House. The government argued that the presentation of that draft bill to stakeholders, being environmental groups, et cetera, was necessary for full consultation to ensure there was an understanding and to ensure we had the best possible bill come forward.

I use that as a parallel, as with the urging of those who are participating in this debate, that there should have been broader consultation even before this bill came in. Now the members are arguing, very forcefully, that we need to have the input of the grassroots, as the member for Nunavut said, so that women and children can live safer and healthier lives, and that we need to do it the right way and we do need to consult fully.

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However, I am concerned, and I do not know whether the member shares my concern, that the government has simply dismissed the requests and the urgings to have full consultations during the committee process and is urging members simply to pass the bill because it is a good bill. I do not agree with that approach and I wonder if the member has some comments to add.

• (1645)

[*Translation*]

Mr. Yvon Lévesque: Mr. Speaker, I want to point out that I do not represent Nunavut. The member who spoke earlier might not want me to compete with her over her riding. My riding includes Nunavik, a region in Quebec. I would also address this remark to her colleague who spoke earlier.

I would like to repeat what I said at the outset. The government of the member who just asked the question signed an agreement with first nations in May 2005. That agreement was signed. The government made a solemn promise to consult elected representatives of the first nations before drafting any bill or introducing legislation that would change their lives or their culture.

Even so, the government persists in introducing legislation that violates that agreement. Even if the laws are good for them, this is an insulting way of going about it and gives them little option but to oppose the proposed legislation. This approach will not foster agreement or collaboration between first nations and Parliament or the government.

[*English*]

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, I appreciate the opportunity to rise this afternoon to say a few words on this very complex issue. It involves a number of sub-issues and when we boil it all down, it is not simple.

First, I will support the legislation, when it comes for a vote, to send it to committee. There is some stakeholder opposition. I have read a lot of the points, the memos and the briefs that come in from different interest groups and I have tried to digest them as best I can. However, I will support the bill so it can go to committee, receive a full airing, have the refinements or improvements made and then come back to the House after the committee has deliberated on it.

We have a situation that has developed over the last number of years. We have a clash between what happens on reserves and what has changed substantially and considerably in Canadian society over the past 50 years. Sometimes that is not a bad thing, but in this case it cries out for redress.

My instincts, as a parliamentarian, are to proceed very carefully and cautiously, after much consultation with our aboriginal brothers and sisters, before we move on this issue. However, it is an issue that calls for a legislative solution, and hopefully it will be an interim legislative solution, but it is not an issue that we can ignore as parliamentarians. In my opinion, it is a basic matter of human rights for women and children living on reserves, an issue that cannot be ignored.

To frame the debate, it is interesting to consider the changes we have seen in society over the last 50 years. I started to practise law about 32 years ago. It was changing then, but let us go back a few years before that.

The basic rule of law was that a married woman, if there were separation or divorce, had very little in the way of rights. If individuals were not married, living common law, there were no rights. In most instances the title to the property, whether it be a farm or a home, was in the man's name. This concept has basically disappeared from the legal nomenclature, but there was an interest called dowry. A woman had a one-third life interest in the property and she had to sign off if the property was sold or mortgaged, but that right did not give her any one-half interest if there were a separation or divorce.

We can see how society has evolved and changed over the last 50 years. It was not transformative. It came gradually. We had certain provinces enact family property laws. They were debated, interpreted and changed. We came forward with no fault divorce legislation, where situations, like adultery, did not have to be proven, the best interest of the children became a concept in our matrimonial law. Looking back, from May 14, these are concepts that most Canadians would accept as basic human rights.

• (1650)

Then there is the situation that exists on aboriginal reserves right now. This goes back to a 1986 court decision regarding a situation where a husband and wife, whether legally married or common law, separated. The court decided that the provincial court did not have any jurisdiction to adjudicate upon that land because it was located on a federal reserve, which came within federal jurisdictional powers. It certainly left a very large legal vacuum where people were basically left with no rights. Provincial law did not apply.

Off reserve aboriginals did not face the same predicament as provincial law would apply in this case. If an off reserve couple lived in a city, town or rural area in Canada, outside of an established reserve, and there was a separation, the normal matrimonial laws in the province would apply.

There were a number of problems. The biggest legal vacuum was there was no jurisdiction to adjudicate the problem. Then it was complicated further because of the fact that on most reserves the land is not owned by individuals. It is owned collectively by the reserve. However, the couple or individual would have a possessory interest in the property, which complicated it a little further.

Therefore, there was what I consider to be a tremendous vacuum in the law if a couple separated, especially if it dealt with domestic violence or a situation where the rights, safety or protection of children were involved. In particular cases, the judges were handcuffed. No temporary or permanent restraining order could be issued. The court could not entertain a partition for the sale of the property. There would be nothing to preclude one of the spouses from selling whatever possessory interest he or she had, or a mortgage on the same. Basically, there was a situation where the basic human rights of individuals were and could be violated, which cries out for a legislative solution.

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It has been a very significant issue and it is one that has been before the House several times before. It has been a subject of the discussion in debate in at least three parliamentary committees and it has been discussed in the House. As I indicated earlier in my remarks, it does not have the total support of the stakeholders: the Assembly of First Nations, the office of the grand chief and the Native Women's Association of Canada. They all take the position that they are presently against the legislation.

I read their briefs in the preparation of my remarks. I think they are trying to broaden the scope of the whole argument that it does not go to the causes of the particular situation. It does not address situations like poverty, education, health or the lack of access to water. However, that is not the purpose of the bill. The purpose of the bill is to get at this issue.

There is no attempt, and one could argue it should, to deal with the larger issues, and I do not think anyone in the House or any Canadian would suggest that they should not receive attention from the government. The bill deals with a very specific instance. It should be dealt with and should not be delayed that much longer.

That is where I am coming from in my remarks. It is time to send this to a committee and get further input and dialogue from the major stakeholders dealing with this issue.

• (1655)

Going back to the briefs received from some of the aboriginal leadership, the suggestion is that it does not acknowledge the inherent treaty rights of first nations. This is should be acknowledged. However, this is interim legislation only. It acknowledges in the legislation that the first nations and the bands should take this on themselves. It provides a certain framework for them to do that. It provides a certain time for them to do that. I hope they will go ahead and do what is right and necessary, so the necessary governance is there, so the existing issue will not exist once the first nations develop their own provisions for dealing with this issue.

Again, this is an acknowledgement that they, their governments and their leadership should take on. I consider this to be interim legislation, but it will prime the pump and get the thing going. Hopefully, the various bands across the country will address the situation.

We must not forget that this court case was adjudicated upon in 1986. We are here 22 years after the fact and nothing has happened since then. Until that happens, this legislation will apply.

Again, I think all Canadians, aboriginal and non-aboriginal, would like to see this happen, in the interim. If there were a situation where a legally married couple or a common law couple separated or divorced, that there would be an equal division of whatever matrimonial assets were in the family. However, no person would be allowed to sell or mortgage any interest in the title, whether possessory or real, in the property. If there were a situation dealing with domestic violence, where the rights and interests of the children could have been affected, this could be subject to either an interim or a permanent court order. At the same time, the bands would be notified of any of these proceedings. This is very important in the whole process.

Again, as I said in my earlier remarks, when I first looked at this issue, it was something with which I wanted to proceed with tremendous caution and with the greatest amount of consultation. However, it is an issue on which Parliament has to move. I hope we are not here in 22 years time talking about that issue.

When I read the briefs from some of the stakeholders, they wanted to tie in a lot of the non-legislative issues, such as poverty, housing, water, access to justice and governance issues, and I agree with what they have said. There is no greater stain on Canadian society than the present plight of our aboriginals.

When I look back, it is something that cries out for action from the government. I look back at the tremendous opportunity missed at the Kelowna accord. In that room we had all 10 provinces, the major aboriginal groups, the Government of Canada and all the major stakeholders ready to sign on the dotted line. I would not suggest that would be the solution to all the problems. However, it was a platform. It was a start. Perhaps it would not have ended the bickering that goes on or the blame and accusations that fly back and forth in here every day, but it would have started the dialogue. I had so much hope for the initiative and I was so disappointed when it did not continue.

• (1700)

Again, however, we have to deal with the present, not the past.

I should say that I chair the public accounts committee, and we are certainly not the solution to these problems at all, but every year and sometimes twice a year we get very unpleasant and troubling reports from the Auditor General of Canada about the plight of our aboriginal citizens presently on reserve. The second-last one was about the education system on reserves or aboriginal communities. It was a distressing and troubling report. The job is not getting done.

The report we received last week talked about aboriginal children in custodial care, about the lack of guidelines and, really, about the lack of care. It is really troubling. We are talking about kids who are from three to seven years of age and they are being treated like this by our system. Certainly it did not come in for a hearing yet, but it is just another troubling chapter that has come to the committee from the Auditor General of Canada.

We make recommendations, but it is the same thing in four or five years. The same department comes back and things are no better. It is such a frustrating experience to see this year in and year out. All I can say is that the present system does not appear to be working in the best interests of our aboriginal citizens.

In conclusion, I will be supporting the bill going to committee. I hope that the Standing Committee on Aboriginal Affairs and Northern Development has a long look at it and gives it a full airing. This is the framework. I certainly hope that there will be amendments and changes made to the bill. I hope committee members do not ignore the inherent right of our aboriginal communities, our first nations, and certainly do not ignore section 25 of the Canadian Constitution, and I hope they will come back to the House with a final draft of the legislation.

Government Orders

• (1705)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I appreciate the member's input. I have looked at correspondence from some of the stakeholder groups. One of the things I noticed that was common to all of them in regard to their concerns was the lack of what they refer to as the "non-legislative measures addressing matrimonial real property".

There also seems to be a significant concern about the consultative process, which has been a matter of discussion long before this bill came up. In fact, it has been discussed with regard to dealing with a broad range of issues related to the first nations, the Inuit and the Métis.

I wonder if the member could comment on how important it is to have those thorough consultations in advance of the preparation of legislation so that good faith is built up in the process to ensure that we do get good legislative measures as well as consideration of and dialogue on the non-legislative measures.

Hon. Shawn Murphy: Mr. Speaker, the member raises an important point. I read the briefs from the stakeholders. In particular, the National Aboriginal Women's Association came forward and said that this bill does not take care of the causes: the domestic abuse, the poverty, the water and the lack of justice. They are quite right. I could not agree more.

The brief by the grand chief talks about the governance issue: the lack of consultation, the lack of respect for the inherent treaty rights and the lack of respect for the Constitution of Canada. Again, that is one issue, and I agree with it.

As I said in this chamber in my first sentence, this is an issue that I as a parliamentarian take on very cautiously. My instinct is to go very slowly and cautiously, but at the end of the day, because of this particular situation, it is an issue that Parliament has to proceed on. It is an interim matter. It provides a framework for the first nations and bands to come forward with their own laws and rules, acknowledging their own right to self-government.

However, until that is done, the overarching framework will apply. The member across talked about the consultation. He is quite correct that it is about good faith. There is a suggestion from some of the stakeholders that the necessary consultation has not taken place. Accepting their brief as being correct, then that consultation hopefully will take place at the committee stage. This is why it is so important for the committee to get hold of this, have extensive consultations with all the stakeholders and come back to this House with the legislation in its final form.

• (1710)

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, my colleague has talked a lot about how we know what legislation is before us now, but he has used the word "consultation" many times. He did touch on the Kelowna accord. One of the largest efforts in consultation put forward by any government was to bring the Kelowna accord to fruition. We have heard the false claims there never was such an agreement and that there is no signed document.

The fact is that people from across Canada worked on the Kelowna proposal. We had collaboration from all walks of life in Canada. It was going to be a hallmark piece of legislation, an

agreement that was going to move the first nations forward. As my colleague said, it was the first step in really bringing them forward.

I am going to give the member the opportunity to make any other comments on what Kelowna would have done for the first nations of Canada and what it would have done for Canadian society to realize that we are going to walk together as we move forward.

Hon. Shawn Murphy: Mr. Speaker, that was a very interesting development in our political life. We had this situation and were able, with a lot of hard work and consultation, to get all the players together in a general framework agreement. All 10 provinces, the 3 territories, the Government of Canada and all the major aboriginal organizations were there in the room. They all signed on the dotted line.

I am not going to suggest that the agreement was going to be the answer or solution to all the problems. It would be a little naive of me to say that, but certainly in my life it was the first time that I was seeing a platform where all the parties were talking to each other. If we are not talking to each other at the same table, we probably are not going to get too far in trying to resolve certain situations. In this situation, all the parties were actually talking to each other.

There was a framework for education and one for infrastructure, but again, I am not going to suggest to this House that this was going to be the answer to all the problems facing our aboriginal citizens. It was not, but it certainly would have been a major step and a platform for other initiatives and other developments to go ahead. That was lost. It was basically thrown off the back of the truck. It disappeared. In hindsight, I think we lost a tremendous opportunity.

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, I am very honoured to participate in debate on Bill C-47, which is a proposal to deal with the long outstanding issue around matrimonial property rights on reserves.

All who have participated in the debate have acknowledged that there is a need to finally address a matter that has been left in the lurch since the 1985 Supreme Court decision which ruled that provincial laws regarding division of property after a marriage breakdown did not apply on reserve. That we agree on.

I do not think there is anybody in this chamber who disagrees with the fundamental principle at stake here and the need to advance legislation to fill the vacuum. We all recognize that there must be legislation to ensure proper division of property and assets upon a marriage breakdown, whether the people are living on reserve or off reserve.

That principle we support. The question today is this: does this legislation actually fill the bill? Does it respond adequately to the situation at hand?

I listened very carefully to the member for Charlottetown suggesting that it may not be perfect, but heck, we have to act on something, and it is so long overdue. We have to put in place an interim arrangement and this might be it, he suggests. We will go through committee and we will see, it is suggested, and this is only intended to deal with this one narrow piece so let us get on with it.

Government Orders

However, I cannot separate the whole question of equality of matrimonial property from the issue of equality in general. We cannot simply say that we will deal with one tiny piece and leave everything else in disarray or neglected. We cannot put a little bandage on a situation in the hope that we can stop the hemorrhaging.

I suppose it would not hurt to get the bill to committee so we can hear from the various informed players in our society today just how badly the bill meets the requirements, just how much off the mark it really is, and just how little the consultation that did happen was reflected in the bill itself.

I will read again for members the words of the minister responsible for the legislation, who said, as he did just yesterday, that “laws are much more likely to succeed when drafted with the input of the people who would be affected by them”. I agree. The problem with this bill is that the government chose to ignore the bulk of the evidence that was presented to it, as well as the majority of the suggestions that were made and that should have been included in the legislation.

Therefore, the government is masquerading today. It is pretending that it has consulted, that it has addressed the vast array of interests and concerns in this area, and that here all of it is in the bill.

That is far from the truth. We only have to look at some of the key players. Let us go right to the Assembly of First Nations, a broad governing body of the first nations in this country. Obviously it was consulted. The minister would like to pretend that its input was included in the bill, but that is not what Phil Fontaine says.

Phil Fontaine makes it very clear, in fact, that the consultation took place, but the suggestions that were made are not reflected in the bill. I want to quote from his letter of April 8, in which he says:

—the fact that direction provided through this dialogue does not appear reflected in the tabled Bill, leaves us to conclude that the dialogue was of limited value in promoting and implementing a reconciliation approach regarding First Nations aboriginal and treaty rights and Crown sovereignty.

● (1715)

Where is all this input from the community that the Conservatives are talking about? There is something strangely amiss in this place when the minister stands in the House and says that this bill was based on what the aboriginal people wanted and yet those people who were consulted say it is not there.

The same is reflected in material produced for all members of Parliament from the Native Women's Association of Canada which wrote as recently as yesterday that the association held extensive meetings with aboriginal women across Canada to identify solutions to the complex issues comprising the matrimonial real property problem. NWAC believes that the voices of these aboriginal women and the solutions they develop must be respected and included in the government's approach. This has not happened. I hope members are listening. The Native Women's Association of Canada says that this has not happened. Instead, the government has turned the processes that preceded the introduction of this bill into a farce by failing to include the elements that aboriginal women identified as important to them.

I hope that the members on the government benches are not making disparaging remarks about the Native Women's Association of Canada or the Assembly of First Nations. I hope that they are listening to the fact that these voices, these well-established organizations, these reputable organizations in our country today, feel that their concerns are not reflected, are not included in this bill. That is important. It goes back to what the minister himself said yesterday, that the best legislation around is that which reflects the feelings of the people it affects.

If this bill does not do that, we have to change it. We cannot simply let it go on and say that this is it. We cannot do as the member for Charlottetown said, that this is an interim measure, we will have some consultations and then we will get on with it. No. We have to fix the problem. If we are going to send it to committee, we have to do it on a real basis, on a substantive basis, and the government has to indicate it is prepared to accept the amendments and changes that the groups want.

Clearly, we have touched a sore point. The members on the Conservative benches are starting to heckle. I guess I am getting under their skin. I hope so.

There is no point in trying to deal with an issue that is so important and which has been neglected for so long in a half-hearted way. We have to do it in a comprehensive way, with the voices of those people who are affected, who say that this legislation in fact still allows the minister to strike down first nations laws regarding matrimonial interests. This legislation neglects to consider the welfare of children. This legislation, which has been a priority for first nations women since 1985, however, puts the value or the importance, the priority of individual rights ahead of collective rights, which is so paramount to how we deal with issues pertaining to first nations communities on reserves.

We need to send it back. We need to rewrite the bill. If we do it at committee, great. There is no problem with that. However, we cannot also neglect the social and economic context in which we find ourselves today.

I know that others in this House have said that yes, they know about all those problems with housing, water, health, child welfare, suicide, but they cannot all be dealt with in this piece of legislation. Then I ask, when can we deal with them? When will this government finally deal with the neglect in its own areas of jurisdiction, like child welfare on reserves? Why does it not act when there are independent reports such as Judge Guy's in Manitoba as a result of teenage suicides on reserves? Why does it not act after hearing from the Auditor General repeatedly, as we just heard this past week, about the situation with respect to aboriginal children and teenagers on reserves?

● (1720)

The evidence is in. There is a connection between neglect of people and worth of an individual, an entitlement to property when a family is in trouble or a marriage breaks down. There are connections to be made.

Private Members' Business

We all know that marriages sometimes break down because of socio-economic issues. Are we in this place not interested in trying to protect and preserve the family and the institution of marriage? Are we not interested in providing for equal access to property upon a dissolution of a marriage, which means looking at the inadequacy of the resources on the reserve in the first place?

What is the point of dividing up property and suggesting that one person in that marriage should leave the matrimonial home and find on the reserve another home that does not exist? What is the point in acting if we cannot find a way to deal with the violence against women which seems to be no longer on the government's agenda? What about the missing women and stolen sisters in this land? Did we not learn anything this past weekend when women marched in the streets of cities right across the country about the absence of programs to help missing women and to respond to situations facing women in domestic disputes?

In Winnipeg alone, women were marching the streets, responding to messages from people like Bev Jacobs of the Native Women's Association of Canada, from Gloria Enns, who is with the Dufferin Avenue women's drop-in, from Kim Pate, the executive director of the Canadian Association of Elizabeth Fry Societies, and from Jackie Traverse, who is an artist and part of the whole movement to address the situation of missing women. Where is the government? Where is the response?

Is that not important in terms of matrimonial property and division of assets? Is it not important to look at the situation facing women and children?

As we speak, a campaign is being organized around the whole question of family violence in aboriginal communities. It is called the Awareness Campaign Against Family Violence. It flows from the recent documentation of the Auditor General and other reports showing in fact that the underfunding of services is an important issue when we are dealing with the issues before us today. They talk about the existence of a discriminatory bias that aboriginal families are undergoing whereby an alarming rate of children are apprehended to be placed in non-aboriginal families everywhere in this country. We learn that the quasi total amount allocated by the government in Ottawa for child care and family services is directed to child placements. Crumbs are allocated to prevention.

We cannot simply carve off a piece of the issues at hand and say we are going to fix this without even consulting or including the advice of those affected.

We have two problems with the bill that have to be fixed at committee. One, the bill on its own in terms of the division of matrimonial property on reserves is flawed. Two, the government's approach is flawed when it comes to dealing with the situation facing aboriginal people on reserves.

The government has failed to live up to the responsibilities under the Constitution for which it has responsibility. It is in dereliction of duty when it comes to responding to issues facing children and teenagers on reserves. It is in dereliction of duty when it comes to responding to violence facing women on reserves. The government has shown dereliction of duty in terms of its commitment to ensure

proper health and social services for all people within its jurisdiction. There is no shortage of material to make this case.

● (1725)

Mr. Speaker, you will know that I have tried to seek consent from you to have an emergency debate on the question of adequate protection for aboriginal children on reserves. That flowed from the fact that the discrepancy between what the provincial government in Manitoba pays for children in welfare off reserve is so much richer, appropriate and responsible in comparison to the allocation of resources provided by the federal government for children on reserve, children in trouble on reserve, which is under the federal government's jurisdiction.

When will the government actually live up to its responsibilities and take seriously the needs of aboriginal people? That is the real question of the hour, because kids are dying. Suicides are happening every day. We only have to refer to what is happening in Shamattawa, Manitoba, and see the number of suicides that are mounting each and every day.

This is the opportunity when we can address the issues facing women, children and families on reserves, to give them the right to be treated as equal citizens in this country, to be given respect and to be treated with dignity and equality.

PRIVATE MEMBERS' BUSINESS

[English]

OFFICIAL LANGUAGES ACT

The House resumed from May 13 consideration of the motion that Bill C-482, An Act to amend the Official Languages Act (Charter of the French Language) and to make consequential amendments to other Acts, be read the second time and referred to a committee.

The Acting Speaker (Mr. Andrew Scheer): It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-482 under private members' business.

Call in the members.

● (1755)

[Translation]

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

(Division No. 110)

YEAS

Members

Angus
Atamanenko
Barbot
Bellavance
Bigras
Bonsant
Bourgeois
Carrier
Chow
Crête
Davies

Asselin
Bachand
Bell (Vancouver Island North)
Bevington
Blais
Bouchard
Brunelle
Charlton
Christopherson
Crowder
DeBellefeuille

Private Members' Business

Demers
Freeman
Gaudet
Gravel
Laforest
Lavallée
Lemay
Lévesque
Malo
Martin (Sault Ste. Marie)
Mathysse
Ménard (Hochelega)
Mourani
Nadeau
Ouellet
Perron
Plamondon
Roy
Siksay
Stoffer
Vincent

Duceppe
Gagnon
Godin
Guimond
Laframboise
Layton
Lessard
Lussier
Martin (Winnipeg Centre)
Masse
McDonough
Ménard (Marc-Aurèle-Fortin)
Mulcair
Nash
Paquette
Picard
Priddy
Savoie
St-Cyr
Thi Lac
Wasylycia-Leis — 64

Nicholson
O'Connor
Oda
Petry
Petit
Prentice
Proulx
Rajotte
Redman
Reid
Rota
Savage
Scheer
Scott
Silva
Skelton
Sorenson
St. Denis
Steckle
Strahl
Szabo
Temelkovski
Thompson (New Brunswick Southwest)
Tilson
Tonks
Tweed
Van Kesteren
Vellacott
Wallace
Warkentin
Wilfert
Wilson
Yelich

Norlock
Obhrai
Paradis
Pearson
Poilievre
Preston
Rae
Ratansi
Regan
Ritz
Russell
Scarpaleggia
Schellenberger
Shipley
Simms
Solberg
St. Amand
Stanton
Storseth
Sweet
Telegdi
Thibault (West Nova)
Thompson (Wild Rose)
Toews
Trost
Valley
Van Loan
Verner
Warawa
Watson
Williams
Wrzesnewskyj
Zed — 182

NAYS

Members

Abbott
Albrecht
Allen
Anders
Bagnell
Beaumier
Bell (North Vancouver)
Benoit
Bevilacqua
Blackburn
Boshcoff
Breitkreuz
Brown (Leeds—Grenville)
Bruinooog
Calkins
Carrie
Chan
Clarke
Comuzzi
Cummins
D'Amours
Devolin
Dosanjh
Dryden
Easter
Epp
Fast
Fitzpatrick
Fletcher
Fry
Godfrey
Goodale
Gourde
Guarnieri
Harris
Hawn
Hiebert
Hinton
Hubbard
Jean
Kadis
Karetak-Lindell
Keeper
Khan
Kramp (Prince Edward—Hastings)
Lauzon
LeBlanc
Lemieux
Lunn
MacAulay
Malhi
Marleau
Matthews
McTeague
Merrifield
Minna
Moore (Fundy Royal)
Murphy (Charlottetown)

Ablończy
Alghabra
Ambrose
Anderson
Baird
Bélangier
Bennett
Bernier
Bezan
Blaney
Boucher
Brown (Oakville)
Brown (Barrie)
Byrne
Cannon (Pontiac)
Casson
Chong
Clement
Cullen (Etobicoke North)
Cuzner
Davidson
Dhalla
Doyle
Dykstra
Emerson
Eyking
Finley
Flaherty
Folco
Gallant
Goldring
Goodyear
Grewal
Hanger
Harvey
Hearn
Hill
Holland
Jaffer
Jennings
Kamp (Pitt Meadows—Maple Ridge—Mission)
Karygiannis
Kenney (Calgary Southeast)
Komarnicki
Lake
Lebel
Lee
Lukiwski
Lunney
MacKenzie
Manning
Martin (Esquimalt—Juan de Fuca)
McCallum
Menzies
Mills
Moore (Port Moody—Westwood—Port Coquitlam)
Murphy (Moncton—Riverview—Dieppe)
Neville

Nil

PAIRED

The Acting Speaker (Mr. Royal Galipeau): I declare the motion lost.

[*English*]

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

* * *

[*Translation*]

CRIMINAL CODE

The House resumed from April 16 consideration of the motion that Bill C-384, An Act to amend the Criminal Code (mischief against educational or other institution), be read the second time and referred to a committee.

The Acting Speaker (Mr. Royal Galipeau): When we were debating Bill C-384, the hon. member for Shefford had five minutes left to complete his speech. He now has the floor.

● (1800)

Mr. Robert Vincent (Shefford, BQ): Mr. Speaker, I am pleased to speak again here today on the subject of Bill C-384 introduced by my hon. colleague from Châteauguay—Saint-Constant.

It is important to reflect carefully on this bill. I spoke about it nearly a month ago. Since then, we have had time to reflect on it. Personally, since I knew I would be speaking to it again a few weeks later, I took the time to think about other arguments to try to convince the members of this House to vote in favour of Bill C-384.

Private Members' Business

First of all, I still wonder why it took until 2008 for Bill C-384 to be introduced. Why did it take so long? Why did no one think about this issue before and try to establish measures to deal with people who write graffiti on schools and other locations? It is now being proposed that these institutions be covered by the legislation.

It is important that all members of the House of Commons take the time to read the bill. By doing so, they will be able to get a complete picture, without having any anti-Semitic ideas or other notions. That is important.

Indeed, people from various communities have legitimately asked to be able to keep their premises clean, whether they be places of prayer or schools. Furthermore, they have asked to be able to preserve their culture without being stared at inappropriately by people who could resort to all kinds of ploys to mock their way of thinking or expressing themselves.

Previously, only two types of institutions were covered: places of worship and cemeteries. Now, many others are also included. I mentioned schools, but this would also include daycare centres, colleges, universities, community centres, playgrounds, sports centres and any other place occupied by identifiable groups. It is important to protect them. Bill C-384, introduced by my colleague, is so very important.

We claim to be a host country and to want to welcome all these groups. However, there is no protection for these identifiable places I have just mentioned. This bill will provide adequate protection for these places under the Criminal Code. Thus, these groups will be able to practice their religion or carry out their activities in recreation centres without having to hide or be identified with one group or another. In this way we prevent them from being discredited by either saying or writing anything.

We assume that the members of this House will do everything it takes to make this bill a piece of legislation allowing these people to go about their usual activities.

Although we are discussing bill C-384, I would like to digress for a moment.

My party asked for an emergency debate on the price of gasoline. I would like parliamentarians to be aware of the escalating cost of gasoline. The Bloc Québécois should be allowed this emergency debate so that we can have a straightforward and honest discussion. Voters would realize that some members of this House are not keen to discuss the price of gasoline, to propose measures to curtail increases, to keep oil companies in line and to regulate prices to a greater extent.

● (1805)

Good luck to the member for Châteauguay—Saint-Constant with her bill and may it be passed and become law.

[English]

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker, I am pleased to speak today to Bill C-384, An Act to amend the Criminal Code (mischief against educational or other institution), that was introduced by the member for Châteauguay—Saint-Constant.

At the outset I would like to tell the House that I wholeheartedly support the purpose of this bill and the reasons obviously that would

have motivated the member for introducing such important legislation. I believe the great majority of Canadians welcome people who come from different countries, different cultures, different races and different religions. I know that we as Canadians also believe that those who arrive in Canada with different backgrounds enrich Canadian life and our culture.

Unfortunately, there is also a small minority of Canadians who do not welcome these newcomers and even oppose their presence in Canada and sometimes do so in a violent manner. The opposition to a group's presence in Canada could be expressed by writing offensive words, or perhaps damaging buildings where members from these groups are likely to go either to meet or receive services.

Damaging a building is indeed a criminal act already. It is an act that is covered by the offence of mischief which is found in subsection 430(1) of our current Criminal Code. The sentence for those found guilty of mischief under the current law varies with the mode of prosecution, that is, whether the offence is prosecuted by summary conviction or by the process of indictment.

The sentence of mischief prosecuted by indictment also varies depending on the value of property against which the mischief has been committed. Mischief is prohibited in all cases, however, regardless of the motivation. However, what is important is that when an offence of mischief is motivated by bias, prejudice, hatred based on race, colour, national or ethnic origin, language, religion, sexual orientation or any other factor, the motivation becomes an aggravating factor for sentencing purposes.

If the acts covered by Bill C-384 are already covered by the current provisions of the Criminal Code then one would somehow question why we would want to create a new offence. I have that answer.

I believe that two purposes would be served by enacting Bill C-384. First, the creation of a specific offence will draw attention to the actions that the offence prohibits. It will state clearly that the violent expression of hatred against a minority group is a criminal offence with all of the consequences for those who are found guilty. Second, the bill will increase the penalty for the offence. We know that in most cases mischief is prosecuted by way of summary conviction. Under the current law a person convicted of mischief against one of the buildings listed in Bill C-384, for example, when prosecuted by summary conviction is currently only subject to a maximum penalty of 6 months. Bill C-384 would increase this penalty up to 18 months.

Under the current law, if the Crown wants to request a penalty of more than 6 months, it must proceed by way of indictment. Bill C-384 will allow the Crown to request a penalty of up to 18 months without having to resort to the more complex procedure of indictment. Bill C-384 also has a practical effect when the offence is prosecuted by indictment.

The current law provides for a higher maximum sentence when the value of the property against which the mischief is committed is over \$5,000. Currently, where the value of the property is \$5,000 or less, the maximum penalty is only 2 years. It is 10 years when the value of the property is over \$5,000.

Bill C-384 would eliminate the distinction based on the value of the property. Hate crimes know no value of property. The higher maximum of 10 years would apply regardless of the value of the property against which the mischief is committed. As a result, the maximum penalty would be increased from 2 years to 10 years for mischief against property of \$5,000 or less.

• (1810)

As I indicated earlier, I do support this bill. However, I believe the bill would benefit from some technical improvements. I think it would be beneficial to clarify the language of the bill and ensure that it is consistent with the provisions currently set out in the Criminal Code.

As a member of the justice committee, I look forward to seeing Bill C-384 get to committee where it can benefit from study and technical amendments that may be necessary, but will not affect the scope and purpose of the bill. I believe all members of this House will want to work together toward the improvement of this bill which has support from all parties in this House.

Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.): Mr. Speaker, it is an honour for me to rise and participate in the debate on Bill C-384, An Act to amend the Criminal Code (mischief against educational or other institution). This bill would create a new offence in section 430 of the Criminal Code to prohibit hate motivated acts of mischief against an identifiable group of persons at an educational institution, including a school, day care centre, college or university, or community centre, playground, arena or sports centre.

I would like to congratulate the member for Châteauguay—Saint-Constant for her initiative in introducing this bill and thereby raise attention of this type of hate crime in our society.

In discussing this proposed legislation, there are two main elements that should be underscored. First, the importance of fighting hate motivated crimes; and second, to provide protection to the educational and social places where ethnocultural and other identifiable groups gather.

These are places where people gather to joyfully share in cultural experiences, often passing on through generations the richness of our multicultural mosaic. These are institutions to which children are entrusted to be educated. Yet too often, those who would hate and cause violence target these very places of joy and education.

Canada is an open and welcoming society that has embraced multiculturalism as an underlying principle. Our multicultural mosaic is a shining example to the world of peace and harmony among all races, religions, ethnicities; in fact, humanity in its endless multitudes of variations. Unfortunately, there are those among us, individuals and groups, who would act to spread hatred and violence, even violence against identifiable groups.

In 2004 the pilot survey of hate crime was published by Statistics Canada. This study reported a total of 928 hate crime incidents.

Overall, 57% of these hate crimes were motivated by race or ethnicity. The second most common motivation was religion, which accounted for 43% of incidents. Sexual orientation was the motivation in one-tenth of the incidents.

Private Members' Business

Blacks and South Asians were among those most frequently targeted in hate crime incidents motivated by race or ethnicity. The majority of incidents by religion involved anti-Semitism followed by those targeting Muslims.

The most common types of hate violations included: mischief or vandalism at 29%; assault at 25%; uttering threats at 20%; and hate propaganda at 13%.

While statistics are important, I would also like to point out a number of examples of hate crimes against several communities, religious and educational institutions that make the case of supporting Bill C-384 even stronger.

On March 24, 2004, the Al Mahdi Islamic Centre in Pickering was intentionally set on fire. Its interior walls were spray painted with supremacist graffiti. On September 2, 2006, the Skver-Toldos Orthodox Jewish Boys school in Outremont was firebombed. On June 21, 2007, the community centre of the Kitigan Zibi Anishnabeg Algonquin First Nations community in Quebec was vandalized with swastikas and white supremacist graffiti. On March 11, 2008, RyePRIDE, a community service group at Ryerson University was vandalized with hate graffiti.

The study also concluded that young people, those between the ages of 15 and 24, experienced the highest rate of hate crime victimization. This rate was two times higher than the next age group. As well, it was educational and other community institutions that were the most frequent targets of hate crime propaganda.

Acts of vandalism motivated by racism, xenophobia, homophobia, and hatred of the other are more than simple acts of mischief. To the victims and the community to which they belong these are traumatic assaults on the very core of who they are and their place in society. It is an assault on the very values of inclusion, tolerance and pluralism that are at the core of our Canadian identity.

I would now like to address a gaping omission in our current hate crimes legislation. According to the 1999 General Social Survey, 18% of hate crimes were motivated by hatred of a gender. Yet, gender-based hate crimes, misogyny and misandry, are not covered.

As it is currently drafted, Bill C-384 only addresses acts of hatred or incitement to violence against an identifiable group based on religion, race, colour, national or ethnic origin or sexual orientation.

• (1815)

As Valerie Smith, a leading expert and advocate on the issue of violence against women, underscores, misogynistic acts of vandalism carried out against a girls' school or university women's centre would not be covered under this bill because it protects only those groups identified by colour, race, religion, ethnic origin or sexual orientation. Bill C-384 adopts a limited list of identifiable groups found in section 318 of the Criminal Code dealing with hate propaganda.

Private Members' Business

For this reason, it would seem prudent to amend the proposed legislation to ensure that hate targeting a gender group is also included, because as the Canadian Centre for Justice Statistics shows, women and girls continue to be targets of hate crimes at disturbingly increasing rates. Because sex, the legal term for gender, is not included in the list covered by this proposed legislation, girls and women will not be protected under this law.

As further underscored by Valerie Smith, this legislation would be enhanced if the more inclusive definition found in Criminal Code subsection 718(2) were to be used.

In 1996 this law was amended to allow courts to increase a sentence where an offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental and physical disability, sexual orientation or any other similar factor. There is no legal reason for Bill C-384 to use the limited list of identifiable groups found in section 318.

As section 15 of the Canadian Charter of Rights and Freedoms underscores, everyone has a right to equal protection and equal benefit of the law without discrimination, and in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, mental or physical disability.

In the spring of 2005 I was reviewing Canada's hate crimes legislation and I noted that there were a number of categories, identifiable groups. However, I was startled to find an omission. Gender was not covered. That spurred me to draft Bill C-254, An Act to amend the Criminal Code (hate propaganda), a private member's bill that is perhaps unique in the sense that all it entails is the addition of one single word to existing legislation, "sex".

Returning to my colleague's Bill C-384, I think that besides increasing punishment of hate-based acts of mischief against an identifiable group, vulnerable groups also need assistance to better help protect themselves against these cowardly attacks. This would entail governments taking proactive measures to help defray the increased security costs that would have to be paid by vulnerable communities in protecting their institutions from hate-based attacks.

The current government has set up a pilot project with only \$3 million in funding for the purposes of helping vulnerable communities to protect their institutions.

Canada's Jewish community estimated that it would require a minimum investment of \$8 million to begin to upgrade the security surrounding its community centres and schools.

In many cases the communities whose institutions were attacked were forced to raise funds to repair and enhance security in their facilities. This has taken much needed funding away from the educational needs of children and youth.

In response, the leader of the Liberal Party announced in April that a Liberal government would create a \$75 million fund to boost security at places of worship and community centres targeted by racist vandals.

It is my view that Bill C-384 is a worthy piece of legislation that should be supported by all members. It is also my view that Bill C-384 would be further enhanced by friendly amendments that would deal with gender-based acts of hatred.

When people talk of a future global village, I respond by saying that it exists here in Canada, in our urban centres. We are a shining example to the world of how humanity, in all of its variations, can live constructively and joyously in peace and harmony.

However, in our midst threats exist to our multicultural mosaic, to our Canada, a Canada which celebrates all of our diversities. With this legislation we will further diminish the ability of those who hate, who would do harm, and who would incite others to do so.

● (1820)

[*Translation*]

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, I appreciate the opportunity to speak to Bill C-384 introduced by my colleague from Châteauguay—Saint-Constant. This bill was awaited by minority communities. It includes additional sanctions and further protects people from identifiable groups. This bill creates a new offence to clearly prohibit heinous acts committed against property used by minority groups. I have some examples.

In June 2007, the Jewish community feared they were dealing with an anti-Semitic pyromaniac after a third fire in two weeks was reported at a camp for a Hasidic Jewish community in Val-David.

Again in June 2007, a building at a camp belonging to the Jewish community went up in flames in Val-David, in the Laurentians.

In April 2007, a small bomb exploded in front of the Ben Weider Jewish community centre.

In April 2004, an arsonist set fire to the library at the United Talmud Torah elementary school in Saint-Laurent.

In September 2006, an arsonist set fire to the Abraar Muslim school in Ottawa.

Anti-Semitic acts and acts against identifiable groups do exist and occur frequently. The bill introduced by my colleague from Châteauguay—Saint-Constant specifically prohibits acts of mischief against schools, daycare centres, colleges or any other place used by identifiable groups. This is an addition to the current legislation.

I must point out that this bill is already receiving support from minority groups in Quebec and Canada as well as, and this is saying something, the deputy leader of the Liberal Party in the House of Commons and hon. member for Notre-Dame-de-Grâce—Lachine, the New Democratic Party justice critic and hon. member for Windsor—Tecumseh and a number of other colleagues, namely the members of the Bloc Québécois, who will vote en masse in favour of this bill.

I was listening to our colleagues from the Conservative Party and the Liberal Party. I think they will vote in favour of the bill, but first they have to find a few little things wrong with it. I imagine they will discuss them with my colleague from Châteauguay—Saint-Constant and all come to an agreement to provide an additional tool to protect our ethnic groups.

We therefore hope that this bill will move through all the approval stages so that the rights of minority groups, which have too often suffered assaults against their gathering places, will finally be recognized. It is vital that such a legislative amendment be passed, in order to preserve the safety and dignity of the groups targeted by this bill by imposing harsher penalties for this type of offence. Moreover, we must recognize the need to protect these groups. We must therefore vote for this bill.

The bill also addresses a widespread concern in society. The number of anti-Semitic acts perpetrated in the past seven years clearly shows that the current protection is not broad enough. The fire bombings of two schools that I mentioned earlier were not covered by the existing Criminal Code provisions concerning mischief. An attack against this sort of institution traumatizes not only the people who live in the area, but also the surrounding community.

• (1825)

It is serious when communal facilities other than places of worship and cemeteries are targeted, and when places where there are children are targeted, it is even worse. Such acts must be stopped.

We could talk about the gay community. We could also talk about Muslims, who regularly face this sort of problem. The gay community in particular is regularly the target of slurs and aggressive behaviour. Even in 2008, it is not true that homosexuals are accepted socially. Unfortunately, they still suffer a great deal of prejudice.

I am certain that the content of the amendment to the bill proposed by my Bloc Québécois colleague from Châteauguay—Saint-Constant will bring us a step closer to respecting everyone's rights.

Earlier, I mentioned the Muslim community. That community is regularly the target of violent acts. Of course, such acts are committed by a minority of people, but they still heighten tensions within society. Hon. members will recall that in January 2007, a Muslim school in Montreal was horribly vandalized.

That is why everyone must vote for the Bloc Québécois bill. In that way, we will send a clear message that such acts are and will always be unacceptable.

We have to strengthen the law so that all minority groups can live in peace within Quebec society and Canadian society without fearing intimidating threats and violence. There will always be people who do not mean well. These people are everywhere, and they often attack places used by minority groups out of spite.

That race, colour, national or ethnic origin or sexual orientation should motivate such mischief is unacceptable. We have to make it possible for everyone to live in peace and use spaces without being subjected to such threats. The message has to be clear, and for it to be clear, we need to vote in favour of Bill C-384.

I would also like to emphasize that, in my opinion, this bill will make it clear that any mischief against places used by any particular group will be prosecuted. There is no ambiguity there. I would therefore ask all members of this House to support this bill so that we can all reiterate that there is zero tolerance for this kind of violence.

Private Members' Business

We Quebeckers live in an inclusive society. Canadian society is also inclusive, but it accepts multiculturalism. In Quebec, they are Quebeckers. If they come to Quebec, they are Quebeckers. And we want to protect them. We want them to know that they are welcome, that they will be safe with us, that they can eat, work and live decently. Bill C-384 is proof of that.

I hope that the House will pass this bill. If my Liberal and Conservative party colleagues find something they do not agree with, I invite them to talk to my colleague about it. She will explain what it is all about. I also encourage them to ask their colleagues to support this extremely important bill.

I see that the member for Laval—Les Îles is here.

• (1830)

There are many cultural communities in her riding, so she understands the importance of this bill. I invite her to—

The Acting Speaker (Mr. Andrew Scheer): The member for Edmonton—Leduc.

[*English*]

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, it is my pleasure today to rise to speak to private member's Bill C-384, An Act to amend the Criminal Code (mischief against educational or other institution).

I am especially pleased to indicate my support for the objective of the bill, which ensures the criminal law fully denounces criminal acts motivated by bias, prejudice or hatred.

I do want to take a moment to congratulate the member for Châteauguay—Saint-Constant for introducing the bill and for making the effort, under private members' business, to bring forward a serious and substantive topic.

I also take this opportunity to thank her for her work on the justice committee, particularly for her help with my private member's bill on identity theft and pretexting. I thought her colleagues in her party did good work in terms of the bill, working it through the private member's process. I hope I give the same consideration to her that she gave to me during that process.

Again, I appreciated her work on the justice committee with respect to the private member's bill on identity theft, which I am pleased to say is now in the Senate, having been adopted unanimously by the House.

Bill C-384 proposes to amend the Criminal Code by adding a new offence to the existing mischief provisions. The amendment would make it a specific offence, with increased penalties, when the mischief is committed against an educational or recreational property, institution or object associated with an institution that is used exclusively or principally by a group identified by colour, race, religion, national or ethnic origin, or sexual orientation.

Private Members' Business

The proposed bill unequivocally states that Canadians need to continue to respect and value one another. We have heard from previous speakers about the importance of that principle in terms of the very foundation of Canada. It is one of the reasons why this is the most wonderful country in the world to live.

In a country as ethnoculturally diverse as ours, we know there will be occasions, unfortunately, when intolerant or hateful actions will tragically occur. When intolerant actions constitute criminal behaviour, the criminal justice system must be able to fully respond to those situations.

Hate crimes are unique. Such crimes target victims because of a core characteristic of their identity which cannot be altered and therefore harm not only the individual, but also the group with which the individual is identified and the whole of Canadian society.

When, for example, a Muslim school is vandalized and hateful graffiti is written across its walls, the entire Muslim community is harmed. The hurt spreads beyond just the neighbourhood in which the school is located. Many Muslim Canadians across the country may feel affronted by the attack.

The House may very well recall the situations with respect to attacks that happened at the United Talmud Torah elementary school in Montreal in 2004. Members may also remember the early Saturday morning fire bomb attack on an Orthodox Jewish school in 2006. These are only a couple of examples.

Unfortunately, in my home city of Edmonton there have been incidents against educational institutions and houses of worship, which I know are outside the parameter of the bill. These are situations in which there is an attack of hatred, and it affects the entire community. With news as it spreads today, it goes across the country and affects the whole of Canada and even around the world because of the way news is propagated these days. It is incumbent upon us as a government and as parliamentarians to act fully against these actions.

The government believes the message being sent by this bill will let affected communities know that we understand and that we want to do something to help. We are pleased that the bill has support from representatives of various communities, including the Jewish community, the Muslim community, the black community and aboriginal communities. I understand the gay and lesbian community is supportive of the bill as well.

It is true that Canada already has in place an effective regime of legislative protections against hate crime applying to property. All property is already protected by the general offence of mischief found in section 430 of the Criminal Code. Additionally, any criminal offence that can be proven to be motivated by bias, prejudice or hate, based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor, could be subject to the sentencing provisions already found in section 718.2(a)(i) of the Criminal Code, which would require such motivation an aggravating factor to be considered at sentencing.

However, I support Bill C-384 as it will send a message of deterrence to potential hate-mongers and, in conjunction with other initiatives, confirms the government's opposition to such intolerance.

● (1835)

The bill differs from the current Criminal Code provisions in three main areas. First, Bill C-384 incorporates the concept of hate motivation as part of the crime rather than as an aggravating factor to consider when opposing a sentence.

Second, it specifies that the act of mischief must be perpetrated against property that is used exclusively or principally by members of a certain group.

Finally, it imposes longer maximum sentences for summary convictions, 18 months versus 6 months, and for indictable offences of property less than \$5,000 it would increase to 10 years from 2 years.

Bill C-384 provides an opportunity for all four political parties to stand together and provide leadership in Canada against mischief that is motivated by bias, prejudice or hate against certain groups.

I am very proud to be a part of a government that is dealing with such a complex issue. Certainly there is much more we can all do as individuals and as communities to combat racism in our country and our communities, but I hope all members will commit to continuing to work together to ensure all Canadians have a justice system that reflects our values as a nation.

I will conclude by again congratulating the member opposite, the member of the Bloc Québécois, who I did get to meet, as I mentioned before, when I introduced my private member's bill, Bill C-299. She was very effective at the justice committee in terms of posing questions and understanding the intent of the bill that I wanted and helpful in proposing amendments to improve that legislation. I certainly give her the same respect and I share her concerns with respect to attacks on institutions and her desire to prevent such attacks in the future. I commend her for bringing this legislation forward.

[*Translation*]

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Mr. Speaker, I must first say that it is with humility that I speak today in support of Bill C-384, an act to amend the Criminal Code in relation to mischief against an educational or other institution. In our pluralistic and increasingly global society, where people of different ethnicities, cultures and races can eat, play and share space—sometimes getting married, thank goodness—sometimes acts of mischief are committed against institutions and symbols associated with a given ethnocultural community.

That is why, as I support Bill C-384—because I think it is important to create laws and other preventive measures that protect our cultural and other institutions—I believe that we should also put mechanisms in place to instill in children, from a young age, respect for public and private property, no matter who owns it. I will come back to that point later on.

I will not dwell on the criminal acts that caused my Bloc Québécois colleague to introduce this bill, because other members from all of the parties have listed these crimes in detail.

[English]

In my own constituency of Laval—Les Îles, pro-Nazi, anti-Semitic graffiti was painted on the walls of a synagogue.

•(1840)

[Translation]

However, we are not just talking about the Jewish community. All of the minority communities in Canada are affected, or risk being affected, by this scourge.

[English]

I had an opportunity in 2007 to listen to people in my riding and in many communities across Canada tell their stories about violence against places of worship when the Liberal task force on cultural communities at risk travelled the country.

[Translation]

What is surprising is how determined these communities are to rebuild. Although they are disappointed, there is very little anger, and they have come to accept that hate crimes are a fact of life, regardless of where in the world a person lives. I say this because that is what struck me at these meetings. It is no doubt a result of the increasing number of violent attacks in the world, including the horror of September 11.

Our task force learned that acts of vandalism have increased since September 11. The 2007 Audit of Anti-Semitic Incidents shows that acts of vandalism increased by 11.4%, an increase of 15.8% for the year. To put this in perspective, I would like to read the comments of two witnesses, as reported in the July 12, 2007, edition of *Laval News*.

[English]

When Arthur Levy, of the Jewish community, spoke about his synagogue in my riding of Laval—Les Îles, he said:

However, to prevent vandalism, we can't keep our doors locked; we have people coming in and out of the building throughout the day. To turn ourselves into a fortress defeats the purpose of who we are.

When Jeevat Jot Singh, a member of the Sikh community, spoke about his Sikh temple, he explained that cutting off cultural communities only leads to cultural ghettoization. He said:

Increasing security around our premises is not the way to go, it only leads to closing ourselves off to the rest of the community.

Finally, members of the Muslim community told the task force that the media also had a hand in the negative image of Muslims. They stated:

Very often, what we've seen is that 'mediacized' events have a direct impact on heinous hate crimes.

Private Members' Business

Mourad Ghazali told this to the task force:

However, when the opportunity arises to show Muslims in a positive manner, the media is usually indifferent.

[Translation]

Nabiha El-Wafai, assistant principal of Les jeunes musulmans canadiens school in Saint-Laurent, explained that she organized an open house event after an individual broke windows at the school last January; others have already mentioned this unfortunate incident.

She said that she invited the media—to promote awareness of the Muslim community within the Quebec and Canadian community—but almost no one attended. She added that the media are quick to respond when it comes to writing articles on negative events, but when it is something positive, no one comes to see what is going on, and that encourages ignorance.

[English]

In a pluralistic democracy, such as Canada, we cannot afford and we should not accept having citizens live in fear, resigned to the fact their communities could become cultural ghettos through forced insulation of themselves and their families. This is not what integration is about, not in the province of Quebec or in Vancouver, or anywhere else in the country. We are building one society where groups of various ethnic, religious or political backgrounds will live in harmony and respect each other's cultural traditions and symbols while being proud of their Canadian identity and heritage through their Canadian born children.

While this legislation calls for harsher measures, such as increased prison stays and even stiffer fines for those who deface public and private property, my concern is that this will not solve the problems of ongoing hatred against identifiable groups that result in acts of violence against these groups and their institutions, regardless of what they may be.

May I remind the House that in Canada we have not witnessed an end to violence against women or to their inequality, nor have we witnessed an end to murders. When we look at the profile of those people who commit crimes, we see poverty, deprivation and the lack of available services for drug rehabilitation. We should note that the government has cancelled its financial support for safe injection sites in Vancouver, even though it has been shown that these sites have contributed to the decrease in the virus that causes AIDS and that there has been an increase in the number of people seeking help for their drug dependencies.

One may wonder what Vancouver's crime rate has to do with crime rates against minorities. It is because these people will attack anything that is a symbol of governance, institutions, organizations and groups that appear to be succeeding or thriving in some way. Sometimes hate based on race may not be the underlying motive but poverty and anger against the very institutions that are supposed to educate, protect and care for our citizens.

I would like to suggest, as this bill is discussed in committee, that amendments be made to reflect not just increased sentences but measures that will educate those who cause misery in the lives of identifiable groups.

Private Members' Business

In Brazil, for example, its 1998 environmental crime legislation, the so-called restricting rights penalties, says that alternative penalties must be at their disposal instead of prison sentences. Judges now have this tool at their disposal to deal both with the culprit and the environmental damage they have caused. For example, a guilty person could be made to do community service, other unpaid work in parks, public gardens or other protected areas, or made to repay the institutions they have victimized. If it was a business person, they could see their rights restricted through exclusion of contracts or other tax incentives. These are among several of the alternatives to imprisonment.

In the case of Canada, we could see the individual carrying out community work for the institutions that have been affected; being educated about the customs and traditions of the affected groups and even participating in their daily lives; and, they could be obliged to make restitution and participate in the rebuilding and renovating of the destroyed properties. In this way, creating multiple close contacts between an individual and the group the person has wronged is the equivalent to building bridges, understanding and respecting cultures.

I support the intent of this bill. I hope we can get the bill into committee as soon as possible for further study.

● (1845)

Hon. Michael Chong (Wellington—Halton Hills, CPC): Mr. Speaker, I also rise in support of Bill C-384. We as a party, and I as an individual member of the House, support the rationale behind Bill C-384, which is that Canadians will not tolerate acts motivated by bias, prejudice or hatred.

Bill C-384, An Act to amend the Criminal Code, proposes to amend the Criminal Code by adding a new offence to the existing mischief provisions.

The proposed amendment would make it a specific offence with increased penalties when the mischief is committed against an educational or recreational property, institution or object associated with an institution that is used exclusively or principally by a group identified by colour, race, religion or national or ethnic origin, as well as sexual orientation. The new provision would apply if it could be established that the perpetrator's mischievous act was motivated by bias, prejudice or hate based on religion, race, colour, national or ethnic origin, or sexual orientation.

When such a hateful event does occur, we need to ensure we have all the tools in place so that our criminal justice system responds in the way that is most appropriate to the circumstances. It is important to have strong Criminal Code provisions. Bill C-384 would add to the existing provisions and respond to harms that affect the foundations of our Canadian society.

As Canada becomes an increasingly diverse population, with peoples arriving here from around the world, it is incredibly important that we maintain the civic traditions our society is based on. I note that over the last number of years Statistics Canada has released data which establishes that one in six Canadians is an identifiable minority and shows that the number is going to increase in the coming decades, such that we could quite quickly see a country where one in four, and possibly even one in three, will be an identifiable visible minority.

In the context of a country that is rapidly changing and whose demographics are rapidly changing due to our high rates of immigration, it is incredibly important that we preserve the traditions on which this country and our society are based.

A key element of that tradition is ensuring that new Canadians integrate into Canadian society and that they integrate economically and socially. That certainly is one part of the equation, but the other part of the equation is ensuring that Canadians as individuals are protected under the law, that they are treated as citizens who are equal to every other citizen in the land, whether their families have been here for hundreds and hundreds of years or whether they have recently arrived.

I think the bill strengthens that second part of our society, the second part of the foundation of our society, which is to ensure that acts of intolerance and hatred perpetrated toward educational institutions and identifiable objects that these groups have erected simply will not be tolerated in this country. I think this bill will send a clear message to that effect and will also equip the criminal justice system with the tools it needs to ensure greater protection of minority groups.

It is incredibly important for all parties to work together in the House to take a unified stand against this sort of intolerance in Canada. I can commit to the House, as do the rest of the members of my party, the Conservative Party, that we will work together to ensure that all Canadians have a justice system that reflects our values as a nation.

● (1850)

[*Translation*]

The Acting Speaker (Mr. Andrew Scheer): There being no further debate, the hon. member for Châteauguay—Saint-Constant has five minutes for her right to reply.

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, I am very pleased to have introduced Bill C-384. I would like to thank all of my colleagues, especially those from the Bloc Québécois, including the members for Terrebonne—Blainville, Shefford and Hochelaga, as well as all of the members who spoke in support of this bill in this House.

I particularly appreciated the speeches from the members for Notre-Dame-de-Grâce—Lachine and Outremont. Their comments showed me that they understood the goal and the importance of my bill. That is why, once again, I want to sincerely thank all of the members who spoke about this bill in this House.

That said, I would like to remind the House that Bill C-384 would amend the Criminal Code to create a new offence and clearly prohibit any hate-motivated mischief against an identifiable group at an educational institution. As I mentioned in my last speech, more and more violent acts are being committed at schools, educational institutions and community centres.

These events often make the news and are decried by the affected communities. In response to their requests, it seemed necessary to me to create an additional offence to deal specifically with mischief in relation to certain categories of buildings used or occupied by these identifiable groups.

Bill C-384 is a first attempt at responding to the need for protection of these communities. That is why I carefully noted my colleagues' suggestions made in the speeches we just heard. I am referring to the suggestion by the hon. member for Notre-Dame-de-Grâce—Lachine to have the bill include hate crimes committed against official language minorities as well the proposal made this evening by my Liberal colleagues to expand the groups covered by including those listed in section 718.2. These ideas should be studied in committee and my colleagues can be assured of my complete cooperation in this regard.

In listening to my colleagues, I am reassured that visible minorities can count on the unwavering support not only of the Bloc Québécois but also of the members of other parties for the legislative progress of Bill C-384.

As I was saying, this bill is not the result of isolated incidents. It is the result of a clear request from visible groups to meet a specific need—the protection of educational institutions. It would afford these institutions the same protection against hate crimes extended to religious institutions.

A number of communities have already expressed their deep gratitude for this bill. I thank them for their support. I am talking about the aboriginal people of Maniwaki, whose cultural centre was the target of racist and anti-French graffiti; the Black Coalition, which represents a community greatly affected by hate crimes; Muslims, who had a school targeted by hate crimes in 2007; homosexuals, who are still victims of acts of malice; and so on. Many other groups have supported this bill.

They are an eloquent example of why Bill C-384 is necessary and how it speaks to a wide range of communities in Quebec and Canada. I repeat that they will always be heard by the Bloc Québécois members, because my party has often been a staunch promoter and defender of human rights.

In short, Bill C-384 is a step forward; it is unequivocal proof that we as parliamentarians are concerned about human rights. Even if there is a great tradition of peace, respect and tolerance in our communities, together we can take concrete action to fully protect human dignity.

• (1855)

[English]

The Acting Speaker (Mr. Andrew Scheer): The time provided for debate has expired. Accordingly, the question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Andrew Scheer): I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Justice and Human Rights.

(Motion agreed to, bill read the second time and referred to a committee)

Adjournment Proceedings

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[Translation]

MANUFACTURING INDUSTRY

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, the Conservative government is showing cold indifference to the thousands of Canadians who have lost their jobs in the manufacturing sector.

According to Statistics Canada, the decline in manufacturing jobs has been the sharpest since the recession of the early 1990s. The areas most affected have been Quebec and Ontario, which have seen 90% of the manufacturing job losses nationwide.

In recent years, the value of the Canadian dollar has risen sharply compared to the American dollar. This increase continues to have repercussions on the export market. Indeed, the price of goods produced in Canada is on the rise, which means that our products are becoming less competitive than those of other countries.

Particularly affected are the automotive, machine, textile and clothing industries. The forestry industry has also been seriously affected by the soaring loonie, in addition to being hurt by the softwood lumber agreement with the United States.

When the minority Conservative government tabled its most recent budget, Canadian Manufacturers and Exporters said:

Manufacturing is at risk. We are seeing some of the most productive and competitive operations in the world close because of the dollar. There's nothing natural about that. But, clearly we can't rely on this budget to build a competitive advantage for Canada.

That is what the job creators in this sector, which is in crisis, are saying. And what are the Conservatives doing about it? They are abandoning workers.

Last January, we, the Liberals, called for a bill that could have been passed when the House resumed its work. Why? So that our manufacturing sector and affected workers could receive credits as soon as possible and so that the money could be allocated in a way that would really help the situation.

Workers also said that there was no point in having many single-industry cities set up assistance programs for retraining. Simply put, retraining does not solve the problem in places where there is no work.

The aid we provide must focus on long-term solutions for industries affected by the rapid rise of the Canadian dollar. Otherwise, taxpayers' money will be providing mere life support for businesses that can no longer compete in global markets.

What did the Conservatives do? They created a community development trust to help the forestry and manufacturing industries. But, and there is a but, they tied that plan to the next budget. Instead of taking immediate action to help severely affected workers, they took the workers hostage.

Adjournment Proceedings

The Conservatives had to go back on their decision to tie this measly program to the budget. All parties adopted a motion to accelerate passage of the bill through Parliament.

Nonetheless, the measures are just a drop in the bucket, given the ongoing crisis. These measures help people only when they have lost their jobs.

In closing, in light of the many plant and paper mill closures, including one in the riding of Hull—Aylmer, does the minister intend to expand his aid to workers? Will he improve his program in order to help workers living in one-industry towns?

• (1900)

[*English*]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, the Liberals with their non-stop negativity, their non-stop trashing of the Canadian economy might very well be the only people in Canada who are hoping and wishing for an economic downturn.

It is true that Canada is not an island and global financial volatility and the U.S. dollar weakness will affect certain sectors of this economy. But it is important to recognize that in large part due to the actions of our Conservative government, Canada's economy now has a strong foundation to grow and succeed through our long term economic plan, Advantage Canada.

We have acted quickly to bolster confidence in the economy with long term measures, including nearly \$200 billion in tax reductions to stimulate the economy, including historic reductions to corporate taxes, significantly trimming the national debt, significant investments in R and D and infrastructure, and as well, \$1 billion to help retrain unemployed workers for new jobs in growing areas of the economy.

The perpetually pessimistic Liberals, who have fully embraced the failed tax and spend ideology of the 1970s, want to throw taxpayers' money at band-aid, short term government intervention in the economy, measures that will only lead to substantial new spending, higher taxes and following that, massive deficits. Indeed, the Liberal leader is currently advocating a whopping \$60 billion plus increase in spending that would put Canada into a substantial deficit.

Further, to burden Canadians coping with high gas prices, the Liberals are actively plotting to impose upon each and every Canadian a huge multi-billion dollar gas tax. As the Minister of the Environment has alerted Canadians, such a massive new tax would not only represent a gas tax increase, but also a new tax on home heating fuel, a new tax on natural gas for people to heat their homes, a new tax to heat hot water tanks, and a new tax in the generation of electricity.

I ask the member opposite to consult his constituents and ask them if they are really prepared for this punishing new tax. Talk to the seniors. Talk to those on fixed incomes. Ask them if they feel they are not paying too much at the pumps as well as for their home heating and their electricity.

While he is at it, he should ask them if they agree with the Liberal leader's musing about increasing the GST by 2%, or maybe more. We know the Liberals are actively considering doing this, as the

Liberal finance critic has repeatedly stated that hiking the GST is “an option. All I can say is that”—raising the GST—“is consistent with our approach”.

I ask the member opposite, does he really think introducing a massive new tax on gasoline and other fuels, hiking the GST by 2% or more, or thrusting Canada into a \$60 billion deficit represent a sound and sustainable long term economic plan?

Clearly, the Liberal idea of economic stimulus is to max out the national credit card, borrow, and then to reach even further into the pockets of hard-working Canadians.

• (1905)

[*Translation*]

Mr. Marcel Proulx: Mr. Speaker, as much as I respect my colleague, I am very disappointed in him because he wasted his four minutes on false rumours fed to him by the Prime Minister's Office. They are all falsehoods. It would be much better to pay attention to the manufacturing sector, which is facing many changes such as the rising dollar, increasing competition from emerging economies and rising energy costs.

Last January we, the Liberals, announced a recovery plan for the manufacturing sector. This plan aims to encourage primary investment, increase assistance for research and development, and lay the foundations for a strong economy.

We, the Liberals, want to help the 130,000 workers who lost their jobs last year. We want to help the 33,000 unemployed workers in the industrial sector—

The Acting Speaker (Mr. Andrew Scheer): The Parliamentary Secretary to the Minister of Finance.

[*English*]

Mr. Ted Menzies: Mr. Speaker, we do know that there are sectors which are experiencing weakness, but we have a coherent, long term plan for the economy and it is getting results. The job numbers speak for themselves. Our unemployment rate is near a 33-year low. There are over three-quarters of a million net new jobs since we formed government, and 80% of those are full time. Over 100,000 net new jobs have been created so far this year.

As BMO economist Douglas Porter recently stated, “...even as manufacturing employment contracts...the simple fact is that all other industries are more than offsetting the weakness. Employment is up 2.1% in the past year, slightly topping the pace of the prior five years”.

Adjournment Proceedings

[*Translation*]

(The House adjourned at 7:07 p.m.)

The Acting Speaker (Mr. Andrew Scheer): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

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