



HOUSE OF COMMONS  
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OFFICIAL REPORT  
(HANSARD)

**Monday, January 28, 2013**

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**Speaker: The Honourable Andrew Scheer**

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# HOUSE OF COMMONS

Monday, January 28, 2013

The House met at 11 a.m.

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*Prayers*

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## PRIVATE MEMBERS' BUSINESS

• (1105)

[*Translation*]

### CLARITY ACT

**Mr. André Bellavance (Richmond—Arthabaska, BQ)** moved that Bill C-457, An Act to repeal the Clarity Act, be read the second time and referred to a committee.

He said: Mr. Speaker, as a new session of Parliament gets under way, I would like to begin by wishing all of my colleagues and everyone who works here in the House of Commons the very best for 2013. I hope our debates will be positive and as democratic as possible.

Without further delay, I would like to discuss my bill, Bill C-457. Every MP should introduce a bill for debate and make sure that Canadians understand all of the issues involved. That is of course the whole point of the democratic process in this House: we are here to represent our constituents and to communicate what they want, especially what they want in a bill like this one.

All bills are of equal importance, but to me, this bill is particularly important, because achieving Quebec's sovereignty and independence was why I entered politics in the first place. Without a doubt, the implementation of the Clarity Act in 2000 was, and remains today, a sword of Damocles threatening Quebec's right to self-determination.

I think it is important to point out here today that my bill is really quite simple. It contains only a few “whereas” statements and just one clause, which, Mr. Speaker, I would like to read to the House.

Whereas the Québécois form a nation;

Whereas that nation has been formally recognized by the House of Commons;

Whereas the decision on its future within Canada lies with the Québécois nation, not the federal government;

And whereas the Québécois nation has laws that give its government both the right to consult the people of Quebec by means of a referendum on the subjects of its choice and the right to determine the wording of the referendum question;

[...]

1. The *Clarity Act*, chapter 26 of the Statutes of Canada, 2000, is repealed.

In French I often refer to the “Loi de clarification” as the “loi sur la clarté” because that is what it has been known as in Quebec since it was passed.

When we introduced this bill, many people asked us why now. I jokingly said because it was my turn to do something about this. There is obviously more to it than that. We speak for Bloc Québécois members. Because the BQ is a sovereigntist party, its members have always asked us to focus, here, in Parliament, on Quebec's sovereignty and to defend Quebec's interests, of course. Members brought forward this request at the last Bloc Québécois general assembly. I should add that my colleague for Haute-Gaspésie—La Mitis—Matane—Matapédia worked on and also seconded my bill.

November 2012 marked the six-year anniversary of the recognition of the Quebec nation, right here in the House of Commons. We have also had the election of a sovereigntist party in Quebec City led by the first female Premier of Quebec, Pauline Marois.

As I was saying, last March, at our party's general assembly, our members instructed us to be even more focused on the future of the Quebec nation and the issue of Quebec's sovereignty. It was crucial that we introduce a bill to abolish the Clarity Act, which denies the Quebec nation the right to determine its future, especially since the House of Commons recognized the Quebec nation on November 27, 2006, after having recognized Quebec as a distinct society in 1995.

If you want my opinion—which is definitely not shared by many federalist members in this House—these are just empty words. Furthermore, the right to self-determination allows a people to make its own decisions. This is an inherent aspect of any nation and an inalienable right. Anyone who is the least bit democratic would agree.

Like all parties in the National Assembly, the Bloc Québécois never accepted the idea that the Clarity Act would take precedence over Quebec's laws. The National Assembly is sovereign and must be able to consult its people on anything it chooses and as it sees fit.

*Private Members' Business*

Now, it is important to remember the impact of the Clarity Act. The House of Commons used this law to give itself the power of disallowance with regard to the results of a referendum on Quebec's sovereignty. The House of Commons wants to determine, retroactively, whether the question is clear and whether there is a clear majority, including by taking into account the views of the governments and legislative assemblies of the other provinces. In short, the Clarity Act places conditions on the federal government's recognition of the validity of a referendum on Quebec's independence. In fact, the sole purpose of this law is to prevent Quebecers from freely deciding their own future. That is why it is important to repeal it.

Clearly, people reacted when this law, which was introduced by the current member for Saint-Laurent—Cartierville, the then Minister of Intergovernmental Affairs, was passed.

Henri Brun, a constitutional expert, eminent lawyer and professor of constitutional law, said that the Supreme Court's ruling would require the federal government to negotiate should a Quebec referendum end with a victory for the yes side, while the Clarity Act imposes obligations on the Government of Quebec. Mr. Brun said that the Clarity Act is an intimidation tactic that the federal government is using on the people of Quebec to make it clear that the federal government remains free to negotiate regardless of the democratic choice Quebecers make. He also said that there is a contradiction between the Supreme Court's opinion and the Clarity Act, which is unconstitutional.

Joseph Facal, who at the time was the hon. member for Saint-Laurent—Cartierville's counterpart and Quebec's Minister of Intergovernmental Affairs, also spoke out about this law. He said:

Let us remember that nowhere in the reference does the Supreme Court confer upon the federal Parliament the right to oversee the content of a referendum question by authorizing Parliament to rule upon the clarity of the question even before the National Assembly has adopted it. Nowhere in the reference does the Supreme Court give the federal Parliament the right to impose, on the pretext of clarity, a simplistic question that must expressly exclude any reference to an offer of political or economic partnership. Nowhere does the Supreme Court give authority to the federal Parliament to determine a posteriori and of its own accord the required majority. Nowhere does the Supreme Court give authority to the federal Parliament to dictate the content of post-referendum negotiations.

If we take a look at federalists in Quebec, Claude Ryan is respected by all Quebecers—federalists, sovereignists and those who have yet to decide which camp they are in. Mr. Ryan was the leader of the Liberal Party of Quebec and also a well-known editorial writer and journalist. He said:

The bill also lists a number of criteria that Parliament is to rely on to come to a decision concerning the clarity of the question. By making these criteria into law, Parliament and the federal government would be interfering, at least indirectly, in the process of drafting the question. This is not true federalism but a trusteeship system.

Such comments from someone like Claude Ryan are nothing to sneeze at.

Jean Charest, who until recently was Premier of Quebec and leader of the Liberal Party of Quebec—he was when this law was passed—held a press conference immediately after the one held by the member for Saint-Laurent—Cartierville, who was, I repeat, Minister of Intergovernmental Affairs at the time and the sponsor of the Clarity Act, then known as Bill C-20. He reacted quickly. He was joined by his intergovernmental affairs spokesperson, his house

leader and his deputy leader, now the member for Outremont and the leader of the New Democratic Party. I will quote what Jean Charest said at the time:

This bill is called the clarity bill, but I have read it and have listened to what people have to say about it, and from what I can see, things are far from being clear...

He went on to say:

...we want to point out that the Quebec National Assembly must determine the conditions surrounding any potential referendum. As Quebec parliamentarians, we will not allow another parliament or government to diminish the powers, authority, sovereignty or legitimacy of the National Assembly.

Clearly, in those quotations, Mr. Charest and Mr. Ryan are both professing their federalist beliefs. They are saying they oppose this. They would rather not have a referendum and, of course, would prefer that Quebec decide to remain in Canada, which is completely legitimate and democratic. However, on that particular point, clearly, even Quebec federalists were definitely not thrilled with the Clarity Act as it was written at the time by the Liberal government.

I am going to share a quotation in English, because at the same press conference, a journalist asked the deputy leader at the time, who I repeat, is currently the member for Outremont and leader of the NDP, what he thought of the partition of Quebec. The journalist was Robert McKenzie and his question, in English, was this:

I would like to know what the [current member for Outremont] thinks of section 3, subsection 2 of the federal legislation, which would make Quebec's borders subject to negotiation following a "yes" vote in a referendum.

• (1110)

Here is how the NDP leader replied:

[*English*]

"I read the section, Mr. McKenzie, and I can only repeat what we've always said. As far as we're concerned, the current borders of Quebec are what they are and shall remain thus, and the best way to ensure that is to stay within the current constitutional framework. But, as far as we're concerned, it is something that we have always fought for and that we will continue to fight for."

[*Translation*]

These people were part of the federalist camp who were speaking out on Bill C-20. There was also a former Prime Minister of Canada and former leader of the Conservative Party—at the time, the Progressive Conservative Party—Mr. Joe Clark, who is also well-known. He appeared in committee when Bill C-20 was being discussed and had this to say:

The government itself is unclear about the clarity bill. In Toronto on January 25, the minister said the question of the majority should not be decided now, in what he called a quiet Canada like today, but should wait until what he called a crisis situation, when members of Parliament would assess it under the circumstances.

Well, sir, the very logic and justification of clarity is to set out the rules in advance so everyone knows where they stand well before a crisis situation. If the minister says the question of what constitutes a majority will not be known in advance, that it will be decided at the time, in the crisis situation, sir, that sabotages clarity. That confirms the suspicion that the rules will be subjective, written at the time, designed to discredit whatever a referendum decides.

Joe Clark cannot be accused of being pro-independence or of being a sovereignist or even a Quebec separatist. However, he is a great democrat, as these words demonstrate.

*Private Members' Business*

These days, comparisons are often made between this situation and what is currently happening in Scotland. I heard it on TV just this morning. There is a big difference between the clarity bill and what is currently happening in Scotland with regard to a planned referendum on Scottish sovereignty, since the Scottish government came to an agreement in advance with Westminster, the British government, regarding the procedure for such a referendum. Now that the two levels of government have reached an agreement, it would be very inappropriate for one of the parties not to abide by the results of the Scottish referendum.

In this case, the Clarity Act does exactly the opposite. Quebec can hold as many referendums as it wants, ask whatever question it wants and get the result it wants, but one thing is certain: the government retains the latitude to reverse any democratic result after the fact because the term “clear majority” is not clearly defined. This bill does not provide a number that defines what constitutes a clear majority. Would a federalist party in the House of Commons define a clear majority as 55%, 60%, 66%? We do not know because it is not set out in the legislation.

By invoking Bill C-20 after a referendum, whether that referendum was held in Quebec or elsewhere—I do not think any other provinces want to hold a referendum, but the Clarity Act also applies to them regardless—the government could state, after the fact, that the question or the result was unclear. Yet, before the 1995 referendum, the hon. member for Saint-Laurent—Cartierville, who was then the Minister of Intergovernmental Affairs, wrote the following in the papers on September 21, 1995:

...at least the referendum in which Premier Parizeau is inviting us to participate clarifies the issue: do we want Quebec to no longer be part of Canada, yes or no? Do we want Quebecers to stop being Canadians?

That member of Parliament and all the other federalists knowingly participated in the referendum. It is important to remember that they even spent more than the allowable limit in 1995 and in 1980. After the fact, these people introduced a bill saying that they were going to participate and do everything to win but that, no matter what happened, they were going to overturn the results because a sword of Damocles was hanging over the heads of Quebecers.

I am pleased to respond to any questions and comments, but I urge my colleagues, particularly those from Quebec, to vote in favour of Bill C-457 to recognize Quebec's right to govern itself and particularly its right to decide for itself what it wants to do and how it wants to do it in accordance with its own laws, which were passed by the National Assembly of Quebec.

• (1115)

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, my colleague mentioned a sword of Damocles a few times. Would he not agree that, in 1995, the Parizeau government held a sword of Damocles over Quebecers' heads? Its question was so ambiguous that, according to polls at the time, 20% to 30% of those voting “yes” believed that Quebec would remain in Canada even if the “yes” side won.

**Mr. André Bellavance:** Mr. Speaker, I believe that Quebecers have to be respected. Almost 95% of Quebecers participated in the referendum. If the question was so ambiguous, would they have gone to vote? There was an election-style campaign in the months before the referendum. The member for Saint-Laurent—Cartierville,

Prime Minister Jean Chrétien and all the federalist members from Quebec and elsewhere in Canada made their positions known. There was even a love-in held by people who came to tell us just how much Canadians loved us. After everyone voted, we were told exactly what the 1995 question meant, as though we had not understood.

In a very democratic way, all the parties in Quebec's National Assembly, federalist or not, said that that referendum question and Quebecers' decision had to be respected. In my opinion, the question was not at all ambiguous.

• (1120)

[*English*]

**Mr. Peter Goldring (Edmonton East, Ind. Cons.):** Mr. Speaker, I would like to add a little clarity around what exactly the bill is intended to do and what that means.

It intends to ignore the Supreme Court of Canada and its ruling on this issue. It means to allow the proposal of yet another ambiguous, misleading question. It means to deny the people of Quebec a clear expression of their will in determining their future and direction. It also means to risk a minority decision that could tragically partition and break up Quebec. The supporters of the bill also intend to propose this to be sent to the Queen for a decision.

The bill has to be voted down by every Canadian in the House.

[*Translation*]

**Mr. André Bellavance:** Mr. Speaker, that is obviously my colleague's opinion.

He does not have the same reasons as I do for saying that this law has to be thrown out. However, one thing is clear: it is a denial. We could even say that it is a denial of democracy. As I was saying, the federalist parties participated in the 1980 and 1995 referendums and also the Charlottetown referendum in 1992. The 1980 and 1995 referendums were held in accordance with the legislation on referendums and popular consultation introduced by René Lévesque's government and passed by all parties in 1977.

Let us look at history: 52% of Newfoundlanders decided to join Canada after another unsuccessful referendum. No one has questioned Newfoundland joining Canada, and I will not be doing so today.

**Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matapédia, BQ):** Mr. Speaker, I congratulate my colleague, the member for Richmond—Arthabaska, on his excellent speech. His speech is all the more important given that the House of Commons has recognized the Quebec nation. It is now time to recognize the characteristics that are an inherent part of any nation.

I would like the member to speak to the fundamental reasons why federalist parties in the National Assembly categorically refused to support this bill, in light of the fundamental democratic rights that nations must obtain and possess.

*Private Members' Business*

**Mr. André Bellavance:** Mr. Speaker, it is probably because the federalist parties in Quebec have always democratically determined that it is up to the Parliament of Quebec to decide what to do with decisions made by Quebeckers. We will not take orders from some other parliament, whether it is in Canada, England or any other country in the world. It is up to the Quebec National Assembly to democratically decide what it wants.

I think many federalist parties turn to what Robert Bourassa—a man who could not be characterized as a sovereignist—said on June 22, 1990, that:

...no matter what, Quebec is today and for all times a distinct society, free and capable of assuming its destiny and its development.

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC):** Mr. Speaker, I too would first like to wish all my colleagues in every party a happy new year.

I am pleased to have the opportunity to speak to Bill C-457, An Act to repeal the Clarity Act, which was introduced by the member for Richmond—Arthabaska.

It proposes to repeal an act that was intended to give effect to the requirement for clarity in referendums relating to secession by a province of Canada. I think it is unfortunate that the member for Richmond—Arthabaska is using every means necessary to revive debates from the past. Moreover, when Bill C-457 was introduced, my Bloc colleague stated that the purpose of his bill was “to right an historical wrong for the Quebec nation, because this federal Parliament created conditions meant to tell the Quebec nation how to go about exercising its self-determination”.

As a member from Quebec, I understand that this act has always been a sensitive issue for Quebeckers. However, the way ahead does not lie in trying to revive debates like this one, particularly in the current economic climate. Bill C-457 takes us backward, to the constitutional debates of the past. Our government is looking ahead, toward the future of Canada, and in particular toward what is most important to Canadians: job creation, growth and economic prosperity.

The opposition's priorities are not what is important to Canadians. From coast to coast, Canadians have spoken clearly: they want a government that focuses on the economy, and that is what we are doing. Thanks to our government, Canada's debt is by far the lowest and our job creation record is the strongest in the G7, with more than 900,000 net new jobs created since July 2009.

In Quebec alone, our government has created over 200,000 net jobs since July 2009. The principle of federalism recognizes the diversity of the constituent parts of our country and the autonomy of the provinces in building our society, acting within their own jurisdiction and using the powers granted to them under the Constitution.

Federalism is a political system that enables a society to progress and prosper as long as the federal and provincial governments abide by the constitutional division of powers and clearly understand the function of each level of government. Our government is well aware that a strong federal government has to focus on its fundamental

responsibilities. That is what we have done since 2006, and that is what we will continue to do.

Since our government first came to power it has practised open federalism, which respects the division of constitutional powers, limits the use of the federal spending power and encourages co-operation among all levels of government. Canadians, including Quebeckers, have benefited from our vision of open federalism.

Our successes include the adoption of a motion by the House recognizing Quebec as a nation within a united Canada, the representation of Quebec within the Canadian delegation to UNESCO, and the co-operation of all of our federal partners in the economic action plan. In addition, Quebec will be receiving more than \$17 billion in federal transfers this year, representing a 44 % increase over the previous government.

Bill C-457 is a step backwards, but we are firmly focused on the future. Let us be very clear: in introducing this bill, the member for Richmond—Arthabaska was trying to reopen old debates. Our government does not believe that Quebeckers and other Canadians want to reopen constitutional debates from days gone by.

Like the rest of Canadians, Quebeckers have shown that they want to move forward and want the focus shifted to other challenges. Our government is committed to doing just that, by focusing on what is most important to Canadians—job creation, growth and economic prosperity.

• (1125)

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, I wish we could have been talking about the economy, jobs and poverty today. Those issues are of great concern to Canadians. But that is not what the Bloc wants to talk about today. The Bloc would rather reignite old debates from the past.

It seems that the Bloc does not understand what Quebeckers were trying to say in the last election. I would remind the House that in that election, the NDP received record levels of support and a historic mandate here in Ottawa. On May 2, 2011, four and a half million Canadians voted for the unifying vision put forward by my friend, Jack Layton. It is a vision of a Canada that is more inclusive, greener and more prosperous, a Canada that respects Quebec.

As a result, the NDP elected over 100 members, creating the largest official opposition the House of Commons has seen in 40 years.

• (1130)

[*English*]

The New Democratic Party has succeeded where the Liberals and Conservatives failed again and again. For the first time since 1988, the people of Quebec have elected a federalist majority in the House of Commons, thanks to the NDP. That was one of the winning conditions for Canada in Quebec that Jack Layton and our team fought so hard for.

*Private Members' Business*

[Translation]

Quebeckers massively rejected the parties that had disappointed them in the past and those that took them for granted from one election to the next. The people expressed a desire for deep and sincere change. That is what the NDP offers. It promises to unite people around an optimistic and progressive vision, to restore the hope that Ottawa will respect Quebeckers and work together with them to build a better Canada for everyone.

Quebeckers do not want to move backward. They have had enough of the old disputes that were the trademark of the Liberal Party and the Bloc Québécois. We must put an end to those pointless quarrels and move forward. That is what the NDP is committed to doing.

Our team has managed to restore hope among Quebeckers, the hope that they can be listened to, understood and respected in their own country and the hope that their values will be shared by other Canadians and that they may soon guide our government's actions.

Unfortunately, some people are prepared to stifle that hope merely to score political points, because that is precisely what the Liberal Party and the Bloc Québécois are trying to do by reopening their old debates. Quebeckers deserve better than the Bloc's desperate efforts and definitely better than having to pay for the irresponsible political games of the Liberal Party, which wants to manufacture a national unity crisis where there is none. This lack of respect for Quebec began under Pierre Trudeau. It continued under Jean Chrétien and led Canada to the brink of disaster in the 1995 referendum.

[English]

Even after the 1995 referendum, which brought Canada to the brink, what did the Liberals do? They tried to buy Quebeckers with their disastrous, corrupt sponsorship scandal. In the process, they managed to renew the sovereigntist movement and gave a boost to the Bloc Québécois.

In 2011, Quebeckers said loud and clear that they were tired of the politics of division. They said it was time to do better, and that is why they chose the NDP. Yet today in Ottawa we face a Prime Minister who did not get the message. Under his government, old debates have once again resumed.

[Translation]

The Conservatives' record in Quebec has given Quebeckers every reason to view the federal government as an adversary rather than an ally. There is a reason why the Parti Québécois campaigned against the Conservative Party and against this Prime Minister. There is still time to change the situation, to show Quebeckers that we belong to one big family that shares fundamental values regardless of political leanings. One need only look at the history of our country to realize that.

[English]

The history of our country is filled with examples of what is possible when we work together and stay true to our values. Universal public health care for the sick, retirement security for our seniors, these are the institutions that define us and unite us.

[Translation]

We in the NDP are well aware of the great things we can achieve when we work together. That is why we oppose this attempt by the Bloc to plunge people back into the quarrels of the past.

[English]

New Democrats understand that there is more in our country to unite us than there is to divide us. That is why we are proposing practical solutions to improve the lives of all Canadians. That is why we are fighting for a balanced 21st century economy that is based on the principles of sustainable development, an economy that creates wealth not only for a handful of industries and regions but for communities from coast to coast to coast.

[Translation]

Apart from our economic vision, our leadership style would also help us establish a lasting relationship of trust with the people and particularly with Quebeckers. Like my colleagues, I remember the time when the Conservatives advocated open federalism. They have just done it again. What have Quebeckers received instead? Nothing but than a door shut and locked in their face.

Compare the Conservatives' closed attitude to the openness of the Sherbrooke declaration and to the NDP vision of a Canada in which Quebec is respected. The Sherbrooke declaration was adopted at the first NDP convention I had the honour to attend in 2006, and it inspired me as it did many people in Quebec. Its positive and confident vision is that of a successful future for all of us, together.

Since that declaration was adopted, the NDP has undertaken to implement the principles of asymmetrical federalism, with recognition of Quebec's right to opt out, with compensation, of all federal programs that encroach on the Quebec government's areas of constitutional jurisdiction.

The Sherbrooke declaration also expresses a willingness to establish a federalism based on good faith, a federalism that acknowledges that Quebeckers have a right to make democratic decisions about their own future, a federalism that recognizes that, in the undesired event of a referendum on the question in Quebec, that referendum would be won by a majority of ballots cast, a rule on which there is a strong consensus in Quebec.

• (1135)

[English]

A simple majority to express the will of Quebeckers was the ground rule in both the 1980 and the 1995 referendums when I was fighting to keep Quebec in Canada.

While the current Prime Minister was proposing the construction of "firewalls" between provinces, I was working to build bridges.

Ironically, it was the same Prime Minister who tabled a private member's bill in 1996, Bill C-341, the Quebec Contingency Act, recognizing the majority threshold for a Quebec referendum.

[Translation]

Robert Bourassa, one of the greatest federalists in Quebec history, said:

*Private Members' Business*

...no matter what, Quebec is today and for all times a distinct society, free and capable of taking charge of its own destiny and development.

When it came time to vote, Quebecers chose Canada twice. The NDP will continue to do everything it can to prove to Quebecers that their future is within Canada, because our country cannot be built on threats. It takes mutual understanding and respect.

The NDP team has already shown what it is capable of doing in opposition. For example, my colleague from Trois-Rivières put forward a bill to guarantee language rights for employees of companies under federal jurisdiction. Furthermore, my colleague from Louis-Saint-Laurent has introduced a bill to recognize the bilingual nature of our institutions and to make it mandatory to appoint judges and officers of Parliament who understand both official languages.

[English]

Since its founding more than 50 years ago, the NDP has taken a positive and constructive approach to politics, an approach based on good faith, which is the very culture of our party. This is the approach that will define a future New Democratic government. It is also in good faith that my colleague from Toronto—Danforth has put a bill on the order paper, a unity act, to implement both the Sherbrooke Declaration and the Supreme Court secession reference.

[Translation]

Anyone who reads the Clarity Act can immediately see one thing: the Clarity Act is not clear, and it therefore does not fix anything.

[English]

Good faith dictates that once subjective clarity is established, objective clarity is obtained by a majority of the votes. That is why former NDP House leader Bill Blaikie tabled an amendment to put this concept in the Clarity Act. The Liberals rejected that amendment and, instead, the Liberals decided to abandon the political fight for Canada in favour of a purely legalistic approach, a losing approach.

I fought from the trenches in both the 1980 and 1995 referendums. I am proud of the active role I played in convincing my fellow Quebecers to choose Canada.

[Translation]

The NDP believes in Canada and also believes that the vast majority of Quebecers want to remain in Canada. We believe in the political maturity of Quebecers. We trust Quebecers and Quebecers trust us. We will continue to work together. Together we will build a fairer and more inclusive Canada that respects Quebec and Quebecers.

• (1140)

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, I once said that Bill 101 was a great Canadian law. Today, I say that the Clarity Act is a great law for Quebecers. This act, which I had the honour of sponsoring under Jean Chrétien's leadership, was adopted in the year 2000 to give effect to the 1998 opinion of the Supreme Court of Canada regarding Quebec's secession.

The Clarity Act protects the rights of Quebecers within Canada. We, Quebecers, are just as Canadian as those living in other provinces and in the territories. We have a right to the full benefits

provided by Canadian citizenship, the Canadian Constitution and the Canadian Charter of Rights and Freedoms. We have a right to the full protection provided by Canadian legislation and by the duty to assist that the Canadian federation governments have toward us wherever we might be located, in Canada and abroad. Like all Canadians, we have the right to participate to the fullest in the building of the nation.

Nobody can take these full citizenship rights away from us. No premier, no government, no politician. Nobody! Not unless we, Quebecers, clearly give those rights up.

[English]

If we Quebecers clearly gave up on Canada with a clear majority in response to a clear question on secession, governments would have the obligation to enter into negotiations on secession. These negotiations would have to be held within Canada's constitutional framework in order to conclude a separation agreement that is fair for all. If there were clear support for a secession, there would be negotiation. If there were no clear support, there would be no negotiation, and without negotiation there would be no secession. That was the case the Government of Canada pleaded before the Supreme Court. That was also the court's 1998 opinion to which the Clarity Act gave effect in 2000, and that is also the stance all members of this House should take in 2013, by voting against Bill C-457, a bill to repeal the Clarity Act.

[Translation]

The Clarity Act prohibits the Government of Canada from entering into negotiations on secession before this House is convinced that there is clear support for secession. Who can oppose this fundamental principle? Who can argue that the Government of Canada should undertake to take Canada away from Quebecers without being sure that this is what they truly want? Whether we are for Canadian unity or Quebec independence, we all have to agree on a fundamental principle: clearly expressed consent.

No attempt at Quebec's secession should be made until Quebecers have clearly expressed their support for it. That is why we must all support the Clarity Act. In no democracy in the world can a government proceed with something as serious as the break-up of the country, and abdicate its constitutional responsibilities toward one-quarter of its population, without having the assurance that this is what that population truly wants. But this is exactly what my colleagues from the Bloc are asking for when they propose to repeal the Clarity Act: they want the Government of Canada to consider helping a secessionist government secede without Quebecers having clearly expressed their support for secession.

The Bloc argues that the Clarity Act has been rendered obsolete because in 2006, this House recognized that we, Quebecers, form a nation within a united Canada. But in no way does that recognition weaken the rights to which Quebecers are entitled when dealing with their governments. In no way do those governments have the right to make arrangements to negotiate our expulsion from Canada against our will. Taking the Clarity Act away from us, Quebecers, would weaken the protection we enjoy with respect to our rights. In its 1998 opinion, the Supreme Court states that:

...whatever be the correct application of the definition of people(s) in this context, their right of self-determination cannot in the present circumstances be said to ground a right to unilateral secession.

Accordingly, a secessionist government would have no right to take Canada away from Quebecers unilaterally. It could not claim this right for itself by arguing that Quebecers form a people or a nation. It would have no such right, either under Canadian law or international law. The only procedure that can lead to secession is described in the Clarity Act.

It is a simple one. Firstly, the referendum question must be clearly about secession. The Government of Quebec can ask whatever question it wants but only a question on secession can lead to secession. It is easy to imagine what such a question might be: “Do you want Quebec to separate from Canada?” “Do you want Quebec to cease being a part of Canada and to become an independent country?”

• (1145)

Secondly, the response to a clear question on secession must show that a clear majority supports that option. The Supreme Court does not encourage us to predetermine what the majority threshold should be. To quote the court:

...it will be for the political actors to determine what constitutes “a clear majority on a clear question” in the circumstances under which a future referendum vote may be taken.

In other words, determining the level of clarity of a majority has a qualitative aspect, which requires that a political assessment be made with full understanding of the concrete circumstances of the time.

[English]

Contrary to the Supreme Court's opinion, the New Democratic Party professes that it would establish a majority threshold in advance of a referendum. In its 2005 Sherbrooke Declaration, the NDP set the threshold at 50% plus one vote. Yet, in its opinion, the court insists often and strongly that a clear majority vote for secession is a must for this option to be considered. If 50% plus one is a clear majority, what constitutes an unclear majority?

The NDP requires a two-thirds majority to modify the party's own constitution, yet it does not hesitate to consider breaking up Canada on the basis of a judicial recount. The NDP says it is open to Quebecers, yet it wants to impose on Quebecers such a radical upheaval as secession on the basis of a majority that would be so flimsy that it could easily turn into a minority as soon as the first implementation problem arose. The NDP has no qualms about imposing on Quebecers, their children and future generations such a serious and irreversible decision as secession on the basis of a majority so uncertain that the referendum result could have been the opposite if the vote had been held one day before or one day after.

Like my colleagues from the other parties, the NDP MPs would be well advised to vote against Bill C-457. They would thus confirm the support given to the Clarity Act by such great New Democrats as Ed Broadbent, Alexa McDonough, Roy Romanow, Gary Doer and Bill Blaikie.

Along with my NDP and Bloc colleagues, we should all encourage Premier Pauline Marois, Bloc leader Daniel Paillé and other separatist leaders to adopt the only position that is fair and

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responsible: that they will hold the referendum on secession only when they have reasonable assurance of a clear win.

[Translation]

Such a crucial referendum cannot be decided on the roll of a dice; it cannot be allowed to split Quebecers into two camps. It must only be held if it constitutes an opportunity to confirm clearly, officially and with no ambiguity that Quebecers wish to reject Canada and have Quebec become an independent country.

Thirdly, secession can only happen—following a clear question and a clear majority—after a separation agreement has been duly negotiated within the present constitutional framework, in accordance with the four constitutional principles identified by the Supreme Court. It goes without saying that these negotiations, “a period of considerable upheaval and uncertainty”, would inevitably “give rise to many issues of great complexity and difficulty”—to quote the Court's own words. Achieving secession would be an inherently difficult task; that is why it should only be considered within the rule of law and on the basis of a clear support for secession.

That is the only way to achieve secession—the dream of my Bloc colleagues—while respecting everybody's rights, including those of Quebecers. That is why my Bloc colleagues must also support the Clarity Act.

My own firm conviction is that we, Quebecers, will never let go of Canada. However, neither the Clarity Act nor the Supreme Court's opinion take sides on the issue. The act does not say whether it would be advisable or not to secede. It simply indicates what the only legal, fair and feasible way of doing it would be.

Quebec's separatist movement has given itself a very difficult task: convincing us, Quebecers, that we would be happier if we were not Canadians; they want us to abandon the country we have built with other Canadians, the country that makes us the envy of the whole world. The secessionist leaders are well aware that it would be very difficult for them to win in clarity; but this does not give them the right to try to do so in confusion. Clarity has virtues for everybody.

So it is as a proud Quebecer, determined to defend my Quebecer rights anywhere and anytime, notably in this House, that I invite all my colleagues to vote against Bill C-457—and in the same breath, to reaffirm the House of Commons' support for the Clarity Act.

• (1150)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I would like to thank all my colleagues for their speeches, and particularly my colleague from Saint-Laurent—Cartierville, who has done a lot of work on this issue and was the architect of the Clarity Law, which we are debating again today.

First, I would like to say that I have a great deal of respect for my colleague from Richmond—Arthabaska and for all of my Bloc Québécois colleagues. The work done by all members of the House is of equal value. However, I obviously do not share the opinion held by the Bloc Québécois on this issue. The Green Party therefore cannot support Bill C-457.

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I will explain. The Green Party of Canada and the Bloc Québécois support the principle that, as a people, the population of Quebec has the right and the power to make decisions regarding its future. Only the Quebec people can make decisions of that kind.

The question is how an amazing, democratic country like Canada can make clear and just decisions about sensitive, fundamental issues raised in the past, such as Quebec sovereignty and the rights of Quebecers.

The bill introduced by the member for Richmond—Arthabaska revisits the motion moved in the House of Commons recognizing that Quebecers form a nation. The Green Party is the only party in the House that did not agree to that motion.

[*English*]

When it came out that the Prime Minister had decided to put forward a motion that Quebecers are a nation, there were a lot of questions as to what this would mean. At the time, and it may be a bit in our history, the current member of Parliament for Wellington—Halton Hills was the minister responsible for intergovernmental affairs. He could not agree with the position and he had not been consulted by the Prime Minister. It is unfortunate in this particular administration that the Prime Minister presumes to run all portfolios. The member, who was minister responsible for intergovernmental affairs at the time, did something quite extraordinary and with great integrity: he chose to leave cabinet and sit on the backbenches voluntarily because he could not agree with that position.

I agree with the member for Wellington—Halton Hills that when a motion is put forward, it either means something or it does not. This particular private member's bill rests on the reality that the motion did not mean anything. If it meant what it said, then this Bloc Québécois private member's bill would have to pass. If all members of Parliament in the House who voted for the motion that Quebecers are a nation really meant it, then this private member's bill would have to pass.

We all recognize there is very little support in the House for this private member's bill because we want the Clarity Act. We want to make sure that in the process of coming up with a question on an issue as important as another referendum on the question of Quebec leaving Canada, which we all hope will never occur, the Clarity Act will be followed.

As a political ploy, as a convenient motion which in effect meant nothing, every other party in the House, other than the Green Party, supported a motion that Quebecers are a nation. Today those members are all hoist with their own petard. The reality is that if the motion meant anything they would have to vote for this private member's bill being put forward by the member of Parliament for Richmond—Arthabaska. It would be a shame to turn a vote on anything as important as touching on the sovereignty of Quebecers and Quebec as a nation into a political point that means nothing.

[*Translation*]

Evidently, the motion that Quebecers form a nation, in principle, has had no effect. If it had, the member for Richmond—Arthabaska would be perfectly correct: it would not be reasonable for a clarity act to require clear questions and assign this kind of role to the Parliament of Canada.

●(1155)

We obviously need the Clarity Act. It is essential for the people of Quebec and for all Canadians who respect the rights of Quebecers that there be a clear question. I hope that everyone will honour that principle. It is essential that there be a clear question regarding the future of the people of Quebec. This is a very important issue for the future. For that reason, the Green Party supports the Clarity Act. Unfortunately, the motion stating that Quebecers form a nation has no real meaning.

The Green Party will not be voting for Bill C-457, but I thank the member for Richmond—Arthabaska for demonstrating very clearly that the motions supported by all the other parties in this House in the past are not effective. It is unfortunate for Quebecers that such a motion was passed.

[*English*]

I am sorry to say that the motion that Quebecers are a nation was, as I always suspected, a bit of political theatre without effect. I thank the member of Parliament for Richmond—Arthabaska for pointing it out so clearly.

[*Translation*]

**The Acting Speaker (Mr. Bruce Stanton):** Resuming debate.

The member for Haute-Gaspésie—La Mitis—Matane—Matapédia has six minutes for his speech.

The hon. member has the floor.

**Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ):** Mr. Speaker, first of all, I want to thank this House for allowing me to speak on the bill introduced by my colleague, the member for Richmond—Arthabaska. It is a very important bill.

At the outset, I would like to pursue the argument of the member who spoke before me. She is right on one fundamental point. When the House of Commons adopts a motion recognizing the Quebec nation, as it did in the matter before us, there must be some consistency whereby the acknowledged attributes of a nation may be recognized by the House. The Clarity Act violates, in every respect, the rights that a nation must have.

Quebeckers form a nation. That was formally recognized by the House of Commons on November 27, 2006. Now it is time to recognize all its attributes, including its inalienable right to self-determination. In passing the Clarity Act in 2000, the federal government unilaterally claimed the right to interfere in the democratic process central to the sovereignist approach.

Even at the time—I mentioned this earlier, at the outset, during the period of comments on the speech by my colleague, the member for Richmond—Arthabaska—all the federalist parties in the National Assembly rose up against this legislation, which violated the fundamental democratic principles of every nation. Even worse, the federal government of the time acted as judge and jury by deciding what constituted a clear majority and a clear question, allowing itself all the leeway to acknowledge or deny the validity of a consultation exercise in Quebec.

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The Clarity Act also gives the House of Commons of Canada power to disallow important legislation passed by the National Assembly, that is to say an act that recognizes the choice of the Quebec people. This act also denies Quebecers the freedom to choose their political destiny and to include in a referendum question, should they so wish, a proposal of partnership with Canada. The act also denies the universally accepted rule of 50% plus one for the majority and the fundamental rule of the equality of votes. That rule is recognized in international law.

Like all parties in the National Assembly, the Bloc Québécois never accepted the idea that the Clarity Act would take precedence over Quebec's laws. I would like to go back to the universal rule of 50% plus one. The undemocratic nature of the bill is all the more apparent when you observe Canadian and international practice with regard to the majority principle, the rule of 50% plus one. All Canadian referenda have been held based on that important principle. Newfoundland entered Confederation on the basis of 52% of the ballots validly cast.

Our bill is simple and unambiguous. It contains one clause. It is quite simply the consequence of the formal recognition of the right of a people, the Quebec nation, to decide its own destiny. No one can recognize a nation or recognize that a people forms a nation without acknowledging that it has all the inherent attributes of a nation.

In our opinion, the National Assembly is entirely at liberty to consult its own population in accordance with its own laws, and may legitimately do so. The Bloc Québécois proposes that Parliament repeal this act, which is an affront to Quebec democracy and a demonstration of the federal government's bad faith with respect to the judgment of the Supreme Court.

In 1995, the House of Commons recognized Quebec as a distinct society. As pointed out by the member for Saanich—Gulf Islands, when it comes time to follow through on this and other meaningless ideas, nothing happens. But when you recognize a nation, you must also recognize all of the rights that go along with nationhood. The Supreme Court did not take that into consideration, including in the 1998 secession reference.

In 2006, the House of Commons recognized the Quebec nation.

• (1200)

However, this recognition was not paired with any tangible measures. This is a unique opportunity for the House. There have been other opportunities before, but this is a real chance for the House to decide. Is Quebec a nation, yes or no?

For the sake of consistency and logic, the members must support the bill introduced by my colleague from Richmond—Arthabaska.

As I said before, you cannot recognize a nation and then refuse to recognize the consequences that has. The right to self-determination, which is a people's right to determine its own future, is an inalienable right all nations have.

**The Acting Speaker (Mr. Bruce Stanton):** The hon. member for Haute-Gaspésie—La Mitis—Matane—Matapédia will have four minutes to finish his speech when the House resumes debate on this motion.

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

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## GOVERNMENT ORDERS

[English]

### TECHNICAL TAX AMENDMENTS ACT, 2012

**Hon. Gail Shea (for the Minister of Finance)** moved that Bill C-48, An Act to amend the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation, be read the second time and referred to a committee.

**Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC):** Mr. Speaker, it is nice to be back here in this wonderful House of Commons, where I am pleased to kick-off debate on this important piece of legislation, both for taxpayers and tax professionals, because it represents a major advancement in the simplification of Canada's tax system.

While admittedly it is technical, I should remind members of the many Canadians who helped craft its development over the years through numerous open and public consultations. In fact, the technical tax amendments act represents over a decade of miscellaneous tax announcements that have already been made public but have yet to be formally enacted, causing a significant backlog in our tax system. This backlog can be traced back to the fact that Parliament has not passed technical tax legislation in over a decade, something the Auditor General identified as a matter of legitimate concern.

I will read directly from the Auditor General's fall 2009 report, to provide members with further background on this issue. It states:

The last technical bill on income tax law received royal assent in 2001. Each year, more deficiencies are identified, contributing to an ever-growing backlog of needed technical amendments.

—The Department of Finance Canada alone cannot correct this situation, but it can do more to bring the urgency of the problem to the attention of the government and Parliament...

The Auditor General also articulated some powerful reasons to explain why clearing this backlog should be a priority for Parliament. Again, the report states:

Canada's tax system relies on taxpayers to self-assess and pay the income taxes they owe... [M]ost taxpayers will meet their tax obligations if given the proper tools and information.

Taxpayers' ability to comply with tax legislation depends on their understanding of how the rules apply to their own circumstances. When the intent of the legislation is not clearly conveyed by the words, taxpayers may find it difficult to assess the income taxes they owe and this could foster tax avoidance. Uncertainty about how the law should be applied can also add to the time taken and costs incurred by tax audits and tax administration.

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I strongly encourage all parliamentarians and Canadians watching at home who want to learn more about this issue to read the very comprehensive work of the Auditor General, available online at [www.oag-bvg.gc.ca](http://www.oag-bvg.gc.ca). Specifically, I suggest they look at chapter 3 of the fall 2009 report, which shows that the government agreed wholeheartedly with its findings and recommendations. Indeed, we indicated in a formal response included in the report that we recognized these concerns and would once again introduce technical tax legislation in Parliament.

• (1205)

[*Translation*]

To facilitate passage of the bill, we have consulted extensively with Canadians over the past few years in order to get as much feedback as possible before introducing it and so that we could proactively address any concerns that were raised.

We are now at the most important stage of the legislative process: the careful review of the bill in Parliament.

For many years now, as Parliament has tried to pass tax bills under other governments, Parliament has never managed to complete its examinations.

I think all members will agree that it is time to address this backlog of over 10 years, and that taxpayers should not have to live with the uncertainty of additional backlogs.

[*English*]

Even the all-party Standing Committee on Public Accounts agreed. In its 2010 study of the Auditor General's report, the committee issued the following statement:

The Public Accounts Committee believes that the integrity of Canada's income tax system depends upon taxpayers and tax auditors having a clear understanding of the requirements of the Income Tax Act and its associated regulations. A lack of clarity can lead to increased costs for taxpayers who may need to seek out professional advice. As a result, it is of particular concern to the Committee that no income tax technical amendment bill has been passed since 2001.

I would also note that the all-party finance committee, of which I am honoured to be a member, has heard from diverse witnesses about the importance of addressing the technical tax backlog. These groups include the Real Property Association of Canada, the Canadian Institute of Chartered Accountants, the Tax Executives Institute, the Canadian Tax Foundation, and many more. However, perhaps the most vocal of these groups has been the Certified General Accountants Association of Canada, sometimes known as CGA Canada.

While I know that all members would likely support the general principles of tax simplification, as well as ending uncertainty for taxpayers, we must nevertheless conduct a thorough study of this legislation, especially at the finance committee. In fact I have already consulted with my committee colleagues about holding multiple meetings on this legislation, and I am pleased to report that members are in broad agreement.

As some of the amendments included in today's act date as far back as the late 1990s, pre-dating both our government and the majority of sitting MPs, I think we can all appreciate the need to examine them closely in a non-partisan manner.

• (1210)

[*Translation*]

I will briefly go over the content of this legislation for those who are not familiar with this substantial bill.

As I already mentioned, this bill is about further simplifying Canada's tax system by making various changes to the Income Tax Act and other related legislation.

[*English*]

The CGA represents over 75,000 tax professionals and has appeared before various committees over the years to stress the need for Parliament to act to clear this backlog. As such, I would like to read at length part of the statement made by CGA Canada following the release of this legislation in November:

By tabling this legislation, the government is taking concrete action to deal with the backlog of unlegislated tax proposals...The new bill will provide more certainty to Canadian taxpayers and lessen the burden of compliance.

Some of the measures contained in today's bill were initially proposed as early as 1999... What's more, since 1999 these draft rules have been re-released a number of times and revised by the government, making taxpayers uncertain... With unlegislated tax measures, taxpayers and professional accountants must maintain their records and forms—sometimes for years—to be in a position to comply, even without knowing when and if these measures will be approved by Parliament and enacted. This uncertainty and unpredictability places an enormous compliance burden on taxpayers, businesses, professionals and their clients.

I will now walk through this legislation, piece by piece, to highlight key measures and their intended purpose. Although the legislation is highly technical, I will be brief in my remarks.

Let us start with part 1 of the bill. Our government is proposing enhancements to the Income Tax Act to better target and simplify the rules relating to non-resident trusts, taking into account comments received during extensive public consultations.

Parts 2 and 3 relate to the taxation of Canadian multinational corporations with foreign affiliates. Again, our government consulted extensively with stakeholders and the public on these proposals, some of which date all the way back to 2004. The result will be a simplified, fair and equitable tax system that will be easier to comply with and more straightforward to administer.

Part 4 of the bill will help ensure that its amendments will function under both common and civil laws. More specifically, these amendments will ensure that provisions that rely on certain private law concepts are bijural, such as right and interest; real and personal property; life estate and remainder interest; tangible and intangible property; and joint and several liability. In other words, the bill will ensure that they reflect both the common law and the civil law in both linguistic versions.

Part 5 of the bill will close certain tax loopholes and ensure greater fairness for taxpayers, measures on which we consulted extensively. These measures include closing tax loopholes related to a specified leasing property; ensuring that conversion of specified investment flow-through trusts and partnerships into corporations are subject to the same rules as transactions between corporations; preventing schemes designed to shelter tax by artificially increasing foreign tax credits; and finally, implementing a regime for reporting tax avoidance.

Taken all together, these measures will help crack down on the problem of tax avoidance and ensure that everyone pays his or her fair share.

[*Translation*]

Tax fairness is a basic principle that we have worked hard to respect ever since we took office. We are proud of our commitment to strengthening the integrity and fairness of the tax system and of our continued efforts to eliminate tax loopholes.

In fact, since 2006, we have introduced over 50 measures to eliminate these loopholes in order to guarantee that taxes are collected in a manner that is fair and consistent with their intended policy objectives.

Our efforts have therefore allowed us to collect nearly \$2 billion on behalf of taxpayers. Canadians can be assured that in the future, our government will continue to take the necessary measures to ensure the integrity of the tax system, because eliminating tax loopholes helps to keep taxes low for everyone.

[*English*]

Before moving to part 6, I should also note that part 5 includes a number of technical changes designed to ensure that the income tax system functions in the way it was intended. Many of these changes are relieving measures and will address issues previously identified by taxpayers.

Part 5 also implements an amendment relating to the enactment of the Fairness for the Self-Employed Act. It extends the personal income tax credit in respect of employment insurance premiums to apply to premiums paid by self-employed individuals.

Part 6 of the bill implements technical improvements to the GST and HST, including relieving GST or HST on the administrative service of collecting and distributing the levy on blank media imposed by the Copyright Act.

Part 7, the final portion of the bill, makes administrative changes to the Federal-Provincial Fiscal Arrangements Act.

As all of these parts will be examined in greater detail by the finance committee, I will simply say that the underlying intent of each of these measures is to simplify the tax system and thereby ensure fairness and equity for all Canadian taxpayers.

In closing, I will quote from an op-ed originally published in *The Globe and Mail* by Tim Wach, a respected tax professional with the firm Gowling Lafleur Henderson, which speaks again to the importance of passing today's legislation. It states:

—there are only two certainties in life: death and taxes. While one cannot take issue with the first part of that statement, the second is increasingly coming into

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question. The fact that we have to pay tax is no less certain, but certainty in the detail of Canada's tax laws arguably has been decreasing. This results from the increasing "legislative backlog"—the gap between the announcement of changes to the tax system and the legislative enactment of those changes.

This gap is making it increasingly difficult for Canadians to plan their affairs with confidence and certainty and to comply with their tax obligations. When taxpayers are uncertain about their obligations, their trust and faith in the system diminishes.

It continues:

—parliamentarians can bring a higher degree of certainty to our tax laws by moving forward swiftly, in a non-partisan, non-politicized manner, to enact outstanding changes. Let's hope they do just that.

● (1215)

[*Translation*]

In closing, I encourage all members to listen to the advice of the Governor General and the appeals of the tax experts represented by CGA-Canada, as well as taxpayers, who have told us repeatedly that they want to know where they stand with the tax system.

[*English*]

Let us take this historic opportunity to move forward in a non-partisan manner to give this legislation the careful consideration and passage it deserves.

I look forward to any questions.

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, I thank the hon. member for her comments and look forward to continuing to work with her on the finance committee.

She is quite right that there is a huge backlog of tax changes that have been announced but not implemented in law. In fact, there is well over a decade's worth of changes, which creates uncertainty and unpredictability around our tax legislation. Therefore, we acknowledge that it is important to get these changes coded into law.

However, my question to the hon. member is this. Given that there are still hundreds of outstanding changes that have been made or addressed in comfort letters or other ways, will the government wait another decade or more before bringing in additional technical changes, or will it agree with the recommendations that have been made to bring in technical changes on an annual basis to create greater certainty, predictability and transparency in our tax system?

**Mrs. Shelly Glover:** Mr. Speaker, I, too, want to welcome my colleague, the finance critic for the NDP, back to this wonderful House. It leads me to believe that the NDP members are excited about the bill and that they want to see it move forward quickly because they have asked a question about how we will progress in the future.

This government has indicated clearly that we intend to bring forward legislation in a timely fashion so we do not have this backlog repeat itself. It is this government that put forward an attempt to solve this backlog in 2008, and we continue to move forward in that way. I might add that part 8 has been added to the technical tax bill, which deals with some very recent tax changes.

Once again, I want to reassure all colleagues in the House that this government is set to continue to pursue tax legislation in a timely and considerate manner.

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• (1220)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I appreciate the tone of the member's speech. When most Canadians think of tax reform, they want to see tax reform that is fair and that will make a difference. However, they also want it to be consumer-friendly. There is a sense that our tax laws are very complicated and more and more people have to use accounting services, whether it is the H&Rs or private accountants, but there is a certain percentage of the population like the 130 or 140 people I met with yesterday. On their annual T4s, I would suggest they probably make less than \$40,000 a year. They want consumer-friendly tax legislation to enable them to file and get a tax rebate or if they have to pay some money that it can be done in a relatively simple fashion.

To what degree does the member believe this legislation will serve the desire of many who want to see a simpler taxation system?

**Mrs. Shelly Glover:** Mr. Speaker, I welcome my colleague from the Liberal Party back to the House. I find it a bit odd to be standing here answering the question. Although I have tremendous respect for my colleague from Winnipeg where I reside, it was the Liberal Party and the official opposition that put forward a number of amendments to the Budget Implementation Act, which passed before the Christmas break, to go against any desire to close tax loopholes.

I am glad he and the Liberal Party have come on board to try to ensure that tax loopholes are closed, because that is what consumers want to see. They want to see tax fairness. I can assure the member that consumers and tax professionals will be well served by getting through this backlog. If they look at the Income Tax Act and all the grey pages in the book that governs how to deal with income tax issues that many tax professionals use, it is so complex that this technical tax bill would eliminate many of those grey pages and make it simpler.

I thank my colleague for coming to the table and I hope he will be supporting this in a timely fashion.

**Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of National Revenue, CPC):** Mr. Speaker, my hon. colleague talked about the grey part in the Income Tax Act. It is important to reflect on that further. In budget pre-committee, we had many experts who showed us the grey sections. Those grey sections related to pieces of the budget that had not actually been turned into legislation.

Could my colleague talk further about the importance of turning that grey section of the Income Tax Act into legislation and how visual that was in terms of assuring us that we needed to move forward?

**Mrs. Shelly Glover:** Mr. Speaker, the hon. parliamentary secretary sits in committee, at times for hours and hours, trying to ensure she serves the people in her riding and all Canadians in an effective way. This is just another example of how the parliamentary secretary has been very involved in trying to ensure this technical tax bill moves forward. Her expertise on this issue has been very much appreciated, so I want to thank her publicly for all she has done in this endeavour.

With regard to her description of the grey pages in the book that was presented in committee, let me just describe for Canadians at home how that looked to all of us on the finance committee as the CGA representatives explained the complexity of those grey pages.

They produced a book, the Income Tax Act, which is about the size of a bible. My family bible is fairly large. They were very disturbed that almost every second page in it contained what was a grey page or a grey section. The grey pages or sections are those parts that have been announced as measures to be changed but have not been enacted. This caused a complexity because the tax professionals had to keep track. Every budget, for over a decade, that announced a measure that would change went in as a grey section and they had to keep track of them year after year to ensure they followed comfort letters or followed the intent, even though legislation clarifying and detailing the measures was not enacted.

One can imagine a book the size of a bible with almost every second page having a grey paragraph or a grey page. It is time to fix this. I am glad to have the support of members opposite to ensure it is done quickly.

• (1225)

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I listened carefully to the parliamentary secretary's speech, and I would like to welcome my colleague back to the House.

One thing she mentioned in her speech seems particularly important to me. She talked about simplifying the tax system. As everyone knows, the Income Tax Act was adopted in 1917. At the time, it was only about 10 pages long. Now the act is 3,000 pages long. The bill before us covers technicalities and seeks to do away with tax loopholes and ensure greater fairness. This bill would make the Income Tax Act almost 4,000 pages long, which is a major problem. To my knowledge, no other Canadian law is as long as this one.

Canadian accountants, businesses and even individuals have written to tell us that the current system is really too complex for them to understand all of the finer points of the legislation. On their behalf, I would like to ask my colleague, the parliamentary secretary, two questions.

First, even if this bill closes tax loopholes, how can she justify calling it a simplification when it will make the Income Tax Act nearly 33% longer?

Second, does the government intend to truly simplify the Income Tax Act someday?

**Mrs. Shelly Glover:** Mr. Speaker, I would like to thank my colleague for his question and welcome him back to the House of Commons too.

As I said before, our government is committed to simplifying this law. We have listened to what Canadians and the experts have to say about this. They want clarification. They were the ones who asked us to introduce a bill that would put an end to confusion about things that were announced in budgets over the past 10 years but that were never implemented at the legislative level.

Once again, I would like to reassure my colleague that our government is making an effort to work with experts and Canadians to create a simplified tax system that will protect them, a system that is fair and efficient.

I hope that my colleague will support our efforts. We will see when it comes time to vote.

[English]

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, I want to take this opportunity to welcome all my colleagues back to the House. I trust they had an enjoyable break over the holiday period, and that they are all energized and looking forward to getting back to what I am sure will be a very busy winter and spring session.

Today I am pleased to rise on Bill C-48. The bill implements over a decade of highly technical changes to Canada's tax code.

The way I feel about it is that one of the most if not the most important work for us, as elected members of Parliament, is to make decisions about taxation and spending. It is about respecting how hard Canadians work to earn the money they get. We make decisions about taxing that money so we can provide for public services, public infrastructure and democratic machinery.

Most Canadians accept the principle of paying taxes as something that keeps a healthy society. However, they want us to have a very careful eye on their tax dollars and on how that money is spent. I think most Canadians want, and I fear they do not feel they get enough of, is transparency and integrity in our system of tax collection and spending and in our government. They want accountability. They want respect for every dollar they send here.

When we have a situation, for example, like the Parliamentary Budget Officer, who has to take the government to court to get information about how tax dollars are being spent or what cuts to services, which Canadians depend on, are being made, that decreases confidence in our system, in the accountability and transparency of government.

So too does the complicated nature of our tax legislation. Individuals who may not have English or French as their first language, or seniors or young people really struggle with the complicated nature of our tax legislation and certainly yearn for greater simplicity.

That brings me to this bill. Many of these changes seem like they make a lot of good sense. There are provisions in Bill C-48 to ensure that all of an airline corporation's taxable income will be attributed to the provinces and territories in which the corporation has a permanent establishment. There are provisions to discourage tax avoidance in the taxation of foreign affiliates of Canadian multi-national corporations. There are anti-avoidance measures for specific leasing of property, limits on the use of foreign tax credit generators for international tax avoidance, as well as housekeeping changes to

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the Excise Tax Act such as repealing a provision that has not been in use since 1999.

We believe these changes in total will be revenue positive and that they generally move to discourage tax avoidance and therefore ensure the integrity of our existing tax law. Furthermore, the vast majority of these measures have already been in practice for several years, since it is standard practice for tax measures to take effect upon their proposal. Once they have been announced, people accept them as adopted. For these reasons the official opposition New Democrats will be supporting the bill.

● (1230)

[Translation]

Bill C-48 implements over a decade of highly technical changes to Canada's tax system.

In the end, we believe that these changes will be revenue positive. They generally move to discourage tax avoidance and ensure the integrity of the tax system.

The vast majority of these measures have been in place for several years, since it is standard practice for tax measures to take effect upon their proposal. For these reasons, the official opposition will be supporting this bill.

[English]

New Democrats believe in cracking down on tax avoidance and tax evasion, while ensuring the integrity of our tax system. That is why we have pushed, since the election in 2011, to have the finance committee complete its study of tax evasion. It looks like we will finally be doing that this year. However, that is why we support the changes being made in the bill, especially those that aim to reduce tax avoidance.

I do want to raise some concerns relating to the size of the bill, which comes to us at close to 1,000 pages.

First, the massive scale of the bill indicates that the government needs to be more responsible regarding its handling of the tax code. In particular, it must ensure that tax proposals are legislated on a regular basis. In fact, the last technical tax bill was passed in 2001. In her fall 2009 update, the former Auditor General, Sheila Fraser, raised concerns about the fact that there were at least 400 outstanding technical amendments to the tax code, which had not yet been put into legislation.

● (1235)

[Translation]

No technical income tax bill has been passed since 2001. Although the government has said that an annual technical bill of routine housekeeping amendments to the Act is desirable, this has not happened. As a result, the Department of Finance Canada has a backlog of at least 400 technical amendments that have not been enacted, including 250 "comfort letters" dating back to 1998, recommending changes that have not been legislated.

[English]

Over 200 of these outstanding changes are addressed in Bill C-48, but that still leaves hundreds of outstanding amendments.

*Government Orders*

I spoke recently in Calgary to a group of more than 1,000 tax practitioners, general accountants, certified general accountants and tax lawyers. They agreed that the comfort letter process works, but they wanted the clarity of having these laws fully in place. It would make their jobs so much easier and create greater clarity for Canadians. The Auditor General's 2009 fall report also expressed a need for these legislative changes so that the comfort letters identified could be enacted.

During this fall's pre-budget consultations, the Certified General Accountants Association of Canada told the finance committee:

—the government must introduce a technical tax amendments bill. The last time a technical tax bill was passed by Parliament was over 11 years ago. Literally hundreds of unlegislated tax amendments to the Income Tax Act...have been proposed, but not yet enacted, which brings uncertainty and unpredictability to the process.

These are the experts speaking, the tax practitioners who deal with this work every day of the week. The quote continues:

—we strongly feel that implementing a sunset provision would ensure that tax amendments are legislated, which ultimately will eliminate the ever-growing backlog of unlegislated tax measures once and for all. With this provision, if a tax policy change is announced and not incorporated into legislation within a reasonable amount of time, the measure would lapse. This would bring greater clarity and certainty to tax legislation, reduce the compliance and paperwork burden, and, perhaps most importantly, prevent any future legislative backlogs.

What they are asking for is a sunset clause so that if government announces tax changes in one year, by the end of that year, it would bring those changes into law. It makes perfect sense. We should not be waiting 11 years to get clarity on tax changes the government has already made. We strongly support this recommendation from the CGA.

The Income Tax Act is a living document, perhaps more so than any other piece of legislation. Feedback from the lived experience of taxpayers and tax practitioners can help us make amendments in order to ensure the integrity of our tax system. The responsible management of the tax code means that these changes must be made on an ongoing basis. Failing to do so can lead to uncertainty for business and for tax practitioners.

One thing I have heard, while going across this country and talking to businesses from the east to the west coast and in many places in between, is that they find the government takes too much action on an ad hoc basis for political reasons and does not create enough certainty by laying out a plan and following that plan.

Anything we can do to create greater certainty for business leads to a better investment climate. It helps businesses make decisions about investing in machinery and equipment and creating more jobs, because they have greater certainty of what the future will look like. Clear tax legislation helps do that. Failing to do so leads to uncertainty. That is why we need the government to act so we do not have decisions being made on an ad hoc basis. People and business want predictability and reliability in our tax system. Without these basic building blocks of predictability and reliability, businesses cannot do effective fiscal planning.

Canadian families need the same certainty. These ad hoc, boutique tax credits, which undermine our tax base and take revenue out of our tax system, are also unpredictable for Canadian families. Their

introduction on an ad hoc basis means that it is difficult for families to plan ahead for their tax obligations.

As the former Auditor General noted:

If proposed technical changes are not tabled regularly, the volume of amendments becomes difficult for taxpayers, tax practitioners, and parliamentarians to absorb when they are grouped into a large package.

Amen. That is what we have today, a bill of about 1,000 pages. Bringing more than a decade of tax changes into one bill does not create a situation of the greatest transparency. Yet we need transparency and accountability for our tax legislation, which is something that touches all Canadians and all businesses. It has become a pattern in this Parliament to create these massive omnibus budget bills with hundreds of pages of legislation and very little time to examine them. Furthermore, only a fraction of MPs, similar to the Canadian public in general, are tax specialists.

● (1240)

[*Translation*]

With regard to Bill C-48, tax lawyer Thomas McDonnell said that we should also remember the huge so-called technical tax bill introduced last fall. The hard copy of the amendments and explanatory notes was over 900 pages. He believes that this bill will also be passed without an informed debate in the House of Commons, and most parliamentarians who vote on the bill will admit that they did not read it or really try to understand the impact of their vote no matter which way they vote. He added that this is not the way Parliament is supposed to carry out one of its main duties, which is to generate revenue. It is sad to say, but he believes that most parliamentarians do not understand this aspect of Parliament's role or they do not have the courage to stand up and defend this role.

[*English*]

While we do not support the government's serial use of omnibus legislation, we recognize that it makes a big difference that Bill C-48 makes technical changes to a smaller number of closely related laws. The vast majority of these measures have already been in practice for several years and have incorporated feedback from tax practitioners. This is a stark contrast to the Conservatives' Trojan Horse budget bills, Bill C-38 and Bill C-45, which made sweeping changes to everything from environmental protection and government accountability to immigration and EI, all without thorough consultation, debate or scrutiny.

That being said, the bill still poses a definite challenge for most parliamentarians, who will not have the opportunity to thoroughly study it and will not be able to study it at committee.

Transparency must be at the heart of our work as publicly elected representatives. We must do everything in our power to ensure that legislation receives full and informed debate in the House. I therefore urge my colleagues to ensure that the legislation receives thorough debate and consideration at all stages, but we also need to go further.

*Government Orders*

It is our responsibility as MPs to be continually examining how we can most effectively represent the interests of our constituents, including in the tax system. People lose confidence when they see the government's ineptitude, such as the financing of the F-35 procurement program or individual expenses such as \$16 orange juice.

However, in the tax system, when a dishonest few refuse to live up to their responsibilities not only do the rest of us pay more to make up for it, but those who do seek to live up to their responsibilities are put at a competitive disadvantage, and I am thinking of businesses here. This places enormous pressure on corporations and business owners. Too many businesses find themselves in a race to match the tax avoidance measures of their competitors. Yet public budgets provide so much of what Canadians value most. Basic government services are the foundation of our economy: infrastructure, police, education, our legal system.

In testimony to the Senate banking committee Marlene Legare, the former chief of the sales tax division in the Department of Finance's tax policy branch, explained:

Until now, the choice has probably been more in favour of combining measures so as to put forward fewer bills. I think the lesson that we learned from this experience is that it may be preferable to change the balance somewhat.

She is speaking of the omnibus bills. She continues:

That may mean putting forward smaller bills which would contain measures that would be enacted on a more timely basis.

That is, going forward, let us make the changes within a year after they are announced so that there is clarity for taxpayers and for tax practitioners, and so that we are fully recouping the tax dollars for changes that have been announced. It is inexcusable that it has taken so long for the sitting government to take action on these changes.

The official opposition stands firmly in support of focusing on compliance and creating clear tax structures in a timely manner to ensure the integrity of our tax system. That is why we are supporting Bill C-48. However, the massive size of the legislation demonstrates that there is still a huge amount of work to do in getting such technical changes legislated in a timely fashion. Failing to do so hurts taxpayers and tax practitioners and makes it difficult for a proper evaluation by Parliament.

• (1245)

[*Translation*]

The official opposition stands firmly in support of focusing on compliance in order to ensure the integrity of our tax system. That is why we are supporting Bill C-48.

However, the massive size of this legislation demonstrates that there is still a huge amount of work to do in getting such technical changes legislated in a timely fashion. Failure to do so would hurt taxpayers and tax practitioners and make it difficult for a proper evaluation by Parliament.

[*English*]

I therefore urge my colleagues on all sides of the House to work to ensure that the bill receives thorough examination and discussion in Parliament. We will continue to work to ensure the integrity of our tax system with a more effective process when it comes to technical tax legislation. We need to continually demonstrate our respect for

the hard work of Canadians and the taxes they send to Ottawa, and to reward that with transparency and predictability. New Democrats, when we get the opportunity in 2015, will do just that.

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I congratulate my colleague from Parkdale—High Park, the official opposition's finance critic, on her excellent speech. I had the opportunity to work with her on the Standing Committee on Finance. This is an issue that the committee will be examining, and rightly so.

The bill before us has more than 950 pages and amends the Income Tax Act and other related legislation, but primarily the Income Tax Act.

I asked the parliamentary secretary a question earlier. In her speech she talked about simplifying the act, which is already 3,000 pages long. If we pass this bill we will have to add even more pages. We will support this bill because it eliminates some tax loopholes and other measures that lead to fiscal inequity, but the government's philosophy confuses me. How will adding more measures and clauses—even if they close tax loopholes—help simplify the act?

I would like to ask my colleague what she thinks of the Conservative government's process. What is her definition of “simplification” and how should we interpret the government's silence on this issue that concerns both private companies and individuals?

**Ms. Peggy Nash:** Mr. Speaker, I thank my colleague for his very important question.

Legislation that is too complicated poses a challenge, even for tax experts. If it is too complicated for the people who work with Canadian tax laws every day, it presents an even bigger challenge for Canadian families and businesses.

The government claims it has simplified things by saying that things are black or white. But the act becomes increasingly complicated with every tax loophole. That is why we must simplify the Income Tax Act. Our taxes must be fair and progressive. They must also be simpler so that people understand how to pay their taxes every year. The legislation must be simpler for businesses to better plan their investments. This would help create more jobs for Canadians during a time when unemployment is far too high.

• (1250)

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I would like to thank the hon. member for Parkdale—High Park for her speech. I am also very pleased to be able to join her and the hon. member for Rimouski-Neigette—Témiscouata—Les Basques on the Standing Committee on Finance. I hope that I can live up to the trust that has been placed in me.

*Government Orders*

With regard to my colleague's speech, I would like to ask her about the catching up that the government is trying to do. The bill, as it has been introduced, is massive. At the risk of exaggerating, this bill is monstrous. The government's ongoing failure in terms of governance and responsibility to taxpayers and this House is a very serious problem. This is very serious. However, it is not very surprising for us because we have already spoken out about the government's improvisation on various issues.

What worries me is that the government has less than three years left in its mandate. We can perhaps hope that the government will get caught up again. Does the hon. member believe that the government will be able to do a better job of catching up in order to help all of our taxpayers or does she think that we will have our work cut out for us when we take power in order to continue putting tax laws and regulations in order?

**Ms. Peggy Nash:** Mr. Speaker, I would like to thank the hon. member for his question. I welcome him as a new member of the Standing Committee on Finance.

With regard to catching up, these changes should be made every year, or so suggests a number of parties including the former Auditor General. I have already asked the parliamentary secretary this question, but I did not get a clear answer.

The government should decide to make changes with regard to fiscal transparency every year. In terms of forecasts, transparency and accountability, it is better to make changes every year. As we now know, it took 11 years for these changes to be made. Yet, they should be made every year.

[*English*]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I wonder if the member could pick up on the point in terms of priorities. The government has been in office for a number of years but I will cut it a bit of slack and ask why over the last year the government has been so negligent in bringing forward the legislation. We are talking about hundreds of pages of amendments to the tax legislation. As the member quite correctly pointed out, they are very important tax amendments that could have and should have been made quite a while ago.

If taxation as a policy is important to the government, one would think it would be a higher priority.

Why does the member believe it has taken the government so long to bring forward this piece of legislation? I appreciate that she sits on the finance committee.

• (1255)

**Ms. Peggy Nash:** Mr. Speaker, it is a basic measure of good public administration and respect for the hard work of Canadians that we would want to clarify and keep current our tax legislation. It is yet again a misallocation of priorities to let this kind of bill sit and these changes accumulate for 11 years. I also note that when the member's party, the Liberal Party, was in government, there were changes that accumulated for many years and were not enacted. We have 11 years of changes that have been announced and which accountants, families and businesses have been living by but the changes have never been enacted into law.

One would say that is a failure in the realm of public administration. I argue it is. The government needs to capture these outstanding changes in legislation and also to implement what has been recommended many times, and that would be a sunset act to say that if the government announces a change and does not change the law within a year, that change would fall by the wayside and no longer would be applicable.

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, I congratulate my colleague, the member for Parkdale—High Park, on an excellent analysis of the bill, for which I am grateful.

My question is in respect of the member's role on the finance committee. Could she advise as to what the government is doing to ensure compliance by the public with the technical tax changes that are contemplated? Is the government being asked to change the way in which it seeks compliance with these admittedly very technical changes?

**Ms. Peggy Nash:** Mr. Speaker, that is an interesting question because, as part of the cuts by the federal government, there have been cuts to the CRA, the body that oversees our tax compliance. It would lead me to think we would be less vigilant in ensuring our laws are complied with. We do not know exactly how these cuts would take place because the Parliamentary Budget Officer has had such a difficult time getting this information that we need to have. CRA staff members are the ones who ensure that people comply with the legislation.

Once the rules are in place, we want to ensure all Canadians and businesses are paying their fair share.

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, I rise this afternoon to speak to Bill C-48, the technical tax amendments act, 2012.

Bill C-48 is 955 pages in length with 428 amendments. I am going to use my time in the House today to examine how we got to this point, and where we are now examining such a mammoth bill, looking at the recent history of technical tax bills, including the Auditor General's report from November 2009 on income tax legislation, as well as the study by the public accounts committee on that report.

I intend to talk about the need for Parliament to regularly adopt technical tax legislation in a timely manner, as well as the overwhelming need to thoroughly examine and, yes, simplify the Income Tax Act.

Finally, I would like to use my remaining time to briefly discuss Bill C-48 itself.

With respect to the recent history of technical tax bills, if Bill C-48 receives royal assent, it will be the first technical tax bill to do so since Bill C-22, the Income Tax Amendments Act, 2000, which received royal assent in June 2001, almost 12 years ago.

*Government Orders*

With such a massive bill before us now, it begs the question as to why Parliament has not approved any technical tax bills since 2001.

The previous Liberal government did publish technical amendments for public comment on three separate occasions: December 2002, February 2004, and July 2005. Those amendments were introduced in Parliament in 2006 as Bill C-33, the Income Tax Amendments Act, 2006. Bill C-33 received third reading and made it to the other house, but it died on the order paper when the Prime Minister asked the Governor General to prorogue Parliament in 2007. Later in 2007 an identical version of this legislation was tabled as Bill C-10. Once again the legislation made it to the other house and died on the order paper when the Prime Minister again asked the Governor General to prorogue Parliament in 2008.

Since then there has been nothing. For four years the Conservatives failed to introduce a technical tax bill in Parliament. Clearing up the growing backlog of technical tax amendments was nowhere to be found on the Conservatives' list of priorities.

Next week the Conservatives will pass the seventh year mark in government, but they have yet to pass a single technical tax bill. It is a failure of public administration. It is not good public administration that it has taken this long, particularly when at the time the Conservative government was elected in 2006 there was legislation ready to be introduced and twice prorogation killed legislative attempts to deal with this.

I want to speak to the Auditor General's report. In the fall of 2009, Auditor General Sheila Fraser reported on the government's inability to take action on this. She emphasized the need for the government to introduce technical tax legislation in order to bring clarity to the Income Tax Act. When she released her report, she said:

The Income Tax Act is one of the longest and most complex pieces of federal legislation. Taxpayers have the right to expect clear guidance on how to interpret the Act so they can determine how much income tax they owe.

That makes sense. In her report she argued that by failing to provide clarity through technical tax amendments, the government was increasing the costs for everyone involved. The report states:

For taxpayers, the negative effects of uncertainty may include

- higher costs of obtaining professional advice to comply with tax law; less efficiency in doing business transactions;
- inability of publicly traded corporations to use proposed tax changes in their financial reporting, because they have not been “substantively enacted”;
- greater cynicism about the fairness of the tax system; and increased willingness to use aggressive tax plans.

● (1300)

For the tax administrator, the negative effects may include

- higher costs for providing additional guidance and interpretations to taxpayers and tax auditors; and
- higher administrative costs for reprocessing the tax returns after an outstanding legislative amendment is enacted and for obtaining waivers to extend the limitation period for reassessment.

The result may be uncertainty in the amount of tax revenues to be collected by the government and possible loss of tax revenues.

What the Auditor General is saying is that this is not some esoteric, arcane discussion as to whether or not it is a failure of the government to provide in a timely manner these technical tax amendments to the House and to pass them. It does result in higher transaction costs for companies. It results in confusion for Canadian

taxpayers, not knowing how these will affect them, and higher costs from professionals like accountants and auditors in dealing with these.

The Auditor General's report said that the result may be uncertainty in the amount of tax revenues to be collected by the government and the possible loss of tax revenues. It actually affects the amount of revenue that the government is collecting or can collect.

The Auditor General went on to warn parliamentarians that we must not wait to pass a technical tax bill, that we must clear the backlog immediately and then regularly adopt technical tax amendments. In her report she said:

If proposed technical changes are not tabled regularly, the volume of amendments becomes difficult for taxpayers, tax practitioners, and parliamentarians to absorb when they are grouped into a large package.

Finally, she pleaded with the Department of Finance to fix the situation.

● (1305)

[*Translation*]

Auditor General Sheila Fraser said:

The Department of Finance needs to do more to bring the urgency of the problem to the attention of the government and Parliament. It ought to review the way it manages this process.

[*English*]

Beyond the Auditor General's report, we also have a report from the public accounts committee. In early 2010, the public accounts committee studied the Auditor General's report. The committee was then chaired by my former colleague from Charlottetown, the hon. Sean Murphy. The committee shared her concerns about the waste and mismanagement that resulted from the Conservatives doing nothing to introduce these technical amendments. Quite naturally, the committee wanted to know when the problem would be fixed, so it called the deputy minister of finance and the commissioner of the national revenue agency before the committee. These officials assured committee members that the problem was under control and the solution was forthcoming. The committee's April, 2010 report stated:

Officials from the Department told the Committee that they are hoping to have a technical bill ready for the government's review within the next couple of months. They are also considering releasing smaller packages of technical amendments on a regular basis.... Although, officials told the Committee that they would not be in a position to propose annual technical bills until the end of 2011.

*Government Orders*

If senior officials were telling a parliamentary committee back in 2010 that a technical tax bill would be ready in a few months, we have to ask ourselves as parliamentarians what happened. What we really need, broadly, is tax reform and tax simplification. The fact is that over a long period of time, not just under this government, the Income Tax Act has grown too large and unwieldy. However, it is notable that under this Conservative government, the Income Tax Act has actually grown by almost one-sixth in size. We have arrived at the point where accountants—the very profession that bases its livelihood on interpreting on behalf of clients the complexity of tax laws—are now regularly lobbying Parliament and the finance committee for tax simplification. Even the accountants are saying the tax code is too complex.

The Canadian Institute of Chartered Accountants stated in its most recent prebudget submission:

Reducing complexity in Canada's domestic tax regime is crucial to easing the regulatory burden placed on Canadian businesses and attracting investment. Simplifying our tax system would make the country more competitive and allow both individuals and businesses to prosper.

According to the Global Competitiveness Report 2010-2011, issued by the World Economic Forum, tax regulations are among the top four most problematic factors cited by business executives for doing business in Canada. Many aspects of Canada's tax system have become too complex. We recommend that the government establish a national consultation process to examine tax simplification measures.

That quote was from the Canadian Institute of Chartered Accountants' pre-budget submission to the House of Commons finance committee.

The most recent pre-budget submission from the Certified General Accountants Association of Canada includes the following recommendations:

Modernize Canada's tax system—make it simple, transparent and more efficient  
 Introduce and pass a technical tax bill to deal with unlegislated tax proposals  
 Implement a “sunset provision” to prevent further legislative backlogs  
 Appoint an independent panel of experts to recommend steps to reform Canada's tax system.

It is important to realize that we have not had a comprehensive review of Canada's tax laws and our tax code since the Royal Commission on Taxation in the 1960s. The Carter commission published its report in 1966, and the changes were implemented in 1972. That is more than 40 years ago. If we were asked to sum up in one word what has changed in the Canadian and global economy since 1972, it would be “everything”.

The reality is that there have been so many fundamental structural changes to the global and Canadian economies since 1972 that we desperately need a thorough study, review and perhaps royal commission to deal with the tax changes we need as a country, with the objective of building a fairer and, in terms of economic growth, a potentially more competitive capacity to attract investment, as well as a simpler tax system.

In the House we have talked about the issue of income inequality. That has to be a consideration when we are talking about tax reform.

We have talked about issues of competitiveness and what kinds of taxes render an economy less competitive. We have to look at those. We have to study to what extent we can use the tax system to incentivize greater investment in research development and commercialization of technologies, and potentially clean technolo-

gies to green our production of energy in Canada, including cleaner conventional energy and the oil sands, as well as what kinds of tax incentives we can offer to make it more attractive to invest in and develop those technologies as we move forward.

When the Carter commission came in, among other things, it got rid of inheritance tax in Canada and replaced it with a capital gains tax. That was a significant change at the time. Today, we may look at that differently and consider some of the advice being given by tax experts both within Canada and globally.

Clearly, not to have had any thorough study of our tax system since 1972 indicates how woefully out of date our current tax code is. The reality is that the tax code under the Conservative government has since increased by one-sixth of its size. It is more complicated and less fair because of what some people refer to as the boutique tax credits the government has brought in for children in hockey and studying music, family caregivers and volunteer firefighters. We all believe it is laudable to support volunteer firefighters, family caregivers and families putting their children in activities, and we support that.

However, first, the reality is that it does complicate the tax code. Second, the fact that these tax credits are non-refundable means that the lowest income Canadian families do not qualify, those people who need the help the most, whether with respect to the family caregiver tax credit or to families with children in activities.

● (1310)

Not only have the Conservatives complicated our tax system, but by making these tax credits non-refundable, they have actually rendered our tax system less fair and contributed to income inequality and income disparity by not helping the people who need the help the most. Those are low-income families who, perversely, do not qualify for these tax credits.

I would like to speak about the Canada Revenue Agency. When the tax code grows in size and complexity, so do the requests to CRA for clarification. Governments have the power to compel residents to pay taxes, and that is a huge power, but with that power comes the responsibility to provide taxpayers with clarity around the law and to recognize that not every Canadian taxpayer can—in fact the vast majority cannot—really afford professional help to deal with these complexities.

*Government Orders*

One of the ways the government can provide clarity around tax law is with advanced income tax rulings. That is an area the Auditor General examined in her 2009 report. It is also an area where the CRA is failing and the record is getting worse. The CRA has set a target for itself to issue advanced income tax rulings within 60 days, and in 2004 it met this target. Three years ago the average ruling took the CRA 98 days. Two years ago it was 102 days. Last year it was 106 days, close to double the target CRA set for itself. These delays lead to increased costs both for the taxpayer and for the government.

For good public servants in the CRA who work in places like Charlottetown, P.E.I., those cuts to CRA are actually, perversely, going to lead to the government ultimately contributing not only to ambiguity and confusion around interpretation of these tax changes but also to actually collecting less money.

One of the things we discovered in our study around offshore accounts and the offshoring of personal wealth by many Canadians is that investments by the previous Liberal government to CRA to specifically target offshore accounts led to a huge level of success in terms of return on investment, in terms of collecting this money. The Conservatives have cut back funding to CRA, which will in time reduce governance and the capacity to target, identify and collect from offshore accounts and in other areas where we could collect more in terms of taxes.

The Auditor General said in her report, speaking about the CRA:

If the Agency's guidance is not timely or correct, taxpayers may inadvertently fail to comply with the law or they may become frustrated because the information they need is not available. Either may lead to a loss of tax revenue or an overpayment that later must be adjusted.

• (1315)

[*Translation*]

She made the following recommendation:

(4) The CRA “should develop more concrete plans to meet its own target times for issuing advance income tax rulings, given the significance of the rulings to proposed business transactions.”

[*English*]

Again, this is another report where the Auditor General is being extremely clear with some specific corrective measures that the government could take.

In 2009, the government said it agreed with this recommendation, but the dismal results suggest that nothing has been done about it.

Last week the Canadian Federation of Independent Business issued a press release entitled, “CRA Call Centre Business Helpline gets C- grade from CFIB”. According to the CFIB, only 61% of callers received full and accurate information “service standards and agent professionalism have declined”. Again, I am not blaming the CRA employees, but the government is making it very difficult for them to do their jobs.

The Liberals are concerned. We support the idea of Bill C-48 being presented now, finally dealing with some of these issues, but we do not support the tax direction of the government, which is ultimately creating a less fair, less competitive and more complicated Canadian tax system. We believe we need more than tax tinkering;

we need real tax reform aimed at building a more competitive, fairer and simpler Canadian tax code.

• (1320)

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, I welcome my colleague from Kings—Hants back to the House. I look forward to continuing to work with him on the finance committee.

I appreciated his comments on tax avoidance and tax havens. Certainly that is why New Democrats on the finance committee have been pushing hard to get the government to complete its study of tax havens, which began under the previous government. We believe, especially at a time of fiscal restraint, which the government chooses to address through austerity measures, that if there is money being put in tax havens that ought to be collected by CRA and used for all of the services and programs Canadians want and need, then we should have that money so everyone is paying their fair share.

My colleague emphasized the importance of ensuring that tax changes follow announcements of the measures when they were announced by government. It has been over 11 years since the last changes were made. The last technical tax bill was passed in 2001. Until 2006 a Liberal government dealt with this, a government that also let things slide for several years. During the time the Liberals were in power, why did they too did not live up to their responsibility to ensure these technical changes were passed in a timely fashion for Canadians?

**Hon. Scott Brison:** Mr. Speaker, I appreciate the hon. member's point that the previous Liberal government had set in place both funding and action to target offshore accounts, and with remarkable success. The investment in CRA capacity at the time led to significant success in collecting money from offshore accounts. Further, the Liberal Senator Percy Downe has done terrific work in the other place on this.

In terms of her question about technical amendments, in December 2002, February 2004 and July 2005, the previous Liberal government published these technical amendments for public comment. These amendments were actually introduced in Parliament in 2006 as Bill C-33, the Income Tax Amendments Act, 2006. Bill C-33 received third reading and made it to the other house, but it died on the order paper when the Prime Minister asked the Governor General to prorogue Parliament in 2007. The Prime Minister, of course, did that more than once. Prorogation under the current Conservative government killed more than that legislation and others, but it actually set back the clock on a lot of these technical amendments.

*Government Orders*

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I thank the hon. member for Kings—Hants for his reference to my riding. Prince Edward Island is the only province in Canada where a taxpayer cannot get in-person assistance with income tax issues. That is also the case for immigrants in Prince Edward Island, people looking to have their EI claims processed and veterans. All of those services have been removed. Prince Edward Island is also the only province where one cannot get a passport.

My question relates to his theme regarding income tax simplification. I know my colleague has for some time spoken out against piecemeal amendments to the Income Tax Act and the boutique tax credits. Could he elaborate a little more on what he sees as the process and important elements of the large scale clarification and simplification of our income tax system?

● (1325)

**Hon. Scott Brison:** Mr. Speaker, first, we have a tax code that had been bloated since the Carter commission report and the tax changes of 1972. Every government has added to the complexity of the tax system, but no government has added as much complexity to the tax system as the current Conservative government, which has increased the tax code by one-sixth since assuming power in 2006.

We have to take a serious look at the issue of fairness when we make these changes. Certainly the issue of the gap between the rich and the poor and the growing inequality of opportunity has to be a focus. Even the World Economic Forum out of Geneva and Davos, Switzerland came out with a report two weeks ago saying that one of the greatest or the greatest economic challenges facing the planet right now was that of income inequality.

We should recognize that the government's tax credits for various activities, whether it is volunteer firefighters, children's activities or caregivers, and we all support these laudable activities, exclude low-income Canadians because they are non-refundable. This not only makes the situation more complex in terms of our tax code, but it also makes it less equitable for low-income Canadians.

I would argue that we should take a look at examples of tax reform globally. Some countries have conducted massive studies and reforms to radically simplify their tax systems, reduce the transaction costs of investment and business and make their economies more competitive. We can have a fairer, simpler and more competitive tax system at the same time. There is some great expertise within Canada and globally.

Finally, on the issue of fairness, it is interesting that on income inequality, Warren Buffet, who is hardly some global-phobic socialist Luddite, has said that we have too much income inequality, that the tax system should be reformed and that it is not fair that his assistant pays a higher percentage of her income in taxes than he does.

[Translation]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I would like to thank the member for Kings—Hants for his speech.

Some of our concerns are very similar to those he mentioned. I asked members of both the governing party and the opposition a number of questions about simplification. It seems that simplifica-

tion is needed. Our current Income Tax Act is 3,000 pages long. Obviously, a bill of this size—more than 950 pages—will add even more pages.

Simplifying means making the tax code shorter and less complex. In his speech, the member mentioned a few elements that make the tax system more complex. I believe that the tax system is made more complex by two elements, but not necessarily by tax brackets, which are relatively easy to understand. Clearly, one of the elements is tax loopholes. As the system increases in complexity, there are more and more loopholes that tax advisers can recommend to their clients. This sweeping bill is needed to eliminate the use of tax loopholes and to help the government close them quickly.

The second element is something called “boutique tax credits”. In French, they may be referred to as “crédits d'impôt à la carte”. They cater to specific groups of voters, but they add to the complexity of the system.

I would like to ask my colleague this question. He mentioned the possibility of establishing a royal commission or a task force. With the current government's attitude towards taxes and its cavalier approach to these issues to date, would he not be worried to see a commission that could hamper fairness and simplification instead of improving the situation for Canadians and enhancing our competitiveness?

**Hon. Scott Brison:** Mr. Speaker, I agree that a commission could evaluate our tax system and make recommendations that would make it fairer, simpler and perhaps more competitive in the context of a global economy. That is a very important consideration.

There were many royal commissions in years past. However, it has been a long time since we had a royal commission study something so essential and important. Perhaps these commissions were overused in the past, and perhaps that was to avoid having to make decisions. But now, particularly for our taxation policies, it may be time to have a royal commission study this issue. In fact, if we use—

● (1330)

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. The period for questions and comments is over.

Resuming debate, the hon. member for Rimouski-Neigette—Témiscouata—Les Basques.

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, today we are discussing Bill C-48. As you can see, it is rather thick. It is more than 950 pages long.

*Government Orders*

As my colleague from Parkdale—High Park mentioned, we will support this bill because it eliminates a number of tax loopholes and resolves several problems. Decisions about these issues have been made over time by agencies such as the Canada Revenue Agency, so this bill is needed. However, as I have mentioned in other speeches, this bill will amend the Income Tax Act as well as other acts: the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and other related legislation. It will make an already complicated system even more complicated.

I will give some background on this bill. In October 2012, we received a notice of ways and means from the Minister of Finance, which was more than 950 pages long and consolidated almost all of the outstanding tax measures. These measures date back to 2002 and even earlier. More than 400 decisions have been made by different agencies, including the Canada Revenue Agency, which receives inquiries from businesses and tax advisors asking whether they can interpret a specific condition in the Income Tax Act in a particular way. The Agency then sees that this was not foreseen by the legislator and proposes an amendment.

Over time, the Canada Revenue Agency has collected its interpretations of more than 400 issues. Now, over 10 years after the last tax bill was passed, we are discussing another bill.

Obviously, the department drafted this bill after consulting the private sector. The Standing Committee on Finance, on which I sit, has heard from private sector representatives. They spoke about several tax issues, including the technical issues we are discussing, as well as the complexity of the current legislation. I will get back to this a little later in my speech.

The impressive Bill C-48 has been before us since November 21, 2012. I doubt that more than a dozen of the 308 members of Parliament will read the whole thing before they have to vote on it. This is understandable, because these are of course extremely technical issues. It really is a shame, though, because it undermines our role as MPs, as representatives of our constituents. We cannot realistically vote with a full knowledge of all the elements in the bill. They just throw this at us in Parliament, at first reading. Yes, we will discuss it at Standing Committee on Finance meetings. It will eventually be passed at second and at third reading. However, for a matter as important as taxation, the Conservatives are being pretty casual by tabling this bill in the House of Commons and asking us to pass all of its recommendations, which will probably not be studied very carefully by the House. It is not that we are unwilling to do study the bill, but it will be really difficult to understand the scope of the measures being put forward because they are so complex and so highly technical. The Standing Committee on Finance will do the best it can, but still, the way the bill was introduced is a real concern.

Bill C-48 is an omnibus bill. We agree on this. However, unlike Bill C-38 and Bill C-45, otherwise known as mammoth bills or monster bills, this is a real omnibus bill. Bill C-38 and Bill C-45 contained a patchwork of measures and legislation. In those two bills, which are now law, more than 130 items were added, deleted or amended in two votes. Bill C-48 has a single basic principle that aims at amending the tax system consistently and making it fairer.

I would just like to quickly go back to the definition of an omnibus bill to confirm what I am saying. According to the Library of Parliament, an omnibus bill per se is a bill that, while it aims at creating or amending several different acts, has “one basic principle or purpose which ties together all the proposed enactments and thereby renders the Bill intelligible for parliamentary purposes”.

• (1335)

Bill C-48 is an omnibus bill. Bill C-38 and Bill C-45 were not really omnibus bills.

As I mentioned earlier, this bill is nearly 1,000 pages long. It updates the rules relating to many different tax measures that are still outstanding and brings them into harmony with the current system.

Regarding the tax changes, the implementation of the measures in this bill is unique. We have a majority government, and the rules in the bill will be adopted. As my colleague, the official opposition's finance critic, said in her speech, we are going to support this bill at second reading. In fact, the rules are practically in effect already, according to the International Financial Reporting Standards, as they have been ever since first reading when the bill was tabled on November 21, 2012.

They are also valid and in force according to the Canadian accounting standards for private businesses. Since November 21, our businesses have had a little more security and stability under Canadian and international standards, something that will be welcomed by these firms. The Standing Committee on Finance has heard this on a number of occasions.

For a number of years, in fact, there has been an effort to achieve some harmonization of accounting standards and tax rules at the international level. This is another set of issues that the government should at least look into. The reason is very simple: we see it as a way of facilitating the containment of tax evasion. Thanks to my colleague from Brossard—La Prairie, this is something that the Standing Committee on Finance will be addressing.

We are also facilitating trade and investment in a world that is increasingly integrated in economic terms, but in which standards still differ from country to country. Tax evasion is a major problem. It exists because of loopholes in the Income Tax Act and other tax legislation, including legislation on corporations.

With consistent rules and cohesive tax regulations, we can help companies to be much more competitive and to know what to expect. Regulatory predictability is a key factor in minimizing the risks our industries face. The OECD, in particular, has demonstrated leadership in arranging the coordination of rules internationally.

*Government Orders*

In Canada, it is the Accounting Standards Board that has handled the incorporation of international rules into the Canadian legal system and Canadian standards. According to the Canada Revenue Agency, the rules in this bill are currently in force for publicly accountable enterprises.

With the tabling of this bill today, we have an opportunity to discuss issues relating to Canada's tax structure, given that action is already being taken by the various accounting bodies. Needless to say, most of the changes in Bill C-48 are in fact not only familiar to the main parties concerned, but more importantly, are already being applied in their operations. Hence, there should be no great surprises in the debate, or in the eventual passage of this bill.

There are no special innovations in Bill C-48, apart from two minor technical amendments that are included in the bill.

As I noted in my earlier questions to the parliamentary secretary and our official opposition finance critic, the Income Tax Act currently runs to 3,000 pages. The original act passed in 1917 had 10 or so pages. Now, it has 3,000. A bill like this one will add many more, in order once again to eliminate specific tax loopholes.

As the system grows in complexity, however, there are more and more opportunities to find loopholes in the legislation that companies and individuals, who in many cases have the resources to work with tax consultants, can use to try to introduce personal arrangements that will ultimately reduce the fairness of our tax system.

A well-known Quebec tax specialist, Brigitte Alepin, who testified last year before the Standing Committee on Finance, has written a book explaining that Canada's tax system is headed for a brick wall and that the government should do something before it is too late. In her book, she explains that in order to be sustainable, taxation systems should generally follow three major principles: they should be simple, effective and equitable.

The Canadian system, unfortunately, is trying to distance itself to a dangerous degree from those principles, hence the urgency of reviewing the foundation on which it is built.

● (1340)

In her book, Ms. Alepin also points out that an ideal tax system should be cost-neutral; in other words, it should not be too expensive to administer.

She refers to a study conducted by the Fraser Institute, which I do not often quote here in the House. It is worth mentioning here today, however. The 2007 study evaluated the cost of administering the Canadian tax system.

In 2007, the Fraser Institute estimated the cost of the system to be between \$19 billion and \$31 billion, that is, about \$950 per Canadian. Thus, the cost of administering the system is incredible. It is a huge and complex system, but we should not have to pay nearly \$1,000 a year for every Canadian in order to administer it.

We need to debate the complexity of the tax system. Indeed, Bill C-48 allows us to do just that. We need to have this debate because the issue of simplifying the system, much like the issue of

simplifying the Canadian justice system, is important for every Canadian, including the people we represent here in the House.

I would remind the House that the Supreme Court of Canada stated that tax laws should be certain, predictable and fair so that taxpayers can order their affairs intelligently. It also described some consequences of complex tax laws, and these were reiterated in 2009 in the Auditor General's fall report. She stated:

Taxpayers' ability to comply with tax legislation depends on their understanding of how the rules apply to their own circumstances. When the intent of the legislation is not clearly conveyed by the words, taxpayers may find it difficult to assess the income taxes they owe and this could foster tax avoidance. Uncertainty about how the law should be applied can also add to the time taken and costs incurred by tax audits and tax administration.

This issue is so fundamental and so important that it was one of the central topics of all the recent prebudget consultations that the finance committee was pleased to have the opportunity to hold regarding previous budgets. During the consultations, several witnesses talked about the problems and difficulties that Canada will encounter if we do not begin to recognize the situation we are in and do something about it.

One of the people I would like to quote is Denis Saint-Pierre, chair of the Tax and Fiscal Policy Advisory Group of the Certified General Accountants Association of Canada. The Government of Canada quoted this organization to support what it was saying about the benefits of Bill C-38, but the organization said something else that the government failed to mention. Mr. Saint-Pierre said that, when the Standing Committee on Finance invited Canadians to share their priorities for the 2013 federal budget, the committee asked him five questions to which he could provide only one answer again this year and that is that the simplification of the tax system is vital. He said:

Canada's tax system is unduly complex. Entrepreneurs will tell you that. My clients tell me that. There is a growing consensus that the complexity of Canada's tax system must be addressed if Canada is to remain competitive, able to attract business and investment, and create jobs and economic growth.

For example, the Canadian Chamber of Commerce identifies Canada's complex tax system as one of the top 10 barriers to competitiveness. Tax simplification is the number one public policy priority for CGA-Canada.

Robin Bobocel, vice-president of public affairs for the Edmonton Chamber of Commerce, said exactly the same thing:

One of the significant costs that business bears with such a complex tax code is compliance with it. There's a significant cost borne on simply filing tax returns and trying to ensure that you're taking full advantage of the tax code as it sits.

This was mentioned in the study conducted by the Fraser Institute. Quite frankly, Canada's global competitiveness will suffer the consequences if we do not conduct a comprehensive review of the tax code.

Here is one last quote from someone who testified before the Standing Committee on Finance on the very important issue of the complexity of the tax system. Michael Conway, chief executive and national president of Financial Executives International Canada, had this to say before the committee:

*Government Orders*

We again recommend that the Minister of Finance establish a task force to undertake a comprehensive review of the federal Income Tax Act, with the objective of reducing complexities, because—to be clear—compliance has become unmanageable, and the costs are killing everyone.

● (1345)

That act is too cumbersome for the government to administer and it creates an excessive burden on business, especially small business, which is one of the engines that drive our economy.

In its final report on the pre-budget consultations, the committee unanimously recommended that the federal government undertake a comprehensive review of the tax system and ensure its fairness as well as neutrality by continuing to close tax loopholes that allow select taxpayers to avoid paying their fair share of tax.

The tax system's complex and cumbersome nature, in addition to being costly for the taxpayers, undermines the concept of fairness that would allow taxpayers to see it as legitimate.

The Standing Committee on Finance has already done some work on this. For some people the tax system is an exciting issue, while for others it seems more technical. It affects one of the essential elements for Canadians, that is, to contribute fairly to this society and this country in which we live.

Since 2011, when we became the official opposition, and even since the current government took office in 2006, the government has shrugged off all taxation issues in a most disingenuous way. During debates, the government regularly mentions the phantom carbon tax the NDP wants to impose, although there is no such thing. Moreover, in all their speeches, the Conservatives say that the NDP wants to tax and spend, which is also not the case.

If we look at the records of all the NDP governments in the country—provincial ones, since we have not governed the whole country—we find that NDP governments have achieved more balanced budgets than the other parties that have governed the provinces, territories and the country since 1987, or even 1982, if we want to go back that far.

Now we need to debate tax policy like grown-ups. The NDP is ready to do that and the other opposition parties are probably ready as well. We must stop treating the taxation system as a purely political issue and listen to the voters who are stuck in a system so complex that they cannot tell the true facts from the illusions the government has created.

When people talk about the complexity of the taxation system, the tax brackets are not the problem. The tax brackets are very simple for the individuals or businesses filing their tax returns.

We must consider three key elements, two of which are easy to analyze.

First, there are loopholes. Bill C-48 is supposed to deal with this problem. We certainly hope that some of these loopholes can be eliminated.

Then there are tax expenditures, and especially boutique tax credits, that is, a choose-your-own list of tax credits for various parts of Canadian society. They include tax credits to assist volunteer firefighters and those for families that want their children to have more training in the arts or sports activities. These are non-

refundable tax credits. The people who use them are paying taxes. Thus, the people who need them most are not able to use these tax credits.

Finally, there is a lack of concerted effort and coordination internationally. This has to be addressed at the most basic level. It is necessary for Parliament as a whole and every member of Parliament to participate in seeking more fairness and exploring ways our tax system can adapt to the new reality, because the Income Tax Act has been around since 1917, and making sure that Canada remains competitive.

Adding the complexity of Bill C-48 to the already complex Income Tax Act is not the way to resolve this fundamental issue that will soon have to be addressed.

We will support Bill C-48 at second reading.

We hope to have a good debate on it in the Standing Committee on Finance. I will be pleased to take questions from the hon. members.

● (1350)

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, I thank my colleague for his speech. We are seeing an expert on this issue at work and he has given us a complete analysis of Bill C-48.

My colleague spoke about complexity in relation to this bill and the technical aspects that have been addressed. However, it is essential that we guarantee the integrity of our tax system.

Could my colleague say a little more about this issue of integrity and tell us how to facilitate the incorporation of the technical changes into the legislation?

**Mr. Guy Caron:** Mr. Speaker, I thank the member for Saint-Lambert for this very important question. One of the things I mentioned was that 400 measures or 400 opinions of the Canada Revenue Agency and other authorities were included in this technical bill. There are another 200 measures that have been proposed or submitted by the Canada Revenue Agency and other authorities that are not included. So we still have a lot of work to do.

The issue of integrity is crucial and is central to the debate. If we are to form a coherent society in which people are able to see that the system is fair, everyone has to be able to contribute their fair share and not have the feeling that some people, some groups, some businesses, are able to get away with not paying their fair share toward the development of the society in which we live.

It is therefore crucial that we be able to address not only a few technical issues—of which there are many, particularly in this document—but also the question of simplification. We have to ensure that everyone is able to identify with it. No one can really claim that they are fully conversant with the system and are able to get all the benefits of it without having a tax advisor, something that is not necessarily in everyone's budget. The issue of integrity and fairness is therefore a fundamental one that this government must address.

*Statements by Members*

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank my colleague from Rimouski-Neigette—Témiscouata—Les Basques for his speech. I would also like to send him my greetings and say that I am eager to join him on the Standing Committee on Finance to help improve things.

In my experience on other committees, and particularly the Standing Committee on International Trade, I have had the opportunity to admire very close up what might almost be seen as candour, albeit relatively harmless. I am referring to the culpable naivety of the government when it comes to Canada's ability to compete in the world. In relation to fiscal policy, we are talking about both individuals' and corporations' ability to compete.

Sometimes it is frightening to see the extent of the magical thinking that goes on. My colleague has observed this very accurately. Unfortunately, while we do support Bill C-48, the Income Tax Act will be a great deal more complex.

I would like to invite my colleague to share his vision of matters in relation to the problem of the ability of the various actors in Canada's domestic economy to compete on the international market, in connection with the problems he has identified.

• (1355)

**Mr. Guy Caron:** Mr. Speaker, the question may be addressed on many levels. I will not be able to provide all the answers in the one I am giving now.

There are two specific aspects. The first is that all the resources invested by our businesses to comply with the Income Tax Act and all tax legislation are resources that cannot be spent or allocated elsewhere, on research and development or international marketing capability. There are many areas where those resources would probably be better spent. Unfortunately, they must be allocated to tax planning, which is necessary because of administrative complexity.

The second aspect concerns competition between nations. This is competition that I consider somewhat fictitious, but it nevertheless exists and must be taken into consideration. Some jurisdictions, countries wishing to lower their tax rates for large businesses—what we call tax havens—attract some businesses, or at least their parent companies, and make it much harder to ensure that those businesses will contribute to Canada's well-being through the tax system.

Industrialized countries have taken many measures, through the OECD, for example, but much work remains to be done to ensure that there is international co-operation and that businesses operating in all countries with tax systems similar to ours do not play countries against each other in a race to the bottom.

**Mr. Raymond Côté:** Mr. Speaker, I would like to take this opportunity to put the following question to my colleague because he was our party's industry critic.

A few days ago, some business people bluntly criticized me for the government's ongoing lack of recognition. This is a big problem. Here again, we are talking about competitiveness, support and fair play. As my colleague will agree, our entrepreneurs need clear and simple rules, but they especially need fair play because the cheaters absolutely should not be rewarded by administrative complexity and loopholes.

Would he like to elaborate further on that subject?

**Mr. Guy Caron:** Mr. Speaker, like my colleague, the member for Beauport—Limoilou, I have heard the same comments from the business community.

It must be understood that, like most individuals, the vast majority of businesses pay what they are required to pay in accordance with the currently established rules. People find ways to work around the rules, but that could be the topic of another debate or discussion on the question of what the tax burden of corporations and individuals should be. In the business community and among individuals in general, there are some bad apples who try to cheat the system and let others bear the burden. That is how the system gets a bad reputation and no longer achieves its fairness objectives.

With respect to the scope of the question, we must also understand what is currently going on in Quebec, particularly with the commission investigating the construction industry. That is giving the general public a relatively negative image of business people and entrepreneurs that is not really consistent with reality.

A lot of work has to be done. The business community has already approached the NDP and most MPs, asking them for help in developing a better image and making a meaningful contribution to Canada's development.

**The Acting Speaker (Mr. Bruce Stanton):** The hon. member for Rimouski-Neigette—Témiscouata—Les Basques will have two and a half minutes to finish his remarks when the House returns to this matter.

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## STATEMENTS BY MEMBERS

[English]

### NEWMARKET WINTERFEST

**Ms. Lois Brown (Newmarket—Aurora, CPC):** Mr. Speaker, I rise to invite members and all Canadians to my beautiful riding of Newmarket—Aurora this February 2 and 3 for two days of adventure and outdoor fun at Newmarket Winterfest.

There will be crafts, games, pony rides and face painting for the little ones; spaceball gyroscope, snowshoe races, and a treasure hunt and snow painting for teens; and snow bowling, a hockey shot challenge and snow golf for any age.

People can start their day with a pancake breakfast, take a horse-drawn wagon ride, watch the chainsaw carving demonstrations, enjoy entertainment on the Riverwalk Commons' outdoor stage or go for a free family skate or swim.

I, along with the organizing committee and the hundreds of volunteers working hard to make this the best Newmarket Winterfest yet, hope to see members there.

*Statements by Members*

● (1400)

[Translation]

**FAMILY LITERACY DAY**

**Mrs. Sana Hassainia (Verchères—Les Patriotes, NDP):** Mr. Speaker, yesterday across Canada, we celebrated Family Literacy Day, an initiative designed to help adults introduce children to the joys of reading and writing. It is also an opportunity for parents to make reading and writing part of their family's routine.

In my riding and elsewhere in the Canadian Francophonie, literacy organizations teamed up with libraries and parents to promote reading together as a family.

In particular, I would like to thank the following organizations for their efforts: the Fédération canadienne pour l'alphabétisation en français, Frontier College, the Table des responsables de l'éducation des adultes et de la formation professionnelle des commissions scolaires du Québec and the Fédération québécoise des organismes communautaires Famille. I would also like to thank the following organizations in my riding: Alphabétisation IOTA, Le Fablier and L'Ardoise.

I encourage all of my colleagues to do everything they can to support family literacy.

\* \* \*

[English]

**DONALD M.E. HAMILTON**

**Mr. Andrew Saxton (North Vancouver, CPC):** Mr. Speaker, I rise today on a sad occasion to mark the death of a great broadcaster, a great Canadian and, most importantly, a great friend.

Donald M.E. Hamilton passed away peacefully on December 2 in Victoria with family by his side.

He started out life in Ontario then moved out west in the 1960s, where he became a pioneer in FM radio. Recruited by the Moffat Broadcasting group, he led fledgling CKLG radio and CFOX FM to unprecedented success in Vancouver's competitive rock music market.

From there, Don's enthusiasm and larger than life personality drew respect from his colleagues, who elected him president of the B.C. Association of Broadcasters. He later served on the board of the CBC.

A lifelong Conservative, Don served as B.C. campaign chair for Robert Stanfield, Joe Clark and Brian Mulroney.

Don was also a great speech writer. Although he will always be remembered for his commitment to community and national affairs, above all he will be cherished as a family man and a loyal friend.

As Don once reminded me, "Be bold old friend, be bold".

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**ABORIGINAL AFFAIRS**

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, last week was the one-year anniversary of the Crown-first nations gathering, where the Prime Minister promised to reset the relationship with

aboriginal people through consultation and co-operation, to close the gaps in educational outcomes, to bring safe drinking water to every reserve community, and to make progress on advancing claims resolution and treaty implementation.

Unfortunately, there has been no substantive change or progress on these commitments and many outcomes are getting worse. Furthermore, the Conservative government still stubbornly refuses to fulfill its legal obligation to consult with aboriginal peoples in Canada on matters that may impact their inherent and/or treaty rights.

Aboriginal and non-aboriginal people in Canada are frustrated with the government's litany of broken promises.

[Translation]

After seven years of Conservative rule, action is long overdue.

[English]

The Prime Minister must rebuild the trust of aboriginal peoples in Canada on a foundation of co-operation and progress rather than empty promises.

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**JOHN WISE**

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, on January 9 we were saddened by the passing of the hon. John Wise. He was well-known for his active life in the community and his political accomplishments, but most loved for being John Wise the person, the friend, the mentor.

John Clayton Wise was a dairy farmer, a local reeve and the warden of Elgin County. He was a member of Parliament from 1972 to 1988 and was the minister of agriculture in two prime ministers' cabinets. Just being all of that would be an incredible accomplishment for most people, but John was much more.

John was the husband to Ann for 54 years. He was a loving and devoted father to Susan and Elizabeth and a loving grandfather to Jess and Grant. John was all of these things and more.

John Wise was my friend and mentor. I will miss his advice, but mostly our community and country will miss the man. My thanks to John.

\* \* \*

[Translation]

**DATA PROTECTION DAY**

**Ms. Charmaine Borg (Terrebonne—Blainville, NDP):** Today Canada, along with many countries around the world, is celebrating Data Protection Day. As our societies are becoming increasingly digitized, the Internet is playing a much larger role in the economy, education and civic engagement.

[English]

Digital technologies allow families and friends to connect more easily; business people to market their products more quickly; students to learn more; and activists to network and exercise our democracy more effectively.

*Statements by Members*

[Translation]

However, Canadians face serious threats, as we saw recently when the government lost a significant amount of personal data.

• (1405)

[English]

On Data Protection Day, it is important to reflect on one crucial lesson: government must be proactive in developing strong, transparent laws and policies to protect the personal information of Canadians in the public and private sectors. Cleaning up spills after the fact is too little too late.

[Translation]

That is why the NDP continues to call for measures to protect Canadians' personal data. It is time to be proactive on this issue so that Canadians can enjoy a personal data protection system that is trustworthy and recognized around the world.

\* \* \*

[English]

**DURHAM**

**Mr. Erin O'Toole (Durham, CPC):** Mr. Speaker, it is with great excitement and a profound sense of duty that I stand today to thank the people of Durham for their confidence in me as their member of Parliament.

In many ways, the small communities of Clarington, Scugog and Uxbridge perfectly represent the small towns, villages and people that built our country. In Newcastle, the visionary Massey family first built farm machinery to till our soil, and eventually Massey Ferguson tilled the fields of Canada. In Uxbridge, Lucy Maude Montgomery penned most of her *Anne of Green Gables* novels, telling one of the first quintessentially Canadian stories. Port Perry grew up alongside the Mississaugas of Scugog Island First Nation. At the centre of this community is the idyllic and popular Lake Scugog, which some say took its name from the Mississaugas' word for "waves leap over a canoe".

From the past to the present, Durham remains a proud and important part of Canada. I am indebted to the people of Durham, and particularly to my wife Rebecca and children Mollie and Jack, for providing me with the support and confidence to join this House of Commons.

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**THE ECONOMY**

**Ms. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, as I travelled throughout my riding during the last six weeks, people indicated to me how pleased they were with our Prime Minister and our government. Our government will continue to focus on what matters to Canadians: jobs, economic growth and long-term prosperity for all.

Since the height of the recession, Canada has created over 900,000 net new jobs. That is the best growth in the G7, testament to the strong leadership of our government. That also stands in stark contrast to the Liberal Party, which has no economic plan, and the NDP whose economic plan is a \$21 billion job-killing carbon tax.

Canadians can rest assured that our government will continue to focus on jobs, economic growth and long-term prosperity, and we will continue to make Canada an island of stability in a troubled global economy.

\* \* \*

**ABORTION**

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, 25 years ago, in the landmark Morgentaler decision, the Supreme Court recognized a woman's right to choose. Today, New Democrats recognize and thank Dr. Henry Morgentaler for his commitment to protecting a women's right to reproductive choice. Thanks to Dr. Morgentaler's fight, a generation of Canadian women has had access to choice.

We acknowledge the health care professionals and service providers who still take risks to perform abortions. We stand in solidarity with advocates and women fighting to support women's reproductive rights.

Today, 25 years later, a vast majority of Canadians support a woman's right to choose, and that is why the Conservative government has veiled its attempts to roll back women's reproductive rights. We must remain vigilant: challenges to accessing abortion care in Canada still exist. Women's reproductive rights are fundamental to the struggle for the full equality of women here in Canada and abroad.

Today, as we celebrate this important anniversary, we must commit ourselves to ensuring that future generations of Canadian women have reproductive choice, for all of us.

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**NEW DEMOCRATIC PARTY OF CANADA**

**Mr. Blaine Calkins (Wetaskiwin, CPC):** Mr. Speaker, in a scene reminiscent of Custer's last stand, the New Democrats bravely stand in the way of strong economics and common sense in their continued insistence that Canada is suffering from the Dutch disease. They have faced an unending barrage of attacks, starting with the Canadian Building Trades, which said that the NDP would be very bad for workers and the entire Canadian economy.

The New Democrats continued their hopeless defence when the Governor of the Bank of Canada said their argument was "overly simplistic and, in the end, wrong".

The Canadian Manufacturers & Exporters was clear in saying, "The fact is that all Canadians stand to benefit in very real ways from the wealth created by these developments and by their suppliers".

Ontario's finance minister made it clear that "Alberta's oilsands are a valuable resource...that helps fuel the Canadian economy...".

Finally, we have the Macdonald-Laurier Institute, a highly respected think tank, that recently released a report indicating that the resource sector is a boon to Canadian manufacturers.

Will the NDP continue its hopeless fight, or will it finally surrender and abandon its assault on common sense economics?

*Statements by Members*

●(1410)

[Translation]

**RICHARD GARNEAU**

**Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP):** Mr. Speaker, today I would like to acknowledge the work of an exceptional man, a pillar of the journalism community, who certainly had a great impact on Quebec society.

Richard Garneau passed away on January 20 at the age of 82, depriving us of his eloquence, professionalism and love of sport.

Richard Garneau called games on *La Soirée du hockey* for 23 years and was a commentator at 23 Olympic Games. He spent most of his long career with Radio-Canada and became an ambassador of the French language.

When Richard Garneau introduced us to great Olympic athletes from Slovakia, Czechoslovakia and elsewhere, with names that only he managed to pronounce properly, we discovered the diversity of our world and Canada's and Quebec's place in the global community.

A great champion of the French language is gone. It is up to us to take up the torch of excellence that he passed on to us.

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[English]

**THE ECONOMY**

**Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC):** Mr. Speaker, the NDP members have been busy during their six-week break from Parliament scheming to implement a job-killing \$21 billion carbon tax upon the people of Canada. The NDP's proposed carbon tax would kill jobs and raise the price of gas, groceries, electricity and everything else.

While the NDP has been concentrating on implementing its carbon tax, our Conservative government is focused on jobs, economic growth and long-term prosperity. In fact, Conservative MPs and cabinet ministers conducted over 200 meetings across Canada during the six weeks, focusing on jobs and economic growth so that we can build a budget for all Canadians. It should come as no surprise that Canada has the lowest debt burden of any country in the G7 and the top job creation record, with over 900,000 net new jobs created since July 2009.

People can count on our government to stand up against the NDP's job-killing \$21 billion carbon tax.

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**SENIOR CROSS-COUNTRY RUNNER**

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, I rise today to recognize Murdock Hiscock who, at 70 years old, is an avid cross-country runner and an inspiration in the sports community in Newfoundland and Labrador. Murdock is from Fortune in my riding of Random—Burin—St. George's.

In addition to maintaining his own active lifestyle, he has consistently championed the benefits of physical activity. In 2011, he helped form a group to motivate others to get active.

Mr. Hiscock suffered a heart attack in late 2011 and within just four months was back running and winning. He began an impressive winning streak, placing first in three provincial races and second in a fourth race.

A familiar face at the Tely 10 race in St. John's, this year Murdock dedicated his race to his late daughter, Juliette, who was training to run with her father but was tragically killed in a motorcycle accident. Murdock was awarded the Dr. John Williams Award for his outstanding enthusiasm and vigorous encouragement of others to get involved.

I ask all members to join me in recognizing Murdock Hiscock, who has consistently shown that perseverance and commitment can help deal with the most tragic of circumstances.

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**NEW DEMOCRATIC PARTY OF CANADA**

**Mr. John Carmichael (Don Valley West, CPC):** Mr. Speaker, on this first sitting day of 2013, I would like to wish you and all members of this House a happy new year.

As Canadians look forward to 2013 with hope and optimism, a dark cloud looms on the horizon. A new \$21 billion job-killing carbon tax is still on the table for the NDP. In fact, the NDP leader has been clear on his plans to impose this massive job-killing carbon tax. Only last year he said he was proposing a system of carbon pricing that “will produce billions”. This NDP job-killing carbon tax would raise the price of everything for Canadian families, including gas, groceries and electricity.

My constituents do not want this new scheme that will take money from their pockets and put their jobs at risk. That is why I stand firmly with my Conservative colleagues against the NDP leader's job-killing carbon tax.

\* \* \*

**CONSERVATIVE PARTY OF CANADA**

**Mr. Dan Harris (Scarborough Southwest, NDP):** Mr. Speaker, holidays are a time for family and friends to spend valuable time together. However, they are also a time for reflection, to take stock of the year that was.

For Conservatives, 2012 was filled with lowlights: environmental protection laws gutted; EI and government services cut; a generational reduction to old age security; the largest meat recall in Canadian history; the F-35 fiasco; the selling off of our resources to China; and minister after minister caught up in ethical scandals.

*Oral Questions*

How have the Conservatives started the New Year? By breaking conflict of interest rules and stuffing even more of their Conservative cronies into the unelected and unaccountable Senate. In contrast, New Democrats elected a new leader in 2012 and assembled an opposition that is focused, energized and united.

While Conservatives start 2013 plagued by scandals and mismanagement, New Democrats will offer practical solutions and proposals to build a fairer, greener and more prosperous Canada for all.

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• (1415)

**LEADER OF THE NEW DEMOCRATIC PARTY OF CANADA**

**Mr. Costas Menegakis (Richmond Hill, CPC):** Mr. Speaker, over the past six weeks I have had the opportunity to speak and consult with hundreds of constituents and hard-working Canadians. One thing is very clear. They do not want to see the NDP's \$21 billion carbon tax.

We all know that the NDP leader is planning to generate billions through a carbon tax that would increase the price of everything for Canadian families, including gas, groceries and electricity. It is written in black and white in their election platform, and the NDP leader actually promised to go beyond the NDP's carbon tax scheme to win the party's leadership. Last March he also clearly stated that of course he had a cap-and-trade program that would produce billions.

Canadians can count on our government to lower taxes so they can keep more of their hard-earned dollars in their pockets. We will continue to oppose the NDP leader's \$21 billion carbon tax scheme.

**ORAL QUESTIONS**

[Translation]

**FOREIGN AFFAIRS**

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, I would like to begin by wishing you and your team a productive parliamentary session in the interests of all Canadians.

[English]

Can the Prime Minister please update the House on Canada's involvement in the ongoing mission in Mali?

[Translation]

Can he confirm that his government will consult the House of Commons and parliamentary committees on this matter?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the short answer is yes.

[English]

As I think most parliamentarians will know, the government has been very clear that it will not undertake a Canadian combat mission in Mali. At the same time, we are providing technical assistance to the French and other military forces who are there. We have committed heavy lift aircraft to that engagement, which is being done under a United Nations mandate.

Of course, through this chamber and through committees, we will be consulting with parliamentarians on any further steps that need to be taken.

\* \* \*

[Translation]

**ABORIGINAL AFFAIRS**

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, current unemployment rates in first nations communities are as high as 80%, and half of the homes in those communities are in a dismal state. Schools and students in those communities receive 30% less funding than those elsewhere.

Last year, during meetings between the Crown and first nations, the Prime Minister promised to renew the nation-to-nation relationship with first peoples. He promised meaningful consultations; he never listened. He promised to attack these problems; instead, he attacked the chiefs.

Will the Prime Minister finally agree to take meaningful action on this matter?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this government has put forward several unprecedented, meaningful measures for Canada's aboriginals. We have built new homes, created new schools and constructed new potable water systems. We have also resolved a number of land claims. Of course, there is still a lot to be done. Nevertheless, we will pursue our agenda in co-operation with positive partners.

[English]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the Prime Minister promised meaningful consultation. Gutting environmental protection for thousands of lakes and rivers on aboriginal territory is not meaningful consultation. Cancelling thousands of environmental assessments over the objections of first nations is not meaningful consultation.

The Prime Minister promised respect on a nation-to-nation basis. Will the finally agree to Prime Minister consult, and to listen, on the environmental protection of first nations' lands and waters?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, protection of aboriginal treaty rights and consultations in these various processes are in fact enshrined in the very laws that this government has passed through the Parliament of Canada. On top of that, we have made unprecedented investments into things that will make a concrete difference in the lives of people, in skills training, in housing on reserves, in potable water, in schools, in treaty rights, in the protection of the rights of women and in the resolution of many land claims as well.

We will continue to work with those positive partners who seek to make progress.

*Oral Questions*

• (1420)

*[Translation]*

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, if the Conservatives respected the treaties or the nation-to-nation negotiating principle and consulted with aboriginal people before introducing bills that have a direct impact on their rights, there would be no such thing as Idle No More.

The political inaction that has lasted for decades under both the Liberals and the Conservatives is no longer an option.

Today, I introduced a bill to ensure that Canadian laws are consistent with the UN Declaration on the Rights of Indigenous Peoples.

When will this become a reality?

*[English]*

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we are working in partnership with first nations on the issues addressed in the United Nations Declaration on the Rights of Indigenous Peoples. We continue to work with willing partners on shared priorities, including education, economic development and access to safe drinking water.

Our government continues to take action because we believe that first nations deserve the same opportunities as all other Canadians.

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, why did the Conservatives endorse this declaration in 2010 and then ignore it? Conservative inaction is being criticized by first nations and other Canadians from coast to coast today.

The NDP is listening. The NDP values consultation. My bill ensures that our laws are consistent with the UN Declaration on the Rights of Indigenous Peoples. Will the Prime Minister or the minister agree to support this important initiative?

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, the member opposite knows we have been working in partnership with first nations for seven consecutive years. Since 2006 we have delivered on our promise to improve accountability and transparency. We have settled over 80 land claims. We have invested in over 700 projects that are linking aboriginals in Canada with jobs, job training, counselling and mentorship programs.

We are proud of our record. We will continue to support first nations so they can achieve the prosperity they deserve.

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, in November last year, the national chief wrote a letter to the Prime Minister expressing profound concern that in fact progress was not being made, that in fact aboriginal people were not being appropriately consulted, and that in fact there was no basis upon which he could say, to the people that he represented, that in fact substantial progress was being made.

Can the Prime Minister tell us what further action he is going to take? What change is he going to introduce that will end the sense that the aboriginal population of Canada is being marginalized by the policies of the Government of Canada?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, in fact the government has put out a report card on the various actions it has undertaken recently to deal with a series of commitments. It is important that we make progress on these issues. As I have said many times before, aboriginal people, based on the areas in which they live in the country, will have unprecedented opportunity in the generation to come.

I notice aboriginal people have never been as strongly represented in the Government of Canada as they are in this caucus today. We intend to move forward.

*[Translation]*

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, since this government has signed the UN Declaration on the Rights of Indigenous Peoples, can the Prime Minister tell us unequivocally that the government accepts its responsibilities?

Does the government acknowledge that Canada has legal obligations as a result of signing the UN Declaration?

• (1425)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I have been clear about this on many occasions: we always meet our legal obligations under the Constitution of Canada and our treaties.

We are taking meaningful action to improve the lives of ordinary aboriginal people in communities throughout the country. We are pursuing these initiatives with positive partners who also want substantial progress to be made.

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*[English]***PARLIAMENTARY BUDGET OFFICER**

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, one of the commitments the Conservative Party made in 2006 was to create an independent parliamentary budget authority to provide objective analysis directly to Parliament.

I ask the Prime Minister, how is that statement and the creation of the Office of the Parliamentary Budget Officer in any way, shape or form compatible with the kind of cheap partisan attacks that the Minister of Finance made against the Parliamentary Budget Officer and against his observation that the job of the Parliamentary Budget Officer was to be a sounding board for the government? Does the Prime Minister not realize it is independent and—

**The Speaker:** The right hon. Prime Minister.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, of course I would not in any way accept that categorization.

I would state clearly that it was this government that created the parliamentary budget office. We have done so in order to enhance a dialogue to ensure there is a non-partisan, credible source of opinion on fiscal matters. We will go forward in a way that ensures we have an officer and an office that are non-partisan and credible in their economic appraisals.

*Oral Questions***ABORIGINAL AFFAIRS**

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, on this global day of action and with growing Idle No More protests, we are reminded just how much Conservatives have turned their backs on their duty to consult the people affected by their omnibus bills, further tainting relationships with first nations and even making resource development more complicated.

We are committed to repairing this relationship because Canada is stronger when we work together. Why will Conservatives not agree to address the concerns of first nations around their omnibus budget bills?

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, our government respects our obligations on the duty to consult. Every year we carry out approximately 5,000 consultations with first nations.

As minister, I have now visited over 50 first nation communities since 2010. I have had hundreds of productive meetings with first nation chiefs, councillors and community members across the country. We will continue to work in partnership with first nations to create the conditions for stronger, healthier communities.

[*Translation*]

**Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):** Mr. Speaker, the Conservatives and the Conservatives alone are responsible for the protests being organized by the Idle No More movement.

When the Conservatives imposed omnibus bills C-38 and C-45 without any consultation, they showed their arrogance towards all Canadians who support the aboriginal cause. The path to reconciliation begins with respecting the nation-to-nation relationship.

Will the Conservatives acknowledge what is happening outside or will they continue to pass legislation that does not respect treaties or the basic rights of aboriginal people?

[*English*]

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, I am proud of the concrete actions we have taken to improve the lives of aboriginal people over the past years.

Since 2010, I have brought forward six pieces of legislation that will improve the living standards of aboriginal men, women and children across the country. Just this past month I announced funding for clean drinking water projects and economic development initiatives and a national initiative to improve first nation graduation rates.

I remain committed to working with aboriginal people and to taking concrete steps to enable them to become full participants in the economy.

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**GOVERNMENT ACCOUNTABILITY**

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, concrete steps? The fact is the Conservatives failed to consult with any Canadians before ramming through their budget bills.

The Minister of Finance claimed Conservative cuts would affect back operations and not front-line services. Now he has been proven wrong. The PBO reports that back office spending has gone up by 8%, whereas services Canadians rely on have been cut by 4%.

Will the minister just come clean and admit that his reckless cuts have been a mistake?

• (1430)

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, actually I must inform the House that the budget officer has his definitions wrong and is ill-informed on these issues.

In fact, we stand by our commitment to ensure that the focus of our reductions are on back office operations. We are committed to delivering high-quality services to Canadians as we have done in the past. That is how we get the economic fundamentals right in our country, and we will continue to do so.

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, yesterday the minister had the gall to attack Kevin Page, claiming his reports were “wanting”.

What is left wanting is the Minister of Finance. He has been proven wrong on every major prediction. Just today, Moody's downgraded six Canadian banks.

It is clear the Conservatives want to gut the Office of the Parliamentary Budget Officer for one reason: sometimes the truth hurts. Will the minister just admit his plan is to turn the office of the PBO into a Conservative echo chamber?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, nothing could be further from the truth.

As the Prime Minister indicated today, we created this office. We are committed to the office continuing to exist. We will ensure that Parliament has the opportunity to consider a credible replacement.

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, the Conservatives already had no qualms about impeding the work of the Parliamentary Budget Officer, but now the Minister of Finance is downright hostile toward him. He is blatantly vindictive because the budget officer dared expose the countless Conservative financial abuses.

Instead of wasting his time publicly fighting an independent auditor, the minister should keep watch over his ranks to make sure that a fiasco like the F-35 boondoggle does not happen again.

Will they stop attacking the budget officer and this neutral institution and protect its long-term viability?

*Oral Questions*

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, as the Prime Minister already said, we created this office. We can say that it will be essential to keep it. We can assure the House that there will be a credible candidate in the future.

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**EMPLOYMENT INSURANCE**

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, the new employment insurance rules have been in effect for three weeks and it is obvious that Canadians are paying for the Conservatives' irresponsible cuts.

The NDP has been condemning this reform since the beginning. We have been consulting in the field since the fall. These consultations attracted many disgruntled people. Removing access to benefits when people have paid EI premiums is a blatant attack on seasonal jobs and regional development.

Will the minister stop ignoring the demands of workers who pay for this insurance?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, since the beginning, the employment insurance system requires claimants to look for work. They always had to look for work, to make a reasonable effort to find work. The changes that we made clarify this responsibility, but they also help claimants find jobs. That is why we improved the system that helps them.

[English]

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, the minister is ignoring the real problems with EI in the same way that she ignored the single mom protesting right outside of her ministry's doors. Under the minister's watch, Canadians are waiting longer and longer for their claims to be processed. They are being forced into lower paying jobs that do not match their skills, or they get cut off from benefits entirely.

Cuts to Service Canada have left provinces, businesses and countless workers all sounding the alarm. Why is the minister still refusing to fix the mess that she created?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, what we have given is an opportunity for those who are collecting EI to have access to even more information about jobs that are in their skill range and in their geographic area.

Our priority as a government is job creation, economic growth and the creation of long-term prosperity for all Canadians, and that means sometimes they need a hand up. That is why we are providing more job alerts to let people know about what opportunities exist to improve their lot and that of their families and their communities.

•(1435)

**HUMAN RESOURCES AND SKILLS DEVELOPMENT  
CANADA**

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, the truth is the minister's department is an absolute mess. The loss of personal information for over half a million Canadians has left people wondering if they can trust the government at all. Victims are now on the hook for over \$100 million a year to buy back the protection the government so recklessly squandered.

When will the Conservatives take responsibility instead of re-victimizing innocent Canadians?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, let us be clear. The loss of this data was simply unacceptable. That is why the Privacy Commissioner's office was notified. An official investigation is being conducted.

We have changed the rules. I have instructed that the department to toughen up the rules and the procedures to ensure that this sort of thing does not happen again.

I am also pleased that HRSD is providing an opt-in system where those who were part of those lists can now opt in to Equifax protection for their credit.

[Translation]

**Ms. Charmaine Borg (Terrebonne—Blainville, NDP):** Mr. Speaker, the minister obviously does not have a proper understanding of this issue.

Her department recommended monitoring victims' credit to protect them against identity theft, but she ignores her department's recommendation and proposes a mediocre solution while claiming it is the appropriate solution. Flagging files is not enough. Victims will pay for the government's incompetence. After all these losses of information, Canadians can no longer trust the Conservatives to protect their personal information.

Will the minister ensure that all costs incurred will be covered?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, the government feels that the loss of this information is totally unacceptable. That is why I brought the matter to the attention of the Privacy Commissioner of Canada. I also asked the RCMP to conduct an investigation to find out what happened.

Fortunately, no fraudulent activities took place. We want to help Canadians and that is why we signed a contract with Equifax to protect these people's credit.

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[English]

**ABORIGINAL AFFAIRS**

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, the government has absolutely no plan to boost aboriginal participation in the economy. When asked about this today, the government House leader said that it would be decades before we saw any jobs.

*Oral Questions*

Today, we learned that, unbelievably, the Conservatives have cut the Aboriginal Job Centre, which links aboriginal job seekers with real jobs. The government cuts the programs that work and has no job strategy for the future.

Why are aboriginal people forced to pay the price for the financial incompetence and misguided priorities of the government?

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we are focused on creating jobs and economic opportunities for aboriginal Canadians, and we are getting results. For example, over the past month I announced eight more first nations would join the 61 first nations that had chosen freedom from 34 sections of the Indian Act. Just last week, I also announced new regulations that would allow a natural gas project to move forward on the Haisla First Nation in northwest British Columbia, creating well-paying jobs and economic growth.

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**EMPLOYMENT INSURANCE**

**Hon. Lawrence MacAulay (Cardigan, Lib.):** Mr. Speaker, Marlene Giersdorf is a single mother from my riding who was recently kicked off EI by the Conservative government. She was told that since she could not drive over 60 kilometres to seek employment, she could go on welfare.

The minister said that she could not contact Marlene, when in fact she has been protesting out in front of the Service Canada office in all kinds of weather every day.

Why are vulnerable Canadians like Marlene being asked to pay the price for the Conservative government's incompetence and front-line cuts? It is a very serious matter.

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, the purpose of EI has always been, and will continue to be, to provide temporary income support to individuals while they are looking for another job.

Let me be clear. People will not lose EI benefits for the sole reason they do not own a car. Nor will they be asked to move. However, personal circumstances are always taken into consideration.

I would like to discuss more of the facts of this case, but without a waiver, which has not been granted by the individual in question, I cannot.

\* \* \*

• (1440)

[Translation]

**PARLIAMENTARY BUDGET OFFICER**

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, there is a shocking discrepancy between a minister who wastes taxpayers' money by taking a helicopter without a valid reason and the cruel cuts this government is making to front-line services to the most disadvantaged members of our society.

The Parliamentary Budget Officer has revealed that the government is slashing public services instead of cutting back its wasteful spending.

Is that why this government is more determined than ever to destroy the investigative capacity and the autonomy of someone who defends Canadian taxpayers?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** No, Mr. Speaker. As I have already said, the Parliamentary Budget Officer took into account only the reductions included in the "internal services" category, which excludes the substantial savings achieved in the area of administrative services. As I said, and it is important to repeat this, there are other reasons why we support this credible office, and we will continue to do so in the future.

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**ETHICS**

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, in the litany of the Conservatives' broken promises, their position on the Senate holds a special place. The Prime Minister once called this institution a dumping ground for favoured cronies. But he has now appointed more senators than Brian Mulroney.

On Friday, there were five new lucky winners of the Conservative \$132,000 a year "cash for life" lottery, who will blindly obey the Prime Minister.

Based on the list of names, it is obvious that cheques payable to the Conservative Party are the ticket to having one's golden years funded by taxpayers.

Why have the Conservatives abandoned their principles? Why are they acting like Liberals?

[English]

**Hon. Tim Uppal (Minister of State (Democratic Reform), CPC):** Mr. Speaker, we are following through on our long-term commitment to reform the Senate. I am pleased to welcome the appointment of our government's third elected senator who was selected democratically by the people of Alberta.

All of our new appointed senators support our government's plan to have an elected Senate. The NDP and the Liberals are opposed to Senate reform measures. They only have themselves to blame for stalling Senate reform.

[Translation]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, the Conservatives' Senate reforms are as useless as the Senate itself. There is only one thing to do: abolish it. It is simple.

The Conservatives' metamorphosis is complete. The Conservatives have become what they detested and spoke out against when they were in opposition. We have lost count of the number of Conservatives who have had their knuckles rapped by the Ethics Commissioner.

The Minister of Finance is the most recent addition to the list. He tried to use his position to influence a CRTC decision. That is just not right. When a minister does not obey the rules, there must be consequences.

*Oral Questions*

What will the Prime Minister do to discipline his Minister of Finance?

[English]

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** Mr. Speaker, the member talks about abolishing the Senate. The only thing he has ever wanted to abolish is he gave money to a party that wanted to abolish Canada.

I would like to welcome him back and wish him a happy new year. Of course, it brought a lot of wonder. New Yorkers brought in the new year with *Gangnam Style*. The world realized that the Mayan apocalypse was a hoax. Let us top off the new year wonder by having the member rise right now and make a new federalist for a new year.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, even when he does have his clown nose on, he still does not really make any sense. I would like to ask—

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

**The Speaker:** Order. I would ask the hon. member to refrain from making those types of comments in his questions. I do not think it does anything to elevate the tone of debate.

The hon. member for Timmins—James Bay.

**Mr. Charlie Angus:** Mr. Speaker, certainly we believe in elevating the tone here, which is why I will refer to the Minister of Finance, who used his cabinet position to try and influence the CRTC on a coveted radio licence. He either did not understand the rules or did not care when he broke them, but he is not alone. The Parliamentary Secretary to the Minister of Health also intervened with his own letter.

I would like to ask either of those gentlemen a simple question. Did either the minister or the parliamentary secretary receive any financial considerations from the people they wrote to support? It is a simple question. Yes or no?

• (1445)

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, the Conflict of Interest Act actually permits members of Parliament to write in their capacity as members, and that was, of course, the intention of all the members in question with regard to this.

I think all Canadians expect their members of Parliament to stand up for them and their community's interests. Of course, we also want them to respect those rules, and that is why the members reached out proactively to the Ethics Commissioner on this issue for clarity.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I do not want to school my hon. colleague, but he missed out the important part, that ministers and parliamentary secretaries are not supposed to do that. That is the simple fact. I would also point out that the parliamentary secretary did receive financial contributions from the guy that they wrote the letter on behalf of. These are more broken promises.

This is what the Prime Minister's own rule book says, and I will quote it for him: "Ministers must not intervene, or appear to intervene, with tribunals...".

They breached the act. They broke the rules. I am asking the Prime Minister, is there any sense of accountability over there for ministers who flagrantly disregard the rules as they are trying to gut the Conflict of Interest Act?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, the Ethics Commissioner offered a ruling on this and the minister accepted it.

That being said, I should enlighten the member for Timmins—James Bay. He should actually read the act. Section 64 of the Conflict of Interest Act states, "...nothing in this Act prohibits a member of the Senate or the House of Commons who is a public office holder"—as a minister—"or former public office holder from engaging in those activities that he or she would normally carry out as a member of the Senate or the House of Commons."

That is what it says. That is what members were relying on. It is important that we now have this clarity added to it, and we appreciate that from the Ethics Commissioner.

\* \* \*

**THE ECONOMY**

**Mr. Lawrence Toet (Elmwood—Transcona, CPC):** Mr. Speaker, Canada is not immune to global economic challenges from beyond our borders. That is why in 2013 we will continue our commitment to grow the economy and create jobs by keeping taxes low and through measures like major new investments in research and development. However, while we are focused on helping the economy grow, the NDP wants a \$21 billion carbon tax which would cripple our economy and put Canadians out of work.

Could the Minister of Finance please give this House an update on our government's action to grow the economy and create jobs for hard-working Canadians?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, in 2013 our Conservative government will remain squarely focused on our priorities which are issues that matter to Canadians: jobs, growth and long-term prosperity. With over 900,000 net new jobs created since July 2009, including nearly 40,000 in December, and over 90% of those are full-time, we are on the right track.

Canada, of course, is not immune to global challenges from beyond our borders. That is why we are working hard now on economic action plan 2013 to build on our government's pro-growth initiatives.

\* \* \*

[Translation]

**NATIONAL DEFENCE**

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, the KPMG report tabled in December highlighted the Conservatives' mismanagement, just as the Parliamentary Budget Officer, the Auditor General and the NDP have done.

*Oral Questions*

The cost of the F-35s has skyrocketed and the Conservatives have no plan B because they chose a sole source. Last week, they sent out a questionnaire to the F-35 competitors to obtain information about the other fighter jets available.

Why was this questionnaire not sent out at the beginning of the process?

[*English*]

**Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC):** Mr. Speaker, as the member knows, the Auditor General made one recommendation and that was for the Department of National Defence to refine its cost estimates and move to a full life cycle costing for the F-35.

In December, as the member noted, the department did exactly that, but we actually went one step further. We had an independent audit firm, KPMG, validate and verify those numbers. It did exactly that. KPMG not only found that National Defence's full life cycle costing estimates for the F-35 were verified, it also found that DND's original estimates for the F-35 were sound.

We have met the Auditor General's recommendation and he says we are on the right track.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, the report the minister refers to actually showed overall costs three times higher and sustainment costs six times higher than anything the Conservative government had admitted to before. But somehow this is a validation of Conservative numbers, and somehow the member for Cambridge thinks that means the Conservatives had it “dead right”.

The Conservatives said they would hit the reset button, but the truth is they hit repeat. This is a repeat of the gross mismanagement and absurd math that has been the hallmark of this procurement all along. When will it end? When will the government put this contract out for open and transparent tender?

• (1450)

**Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC):** Mr. Speaker, as I indicated and as the member knows, the Auditor General asked that the Department of National Defence refine its cost estimates. It has done exactly that. He also asked that the Department of National Defence start to apply a full life cycle cost estimate, and it also has done that.

The member should know the KPMG report found no documentation for a full life cycle costing because the Department of National Defence has never applied this framework before. The Auditor General thinks this is a good idea and we agree, and now the Department of National Defence is doing that.

We are happy that we have met the Auditor General's recommendation.

\* \* \*

**ETHICS**

**Mr. Jack Harris (St. John's East, NDP):** Speaking of planning, Mr. Speaker, we now have learned that contrary to what the Prime Minister told Canadians, the Minister of National Defence used a

search and rescue helicopter to go to what was, in fact, an event planned very much in advance. But the Prime Minister said the minister was called back from vacation, and an email released to the media called the event “unexpected”.

Why is it that the government has a bottomless supply of denial and cover-up for the minister?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, as I have said in the House many times, I was called back to work early. That is exactly what happened. I was called back from personal time early. That is what happened. As always, government aircraft were used for government business. I note that our government has reduced the use of government assets, government aircraft, by over 80% during our time in government.

\* \* \*

[*Translation*]

**INTERNATIONAL CO-OPERATION**

**Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP):** Mr. Speaker, the Conservatives have again misused government resources. A partisan letter attacking the NDP was published on the CIDA website, which is a clear breach of Treasury Board guidelines.

This is not the end of the minister's incompetence. He has frozen financial assistance to Haiti because there is too much waste. Furthermore, he has ignored the rules of diplomacy by talking to the media before talking to the Haitians, to our allies and to our partners.

When will the Conservatives take international co-operation seriously?

[*English*]

**Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC):** Mr. Speaker, as the minister has clearly stated, we are concerned for the people of Haiti. While the results of projects have largely met expectations, progress toward a self-sustaining Haiti has been limited. Projects to which we previously committed are making progress, and we stand ready to help should a humanitarian crisis arise. But future commitments will be dependent on greater leadership, accountability and transparency from the government of Haiti.

\* \* \*

**HUMAN RESOURCES AND SKILLS DEVELOPMENT  
CANADA**

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, Canadians are outraged at the single largest identity breach in the history of the federal government, but these Conservatives are merely using smoke and mirrors to solve this incompetence on their part, offering credit and identity protection services that are already available free of charge to most Canadians.

The Conservatives talk a lot about the victims of crime. Identity theft is a crime and all these victims are getting is a heads up and a “good luck”. Meanwhile, their bank accounts are being drained, their credit cards are being maxed out, and lives are being ruined.

*Oral Questions*

When will the minister take some real action to clean up yet another mess in her department?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, very clearly, the loss of this information is totally unacceptable. That is why we called in the Privacy Commissioner and called in the RCMP for a full investigation. That is why we are making available to those Canadians affected fraud alert protection through Equifax at no cost to them.

Fortunately, there has been no fraudulent activity identified as a result of this loss, but we want to make sure that if anything does happen, we are protecting Canadians.

\* \* \*

**SEARCH AND RESCUE**

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, we learned this weekend that the Minister of National Defence's officials were against holding the July 2010 photo op that he used to justify taking a search and rescue chopper for his fishing holiday on the Gander River.

This new revelation comes on the anniversary of the tragic death of Burton Winters on the ice in Labrador. The young man lost his life after search and rescue assets were held back because they might be needed elsewhere.

The question remains, why was the chopper available for the minister but not for an emergency in Makkovik? Where is the public inquiry to ensure this never happens again?

• (1455)

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, I just answered the question with respect to government aircraft being used for government business and my leaving time off early to return to work.

However, with respect to young Burton Winters, this was indeed a tragedy. We send our condolences again to his family and those of the community.

I note that in response to this issue, the military has taken procedures that were updated. In fact, we are now working better with all provinces to coordinate ground search and rescue.

In addition, specific to Labrador, the member would know that we have added a Griffin helicopter to the fleet at Goose Bay. We have provided additional operational flexibility by increasing the use of the serviceable aircraft as well as giving them a secondary—

**The Speaker:** The hon. member for Churchill.

\* \* \*

**STATUS OF WOMEN**

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, 25 years ago today, the Supreme Court of Canada issued the Morgentaler decision, striking down laws restricting access to abortion.

For 25 years women in Canada have had the fundamental right to choose. In the years since, Canadians have said time and time again that they do not want the abortion debate reopened.

Our question is, why does the Minister for Status of Women want that debate to happen in this House?

**Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC):** Mr. Speaker, let me be clear. Stealing a quote from someone I admire very much, Hillary Clinton, I believe abortion should be safe, legal and rare.

I would encourage the member to work with me on the status of women committee on issues that women want to debate. This is an issue that women are not interested in debating.

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, that is a bit rich when it comes from a government that keeps re-attacking, reopening, putting in doubt the whole question of abortion.

[*Translation*]

Today, I would like to ask the members opposite to remember why the Morgentaler ruling was so important and to think about the horrors that women faced before abortion was legalized. We on this side of the House believe that abortion is a medical decision between a woman and her doctor and that this decision must be respected.

Does the Minister for Status of Women agree with this? If she does, will she stop giving her support to the resolutions and the motions—

**The Speaker:** The hon. Minister of Justice.

[*English*]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, we will take no lessons whatsoever from the NDP when it comes to standing up for women's rights or anybody else's rights in this country.

That being said, the Prime Minister has been very clear on this that the government will not reopen this issue.

The government will continue to create jobs and stand up for victims' rights and make sure our communities and streets are safe.

\* \* \*

**NATURAL RESOURCES**

**Mrs. Patricia Davidson (Sarnia—Lambton, CPC):** Mr. Speaker the natural resource sector is creating jobs, growth and revenue for essential social services across Canada.

Last week I was pleased to help host a group of oil sands companies which went to southwestern Ontario to establish links with manufacturing companies. This development is expected to create \$63 billion in revenue for the Ontario economy over the next 25 years.

Would the parliamentary secretary comment on the NDP's insistence that our resources are hurting Canada's economy?

*Oral Questions*

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, the NDP will always insist that ideology trumps good economics. The NDP leader is no exception to this rule with his constant attack on Canada's resources as an economic disease. His favourite notion has been debunked by economists and leaders across Canada. Just recently, the Macdonald-Laurier Institute again demonstrated that resources are a tremendous asset to Canada's economy.

The question is: When will the leader of the NDP finally change his position, surprise Canadians and support the hundreds of thousands of Canadians employed in resource development?

\* \* \*

**ATLANTIC CANADA OPPORTUNITIES AGENCY**

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, with great shock and surprise we see that Enterprise Cape Breton is going to put the wrecking ball to our historic building at the Royal Cape Breton Yacht Club, with no consultation or plan. Meanwhile the Conservative-appointed CEO is funnelling our precious development dollars into another marina where he is going to park his own boat. While this abuse is happening, nobody is coming clean to Cape Bretoners or Canadian taxpayers about this brazen patronage.

Will the minister for ACOA stand in the House and explain this fiasco?

**Hon. Bernard Valcourt (Associate Minister of National Defence and Minister of State (Atlantic Canada Opportunities Agency) (La Francophonie), CPC):** Mr. Speaker, as an arm's-length crown corporation, ECBC—

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

**The Speaker:** Order. The hon. minister has the floor.

**Hon. Bernard Valcourt:** Mr. Speaker, as an arm's-length corporation, ECBC is responsible for its business decisions and, of course, we expect ECBC to make its decisions in the best interests of Canadian taxpayers.

\* \* \*

● (1500)

**FINANCIAL INSTITUTIONS**

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, the cost to merchants every time someone uses a credit card continues to skyrocket. Travelling the country and speaking to small businesses, I heard two major complaints loud and clear. Credit card processing fees are too high and are hurting small businesses, and the voluntary code of conduct is full of loopholes and just is not working.

New Democrats understand that small businesses drive our economy, but Conservatives are happy to let Visa and MasterCard gouge merchants daily.

When will Conservatives acknowledge their voluntary code is failing small businesses and finally enact legislation that protects them?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, in fact, the code was developed with the support of small business in

Canada, with support of the Retail Council, and it has been welcomed by consumer groups across the country, and it is working.

There was a group in Canada that voted against the code, and that was the official opposition, the New Democratic Party of Canada.

\* \* \*

**AGRICULTURE AND AGRI-FOOD**

**Mr. Kevin Sorenson (Crowfoot, CPC):** Mr. Speaker, Canadian farmers appreciate our Conservative government's hard work to create jobs and economic growth for our agricultural industry. They understand our government's commitment to bolstering trade and opening markets for our top quality products.

Since forming government, we have consistently made representations to Japan, seeking expanded access for Canadian beef derived from animals under 30 months of age.

Could the Minister of Agriculture and Agri-Food please update the House on the status of these negotiations?

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Mr. Speaker, I would like to thank the member for Crowfoot for his dedication on this file. I am pleased to announce today that Japan has expanded access and is now accepting Canadian beef from animals under 30 months of age. This is expected to double the value of Canadian exports by some \$150 million annually.

Unlike the anti-trade NDP, our government continues to open up markets and provide opportunities for our producers.

\* \* \*

[Translation]

**EMPLOYMENT INSURANCE**

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, the people of Atlantic Canada are livid about the Conservatives' employment insurance reforms.

Last weekend in New Brunswick, thousands of people demonstrated, calling on the Minister not to make decisions against their interests using money that does not belong to her and without consulting the workers.

Working people and their families are saying no to the Minister's plan, because it is destroying the economy in the regions. If the Conservatives do not change these hastily concocted reforms, it is the workers who will pay the price.

When will the Conservatives start consulting communities that depend on seasonal work in Atlantic Canada and Quebec? It is a—

**The Speaker:** The hon. Minister of Human Resources and Skills Development.

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, from the beginning, the employment insurance system has required that claimants look for work. This is a system requirement.

We are helping these people much more than in the past to look for work, particularly if they are seasonal workers. If there is no work for them locally in areas related to their skills, however, the employment insurance system will be available as always.

\* \* \*

[English]

#### NATURAL RESOURCES

**Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.):** Mr. Speaker, it is great to be back in this House after oral surgery for cancer.

Over the break I travelled to Kitimat and the route for the northern gateway pipeline. It is unthinkable to put B.C.'s gorgeous north coast at risk.

Will the minister finally admit that it is instead time to build an oil pipeline to the east, to bring employment and energy security to all of Canada?

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, the northern gateway pipeline is being reviewed by an independent panel that will base its determination on science, not on partisanship. The review is an open process where interested parties, including aboriginal groups, can express their views.

The member across is a former member of the NDP. They seem to be insistent on injecting partisan politics into a regulatory process. We do not want that to happen.

It has been clear from the discussions over the Keystone pipeline that we need to diversify our exports as much as possible, and as soon as we can, while protecting the economy and the environment.

\* \* \*

• (1505)

#### BUSINESS OF THE HOUSE

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I rise to advise the House that Thursday, January 31, shall be the first allotted day.

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### ROUTINE PROCEEDINGS

[English]

#### FEDERAL ELECTORAL BOUNDARIES COMMISSION

**The Speaker:** It is my duty pursuant to section 21 of the Electoral Boundaries Readjustment Act to lay upon the table a certified copy of the reports of the Federal Electoral Boundaries Commissions for the provinces of New Brunswick, Saskatchewan and British Columbia.

These reports are referred permanently to the Standing Committee on Procedure and House Affairs.

#### Routine Proceedings

#### INTERNATIONAL TRADE

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, pursuant to Standing Order 32 (2), I have the honour to table, in both official languages, the treaty entitled "Agreement between the Government of Canada and the Government of the Hong Kong Special Administrative Region of the People's Republic of China for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income", done at Hong Kong on November 11, 2012.

An explanatory memorandum is included with the treaty.

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#### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's responses to 365 petitions.

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#### COMMITTEES OF THE HOUSE

##### PROCEDURE AND HOUSE AFFAIRS

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, pursuant to Standing Order 104 and 114, I have the honour to present, in both official languages, the 35th report of the Standing Committee on Procedure and House Affairs regarding membership of the committees of this House.

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

\* \* \*

[Translation]

#### DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES ACT

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP)** moved for leave to introduce Bill C-469, An Act to ensure that the laws of Canada are consistent with the United Nations Declaration on the Rights of Indigenous Peoples.

He said: Mr. Speaker, it is with honour and pride that I rise in this august assembly to introduce the government bill whose title you have just read out.

The Declaration was negotiated over a period of 23 years, with the participation of numerous representatives of indigenous peoples from every part of the world, speaking on behalf of 370 million aboriginals worldwide. It includes 46 provisions protecting their social, economic, cultural, spiritual, environmental and, particularly, political rights.

These are minimum standards set by the United Nations that I am asking this House to respect henceforth, in order to ensure the dignity, survival and well-being of all aboriginal peoples, including those of Canada.

*Routine Proceedings*

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

\* \* \*

### AN ACT RESPECTING DEMOCRATIC CONSTITUTIONAL CHANGE

**Mr. Craig Scott (Toronto—Danforth, NDP)** moved for leave to introduce Bill C-470, An Act respecting democratic constitutional change.

He said: Mr. Speaker, I wish to introduce an NDP bill, seconded by the hon. member for Trois-Rivières, concerning democratic constitutional change.

This bill would replace the Clarity Act, which is a very limited interpretation of the Supreme Court's opinion on secession. Our bill, in contrast, is based more closely on the principles expressed by the court. The bill also reflects this House's recognition that Quebecers constitute a nation within Canada.

This bill shows that the NDP is focused on the future. We are working to build a stronger Canada that recognizes and includes Quebec as an essential part of our federation.

We believe that a stronger Canada cannot be imposed, nor can it be achieved by divisive policies. This is our vision of democratic federalism.

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

\* \* \*

• (1510)

[English]

### COMMITTEES OF THE HOUSE

#### PROCEDURE AND HOUSE AFFAIRS

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, there have been consultations and I think that if you seek it, you will find unanimous consent for the following motion:

That the membership of the Standing Committee on Procedure and House Affairs be amended as follows: Mr. MacKenzie (Oxford) for Mr. Albrecht (Kitchener—Conestoga); Mr. Menegakis (Richmond Hill) for Mr. Williamson (New Brunswick Southwest); and Mr. Scott (Toronto—Danforth) for Mr. Toone (Gaspésie—Îles-de-la-Madeleine).

**The Speaker:** Does the hon. government whip have the unanimous consent of the House to propose the motion?

**Some hon. members:** Agreed.

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

**Some hon. members:** Agreed.

(Motion agreed to)

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, if the House gives its consent, I move:

That the 35th report of the Standing Committee on Procedure and House Affairs, presented to the House earlier today, be concurred in.

**The Speaker:** Does the hon. member have the unanimous consent to propose the motion?

**Some hon. members:** Agreed.

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

**Some hon. members:** Agreed.

(Motion agreed to)

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### PETITIONS

#### SHARK FINNING

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, I rise today to present a petition calling on the Government of Canada to immediately legislate a ban on the importation of shark fin to Canada.

Apex predators such as sharks play a critical role in maintaining healthy, balanced ecosystems. The continuing practice of shark finning, which is the practice of removing the fins and discarding the remainder of the shark back into the sea, is having a devastating effect on shark species around the world. The practice of shark finning results in an estimated 73 million sharks a year being killed for their fins alone, and over one-third of all shark species are threatened with extinction as a result of shark finning. Measures must be taken to stop the global practice of shark finning and ensure the responsible conservation management of sharks.

#### FALUN GONG

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Mr. Speaker, I have the honour to present a petition from a number of Canadians today, which urges the Canadian government to condemn the Chinese communist regime's systematic murder of Falun Gong practitioners through forced live organ harvesting. These Falun Gong practitioners have largely been the most severely persecuted group in China since July 1999 for their spiritual belief in truth, compassion and forbearance. In 2006 allegations emerged of large-scale murder of Falun Gong practitioners for their organs. There is a lot of evidence that has been accumulated. I will not go through it. Democratic nations have a responsibility to condemn such atrocities.

Therefore, the petitioners request the Canadian government to condemn the Chinese Communist Party's crime of systematically murdering Falun Gong practitioners for their organs, and they call for the end to the persecution of the Falun Gong in China.

#### CITIZENSHIP AND IMMIGRATION

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, I rise today to present a petition from my constituents of Kingston and the Islands, particularly young residents of Kingston and the Islands, who are very much concerned about the changes to the interim federal health program and the effects of this on pregnant women and their babies.

They ask the government to reconsider those changes so that extended health coverage is provided to pregnant women. They are very worried that the lack of primary maternal care could put the health of expecting mothers and their unborn children at risk.

*Routine Proceedings**[Translation]*

## HOUSING

**Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):** Mr. Speaker, I wish to table a petition expressing the need to adopt a national housing policy.

*[English]*

## SEX SELECTION

**Mr. Mark Warawa (Langley, CPC):** Mr. Speaker, I have the honour to present a petition here from constituents in beautiful Langley, British Columbia. It says that CBC revealed that ultrasounds are being used to tell the sex of an unborn child so that expecting parents can choose to terminate the pregnancy if it is a girl. Sex selection was condemned by all the national parties in the House, and 92% of Canadians believe that sex selective pregnancy termination should be illegal. Also, the Society of Obstetricians and Gynaecologists vehemently opposes sex selection.

They are calling on the House and members of Parliament to condemn sex selection.

● (1515)

## CHILD NUTRITION

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I am pleased to present this petition regarding access to healthy food, which is critically important for a child's development. It is often limited for Canadian children who live in poverty. Child and youth nutrition programs are a cost-effective way to encourage the development of lifelong healthy eating habits, to support Canadian farmers and food producers in the development of local markets and to reduce future health care costs.

The petitioners call upon Parliament to develop a national child and youth nutrition strategy in consultation with stakeholders across the country and to develop partnerships with farmers and food producers to stimulate economic development.

*[Translation]*

## HOUSING

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Me. Speaker, I have the honour to table a petition signed by dozens of Canadians from across the country, who are calling on the House of Commons to support a national strategy on affordable housing. They also note that Canada is the only G8 country that does not have such a national strategy.

*[English]*

## SEX SELECTION

**Mr. Jim Hillyer (Lethbridge, CPC):** Mr. Speaker, this petition is calling on Parliament to condemn discrimination against girls through sex-selective abortion.

*[Translation]*

## HOUSING

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, like my hon. colleague from Saint-Hyacinthe—Bagot, I am also proud to table a petition concerning a national affordable housing strategy, which would reduce poverty in Canada.

**Mr. François Pilon (Laval—Les Îles, NDP):** Mr. Speaker, I also am pleased to table a petition calling on the government to establish a national housing strategy.

*[English]*

## THE ENVIRONMENT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, it is my honour to present the first petitions from the Green Party for 2013.

The first one relates to the call that I heard from my constituents in the eight different town halls that I held throughout Saanich—Gulf Islands. These petitions are also signed by residents from farther and wider, all the way to Vancouver and Maple Ridge, and call for a tanker ban against super oil tankers along the coast of B.C.

## FOREIGN INVESTMENT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, the second petition relates to a petition we heard earlier from the hon. member for Yorkton—Melville, pointing out the human rights issues in China. This petition calls on the House to do everything possible to avert the ratification of the Canada—China investment treaty, which to date has had no debate or vote in the House and which puts at risk Canada's sovereignty, our environmental human rights and labour protections.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, the following questions will be answered today: Nos. 1,039, 1,040, 1,042 to 1,044, 1,048, 1,052, 1,053, 1,055, 1,057, 1,060, 1,061, 1,066, 1,071, 1,079, 1,097, 1,101 and 1,106.

*[Text]*Question No. 1039—**Ms. Lise St-Denis:**

With regard to the National Seniors Council, what grants and contributions under \$25,000 did it award from January 1, 2011, to the present, including the recipient's name, the date, the amount and the description?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, as the National Seniors Council does not award grants and contributions, a nil response is applicable to this question.

Question No. 1040—**Ms. Lise St-Denis:**

With regard to the Freshwater Fish Marketing Corporation, what grants and contributions under \$25,000 did it award from January 1, 2011, to the present, including the recipient's name, the date, the amount and the description?

**Hon. Gail Shea (Minister of Fisheries and Oceans):** Mr. Speaker, from January 1, 2011 to the present, the Freshwater Fish Marketing Corporation did not award grants or contributions.

*Routine Proceedings***Question No. 1042—Hon. Carolyn Bennett:**

With regard to the February 2012 flight path change for arrivals to Toronto Pearson International Airport (Pearson): (a) were public consultations done in anticipation of the change in flight path and, if so, (i) how many consultations took place, (ii) where did they take place, (iii) in what format, (iv) how were the affected residents made aware of the consultations, (v) were municipal, provincial and federal political representatives of the affected communities consulted; (b) has there been a change in the volume of air traffic over the riding of St. Paul's since the flight path change was implemented, including (i) what was the average number of aircraft arriving per day to Pearson over St. Paul's before the flight path change was implemented, (ii) what is the average number of aircraft arriving over St. Paul's since the flight path change was implemented; (c) has there been a change to the average altitude of aircraft flying over St. Paul's since the flight path change was implemented, including (i) what was the average altitude of aircraft flying over St. Paul's before the flight path change was implemented, (ii) what is the average altitude of aircraft flying over St. Paul's since the flight path change was implemented, (iii) what was the median altitude of aircraft flying over St. Paul's before the flight path change was implemented, (iv) what is the median altitude of aircraft flying over St. Paul's since the flight path change was implemented; (d) did Nav Canada or Transport Canada look at other options for flight patterns as part of the review process leading to the flight path change and, if so, (i) were there other options over less densely populated areas, (ii) if so, why were these options not chosen; (e) what mitigation measures have Nav Canada and Transport Canada considered regarding the increased aviation noise in St. Paul's; and (f) are there currently any plans to make changes to flight paths over St. Paul's or initiate other mitigation measures before the next four-year review?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, the flight path changes are the responsibility of NAV Canada.

**Question No. 1043—Hon. Carolyn Bennett:**

With regard to funding for First Nations students in 2010 and 2011: what is the average per student funding provided by the government for First Nations students attending one of the 518 band operated schools through the contribution agreements for those schools, not including (i) capital costs, (ii) money provided for First Nations students resident on reserve, but who attended provincial schools, (iii) funding provided through proposal driven programs that are supplementary to the elementary and secondary education program, (iv) funding provided under the James Bay and Northern Quebec Agreement, the Northeastern Quebec Agreement, the Mi'kmaw Kina'matnewey Education Agreement and the British Columbia First Nations Education Authority?

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, insofar as Aboriginal Affairs and Northern Development Canada is concerned, our response is as follows.

In 2010-2011, the Government of Canada invested approximately \$1.5 billion to support first nation elementary and secondary education, with an additional \$304 million provided to first nations for the construction and maintenance of education infrastructure on reserve. Note that all financial data is sourced from AANDC's financial system and reflects total expenditures transferred by AANDC to first nations and other eligible recipients for the purposes of supporting elementary and secondary education for first nation students ordinarily resident on reserve.

These investments supported approximately 117,500 first nation students, ordinarily residing on reserve, in their elementary or secondary education. Note that student numbers are derived from AANDC nominal roll data for the 2010-11 school year. Taking into consideration that a number of these students were part-time, for example kindergarten, this translated into 111,711 full-time equivalent students, FTEs, receiving support in 2010-2011. This number

includes an estimated 10,343 FTEs that are covered under self-government education agreements, as well as 38 FTEs that are funded through the Yukon regional office but reside and go to school in northern British Columbia.

Approximately 60%, or 67,568 FTEs, of these students attended band-operated schools, while 36%, or 40,732 FTEs, attended provincially operated schools. The remaining 4%, or 3,411 FTEs, of students attended private schools or one of the seven federally operated schools.

On a per capita basis, Aboriginal Affairs and Northern Development Canada, AANDC, provided approximately \$13,524 per FTE in 2010-2011. Not included in this calculation is the \$304 million to maintain and improve education infrastructure for band-operated schools. It should be noted that there is considerable variation in the level of per-student funding across the country, and any funding comparisons must consider the factors that influence per-student funding levels in order to be meaningful, such as school size, geographic location, et cetera.

In 2010-2011, AANDC's expenditures for first nation elementary and secondary education comprised a set of basic services and proposal-based programs. Some of these programs and services apply to first nation students attending both band-operated and provincial schools and, with the exception of instructional services and high cost special education, cannot be accurately broken down between those who attend band schools and those who attend provincial schools.

It should also be noted that these expenditures reflect the funding provided by AANDC to first nation communities that generally have the flexibility to adjust funding levels to address their priorities within the terms and conditions of the respective programs.

*Routine Proceedings***Question No. 1044—Hon. Carolyn Bennett:**

With regard to Canadians diagnosed with Myalgic Encephalomyelitis/Chronic Fatigue Syndrome (ME/CFS): (a) what funding has been allocated to research this illness in the last two years; (b) how does the government propose to encourage Canadian research into ME/CFS so that the level of research into this complex, multi-system illness is commensurate with its extent and impact; (c) what is the government doing to develop strategies and programs to meet the needs of Canadians with ME/CFS; (d) how is the government ensuring that health professionals are aware of the following documents, (i) the Canadian Consensus Document for ME/CFS (ME/CFS: A Clinical Case Definition and Guidelines for Medical Practitioners), (ii) Canadian Consensus Document for Fibromyalgia (Fibromyalgia Syndrome: A Clinical Case Definition and Guidelines for Medical Practitioners); (e) when will the government perform the following tasks in relation to the Consensus Document for ME/CFS posted on the Public Health Agency of Canada's website, (i) improve the location of the document on the website in order to facilitate location of this document, (ii) post the French version of this document; (f) why is the Fibromyalgia Consensus Document not posted as a Guideline on the Public Health Agency of Canada's website; (g) what steps is the government taking to ensure that health professionals, patients, and the public have access to science-based, authoritative and timely information on ME/CFS; (h) how soon will the government post other information related to ME/CFS on government websites; (i) what is the government doing to ensure access to ME/CFS knowledgeable physicians and appropriate health care on a timely basis and how are they working with the provinces, territories, professional organizations, educational institutions and other stakeholders to meet these needs; (j) how is the government working with stakeholders to deal with other needs of Canadians with ME/CFS shown by the 2005 Canadian Community Health Survey (CCHS) including, (i) reducing the levels of unmet home care needs, (ii) reducing the levels of food insecurity, (iii) increasing the sense of community belonging experienced by Canadians with this condition; (k) how will the surveillance report on ME/CFS, prepared from analysis of data collected from the 2005 CCHS, be used to improve the situation for Canadians with ME/CFS; and (l) how will the government monitor the extent and impact of ME/CFS and these other conditions on an annual basis given that questions regarding ME/CFS, Fibromyalgia and Multiple Chemical Sensitivities were dropped from the CCHS after 2005?

**Hon. Leona Aglukkaq (Minister of Health, Minister of the Canadian Northern Economic Development Agency and Minister for the Arctic Council, CPC):** Mr. Speaker, the government supports provincial and territorial health care delivery through fiscal transfers and targeted programs. Unlike previous governments that balanced their books on the backs of the provincial and territorial governments, we have committed to a long-term stable funding arrangement that will see health care transfers reach historic levels of \$40 billion by the end of the decade. Health transfers from the federal government to provinces grew by 40 percent between 2005-2006 and 2012-2013. Our investments in health care will help preserve Canada's health care system so it will be there when Canadians need it.

With respect to research and awareness, in May 2008, the Public Health Agency of Canada, PHAC, and the Canadian Institutes of Health Research, CIHR, coordinated a meeting with the Myalgic Encephalomyelitis Association of Ontario and other stakeholders to explore ways to increase knowledge and awareness of myalgic encephalomyelitis/chronic fatigue syndrome, ME/CFS, and to address research needs. This meeting led to the first Canadian national scientific seminar on ME/CFS in Calgary in November 2008. This seminar was held to raise awareness, increase medical practitioners' knowledge, and improve medical treatment for patients with ME/CFS. An article on this seminar was published by PHAC and can be found at <http://www.phac-aspc.gc.ca/publicat/cdic-mcbc/29-3/pdf/cdic29-3-6-eng.pdf>.

CIHR has invested \$28,000 since 2009-2010 in research related to ME/CFS. In addition, CIHR's Institute of Musculoskeletal Health and Arthritis, IMHA, has set aside a separate pool of funds in its

undergraduate studentship program for myalgic encephalomyelitis and fibromyalgia. Details are available at <http://www.researchnet-recherchenet.ca/rnr16/vwOpprnttyDtls.do?prog=1699&view=currentOpps&org=CIHR&type=AND&resultCount=25&sort=program&all=1&masterList=tru.e>.

Surveillance of ME/CFS and fibromyalgia is undertaken by PHAC in looking at trends in disease prevalence in order to inform program and policy decisions. Data from the 2010 Canadian Community Health Survey, CCHS, allow PHAC to produce scientific surveillance information on ME/CFS, raise awareness and support efforts to increase understanding of the impact of these conditions.

The questions on ME/CFS, fibromyalgia, and multiple chemical sensitivities were asked of all CCHS respondents in 2010. Analysis of the 2005 and 2010 data demonstrated that there were no changes in the prevalence of these conditions in this five-year period; therefore, maintaining the data collection on these conditions every four years is appropriate.

The Public Health Agency of Canada's website is aimed at delivering information and services to users that are relevant and applicable to its mandate and that of the Government of Canada. While PHAC facilitates the sharing of clinical information via its website, it is the responsibility of health care professional associations and medical bodies to ensure that relevant clinical information is available to their members. The following documents are available at the links indicated below: Canadian Consensus Document for ME/CFS: A Clinical Case Definition and Guidelines for Medical Practitioners at <http://www.phac-aspc.gc.ca/cd-mc/az-index-eng.php#C>; and Canadian Consensus Document for Fibromyalgia: A Clinical Case Definition and Guidelines for Medical Practitioners at <http://www.phac-aspc.gc.ca/cd-mc/az-index-eng.php#F>.

**Question No. 1048—Mr. Alexandre Boulerice:**

With regard to labour organizations, as of October 23, 2012, how many of these organizations (including unions, groups, federations, congresses, labour councils, joint councils, assemblies, central committees and joint panels duly constituted under the authority of such an organization) are there across the country, broken down by province?

**Hon. Lisa Raitt (Minister of Labour, CPC):** Mr. Speaker, based on a survey of labour organizations with 50 or more covered members, the number of unions in Canada for 2011 is 778 with 14,557 locals. There is no breakdown by province available. The 2011 survey of labour organizations, published in the document entitled "Union coverage in Canada 2011", is available at the following link: [http://www.hrsdc.gc.ca/eng/labour/labour\\_relations/info\\_analysis/union\\_membership/2011/tableofcontents.shtml](http://www.hrsdc.gc.ca/eng/labour/labour_relations/info_analysis/union_membership/2011/tableofcontents.shtml).

*Routine Proceedings***Question No. 1052—Mr. Jamie Nicholls:**

With regard to the project to reopen the Soulanges Canal: (a) does the government anticipate that the reopening of the Soulanges Canal will have a significant positive impact on economic development in Vaudreuil-Soulanges; (b) does the government plan to commit the funds required to update the technical, environmental and socio-economic studies linked to reopening the Soulanges Canal; and (c) does the government plan to invest the funds required to reopen the Soulanges Canal?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, Transport Canada does not manage canals/waterways.

**Question No. 1053—Mr. Dennis Bevington:**

With regards to the Crimes Against Humanity and War Crimes Act, in detail and for each year since the Act was passed: (a) how many cases have been considered by the government; (b) what are the details of these cases; (c) which cases have been rejected and why were they rejected; and (d) what actions has the minister taken and will take to ensure all those who come to Canada are held accountable for violation of the Act?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, with regard to (a) and (c), Canada's crimes against humanity and war crimes program is a coordinated intergovernmental effort between the Department of Justice; the Royal Canadian Mounted Police, RCMP; Citizenship and Immigration Canada, CIC; and the Canada Border Services Agency, CBSA. Allegations are received by the program through various means. Some allegations come directly from screening methods employed by CIC and the CBSA. Other complaints are received from the public, the media, other countries and international institutions.

Since the inception of the program, CIC and the CBSA have worked on thousands of cases in the context of war crimes. Due to the nature and purpose of RCMP investigations, the number of cases referred to the criminal inventory is considerably lower. The program's coordination and operations committee, PCOC, composed of members from each of the program partners, facilitates interdepartmental coordination in assessing allegations and referring cases to the appropriate partner for further action. The program partners have continued to examine allegations of modern war crimes to determine which remedy would be best suited for each allegation. For example, in order for an allegation to be added to the RCMP/Justice department criminal inventory, among other considerations, the allegation must disclose personal involvement or command responsibility, and the evidence pertaining to the allegation must be corroborated and obtainable in a reasonable and rapid fashion.

When deciding whether to initiate a prosecution pursuant to the Crimes Against Humanity and War Crimes Act, the Attorney General or Deputy Attorney General must consider two issues: first, whether the evidence demonstrates that there is a reasonable prospect of conviction; and second, if so, does the public interest require a prosecution to be pursued?

With regard to (b), the 12th report on Canada's Program on Crimes Against Humanity and War Crimes 2008-2011 provides a snapshot of the number and type of files that form part of Canada's crimes against humanity and war crimes program.

This most recent report indicates that there are 58 modern war crimes files in the RCMP/Justice department inventory, and is available at the following link: <http://canada.justice.gc.ca/warcrimes-crimesdeguerre/researchreports-rechercherapports-eng.asp>.

Since the Crimes Against Humanity and War Crimes Act was passed in 2000, the Deputy Attorney General of Canada has consented to commencing two cases for criminal prosecution.

In May 2009, Mr. Munyaneza was convicted of seven counts of genocide, crimes against humanity and war crimes. The offences were committed against the Tutsi minority during the Rwandan genocide of 1994. In the second case, Mr. Mungwarere stands charged with crimes against humanity, also allegedly committed during the Rwandan genocide. His trial commenced in June 2012 and is ongoing.

With regard to (d), the goal of Canada's crimes against humanity and war crimes program is to deny safe haven in Canada to people involved in war crimes, crimes against humanity, or genocide. The Government of Canada demonstrated its commitment to the program by granting it funding on a permanent basis in the 2011 federal budget. Further details of the program's progress and activities can be found in the 12th report on Canada's Program on Crimes Against Humanity and War Crimes 2008-2011.

**Question No. 1055—Mr. Kevin Lamoureux:**

With regard to overseas tax evasion: (a) of the 106 Canadians contained in a list of people with money in secret bank accounts in Liechtenstein, how many account holders or beneficiaries applied for the Canada Revenue Agency's (CRA) Voluntary Disclosure Program; and (b) what individuals or organizations have lobbied the Minister of National Revenue or CRA on matters relating to overseas tax evasion, and on whose behalf were these efforts made?

**Hon. Gail Shea (Minister of National Revenue, CPC):** Mr. Speaker, with regard to part (a), since receiving the names and starting compliance action on the 106 Canadians whose names appear on the list of having accounts in Liechtenstein, none of them have been accepted under the voluntary disclosures program, VDP, with respect to accounts in Liechtenstein.

With regard to part (b), the Lobbying Act was established on August 5, 2009. The CRA's own records on lobbying activities begin on September 2, 2009.

A search was completed of the CRA's records on lobbying activities from September 2, 2009 to September 1, 2012, the end date of the last available quarterly lobbying reports. This completed search has indicated that no individuals or organizations have lobbied the Minister of National Revenue or CRA's designated public office holders on matters relating to overseas tax evasion.

*Routine Proceedings***Question No. 1057—Mr. Scott Simms:**

With regard to the Department of Canadian Heritage: (a) what programs, grants and funding sources are available for authors, editors, or other content producers who have written, are writing, or are planning to write any kind of written material, such as books or magazines, broken down by (i) the eligibility requirements, (ii) the amount of funding available; and (b) how many people have received funding over the past five years, broken down by (i) the name of the recipient, (ii) the type of funding available, (iii) the program under which the funding was received, (iv) the project for which the funding was received?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, the Department of Canadian Heritage does not fund authors, editors or other content producers directly. Federal funding of this type is only available through the Canada Council for the Arts.

**Question No. 1060—Mr. Louis Plamondon:**

With regard to enforcing the Crimes Against Humanity and War Crimes Act, from 2006 to 2012, for cases submitted and examined by the Minister of Justice: (a) what cases were recommended to him and retained, and why; and (b) what cases were recommended to him and not retained, and why?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, with regard to (a), the Crimes Against Humanity and War Crimes Act, CAHWCA, was enacted in 2000. Subsections 9(3) and 9(4) provide that the Attorney General of Canada or the deputy attorney general of Canada must give his or her consent for the commencement of a prosecution pursuant to the act. With the creation of the Public Prosecution Service of Canada in 2006, the director of public prosecutions, DPP, is the deputy attorney general for the purposes of initiating prosecutions.

Since 2006, the Attorney General or the DPP as deputy attorney general has consented to the institution of the prosecution of one criminal case, *Regina v. Jacques Mungwarere*, pursuant to the CAHWCA. This case is ongoing.

In making a decision whether to prosecute any case, Crown counsel must consider two issues: first, whether the evidence demonstrates that there is a reasonable prospect of conviction; and second, if so, whether the public interest require a prosecution to be pursued. These same issues are considered by the Attorney General or DPP when deciding whether to consent to a prosecution pursuant to the CAHWCA.

With regard to (b), when considering any case that is recommended for prosecution pursuant to the CAHWCA, the same two issues as described in (a) above, are considered. No cases have been recommended for prosecution that were not prosecuted.

**Question No. 1061—Mr. Louis Plamondon:**

With regard to people convicted of war crimes and crimes against humanity: (a) how many people convicted of war crimes have we identified in Canada and, among these, how many are Canadian citizens, broken down by province; (b) how many people convicted of crimes against humanity have we identified in Canada and, among these, how many are Canadian citizens, broken down by province; and (c) for foreign nationals, in the case of people convicted of war crimes and crimes against humanity, how long have they been in Canada and why are they still in Canada?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, with regard to (a) and (b), only one person has been convicted pursuant to the Crimes Against Humanity and War Crimes Act, CAHWCA, which was enacted in 2000. The CAHWCA gives Canada the power to prosecute these crimes wherever they were

committed if the perpetrator later moves to, or visits, Canada. Désiré Munyaneza was convicted in May 2009 of seven counts of genocide, crimes against humanity and war crimes. He is not a Canadian citizen. He resided in Quebec before his conviction.

As for (c), Mr. Munyaneza, a foreign national, arrived in Canada in 1997 and applied for refugee status. His refugee claim was denied, a decision that was upheld through various legal appeals. He was arrested by the Royal Canadian Mounted Police in 2005 and charged with two counts of genocide, two counts of crimes against humanity and three counts of war crimes under the CAHWCA. He was found guilty on all charges. Désiré Munyaneza was convicted by the Quebec Superior Court in 2009 for the commission of genocide, war crimes and crimes against humanity during the 2004 Rwandan genocide. He was sentenced to life imprisonment with no parole eligibility for 25 years. He is currently appealing his conviction to the Quebec Court of Appeal and has not been removed from Canada due to imprisonment.

More information is publicly available in the 12th report of Canada's Program on Crimes Against Humanity and War Crimes, 2008-2011: <http://www.cbsa-asfc.gc.ca/security-securite/wc-cg/wc-cg2011-eng.html>.

**Question No. 1066—Mr. Scott Simms:**

With regard to Canadian Forces Base 9 Wing Gander: (a) what is the current status, including start dates (both planned and actual), for exactly what work, to be completed by what date, and for exactly what purpose, of (i) Building 86, (ii) the construction of a new headquarters, (iii) the new building for 91 Construction Engineering Flight, (iv) the new Logistics building, and (v) all other construction, renovation, or infrastructure improvement projects at the base; (b) what expenditures in (a) have been (i) budgeted, (ii) spent, and (iii) anticipated; and (c) what facilities, buildings, or infrastructure on the base are not the subject of any construction, renovation, or infrastructure improvement projects?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, with regard to (a)(i), Building 86 has been demolished. All cleanup work was completed on November 16, 2011.

With regard to (a)(ii) and (iv), this two-phase project will consolidate 9 Wing support units into a complex of two multi-purpose facilities. The project is still in the definition phase and the start and end dates have not been confirmed yet. This project includes the demolition of a number of buildings.

With regard to (a)(iii), this project involves the construction of a one-storey structure to replace the existing 91 Construction Engineering facilities. It will contain administration offices, training rooms, shops, supply storage areas and an outdoor vehicle compound. Construction is expected to start in summer 2013, and is expected to be completed in fiscal year 2014-15.

*Routine Proceedings*

With regard to (a)(v) every building and piece of infrastructure on the Wing is subject to some form of renovation, construction or improvement.

With regard to (b)(i) and (ii), Building 86 has been demolished. All cleanup work was completed on November 16, 2011. As for the new headquarters and logistics building, a definition expenditure authority for \$2.4 million, excluding taxes, was approved on 28 July 2008. As the project is still in the definition phase, the total value of the project has not been finalized. Approximately \$1.76 million was spent in fiscal year 2011-12, and \$0.5 million expenditure is anticipated in fiscal year 2012-13. As for 91 Construction Engineering Flight, \$5.67 million, excluding taxes, was budgeted for this project on 19 July 2010. The final budget costs are under review. Approximately \$0.25 million has been spent on this project. The Department of National Defence anticipates spending \$0.53 million in fiscal year 2012-13.

With regard to (b)(iii), all expenditures from question (a) were anticipated.

With regard to (c), every building and piece of infrastructure on the Wing is subject to some form of renovation, construction or improvement. All facilities are subject to day-to-day operation and oversight by DND personnel.

**Question No. 1071—Mr. Mathieu Ravignat:**

With regard to the Public Servants Disclosure Protection Act, given that it has been due for revision since April 2012: (a) when is the government planning to carry out the review; (b) how will the government carry it out; and (c) will the government increase awareness of this Act and, if yes, how?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, with regard to (a), the Government of Canada is strongly committed to maintaining and enhancing trust in the integrity of the federal public sector, and to ensuring transparency, accountability and ethical conduct in the workplace and with Canadians.

The government is committed to reviewing the Public Servants Disclosure Protection Act in keeping with the requirements of the legislation.

With regard to (b), a process for conducting the review is under consideration.

With regard to (c), the government promotes awareness of the Public Servants Disclosure Protection Act through meetings for practitioners, workshops, working groups and information sessions. Numerous communication products and support tools for organizations and employees such as guides, fact sheets, checklists and FAQs are currently available to all employees and the public on the TBS website, and more are under development.

**Question No. 1079—Mr. Brian Masse:**

With regard to the Automotive Innovation Fund expiring in 2013, have the Minister of Industry and Minister of Finance considered: (a) extending the Automotive Innovation Fund past the current 2013 deadline; and (b) renewing the program for another five-year period?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, the automotive innova-

tion fund, AIF, was established to support strategic research and development, R and D, projects to build innovative, greener, more fuel-efficient vehicles. To date, the government has made investments in Ford, Linamar, Toyota and Magna. These repayable contributions have leveraged up to \$1.6 billion in R and D and innovation investments in Canada.

On January 4, 2013, the Government of Canada announced a commitment of an additional \$250 million over five years to the automotive innovation fund. The renewal of the fund will continue to stimulate research and innovation and will further strengthen the sector and secure Canada's automotive footprint.

The AIF is only one part of the government's broader approach to ensuring the right economic conditions are in place to support a strong Canadian auto industry.

**Question No. 1097—Hon. Mark Eyking:**

With regard to the government's answer to Written Question No. 950 in the current session of Parliament, pursuant to what policy, directive, order, guideline, law or other document are the file numbers which were, in part, the subject of that question, deemed to be confidential?

**Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, the decisions relating to the marine rescue sub-centre and marine communications and traffic services centres closures were made by cabinet and are therefore considered cabinet confidences.

The requirement to protect the confidentiality of cabinet confidences is protected by convention, common law and legislative provisions.

**Question No. 1101—Ms. Christine Moore:**

With regard to the concerns raised in Chapter 5 of the 2012 Fall Report of the Auditor General concerning National Defence real property: (a) what Budget 2012 funding was internally reallocated within the Department of National Defence to address these concerns; (b) what was the amount of this funding, by military base and by off-base military building or location; (c) from which expenditure items were these funds reallocated; and (d) what type of work was funded by these reallocations, on which bases and over what time frame?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, chapter 5 of the 2012 fall report of the Auditor General concerning National Defence real property made 12 recommendations that focused primarily on improvements to the management of the National Defence real property portfolio.

The Department of National Defence has accepted the recommendations and is working towards their implementation. The department's budget is allocated through the main and supplementary estimates rather than budget 2012 proposals.

*Routine Proceedings*

With respect to the recommendation of the Auditor General on compliance with health and safety legislation, regulations and policies, paragraph 5.63, the department is implementing a national remedial solution that will provide bases and wings across Canada with the additional capacity necessary to inspect, test and maintain fire protection systems in accordance with national codes. The phased implementation of the national remedial solution will involve the centralization of responsibility and funding, and in this context, it is anticipated that costs related to the delivery of the national inspection, testing and maintenance solution will be proportionally borne by each respective custodian via a permanent baseline funding transfer.

The Canadian Forces fire marshal has developed the necessary contractual documentation to implement a regionally managed get well program. The first phase will cover Suffield, Wainwright and Cold Lake. The second phase will cover the Quebec region and the east coast. The third phase will cover the remainder of the Prairies and the west coast. Finally, the fourth phase will cover the central region and the north. A tender for a regional contract to conduct inspection, testing and maintenance activities at Suffield, Wainwright and Cold Lake was posted on MERX with a closing date of January 22, 2013. The first phase of the get well program will also serve to evaluate the effectiveness of the regional approach with a view to adjusting the implementation plan should it prove necessary. The aim is to have all necessary contractual mechanisms in place by the end of fiscal year 2013-14.

**Question No. 1106—Hon. Lawrence MacAulay:**

With regard to websites accessed on the personal departmental desktops computers, lap top computers, mobile phones, including Blackberries, tablet computers, or other internet enabled devices paid for with taxpayers dollars to the Minister of State (Democratic Reform): (a) what are all the URLs of all websites accessed on said devices between 12:01 a.m. on December 6, 2012, and 12:01 a.m. on December 8, 2012, date and times inclusive; and (b) at what times were those websites accessed?

**Hon. Tim Uppal (Minister of State (Democratic Reform), CPC):** Mr. Speaker, the Privy Council Office has no records related to this request.

\* \* \*

[*English*]

**QUESTIONS PASSED AS ORDERS FOR RETURNS**

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, furthermore if a supplementary response to Question No. 939, originally tabled on November 19, 2012, as well as Questions Nos. 1,035, 1,037, 1,038, 1,041, 1,045 to 1,047, 1,049 to 1,051, 1,054, 1,056, 1,058, 1,059, 1,062 to 1,065, 1,067 to 1,070, 1,072 to 1,078, 1,080 to 1,096, 1,098 to 1,100, 1,102 to 1,105 and 1,107 could be made orders for returns, these returns would be tabled immediately.

[*Text*]

**Question No. 939—Mr. Jonathan Genest-Jourdain:**

With regard to funding for First Nations, Inuit and Métis, for each department and program in the last five years, how much funding was spent on: (a) operating costs, broken down by (i) salaries and benefits for government employees, (ii) salaries and fees for consultants hired by the government, (iii) other enumerated costs; and (b) transfers to First Nations, Inuit and Métis, broken down by (i) payments made to First Nations, Inuit and Métis organizations, (ii) payments made to First Nations bands on-reserve, (iii) other enumerated transfer payments?

(Return tabled)

**Question No. 1035—Mr. Jamie Nicholls:**

With regard to federal grants and contributions, what were the amounts paid out in the Vaudreuil-Soulanges riding between April 1, 2011, and October 25, 2012, broken down by (i) the identity and address of each recipient, (ii) the start date for the funding, (iii) the end date for the funding, (iv) the amount allocated, (v) the name of the program under which the funding was allocated?

(Return tabled)

**Question No. 1037—Hon. Carolyn Bennett:**

With regard to the Public Health Agency of Canada, what grants and contributions under \$25,000 did it award from January 1, 2011, to the present, including the recipient's name, the date, the amount and the description?

(Return tabled)

**Question No. 1038—Ms. Lise St-Denis:**

With regard to Status of Women Canada, what grants and contributions under \$25,000 did it award from January 1, 2006, to the present, including the recipient's name, the date, the amount and the description?

(Return tabled)

**Question No. 1041—Ms. Lise St-Denis :**

With regard to Foreign Affairs and International Trade Canada, what grants and contributions under \$25,000 did the department award from January 1, 2011, to the present, including the recipient's name, the date, the amount and the description?

(Return tabled)

**Question No. 1045—Mr. Jean Rousseau:**

With regard to Economic Development Agency of Canada for the Regions of Quebec programs, between 2006 and 2012: (a) what were the eligibility criteria, by (i) program, (ii) year; (b) what were the assessment criteria, by (i) program, (ii) year; (c) did the Agency use assessment grids and, if so, what were these grids, by (i) program, (ii) year; (d) how many proposals were submitted, by (i) program, (ii) year, (iii) administrative region; (e) how many proposals were rejected, by (i) program, (ii) year, (iii) administrative region; (f) how many proposals were accepted, by (i) program, (ii) year, (iii) administrative region; (g) what were the proposals that were accepted, by (i) program, (ii) year, (iii) administrative region; (h) what was the total amount for each project mentioned in (g); (i) what were the proposals that were rejected, by (i) program, (ii) year, (iii) administrative region; (j) what was the total amount for each project mentioned in (i); and (k) what were the processing times, by (i) program, (ii) year, (iii) administrative region?

(Return tabled)

*Routine Proceedings***Question No. 1046—Mr. Glenn Thibeault:**

With regard to the Royal Canadian Mounted Police (RCMP) since 2005-2006, broken down by fiscal year: (a) how many arrests have been made for intellectual property crime; (b) for each individual offence, how many charges have been laid for trademark infringement and other offences contained under sections 407, 408, 409, 410, and 411 of the Criminal Code; (c) how many investigations into illegal counterfeiting activities have been conducted; (d) how many investigations have resulted in the seizure of counterfeit products; (e) how many of these investigations have resulted in the seizure of counterfeit products deemed to be potentially harmful to consumers; (f) what is the estimated total value of each seizure; (g) for those seizures where the country of origin was identified by the RCMP, what is the primary source country of each seizure, broken down by percentage; (h) what is the total amount of funding allocated to the investigation and enforcement of intellectual property crime; (i) what is the total amount of funding specifically allocated to the investigation and enforcement of anti-counterfeiting measures; (j) how many police officers are specifically tasked with the investigation and enforcement of intellectual property crime; (k) how many police officers are specifically tasked with the investigation and enforcement of anti-counterfeiting measures; (l) what is the total amount of funding allocated to educating Canadians on the impact of intellectual property crime; and (m) how many directives have been issued under section 489 of the Criminal Code to the Canada Border Services Agency regarding the seizure of suspected counterfeit products at Canadian points of entry?

(Return tabled)

**Question No. 1047—Mr. Alexandre Boulerice:**

With regard to the Canada Revenue Agency: (a) what are the titles of the employees responsible for processing and auditing the public information returns of registered charities, broken down by average salary; (b) how many registered charities submitted public information returns from 2009 until now, broken down by year; (c) how many employees have been assigned to processing and auditing the public information returns of charitable organizations from 2009 until now, broken down by (i) year, (ii) position; (d) what is the average cost to process and audit the public information return of a registered charity; (e) how much did it cost to design and implement the Agency's website that contains the public information returns of registered charities and includes a search function; and (f) what is the annual cost to maintain the Agency's website that contains the public information returns of registered charities?

(Return tabled)

**Question No. 1049—Mr. Pierre Nantel:**

With regard to the funding of Montréal festivals from 2006 to 2012: (a) how much was allocated to the Francolies, broken down by (i) year, (ii) program; (b) how much was allocated to the International Jazz Festival, broken down by (i) year, (ii) program; (c) how much was allocated to Pop Montréal, broken down by (i) year, (ii) program; (d) how much was allocated to the Army of Culture, broken down by (i) year, (ii) program; (e) how much was allocated to Just for Laughs, broken down by (i) year, (ii) program; (f) how much was allocated to Rendez-vous du cinéma québécois, broken down by (i) year, (ii) program; (g) how much was allocated to Vues d'Afrique, broken down by (i) year, (ii) program; and (h) how much was allocated to Divers/Cité, broken down by (i) year, (ii) program?

(Return tabled)

**Question No. 1050—Ms. Peggy Nash:**

With regard to the use of limousines and other vehicles from Canada on the Prime Minister's trip to India in November 2012: (a) what was the total cost of transporting and using these vehicles, broken down by (i) vehicle, (ii) fuel, (iii) staffing/personnel, (iv) security; (b) what were the alternative arrangements offered in India; (c) what would have been the cost of using vehicles already made available in India; (d) what was the rationale for using these vehicles in India; (e) who made the recommendations on the use of the vehicles; (f) who made the final decision on the use of the vehicles; (g) was the aircraft used to transport the vehicles on contract, lease or rent, or owned by the government; (h) what was the type of aircraft used for transporting the vehicles; and (i) what were the flight times and departures for these aircraft?

(Return tabled)

**Question No. 1051—Mr. Jamie Nicholls:**

With regard to canals (waterways): (a) which canals are managed by the government; (b) how much does it cost the government to manage these canals; (c) what canal projects are being studied by the government; (d) what is the status of the canal projects being studied by the government; (e) how much funding will be allocated to the canal projects studied by the government; and (f) under which budgetary envelopes or programs does the government funding for the various canals fall?

(Return tabled)

**Question No. 1054—Mr. Don Davies:**

With respect to any analysis by officials from Industry Canada and Health Canada on the impact of Patent Term Restoration (PTR) in Canada: (a) what options for implementing a PTR system in Canada have been evaluated by officials at Industry Canada and Health Canada; (b) what are the estimated impacts on the cost of drugs in Canada that would arise from the implementation of a PTR system based on that which exists in the European Union; (c) what are the estimated impacts on the cost of drugs in Canada that would arise from other options to implement a PTR system in Canada, as analysed by officials; (d) what was the detailed methodology employed to estimate the impacts on the cost of drugs in Canada of these various options; (e) which of these options is being proposed by the government in the Canada-European Union Comprehensive Economic and Trade Agreement (CETA) negotiations; (f) what is the final title of any report(s) or studies prepared by, or on behalf of, these departments concerning CETA within the last two years; (g) will the government be releasing any of these reports publicly; and (h) what were the findings of these reports regarding costs to Canadian governments or the Canadian economy of patents?

(Return tabled)

**Question No. 1056—Ms. Chris Charlton:**

With regard to Labour Market Opinions issued by Human Resources and Skills Development Canada: (a) how many staff are allocated to process applications, broken down by region or province; (b) how many staff are allocated to monitor compliance, broken down by region or province; (c) how many processing positions will be cut as a result of the 2012 staffing reductions, broken down by region or province; (d) how many compliance monitoring positions will be cut as a result of the 2012 staffing reductions, broken down by region or province; (e) in 2012, how many applications have there been for regular Labour Market Opinions, broken down by (i) region or province, (ii) month, (iii) positive and negative decisions; (f) in 2012, how many applications have there been for Accelerated Labour Market Opinions, broken down by (i) region or province, (ii) month, (iii) positive and negative decisions; (g) between 2006 and 2012-to-date, what percentage of companies applying for a regular Labour Market Opinion have been monitored for compliance, broken down by (i) region or province, (ii) year; (h) what percentage of companies applying for an Accelerated Labour Market Opinion have been monitored for compliance in 2012, broken down by (i) region or province, (ii) month; (i) between 2006 and 2012-to-date, how many companies have been found to be in non-compliance with the terms of their Labour Market Opinion; (j) what is the formula or methodology used for determining prevailing wage; (k) what changes have been made to the formula or methodology for determining prevailing wage over the last ten years; and (l) who were the participants in the Labour Advisory Group, what was its mandate, and what changes were made to its mandate over the course of its work?

(Return tabled)

**Question No. 1058—Mr. Glenn Thibeault:**

With regard to government advertising, since 2005-2006, broken down by fiscal year and by department: (a) how much was spent in total; (b) how much was spent on (i) print advertising, (ii) radio advertising, (iii) television advertising, (iv) internet advertising, (v) indoor sign advertising, (vi) outdoor sign advertising; (c) how much was spent on domestic advertising; (d) how much was spent on advertising abroad, and in which countries; (e) how much was spent on the development of advertising content; (f) how much was paid to private firms for the development of advertising content; and (g) which private advertising firms received government contracts, and for what amount?

(Return tabled)

*Routine Proceedings***Question No. 1059—Mr. Alexandre Boulerice:**

With regard to tickets for sporting events, between 2006 and 2012, sorted by year: (a) how much was spent on National Hockey League tickets; (b) how much was spent on Canadian Football League tickets; (c) how much was spent on Major League Baseball tickets; (d) how much was spent on National Basketball Association tickets; and (e) how much was spent on Major League Soccer tickets?

(Return tabled)

**Question No. 1062—Hon. Geoff Regan:**

With respect to the Department of National Defence: (a) how many complaints of racial discrimination were filed each year between 2000 and 2011; (b) how many complaints originated in each province or territory; (c) what was the location where the alleged racial discrimination took place; (d) how many complaints involved (i) military personnel, (ii) civilian personnel; (e) how many complaints were (i) investigated, (ii) found to be valid, (iii) resulted in discipline; and (f) what is the file number and date of each complaint?

(Return tabled)

**Question No. 1063—Mr. Sean Casey:**

With respect to funding announcements regarding veterans: (a) how much of the \$300,000 announced on August 7, 2006, for renovations to the Robert L. Knowlton Veterans' Unit at the Villa Chaleur Nursing Home in Bathurst, New Brunswick, was spent, and what was the breakdown of that amount; (b) how much of the \$10,000,000 in funding announced in Budget 2007 to establish five new Operational Stress Injury (OSI) Clinics across Canada has been spent, broken down by OSI Clinic; (c) how much of the \$1,500,000 announced on June 25, 2007, to establish a new OSI Clinic in Fredericton was spent, and what was the breakdown of that amount; (d) since the announcement of \$850,000 in increased funding for the Calgary Carewest OSI Clinic in 2007, what has been the Clinic's annual budget for each fiscal year to present date; (e) how much of the possible \$18,500,000 payable to Right Management over four years under its national contract for the Job Placement Program announced on October 25, 2007, has been spent, broken down by amount spent annually; (f) since the announcement of \$1,400,000 in increased funding for the Quebec OSI Clinic on November 16, 2007, what has been the Clinic's annual budget for each fiscal year to present date; (g) how much of the possible \$20,000,000 payable to CanVet VR Services over three years to provide the vocational components of Veterans Affairs Canada's broader Rehabilitation Program announced on May 21, 2009, has been spent, broken down by amount spent annually; (h) how much of the \$114,500,000 earmarked to compensate Agent Orange victims has been spent, broken down by amount spent annually; and (i) how much of the \$2,000,000,000 announced on September 19, 2010, "to ensure that veterans who have been seriously injured in the service of Canada have access to the support they deserve" has been spent, broken down by both the amount spent annually and the project/initiative under which the money was spent?

(Return tabled)

**Question No. 1064—Mr. Guy Caron:**

With regard to the Competition Bureau: (a) how many investigations have been launched since 2006, sorted by (i) year, (ii) economic sector of the companies under investigation; (b) how many indictments have been brought since 2006, sorted by year; (c) how many investigations have not resulted in indictments since 2006, sorted by year; (d) how many Bureau staff have been assigned to investigations since 2006, sorted by year; (e) how many interim injunctions have been issued since 2006, sorted by year; (f) how many convictions have resulted from Bureau investigations since 2006, sorted by year; (g) how many fines have been collected since 2006, sorted by year; (h) what measures have been implemented as part of the Anti-Bid-Rigging Program since 2006; (i) what has been the total number of Bureau employees since 2006, sorted by year; (j) how many employees have been assigned to the Anti-Bid-Rigging Program since 2006, sorted by year; and (k) when are the Bureau's 2010-2011 and 2011-2012 annual reports expected to be published?

(Return tabled)

**Question No. 1065—Ms. Anne Minh-Thu Quach:**

With regard to Environment Canada's Habitat Stewardship Program: (a) what are the names, places and provinces of origin of the organizations that received funding in each year since the 2006-2007 fiscal year; (b) what were the funding amounts for

this program in each year since the 2006-2007 fiscal year; and (c) what were the (i) expired, (ii) transferred, (iii) unused funding amounts in each year since 2006-2007?

(Return tabled)

**Question No. 1067—Mr. Peter Julian:**

With regard to all buildings containing asbestos which are owned, leased or controlled by the government: (a) what steps has the government taken to eliminate asbestos-related hazards; (b) has the government developed a list identifying all public buildings falling under its responsibility which contain Asbestos Containing Material (ACM) and (i) if so, what is the address of each such building, (ii) when will the list be made available to the public, (iii) if not, is the government planning on creating such a list and if so, when would it be made available to the public; and (c) is the government working with any provinces or territories to compile a National Asbestos Registry that will inform Canadians which buildings use ACMs and, if so, with which provinces or territories has the government been liaising?

(Return tabled)

**Question No. 1068—Mr. Kennedy Stewart:**

With regard to the refocusing of the National Research Council (NRC) mandate: (a) what was the rationale for the refocusing on business-led, industry-relevant research; (b) what constitutes a refocusing on business-led, industry-relevant research; (c) when was the change first proposed, and by whom; (d) what consultations took place regarding this change and who was consulted; (e) what programs and employee positions will be eliminated, or be at risk of being eliminated, as a result of this change; (f) what programs and employee positions will be restructured with greater focus towards business-led, industry-relevant research; (g) how many scientific positions currently exist within the NRC and how many will exist after the restructuring; (h) what was the overhead time spent by employees at the NRC for the past five years; and (i) what funding supports will be in place for non-oriented research and development once the focusing of the mandate is complete?

(Return tabled)

**Question No. 1069—Hon. Ralph Goodale:**

With regard to defibrillators, within each department, agency and crown corporation of the government: (a) how many units are currently installed and ready for use; (b) how much did each unit cost; (c) who was the supplier for each unit; (d) where exactly is each unit located; (e) how many units are at each location; (f) how many employees at each location are trained to use them; (g) what regulations or policies govern their installation and use in federal facilities and in federally regulated industries; (h) are there any federal rules requiring the installation of defibrillators in airports, Canada Post outlets and RCMP detachments and vehicles; (i) what programs provide incentives and information to encourage their installation and use; (j) are any such programs planned in the future; (k) according to Health Canada, what impact do defibrillators have; and (l) what cost-benefit studies have been done on the installation and use of defibrillators, and what were their results?

(Return tabled)

**Question No. 1070—Mr. François Choquette:**

What is the total amount of government funding allocated within the constituency of Drummond in the fiscal years from April 1, 2010, to March 31, 2011, and from April 1, 2011, to March 31, 2012, inclusively, specifying each department or agency, initiative or program, year and amount?

(Return tabled)

**Question No. 1072—Ms. Mylène Freeman:**

With regard to the proposed changes to the list of waterways protected by the Navigable Waters Protection Act as described in Bill C-45, the Jobs and Growth Act, 2012: (a) which organizations were consulted in the development of this list; (b) when and where were the consultations referred to in (a) held; (c) which provincial or municipal governments were consulted during the development of this list; (d) when and where were the consultations referred to in (c) held; and (e) what are the job titles of the public servants who prepared this list?

(Return tabled)

*Routine Proceedings*

**Question No. 1073—Ms. Judy Foote:**

With regards to the fishery: (a) have any species of fish been placed on moratorium since 1992 and, if so, (i) what species, (ii) when was the moratorium placed for each of these species, (iii) what was the rationale behind each of these moratoriums; (b) are there any plans to change the regulations regarding by catch and discards, (i) have any reviews or studies been conducted concerning this issue and, if so, (ii) what are the names of these reviews or studies, (iii) when did these reviews or studies take place, (iv) what are the file numbers of these reviews or studies; (c) are there any plans to ensure that healthy biomass levels of the various species being harvested by fishers are maintained, (i) how many total Department of Fisheries and Oceans (DFO) employees monitored the health of commercial species in each calendar year from 2000 until 2012, (ii) what process does DFO use to consult fishers when determining quotas for each species, (iii) are there any plans to ensure that adequate scientific work will be carried out annually to ensure that all factors are responsibly addressed when quotas are being set; (d) are there any plans to change the regulations regarding the distribution of the uncaught cod quota and, if so, (i) are there any plans to allow fish processing companies to acquire any uncaught cod quota, (ii) what is the rationale behind these plans, (iii) are there any safeguards in place to ensure that the processors offer competitive prices to independent fishers, (iv) are there any plans to put in place safeguards to ensure that the processors offer competitive prices to independent fishers; (e) what are the quotas or regulations concerning the by catch of scallops that are allowed to fishers in Newfoundland and Labrador, broken down by region, (i) what is the rationale behind these quotas or regulations; (f) what are the regulations regarding the areas which fishers are allowed to fish scallops and what is the rationale behind these regulations; (g) have any private companies been granted exclusive rights to scallops in certain areas and, if so, what is the rationale behind the granting of these exclusive rights; (h) what are the quotas or regulations concerning the by catch of halibut that is allowed to fishers in Newfoundland and Labrador and what is the rationale behind these quotas or regulations; (i) what are the quotas or regulations concerning the by catch of halibut that is allowed to fishers in Saint-Pierre and Miquelon and what is the rationale behind these quotas or regulations; (j) what are the regulations regarding the amount of species that are allowed to be fished by a fisher at a time, (i) what species are not allowed to be fished, (ii) what species are subject to regulations which limit the amount of by catch that a fisher can acquire; (k) have any reviews or studies been conducted concerning the overfishing of certain species and, if so, (i) what are the names of these reviews or studies, (ii) when did these reviews or studies take place, (iii) what are the file numbers of these reviews or studies; (l) are there any plans to change the regulations concerning the fishing of a directed species and has DFO considered multi-species fishing?

(Return tabled)

**Question No. 1074—Hon. Irwin Cotler:**

With regard to the Minister of Public Safety's decision to terminate the contracts of part-time prison chaplains in federal penitentiaries: (a) did the Minister consult with officials from Correctional Services Canada (CSC) and, if so, did CSC express support for these cuts; (b) did the Minister consult with corrections officials in Alberta and, if so, (i) which specific prison officials did the government consult with and from which specific institutions in Alberta, (ii) did corrections officials from institutions in Alberta support the cuts; (c) did the Minister consult with corrections officials in British Columbia and, if so, (i) which specific prison officials did the government consult with and from which specific institutions in British Columbia, (ii) did corrections officials from institutions in British Columbia support the cuts; (d) did the Minister consult with corrections officials in Nova Scotia and, if so, (i) which specific prison officials did the government consult with and from which specific institutions in Nova Scotia support the cuts; (e) did the Minister consult with corrections officials in New Brunswick and, if so, (i) which specific prison officials did the government consult with and from which specific institutions in New Brunswick support the cuts; (f) did the Minister consult with corrections officials in Quebec and, if so, (i) which specific prison officials did the government consult with and from which specific institutions in Quebec, (ii) did corrections officials from institutions in Quebec support the cuts; (g) did the Minister consult with corrections officials in Ontario and, if so, (i) which specific prison officials did the government consult with and from which specific institutions in Ontario, (ii) did corrections officials from institutions in Ontario support the cuts; (h) did the Minister consult with corrections officials in Saskatchewan and, if so, (i) which specific prison officials did the government consult with and from which specific institutions in Saskatchewan, (ii) did corrections officials from institutions in Saskatchewan support the cuts; (i) did the Minister consult with corrections officials in Manitoba and, if so, (i) which specific

prison officials did the government consult with and from which specific institutions in Manitoba, (ii) did corrections officials from institutions in Manitoba support the cuts; (j) did the Minister consult with members or leaders from any Canadian non-Christian religious groups and, if so, (i) what specific religious groups were consulted, (ii) did any of these groups support the decision to terminate the contracts of part-time prison chaplains, (iii) which specific groups objected and on what grounds; (k) did the government consult with any non-profit organizations or any other non-governmental organizations and, if so, (i) what specific non-profit or non-governmental organizations were consulted, (ii) did any of these groups support the decision to terminate the contracts of part-time prison chaplains, (iii) which specific organizations objected and on what grounds; (l) what is the national statistical breakdown of the federal prison population according to religious affiliation; (m) what is the statistical breakdown of the federal prison population according to religious affiliation in (i) Nova Scotia, (ii) New Brunswick, (iii) Quebec, (iv) Ontario, (v) Alberta, (vi) Saskatchewan, (vii) Manitoba, (viii) British Columbia; (n) how many federal prison inmates requested religious counsel from a clergy-person of their own faith in 2011, (i) with which faith group did the inmates who made these requests identify, (ii) for these inmates, were such clergy represented in the population of CSC full time-chaplains, (iii) for these inmates, were such clergy represented in the population of CSC part-time chaplains; (o) to which faith groups did the terminated chaplains identify; (p) how does the government define the concept of spiritual guidance and what training or credentials will be required of CSC-employed chaplains to provide such guidance to federal prison inmates who are not of the same faith group; (q) with whom has the Minister consulted to ensure that terminating the contracts of part-time federal prison chaplains will not disparately impact minority-faith Canadians; (r) has the Minister taken any steps to ensure that the cuts will not be vulnerable to a constitutional challenge pursuant to either Sections 2 or 15 of the Charter of Rights and Freedoms; and (s) has the Minister consulted with the Minister of Justice in regard to the constitutionality of these cuts and has the Minister of Justice confirmed that they are constitutionally sound?

(Return tabled)

**Question No. 1075—Mr. Peter Julian:**

With regard to Canada's support for energy as a natural resource: (a) what is the estimated total amount spent annually from 2006 to present, on every program expenditure in support of energy investment, development, production and efficiency for each of the following renewable and non-renewable energy sources: (i) solar energy; (ii) wind energy; (iii) geothermal energy; (iv) hydropower; (v) ethanol; (vi) ocean energy; (vii) biomass; (viii) biofuel; (ix) fossil fuels, including oil, gas and coal; (x) nuclear energy; (b) what is the estimated total amount spent annually from 2006 to present on every tax expenditure in support of energy investment, development, production and efficiency for each of the following renewable and non-renewable energy sources: (i) solar energy; (ii) wind energy; (iii) geothermal energy; (iv) hydropower; (v) ethanol; (vi) ocean energy; (vii) biomass; (viii) biofuel; (ix) fossil fuels, including oil, gas and coal; (x) nuclear energy; and (c) what new funding has been announced in support of these energy sources since 2006?

(Return tabled)

**Question No. 1076—Mr. Glenn Thibeault:**

With regard to the Task Force for the Payments System Review, since 2010-2011 and broken down by fiscal year, how much funding has been spent by (i) the task force, (ii) government departments, to aid and promote the task force?

(Return tabled)

**Question No. 1077—Mr. Glenn Thibeault:**

With regard to government websites, what was the cost of (i) designing, (ii) implementing, (iii) promoting: (a) [www.healthycanadians.gc.ca/www.canadiensensante.gc.ca](http://www.healthycanadians.gc.ca/www.canadiensensante.gc.ca); and (b) the 2012 redesign of [travel.gc.ca/voyage.gc.ca](http://travel.gc.ca/voyage.gc.ca)?

(Return tabled)

*Routine Proceedings***Question No. 1078—Hon. Irwin Cotler:**

With regard to appointments within the Department of Justice between April 1, 2010, and March 31, 2011: (a) how many people were appointed; (b) to what position was each person appointed; (c) for each appointment, who was the delegated or sub-delegated official responsible for making the appointment; (d) on the basis of what criteria did the Department determine whether to implement an advertised or non-advertised appointment process; (e) for each appointment, which of the criteria in (d) were met or not met; (f) for which of the appointments was an advertised appointment process implemented; (g) for each advertised appointment, in what media outlets was the appointment advertised; (h) on what dates were each of the advertisements in (g) posted in each media outlet; (i) for each advertised appointment, what was the title of the position as stated in the advertisement; (j) for each advertised appointment, what was the description of the position as stated in the advertisement; (k) for each advertised appointment, what were the essential qualifications as listed in the advertisement with respect to (i) language proficiency, (ii) education, (iii) experience; (l) for each advertised appointment, what were the asset qualifications as listed in the advertisement with respect to (i) language proficiency, (ii) education, (iii) experience; (m) for each advertised appointment, which of the essential qualifications were met by the successful candidate; (n) for each advertised appointment, and for each essential qualification, on the basis of what documents did the Department determine that the successful candidate met or failed to meet the essential qualification; (o) for each advertised appointment, which of the asset qualifications were met by the successful candidate; (p) for each advertised appointment, and for each asset qualification, on the basis of what documents did the Department determine that the successful candidate met or failed to meet the asset qualification; (q) for each advertised appointment, which of the essential qualifications were met by each unsuccessful candidate; (r) for each advertised appointment, for each unsuccessful candidate, and for each essential qualification, on the basis of what documents did the Department determine that the essential qualification was met or not met; (s) for each advertised appointment, which of the asset qualifications were met by each unsuccessful candidate; (t) for each advertised appointment, for each unsuccessful candidate, and for each asset qualification, on the basis of what documents did the Department determine that the asset qualification was met or not met; (u) for each non-advertised appointment, who was the successful candidate; (v) for each non-advertised appointment, who were the unsuccessful candidates; (w) for each non-advertised appointment, what were the criteria according to which the candidates were evaluated by the Department; (x) for each non-advertised appointment, which of the criteria were met by the successful candidate; (y) for each non-advertised appointment, and for each criterion, on the basis of what documents did the Department determine that the successful candidate met or failed to meet the criterion; (z) for each non-advertised appointment, which of the criteria were met by each unsuccessful applicant; and (aa) for each non-advertised appointment, for each criterion, and for each unsuccessful candidate, on the basis of what documents did the Department determine that the criterion was met or not met?

(Return tabled)

**Question No. 1080—Hon. Lawrence MacAulay:**

With regard to the Department of Fisheries and Oceans: did the Minister of Fisheries and Oceans authorize the killing of fish for reasons other than fishing since May 2, 2011, and, if so, (i) on what dates, (ii) in which locations, (iii) for which reasons, (iv) which company, organization or individual requested the authorization, (v) what was the number and species of fish killed or projected to be killed due to the authorization?

(Return tabled)

**Question No. 1081—Ms. Jinny Jogindera Sims:**

With regard to visa applications and their disposition: (a) how many (i) student, (ii) visitor, (iii) permanent resident visas have been refused for each of the last seven years; (b) for each of the categories listed in (a), how many of these refusals have been taken to the Federal Court, for each of the last seven years; and (c) what have been the results of the court actions, by category and year?

(Return tabled)

**Question No. 1082—Hon. Irwin Cotler:**

With respect to the appointment of judges to the Federal Courts, Superior Courts and similarly situated tribunals within the sphere of the federal power to appoint judges and members, between 2006 and 2012: (a) how is the language competence

of candidates assessed; (b) how many unilingual Anglophone candidates were recommended by the Judicial Advisory Committee to the Justice Minister, (i) how many of them were later recommended by the Minister for appointment to the Federal Courts, (ii) in what years; (c) how many unilingual Anglophone candidates were recommended by each of the Judicial Advisory Committees in each one of the provinces and territories for appointment to the superior courts of various provinces and how many of them were later recommended by the Minister for appointment to superior courts, broken down by province and year; (d) how many unilingual Francophone candidates were recommended by the Judicial Advisory Committee to the Justice Minister, (i) how many of them were later recommended by the Minister for appointment to the Federal Courts, (ii) in what years; (e) how many unilingual Francophone candidates were recommended by each of the Judicial Advisory Committees in each one of the provinces and territories for appointment to the superior courts of various provinces and how many of them were later recommended by the Minister for appointment to superior courts, broken down by province and year; (f) how many bilingual candidates were recommended by the Judicial Advisory Committee to the federal Justice Minister and how many of them were later recommended by the Minister for appointment to the Federal Courts, broken down by year; (g) how many bilingual candidates were recommended by each of the Judicial Advisory Committees in each one of the provinces and territories for appointment to the superior courts of various provinces and how many of them were later recommended by the Minister for appointment to superior courts, broken down by province and year; (h) how many unilingual Anglophone candidates were considered for appointment to each of the federally-appointed tribunals, (i) how many of them were appointed, (ii) to what tribunals, (iii) in what years; (i) how many unilingual Francophone candidates were considered for appointment to each of the federally-appointed tribunals, (i) how many of them were appointed, (ii) to what tribunals, (iii) in what years; (j) how many bilingual candidates were considered for appointment to each of the federally-appointed tribunals, (i) how many of them were appointed, (ii) to what tribunals, (iii) in what years; (k) during this process, how high did the candidate's competence in both official languages rank among the criteria considered by the Minister; (l) has the government put in place a process by which the language needs on the bench can be identified; (m) how are those needs addressed in the judicial appointment process; (n) how are the language needs assessed at the superior court level; (o) how are they addressed in the judicial appointment process; (p) for each judge listed, broken down by Anglophone, Francophone and bilingual judges, and by year, how many cases have been referred, heard and decided; (q) what is being done to ensure even case loads between Anglophone and Francophone judges; and (r) by what means, how often and by whom or which bodies is the case load difference between Anglophone and Francophone judges reviewed?

(Return tabled)

**Question No. 1083—Ms. Megan Leslie:**

With regard to the national Do Not Call List (national DNCL), since 2008-2009, broken down by fiscal year: (a) what is the total amount of funding allocated to the implementation and enforcement of the national DNCL; (b) how many persons have registered their phone or fax number on the national DNCL; (c) how many complaints about a telemarketing call have been filed with the CRTC; (d) how many complaints about a telemarketing fax have been filed with the CRTC; (e) how many telemarketing call complaints have resulted in further investigation; (f) how many telemarketing fax complaints have resulted in further investigation; (g) how many telemarketing call complaints have been found to be in violation of the national DNCL; (h) how many telemarketing fax complaints have been found to be in violation of the national DNCL; (i) how many fines have been levied, and for what amount, for telemarketing call violations of the national DNCL; and (j) how many fines have been levied, and for what amount, for telemarketing fax violations of the national DNCL?

(Return tabled)

*Routine Proceedings***Question No. 1084—Mr. Malcolm Allen:**

With regard to the Budget 2012 commitment to “repeal regulations related to container standards” on various foods: (a) what market impact studies were completed at the time of this commitment and what were those projected impacts; (b) what were the projected impacts on consumers from this commitment; (c) what were the projected impacts on farmers from this commitment; (d) what were the projected impacts on Canadian food processors affected by this commitment; (e) how many hours have been spent, broken down by month, since January 1, 2011, tracking down container standard size violations in (i) baby food packaging, (ii) pre-packaged meat packaging, (iii) honey packaging, (iv) maple syrup packaging, (v) fruits and vegetable packaging; and (f) what has been the cost to the government, broken down by month since January 1, 2011, of tracking down container standard size violations in (i) baby food packaging, (ii) pre-packaged meat packaging, (iii) honey packaging, (iv) maple syrup packaging, (v) fruits and vegetable packaging?

(Return tabled)

**Question No. 1085—Mr. Ted Hsu:**

With regard to the National Research Council (NRC) and its short-term goal for 2012 of transitioning to a program management model, as of November 30, 2012: (a) what programs have reached the final phase of the program approval process; (b) what are the names and brief descriptions of these approved programs; (c) what is the total number of research staff working on each of these approved programs; (d) what is the total number of full-time equivalent research staff working on each of these approved programs; (e) what is the total number of full-time research staff working under the NRC; (f) what is the total number of full-time equivalent research staff working under the NRC; (g) what is the number of full-time research staff whose time has not yet been completely assigned to one or more approved programs; (h) what is the explanation for any full-time research staff still waiting to get to work at a full-time equivalency on approved programs; (i) for research staff whose time is not yet completely assigned to approved programs, how is it being decided what they will work on when they are not working on approved programs, and to what internal account is their time being billed; (j) what project reports are being filed on that interim research work; (k) since April 1, 2012, what concerns has the Minister of State for Science and Technology expressed to NRC management with regard to NRC's transition to a program management model; and (l) since April 1, 2012, what directions has the Minister of State for Science and Technology given to NRC management with regard to its transition to a program management model?

(Return tabled)

**Question No. 1086—Mr. Scott Simms:**

With regard to government advertising: since 2006, how much has been spent on billboards, advertising and other information campaigns, broken down by (i) date released, (ii) cost, (iii) topic, (iv) medium, including publication or media outlet and type of media used, (v) purpose, (vi) duration of the campaign, (vii) targeted audience, (viii) estimated audience, (ix) any analysis of the effectiveness of the advertisement or campaign?

(Return tabled)

**Question No. 1087—Mr. Frank Valeriote:**

With regard to asbestos between the period of November 1, 2006, and November 30, 2012: (a) how many tonnes of asbestos have been exported, broken down annually, from Canada; (b) for the answer to part (a), broken down annually and by the amount of tonnes, what are the names of the (i) vendors selling asbestos from Canada, (ii) exporters of asbestos from Canada, (iii) shippers of asbestos from Canada; (c) for the answer to part (a), broken down annually and by the amount of tonnes, what are the names of (i) each country into which asbestos exported from Canada entered, (ii) each organization that purchased the asbestos from Canada; (d) how many tonnes of asbestos have been purchased by domestic Canadian companies, broken down annually; (e) for the answer to part (d), how many tonnes of asbestos purchased by domestic Canadian companies have been exported from Canada, broken down annually; (f) how much has been spent by the government to remove and dispose of asbestos from (i) the Sir John A. MacDonald Building, (ii) the West Block, (iii) the Wellington Building, (iv) all buildings within the Parliamentary Precinct; (g) what are the health risks of asbestos, according to Health Canada; (h) how many Canadians have died due to complications caused by exposure to asbestos; (i) what programs has the government implemented to prevent exposure to asbestos and to mitigate adverse health effects among workers and citizens of countries to which Canada exports asbestos; (j) how much money has the

government spent to support developing countries in training and protecting their workers and citizens from exposure to asbestos that Canada has exported; and (k) what measures has the government taken to actively encourage other Member States to support the addition of chrysotile asbestos fibers to the Rotterdam Convention?

(Return tabled)

**Question No. 1088—Hon. Irwin Cotler:**

With respect to judicial appointments made by the Minister of Justice: (a) by what process is each applicant reviewed; (b) which criteria are applied; (c) who is responsible for the review of each application; (d) who is responsible for the selection of individuals to conduct reviews of each application; (e) at what stages of the process and in what ways are the following factors considered: (i) gender, (ii) visible minority status, (iii) national or ethnic origin, (iv) race, (v) religion, (vi) sexual orientation, (vii) disability, (viii) parental status, (ix) marital status, (x) First Nations status, (xi) aboriginal status; (f) broken down by court and year from 2000-present, how many judicial appointments were made; (g) of appointments in (f), what is the breakdown by factor listed in (e); (h) for judicial appointments in (f), how many applicants were (i) considered for each position, (ii) recommended, (iii) considered “highly qualified”, (iv) considered “qualified”, (v) considered “not qualified”; (i) for (h)(i), (h)(ii), (h)(iii), (h)(iv) and (h)(v), what is the breakdown by factors in (e); (j) in what ways, when, and by whom is information relative to the factors in (e), (i) obtained or evaluated during the application process, (ii) reviewed and assessed during the consideration of appointments; (k) in what ways are the factors in (e) tracked and reported upon and to whom; (l) in what ways, by what metrics, and by whom, is judicial diversity measured on the bench and how often, to whom and by whom is the information reported; (m) what measures is the (i) Department of Justice, (ii) Minister of Justice taking to ensure the diversity of judicial appointments and a diverse applicant pool for each judicial vacancy; (n) what reviews of diversity among judicial appointments are currently underway; (o) what steps is the Department taking to ensure that diversity is considered throughout the appointments process; (p) by what metrics does the Department measure the diversity of applicants and appointments for judicial vacancies; (q) who is responsible for ensuring diversity of judicial appointments; (r) what measures are being undertaken by the individuals or agencies in (q); (s) in what ways, how often, and to whom do the individuals in (r) report on the issue of judicial diversity; (t) in what types of consultations and with which groups has the Minister of Justice engaged, with respect to diversity of judicial appointments; (u) by what protocol are applicants for judicial vacancies evaluated for each court within the Federal appointment power; (v) when were the protocols in (u) established and by whom; (w) in what ways is diversity a consideration in the protocols in (u); (x) are statistics kept with respect to diversity of appointments already made; (y) with respect to applicants for judicial appointments, how is diversity information collected, by whom, and at what stages of the process; (z) what is the role of the Canadian Judicial Council with respect to ensuring diversity of Canadian courts; (aa) what is the role of the Federal Commissioner for Judicial Affairs with respect to ensuring diversity of judicial appointments; (bb) what statistics are kept by the Canadian Judicial Council and the Federal Commissioner for Judicial Affairs with respect to diversity on the judiciary; and (cc) does the government have any goals with respect to (i) diversity of applicants, (ii) diversity of appointments and, if so, what are they, by whom were they established, and by what mechanisms are they ensured?

(Return tabled)

*Routine Proceedings***Question No. 1089—Mr. Dany Morin:**

With regard to the Wastewater Systems Effluent Regulations, P.C. 2012-942 (June 28, 2012), pursuant to subsection 36(5) and paragraphs 43(g.1), (g.2) and (h) of the Fisheries Act and with regard to all governmental departments: (a) has the government already identified the wastewater systems that present a high, medium or low environmental risk and, if so, (i) which wastewater systems have been identified in the Saguenay-Lac-Saint-Jean region, (ii) in which municipalities are they located; (b) does the government have a financial assistance plan to help small municipalities comply with the new regulatory system and, if so, (i) what are the details of the financial assistance plan for communities that must upgrade their system, (ii) what is the proposed timeline for municipalities that want to apply for government financial assistance to upgrade their wastewater system; (c) have towns and cities been informed of changes to government standards for wastewater treatment and, if so, how were they informed and, if not, when will they be informed; (d) what, if any, scientific reports or research on water sanitation in the Saguenay Fjord or the Saguenay-St. Lawrence Marine Park have been released since 2007, when the State of the Saguenay-St. Lawrence Marine Park Report was published; (e) what, if any, studies have been done on the effects and impacts of wastewater discharge in the Saguenay Fjord; and (f) have any measures been taken by a government department or agency to help municipalities within the coordination zone of the Saguenay-St. Lawrence Marine Park receive priority when a program to fund wastewater treatment is introduced and, if so, what are the details of these measures?

(Return tabled)

**Question No. 1090—Ms. Christine Moore:**

With regard to Canada Economic Development: (a) what grants have been awarded in the federal riding of Abitibi—Témiscamingue in the last 10 years; (b) what projects have been funded or undertaken in the federal riding of Abitibi—Témiscamingue in the last 10 years; and (c) what were the organizations, amounts allocated and type of project?

(Return tabled)

**Question No. 1091—Ms. Christine Moore:**

With regard to the various federal departments maintaining offices and services in the constituency of Abitibi—Témiscamingue, what are their detailed operating budgets, by department and service, for the years 2006 to 2012?

(Return tabled)

*Routine Proceedings*

**Question No. 1092—Ms. Kirsty Duncan:**

With regard to drug safety in Canada and the protection of Canadians' health: (a) for each of the recommendations in the Auditor General's 2011 fall report, Chapter 4, Regulating Pharmaceutical Drugs—Health Canada, what are the actions taken to date, and specifically, which of these actions (i) has yet to begin, (ii) is in progress, (iii) is completed; (b) for drugs produced in off-shore factories, how does Health Canada monitor safety, (i) how many inspections has it undertaken since 2006, and (ii) for each identified inspection, what was the reason for investigating, and what were the results; (c) what are all the positive and negative impacts of the "user-fee" model, by which drug companies pay to submit a drug for approval, and what, if any, research or investment has been undertaken to consider alternative models, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (d) will Health Canada make registering clinical trials for drugs mandatory, and if so, when; (e) what, if any, research or investment has been undertaken to examine whether the pharmaceutical industry suppresses negative clinical trial results, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (f) what, if any, research or investment has been given to having Health Canada provide information regarding clinical trials, including, but not limited to, information confirming safety and efficacy, the number of people in the trials, and the number of people who drop out due to bad side effects, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (g) what, if any, research or investment has been undertaken to identify new drugs for consumers, as in the United Kingdom, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (h) what, if any, research or investment has been undertaken to adopt plain language labelling, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (i) will Health Canada be undertaking plain language labelling and, if so, when; (j) what specific post-market monitoring of drugs does Health Canada undertake itself, (i) how many drugs have been approved since 2006, (ii) how many of these were later given safety warnings, (iii) how many of these were later removed from market, (iv) for each drug given a warning or a removal, did it follow a warning or removal by the European Medicines Agency (EMA) or the US Food and Drug Administration (FDA), (v) did Health Canada ever issue a warning or removal before the EMA/FDA; (k) what specific post-market monitoring of drugs that have had a 180-day priority review does Health Canada undertake itself, (i) how many drugs have been approved since 2006, (ii) how many were later given safety warnings, (iii) how many of these were later removed from market, (iv) for each drug given a warning or a removal, did it follow a warning or removal by the EMA or the FDA, (v) did Health Canada ever issue a warning or removal before the EMA/FDA; (l) when will Health Canada offer a list of drugs that received fast-track approval, and why fast-tracking took place, (ii) what other variables might Health Canada consider making available to increase transparency regarding priority-review drugs; (m) what, if any, research or investment has been undertaken to develop an independent drug-monitoring agency with the power to remove unsafe drugs from the market, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (n) what, if any, research or investment has been undertaken to provide plainly worded risk warnings, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (o) will Health Canada be undertaking plainly-worded risk warnings, and if so, when; (p) how many Canadians die each year of prescription drugs in Canada, (i) what is the most recent data Health Canada has regarding these deaths, (ii) what specific action has Health Canada taken to reduce these numbers, (iii) what data does Health Canada or the Canadian Institutes for Health Research have regarding how these data are expected or predicted to change in the future; (q) what action has been taken to address each of the 59 recommendations of the coroner's jury in the inquiry into Ms. Vanessa Young's death, what action has been taken to address each of the 16 recommendations of the coroner's jury in the inquiry into Ms. Sara Carlin's death, and for each recommendation, (i) is the recommendation being acted upon, in progress, or completed, (ii) if it is not being acted upon, why; (r) what, if any, research or investment has been undertaken to making "related to a drug prescribed" a category of death, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (s) what, if any, research or

investment has been undertaken to determine what percentage of adverse reactions are never reported, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (t) what, if any, research or investment has been undertaken to make reporting adverse effects of drugs mandatory for doctors, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (u) what, if any, research, or investment has been undertaken to make reporting adverse effects of drugs mandatory for pharmacists, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (v) what, if any, research or investment has been undertaken to make reporting adverse effects of drugs mandatory for all healthcare professionals, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (w) what, if any, research or investment has been undertaken to make public adverse effects reports from companies, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (x) what, if any, research or investment has been undertaken to make Health Canada's on-line, adverse-reactions-to-drugs database more navigable and user-friendly, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; (y) when will Health Canada offer a full list of every warning given for a specific drug; (z) what, if any, research or investment has been undertaken to make Health Canada's website more user-friendly and transparent, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when; and (aa) what, if any, research or investment has been undertaken to give Health Canada the authority to unilaterally revise a label or remove a drug from market, (i) what are the dates, results and recommendations of any research, (ii) the dollar amount of any investment, (iii) if results and recommendations are available, will Health Canada be acting upon them and when?

(Return tabled)

**Question No. 1093—Ms. Françoise Boivin:**

With regard to demographic information about judicial appointments for each of the last 10 years, what is the: (a) total number of judicial appointments made, by year; (b) total number of judicial appointments for each year by (i) court, (ii) province; (c) total number of judicial appointments of women, and number by year; (d) number of judicial appointments of women by (i) court, (ii) province; (e) total number of judicial appointments of visible minorities, and number by year; (f) number of judicial appointments of visible minorities by (i) court, (ii) province; (g) total number of judicial appointments of First Nations, Inuit or Metis, and number by year; (h) number of judicial appointments of First Nations, Inuit or Metis by (i) court, (ii) province; (i) number of applications made by visible minorities by (i) court, (ii) province; and (j) number of applications made by women by (i) court, (ii) province?

*Routine Proceedings*

(Return tabled)

**Question No. 1094—Ms. Chris Charlton:**

With regard to Employment Insurance (EI), for each of the past seven fiscal years as well as the year-to-date: (a) what was Service Canada's overall budget for EI; (b) what was Service Canada's budget for processing EI applications; (c) what was Service Canada's budget for EI call centres; (d) what was Service Canada's budget for reviewing EI appeals before they reached a hearing; (e) what was Service Canada's budget for investigating fraud; (f) how many staff did Service Canada allocate to EI overall; (g) how many staff did Service Canada allocate to processing EI applications; (h) how many staff did Service Canada allocate to EI call centres; (i) how many staff did Service Canada allocate to reviewing EI appeals before they reached a hearing; (j) how many staff did Service Canada allocate to investigating fraud; and (k) how many members of the Board of Referees were there, broken down by region and position?

(Return tabled)

**Question No. 1095—Ms. Chris Charlton:**

With regard to the Review of the Temporary Foreign Worker Program (TFWP) that was announced in November 2012: (a) which department is the lead for the review and which departments are involved; (b) what are the Terms of Reference for the Review; (c) what is the scope of the Review; (d) who is the lead conducting the Review, including, (i) their name, (ii) their position and department or organization, (iii) their duties in relation to the Terms of Reference for the Review, (iv) any other responsibilities or duties they may have with respect to the Review; (e) how was it determined which department would be the lead in the Review; (f) when did the Review begin; (g) what are the titles of any reports or studies being used to conduct the Review and who are the authors; (h) for any consultations that are part of the Review, what third party groups and stakeholders are being consulted as part of the Review, broken down by employers and employer groups representatives, labour unions and employee representative groups, non-profit groups, provinces and territories, and other groups; (i) when and how will consultations happen; (j) when are the results of the Review expected; (k) will the results of the Review be made publically available and, if so, when and how; (l) what are the findings of the Review to date; (m) with respect to the cost of the Review, (i) what is the cost of the Review, (ii) which departments are allocating resources toward the Review, (iii) what is each department allocating to the Review, including staff resources; (n) what concerns were identified within Human Resources and Skills Development Canada (HRSDC) and Citizenship and Immigration (CIC) that led to the Review; (o) when did HRSDC first become aware of the concerns that led to the Review; (p) when did CIC first become aware of the concerns that led to the Review; (q) what specific concerns does HRSDC have about HD Mining Ltd following the rules under the TFWP and when did CIC first become aware of these concerns; (r) what specific concerns does CIC have about HD Mining Ltd following the rules under the TFWP and when did CIC first become aware of these concerns; (s) what communications has HRSDC or CIC had with the Government of British Columbia with respect to any concerns about HD Mining Ltd following the rules under the TFWP; (t) with respect to the Labour Market Opinions (LMOs) that are subject to the Review, (i) how many LMOs will be subject to the Review and for which employers, (ii) what will the Review of each of those LMOs entail, (iii) what impact will the Review have on the status of these LMOs during the Review, (iv) what are the possible impacts of the Review on the status of these LMOs once the review is complete; and (u) for the CIC work permits that are subject to the Review, (i) how many work permits will be subject to the Review and for which employers, (ii) what will the review of each of those work permits entail, (iii) what impact will the Review have on the status of these work permits during the Review, (iv) what are the possible impacts of the Review on the status of these work permits once the review is complete?

(Return tabled)

**Question No. 1096—Mr. Francis Scarpaleggia:**

With regard to federal research relating to water: (a) in which federally-owned facilities and departments, including the Experimental Lakes Area, is the government conducting research on water issues, including but not limited to research relating to fisheries, fish habitat, climate change, groundwater, water quality, and wastewater technology and processes; and (b) since January 1, 2006 what major water-related research projects have been or are currently being undertaken in these facilities and departments, ranked by project budget size?

(Return tabled)

**Question No. 1098—Mr. Justin Trudeau:**

With regard to Aboriginal affairs, what are the titles, dates, and file numbers of any reports, studies, files, or dossiers, dated between January 1, 2006, and May 31, 2011, held by any department or agency, concerning the Labrador Metis Association, Labrador Metis Nation, or NunatuKavut?

(Return tabled)

**Question No. 1099—Mr. Justin Trudeau:**

With regard to access to information requests, broken down by each department or agency of government subject to the Access to Information Act: (a) what is the practice to release records in digital form pursuant to a request made under the Act and in what electronic format are such records released to a requester; (b) following an access to information request, are records released in the original format in which they were created and if another format is used, what is it; (c) if records are released in digital format, why, and if not, why not; (d) in what policy, circular, notice, memorandum, directive, or other document is the department or agency's policy concerning release or non-release of electronic records contained?

(Return tabled)

**Question No. 1100—Mr. Ted Hsu:**

With regard to Sir John A. Macdonald's grave site and bicentennial in January 2015: (a) what is the total amount of dollars per year for the upkeep of Sir John A. Macdonald's grave site, which is listed in the National Program for the Grave Sites of Canadian Prime Ministers, from 2006 to 2012; (b) is the government considering allocating funding for the basic upkeep of Sir John A. Macdonald's grave site in the 2013 budget; (c) is the government considering funding the memorial service for Sir John A. Macdonald held at his grave site annually on January 6; and (d) what other steps has the government taken to commemorate Sir John A. Macdonald's upcoming bicentennial?

(Return tabled)

**Question No. 1102—Mr. Alexandre Boulerice:**

With respect to Citizenship and Immigration's oversight of reciprocal agreements of Canadian and foreign airlines: (a) what documentation has been received by Citizenship and Immigration Canada from Canadian air carriers with regard to foreign operators with which they have reciprocal agreements for the seasonal exchange of pilots and what is a breakdown of where the latter airlines are based in, (i) the European Union, (ii) all other countries where such reciprocal agreements would be applicable; (b) what does the government consider an acceptable reference period for establishing whether a minimum 75% threshold ratio has been achieved by Canadian and foreign airlines engaged in reciprocal pilot exchange agreements i.e. three offshore real and equivalent job opportunities for Canadians for every four foreign workers admitted to Canada per the agreements in question (a); (c) what documentation and supporting evidence is required to prove reciprocal opportunities exist for Canadian pilots abroad and where such evidence relies on forecasted market demand, what are the repercussions for the foreign worker quotas established if the Canadian employer fails to meet its commitments regarding job opportunities abroad; (d) how are reciprocal agreements between Canadian companies and foreign entities being enforced both presently and historically; (e) how many foreign pilots have been allowed to work in Canada on the basis of reciprocal agreements in 2010, 2011 and 2012 and how is it calculated; (f) how are reciprocal agreement guidelines (i) developed, (ii) amended; (g) if a Labour Market Opinion (LMO) application is received concerning commercial airline pilots, are guidelines and enforcement mechanisms in place to ensure that the Canadian employer is providing fair opportunities for employment to Canadian commercial airline pilots before resorting to the importation of foreign workers; (h) is Human Resources and Skills Development Canada actively verifying that the Canadian employer requesting the LMO is not requiring job qualifications as part of a system that would deprive otherwise qualified Canadian airline pilots of employment opportunities; and (i) what is the average length of time between the receipt of an application and the issuance of the decision for an LMO?

(Return tabled)

*Routine Proceedings*

**Question No. 1103—Mr. Craig Scott:**

With regard to details of Bill S-7, the Combatting Terrorism Act: (a) when will cooperation protocols or memoranda of understanding relating to enforcement of the new 'leaving the country' Criminal Code offences be ready; (b) what agencies will be part of the protocols or memoranda, and what subject matter will be covered; (c) will the Security Intelligence Review Committee (SIRC) have any vetting or review functions with respect to the protocols or memoranda, and will any other review mechanism for the operation of the protocols or memoranda be put in place; (d) is either (i) an exit control system being planned, or (ii) an information system to allow the government to be aware of when people are leaving being planned; (e) is it the intention of the government to reform the passenger information system for departing airplanes so that passenger lists are available to Canadian agencies before planes leave the ground, in order to permit the arrest of persons leaving contrary to the 'leaving the country' offences in Bill S-7; (f) is a reform of the no-fly list being envisaged as one method of enforcing the 'leaving the country' offences in Bill S-7; (g) how is it envisaged that investigative hearings will be used to discern an individual's intention of leaving the country for purposes of terrorism, and is it envisaged that neighbours, family members, friends and acquaintances in the community of a suspect will be the subjects of investigative hearings for this purpose; (h) how would hearings that deal with recognizance with conditions produce evidence of intention to leave the country; (i) can a person suspected of wanting to leave, or wanting to attempt to leave, the country in violation of the new 'leaving the country' offences in Bill S-7 be preventively detained and subjected to recognizance with conditions that include a prohibition on leaving Canada and measures such as confiscating the suspect's passport for up to 12 months; (j) is the above interaction of the leaving the country offences and recognizance with conditions a planned use of the recognizance with conditions provisions; and (k) can a person be subjected to preventive detention or recognizance with conditions in an effort to prevent terrorist activity that another person—other than the person subjected to the conditions—may engage in, even if there is no concern that the person subjected to the conditions will herself or himself commit terrorist activity?

(Return tabled)

**Question No. 1104—Mr. Craig Scott:**

With regard to Sri Lankan nationals being sent back to Sri Lanka by Canada: (a) in assessing the risk of torture or other abuses that could be faced by a person sent by Canada to Sri Lanka, what relevance is given to the following factors: (i) the person being a young Tamil male from the north or northeast of Sri Lanka, (ii) the person being returned from a country or city viewed by the Sri Lankan government as formerly or currently a hub of pro-Liberation Tigers of Tamil Eelam (LTTE) activity, (iii) the person having voiced criticism or engaged in peaceful protest against the government of Sri Lanka while outside Sri Lanka; (b) does the government consider Sri Lankan nationals of Tamil or Tamil-speaking origin to be vulnerable as a group to mistreatment in Sri Lanka and, if not, does the government consider any of the following sub-groups to be at risk: (i) young males, (ii) critics of the Sri Lanka regime, (iii) journalists, (iv) failed refugee claimants, (v) successful refugee claimants being refouled, (vi) known members of the LTTE, (vii) persons suspected or likely to be suspected by the Sri Lankan government as being members of the LTTE, (viii) persons known to hold pro-LTTE views; (c) in the case of sending a Sri Lankan national to Sri Lanka, whether by extradition, deportation, removal or any other method involving the government, do Canadian officials take any of the following precautions: i) escort returnees on the plane back to Sri Lanka, ii) meet returnees upon their arrival at the airport in Sri Lanka, iii) observe treatment of the returnee at the airport (and if so, for how long), iv) monitor the whereabouts and treatment of a returnee after the airport arrival; (d) does the taking of precautions relate in any way to whether or not a person has been sent back to Sri Lanka only after Canada has received diplomatic assurances; (e) has the government, whether in Canada or at the Embassy of Canada in Sri Lanka, received reports or expressions of concern from reliable sources about the treatment of persons sent from Canada to Sri Lanka and, if so, how many and on what dates; (f) has the government, whether in Canada or at the Embassy of Canada in Sri Lanka, received reports or expressions of concern from reliable sources about the treatment of persons who voluntarily returned from Canada to Sri Lanka after having arrived in Canada to make a refugee claim and, if so, how many and on what dates; (g) when concerns are expressed from reliable sources in cases (e) and (f), such as by a Canadian lawyer, about the treatment of a returnee after their return to Sri Lanka and the location of the returnee, such as in Criminal Investigation Division (CID) custody or in hospital, (i) what measures does the Embassy of Canada in Sri Lanka take, (ii) if any measures are taken, do they include visiting the returnee and interviewing them about any abuse or persecution they may have suffered, (iii) if interviewing does take place, does it take place in the presence of Sri Lanka state officials and, if so, whom, (iv) if the interview raises concerns or

suspensions about abuse of persecution, what is then done; (h) are Canadian law enforcement, border services, intelligence, military, or diplomatic officials permitted to (i) participate in interrogations by any state actors in Sri Lanka, (ii) observe such interrogations, (iii) supply information for, or questions to be asked at, such interrogations, and if so, which category of officials (law enforcement, intelligence, military, or diplomatic) with which Sri Lanka state actors, under what circumstances and subject to what conditions may this have taken place; (i) from 2003 to present, have Canadian law enforcement, border services, intelligence, military, or diplomatic officials ever (i) participated in interrogations by any state actors in Sri Lanka, (ii) observed such interrogations, (iii) supplied information for, or questions to be asked at, such interrogations and, if so, by which category of officials (law enforcement, intelligence, military, or diplomatic), to which Sri Lankan state actor, under what circumstances and subject to what conditions may this have taken place; (j) how many Sri Lankan nationals have been sent back to Sri Lanka, whether by extradition, deportation, removal or any other method involving the government, since the beginning of 2007, in each of (i) 2007, (ii) 2008, (iii) 2009, (iv) 2010, (v) 2011, (vi) 2012 to date; (k) within the above numbers, which are due to removal orders; (l) how many Sri Lankan nationals are currently subject to removal orders that have not yet been executed; (m) how many of those sent to Sri Lanka since the start of 2007 have been sent only after diplomatic assurances were obtained; (n) are such assurances legally binding and, if not, on what basis did the government consider them reliable; (o) in light of the Supreme Court of Canada's comments in Suresh on the problem with relying on assurances from a government of a state where torture is practised, does the government consider that diplomatic assurances from Sri Lanka can be relied upon at the present time; (p) in light of the Supreme Court of Canada's comments in Suresh on monitoring in relation to diplomatic assurances, does the government consider that monitoring mechanisms must be part of diplomatic assurances and, if so, what are the nature of the mechanisms in any diplomatic assurances with respect to returnees to Sri Lanka; (q) are there written policies, sets of guidelines or similar documents containing rules, principles or considerations for determining when and how assurances will be sought, and for determining if assurances are adequate; and (r) with respect to Vote 30b of the Supplementary Estimates considered at the Justice and Human Rights Standing Committee on November 29, 2012, and its reference to "assurances against torture in exceptional removal cases", (i) what is the definition of an "exceptional removal case", (ii) how many such cases have there been between 2007 and present, (iii) how many have been removals to Sri Lanka?

(Return tabled)

**Question No. 1105—Mr. Scott Simms:**

With respect to the World War II Canadian military site in Botwood, Newfoundland and Labrador: (a) what records and internal and external correspondence are available regarding all aspects of its history and cleanup, contamination studies, ownership, divestiture to the municipality or province, plans, or any other information related to the site, and what are the details of these records and correspondence; (b) what plans are there to compensate the Town of Botwood for its investment in cleaning up the Canadian military contamination on this site; (c) what plans are there to complete the removal of contaminants on this site; (d) what are the timelines for the plans in (c); and (e) for all responses to (a), (b), (c) and (d), what are the details of all records and correspondence specifically generated in preparing the response to this question?

(Return tabled)

*Government Orders*

Question No. 1107—**Hon. Lawrence MacAulay:**

With regard to budget cuts at the Department of Fisheries and Oceans (DFO): (a) what is a detailed breakdown of the \$11.5 million reduction in funding for investments in Fisheries Science Research; (b) what is a detailed breakdown of the cuts to habitat management, including (i) the total number of jobs lost, (ii) the location of the jobs lost, (iii) the titles of the jobs lost; (c) what is a detailed breakdown of the financial cuts to each DFO research centres in Canada; and (d) what is a detailed breakdown of the DFO cuts on Prince Edward Island, including (i) the total number of jobs lost, (ii) the location and job title of each job lost, (iii) what office spaces will be left vacant because of DFO cutbacks and what, if any, are the plans for the vacated office spaces?

(Return tabled)

[*English*]

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

• (1520)

### REQUEST FOR EMERGENCY DEBATE

#### ABORIGINAL AFFAIRS

**The Speaker:** The Chair has notice of a request for an emergency debate from the hon. member for Nanaimo—Cowichan. I will hear her now.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, the NDP has proposed an emergency debate on the breakdown of first nations and Crown relationships as evidenced by the continuing peaceful protests across the country. In fact, today on Parliament Hill, Idle No More has gathered to continue to raise these issues.

In particular, concerns are being raised that omnibus bills, Bill C-38 and Bill C-45, which affect inherent aboriginal rights, were passed into law without the constitutionally required consultation and accommodation. Now the Mikisew Cree First Nation and the Frog Lake First Nation have filed a notice of application for a judicial review on the conduct of the responsible ministers in developing environmental policies and the proposed implementation of those policies through the omnibus statutes, Bill C-38 and Bill C-45.

This is the first time since nationwide rallies began on December 10 that the House has had the opportunity to consider this matter. In that time, the rallies have grown, both in size and in the number of their locations across the country. International attention has been brought to these matters, with support for the protests from six continents. The continued disregard for the concerns being expressed at the grassroots level puts at risk Canada's economic security and the constitutional rights of its citizens.

Therefore, the NDP is requesting this emergency debate and I thank the Speaker for his careful consideration.

#### SPEAKER'S RULING

**The Speaker:** I thank the hon. member for raising this issue. While I have no doubt that it is an important issue to her and to many people, I am not inclined to grant it at this time. However, I do note that there is an allotted day, which was just announced today, on this Thursday. Perhaps she could avail herself of that opportunity.

### QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

### GOVERNMENT ORDERS

[*Translation*]

#### TECHNICAL TAX AMENDMENTS ACT, 2012

The House resumed consideration of the motion that Bill C-48, An Act to amend the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation, be read the second time and referred to a committee.

**The Speaker:** The hon. member for Rimouski-Neigette—Témiscouata—Les Basques has two and a half minutes left for questions and comments.

The hon. member for Beauport—Limoilou.

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I am happy to ask my colleague from Rimouski-Neigette—Témiscouata—Les Basques another question.

Canada's competitiveness issues have been mentioned a lot. My colleague talked about this. We could go even further and talk about how accessible the tax system is to individuals. According to one very worrying statistic, more than half of Canadian taxpayers do not fill out their own income tax returns.

I would like the member to comment on that, given what he already said in the House during his speech.

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I thank the hon. member for Beauport—Limoilou for his very pertinent question.

The fact is that over half of all Canadians need help to file their tax return. That is very problematic because the Canadian law is based on the principle that ignorance of the law is no excuse. It cannot be used as a defence. However, when we are dealing with the Income Tax Act, it is very difficult to really know all the ins and outs, and all the interpretations.

It is very problematic to have an act so complex that we cannot expect Canadians to know it thoroughly. Even tax experts do not know all the ins and outs of this legislation. Canadians must rely on software that is still relatively imperfect. Ultimately, if we want a tax adviser who can really help, it is going to cost us an arm and a leg.

Right now, there is a fundamental problem: citizens, and even businesses, are unable to comply with the act. They can easily and unwittingly violate it, because it is complex to the point of being incomprehensible.

*Government Orders*

This should prompt the House to reflect seriously on the complexity of the Canadian tax system and on how it could be made simpler.

● (1525)

[English]

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, it is really delightful to be back on the Hill. However, I had an amazing time while in the riding of Newton—North Delta, meeting with my constituents, going to events and listening to their concerns. It is good to be back here so I can bring their concerns into the House. I want to thank them for the amazing busyness they provided for me while I was in the riding. It certainly was delightful.

Once again, we have another omnibus bill that is close to a thousand pages and thicker than most of our communities' phone books.

This omnibus bill is a lot different than the Trojan horse budget bill in which the government buried everything that it did not want Canadians to know about, whether with respect to the degradation of environmental protection, changes to refugees or EI and a huge number of other protections. All of those were embedded in the Trojan horse budget bill, which made it very unpalatable, as was the bill we debated just before the House rose. There was also so much stuff in there that was not related. However, under the guise of the budget, the Conservatives were trying to carry out their agenda so we as parliamentarians could not debate it.

However, this bill is a little different. I know this will come as a shock, but I rise today to support the bill because the legislation has been a long time coming.

When I look at the history of when the last changes were made, the last technical tax bill was passed in 2001. When I think about that, so much has changed and yet we have not had clarity there for either investors, the business community or for Canadians who want to try to understand the tax system.

What does disturb me, though, are the changes that should have happened under the Liberal government too. Therefore, I am not just saying that this has been a delay from the side of the Conservatives. Rather, my colleagues in the Liberal caucus, while they were in government, were very remiss in not providing the kind of clarity that we all needed when dealing with taxes and people's money. They avoided doing that too, so we are pleased to see this here.

Before we go any further, let me make it perfectly clear that the New Democrats absolutely believe in cracking down on both tax avoidance and tax evasion, while ensuring the integrity of our tax system. We are pleased the government, although very late, is trying to clarify some areas and close some loopholes to avoid getting into difficulties where people can manoeuvre the system and also avoid paying legitimate taxes, which help to provide Canadians with the services they so cherish. Therefore, we support the changes being made to the bill, especially those that tackle tax avoidance.

However, in 2009 the Auditor General raised concerns with respect to the fact that there were at least 400, not 5 or 10, outstanding technical amendments that had not yet been put into legislation. That is a lot of technical issues within our income tax

laws that were there but not made legal through the legislative process.

● (1530)

I am concerned and I hope the Conservatives will look at addressing the 200 amendments that they have not included in this legislation. We really have to take a look and pay attention to the Auditor General.

When I visit my constituents in Newton—North Delta and other Canadians, whether in Edmonton, or Saskatoon, or Montreal or any of our other great cities and communities across the country, they expect something from the government. They expect us to do the work in the House with a fair and open debate, not closure after closure to shut down debate. It is only when we debate that they get hear what is happening.

However, there is something else they expect and that is transparency. I believe this legislation would give greater clarity and more transparency that would have been legislated and people could get to know this.

I do not often feel sorry for accountants and tax consultants and all those people who do a job I could not possibly do. However, I get a headache just thinking about the hundreds of amendments they will have to deal with if they are to do their job well. We want them to do their job well and we also want our Canadian citizens and residents to know what the rules are, but a lot is being dumped on them. At the same time, at least it will give them some clarity.

What I hear from my constituents and from Canadians in our diverse communities, whether rural or urban, is that they want transparency. I think they are looking for transparency from the Conservative government.

Sometimes I am amazed. I am glad we are dealing with these amendments and previous colleagues have gone into a lot of the technical side. However, why do we have these amendments to give clarity and transparency and yet we have a government that does not believe in that when it comes to its own actions? After all, the Parliamentary Budget Officer had to threaten to go to court and had to take steps to get the government side to put on the table information that should have been available to him so we could look at it and examine it. That should cause us a great deal of concern.

It is one thing to say clarity for others, but it is time that the government and my colleagues across the aisle start to take a look at their own actions and how they run government, whether it shutting down debate in the House, moving time closures, rushing through legislation and burying legislation in omnibus budget bills that really have very little to do with the budget. More or less they are trying to cover and hide things from Canadians.

We really have to urge the government to think about how it portrays itself to the greater public.

*Government Orders*

When I was in my riding, I kept hearing people say that they were concerned about the taxes they paid, that they expected some services for those taxes. One of the things I kept hearing was that service centres were being shut down and that people who needed to go on EI kept phoning 1-800 numbers and would have to wait for hours and even then they did not get any great satisfaction, and that was even before they had filled out their forms.

There are a lot of questions about why the government is cutting so much of that front-line service, whether it is shutting down our Canada service centres where people get all kinds of assistance, or whether it is shutting down our CIC centres around the country and people are left without any services in those areas as well.

● (1535)

People are concerned about transparency, which is what this legislation is all about.

I also heard from community after community about the long waits for citizenship. I found out that in order for a family with two children to get Canadian citizenship, even after they have met all the requirements, they have to pay a fee of \$200 per adult and \$100 for each child. In order for them to get their Canadian citizenship they have to save. Many families work two or three jobs to make ends meet. They save that money and with a great deal of pride, they apply for their Canadian citizenship thinking they are going to get it within six to twelve months. I saw a room full of files. A citizenship judge told me that he would not get to them for two and a half years.

Our front-line services are being cut. Residents of Canada who qualify to vote and have other rights as citizens are being denied those rights because so many front-line workers who are absolutely critical are being cut.

Not an hour goes by that I do not get either an email in my riding office, or a phone call, or a message on Facebook or through the Twitter world asking why people have to wait so long. People who work here and pay their EI dues wonder why they have to wait. People who live here and meet all the criteria wonder why there has been no action and why they have to wait so long for their citizenship.

The other thing that came up, which again has to do with transparency and priorities, was the debacle the government made of its procurement. It is a well-known story to men, women and children across the country. It has become a joke at the kitchen table. We have been told it will be a few billion, or \$17 billion, or such and such billion. Then we are told the government does not have a contract so it will start again.

People want to know about transparency. They want to know the government's priorities. The Conservatives talk about job creation and the economy. To my constituents the reality is that the gap between the rich and the poor is getting wider.

Many residents in my riding of Newton—North Delta are working two or three jobs at minimum wage or a bit higher in order to make ends meet and they have to pay more user fees for different things. They look at our priorities and transparency around the hospital in Surrey. For one of the fastest growing cities, our hospital is in dire straits. I have nothing against the staff members. They do an amazing job. I had the misfortune to go with someone into the

emergency room and I realized that we needed to look at priorities. We need to address key health care issues across the country. We need to address the issue of doctors. Once again it is about where we put our resources.

I talk to taxi drivers. I talk to people who work on building sites. I go door-to-door and talk to people. I talk to thousands of people at big events. Over and over these people have told me that they have heard the government say that it will do something about credentials, but they have not seen the government take any action. Words do not cut it anymore.

My constituents are looking for clarity from the government. It is really time for the government to look at its priorities and start to address the dire needs of many of our citizens.

● (1540)

In my riding, the food bank does an incredible job. I am so grateful to the communities of Surrey and Delta because they donate so generously, both businesses and individuals. It breaks my heart to see the children of the very families who have received help from the food bank come in to donate because they know what it is like to be hungry and financially stretched.

These are the kinds of priorities we should be investing our resources in. We know that if we addressed the issue of poverty, it would have a huge impact on health care costs. If we invested in education, it would have a huge impact on health care costs, resulting in huge savings.

It is a very technical bill. The consultants, lawyers, accountants and business community will spend days perusing this bill because there is a lot of stuff in here, and we will tackle all of these issues at committee. As I said, we are supporting this piece of legislation, but at the same time we are questioning where the government's priorities are when it comes to the utilization of taxes paid by the Canadian public.

I want to thank my colleague who visited my riding. We canvassed the business community on Scott Road and the Scott Road Punjabi Market. For members who do not know that market, I have to say that the first time my granddaughter went there she told her teacher that she had been in India on the weekend. My daughter lives on Vancouver Island. It is a diverse community with a very strong South Asian community with lots of businesses.

*Government Orders*

A businessman there showed me his credit card bill, and even though he had a negotiated rate of one-point something percent, because of the kind of credit cards that are being used, his bill was actually at a rate of 3.64%. He said he was struggling daily to keep his business going, because that rate eats into his profit margin. Small businessmen live in a very competitive world. It is a business community that we need to support because those jobs stay in our riding and that money gets spent in our ridings and communities right here in Canada. It almost broke my heart listening to him tell the kinds of struggle he was having. Of course, when we told him that come April 1 there would be a further increase, he said he would just have to tell people that he would not take credit cards any more. That, he said, would lose him a lot of business because a lot of people do not carry cash but use their cards for all kinds of things. That is really critical.

I met with young people from different schools, and in my riding office as well. I asked them what their priorities were and what was important to them. They told me that the number one issue was the environment. The second issue was affordable housing and addressing the gap between the rich and the poor, and the poverty issues. The third thing they said was that we have to address the issues of our aboriginal communities, which I was delighted to hear. They were sensitized to that because of the Idle No More movement, which has done a lot to raise the average person's awareness of these issues. The students then mentioned the need for decent paying jobs right here in Canada. Their point was that when we extract our resources, we should do it in an environmentally safe way and then develop decent paying jobs right here in Canada so they can have a future without having to work two or three minimum wage jobs and wonder whether they can ever afford to have a family.

• (1545)

**Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC):** Mr. Speaker, when listening to the member's speech, it was almost as if she had not been here for the last number of years, but I know she has. She asked a number of times about the government's priorities, which I would just like to remind her of.

For example, the government has said that its number one priority is jobs and the economy. We have created more jobs than any other comparable industrialized economy in the world, now over 900,000. Statistics Canada has said that the bulk of these are full-time and good paying jobs.

We have also made health care and education priorities. We have funded those more than any other government in history and we have protected transfers to the provinces.

We have also made it a priority to stand with our partners in NATO. I know the Minister of Foreign Affairs has spoken out on behalf of those less fortunate in the world, those who need someone to speak on their behalf.

Those are the priorities of our government. Where has the member been?

**Ms. Jinny Jogindera Sims:** Mr. Speaker, I want to remind my hon. colleague that I have been debating many of these issues. We have a disagreement. When the member talks about our commitments internationally, the concern I hear over and over again in my

community and other communities is the loss of Canada's international status. We have lost our standing. We no longer have a seat on the Security Council. In some ways we are seen as more belligerent than even our friends to the south.

When the member talks about investing in jobs, I want to take him to the real world, the world I go back home to every weekend. It is a world where people who were once making \$18 to \$22 an hour are now working at \$12 to \$13 an hour because of the actions of the government, with many of their jobs now contracted out. I would challenge the member to see if he could support a family in Canada today in the suburbs of Surrey on \$13 an hour and see how great his economic plan is going.

When we look at environmental issues, he says that the Conservatives have protected the environment. However, one just has listen to elementary and high school students, who get it, that the government has absolutely degraded our environmental protections.

The Conservatives cannot say they are economic boosters. As a matter of fact, I would say they are doing more harm in the short term and the long term.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I will pick up on the issue of priorities because it is important not to lose sight of that issue. We need to recognize there are numerous technical amendments to the taxation legislation through Bill C-48. There is nothing new there, in that we have been waiting for amendments for many years now.

Ultimately, government could argue that we should wait two or three years, allow these to accumulate and then bring in a more modest bill, maybe of 100 or 150 pages. What is obviously wrong with this legislation, even though we will be supporting it, is that the government took so much time to put into place the necessary and important technical amendments in legislation. If we look at tax documents, we will find they are asterisked and colour coded, showing that there are many amendments necessary.

In keeping with the issue of priorities, does the member not believe that if this type of legislation were the priority of government, that it could and should have been dealt with two or three years ago in smaller bills? We do not have to respond immediately to the vast majority of the necessary technical amendments, but it is reasonable for us to expect that every three or four years there should be some sort of legislation brought in to make the changes. Does the member not agree?

• (1550)

**Ms. Jinny Jogindera Sims:** Mr. Speaker, I want to remind my hon. colleague the last time his own government, which had a majority, made any technical changes and brought them to the House was in 2001. His government did not even follow the kind of road map the member puts out right now.

I would say, absolutely, if we have technical changes they should be made on a cyclical basis. As we said, because they are so technical, that makes sense.

*Government Orders*

To me this is all about priorities, the priorities that Canadians expect us to be addressing here in Parliament and the issues they need us to address.

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I would like to correct what the member for Peterborough just said in the previous question to the effect that transfers to the provinces would remain the same, including health transfers. On the contrary, the government has already announced its intention to reduce from 6% to 3% the rate of growth of transfers to the provinces. This change shows already that these transfers are not a government priority.

Another priority found in Bill C-48 deals with closing tax loopholes, which is a complex issue in the Income Tax Act. Let us not forget that it is the first time in a period of over ten years that we have a technical bill amending the Income Tax Act. In the last three of four years of their term, the Liberals had the opportunity to introduce these changes, but they did not do it.

Since 2006, the Conservatives have let income tax changes accumulate and they did not introduce any bill like this one, with the result that we now have a piece of legislation that is 950 pages long. The result of this neglect is that Canadian businesses, among others, and citizens, are experiencing much greater uncertainty. The rules are not clear, nor are the government's intentions, until an omnibus bill of this magnitude is tabled.

I would like to hear my colleague on the famous priorities of the Conservative government and on how it can deal so flippantly with an issue as important as taxation and the Income Tax Act.

[*English*]

**Ms. Jinny Jogindera Sims:** Mr. Speaker, as my colleague has said, at the end of the day it is all about priorities. However, if we have a government that does not practise accountability and transparency in its own actions or the actions of its ministers, then it is very easy for it to put off these kinds of technical changes.

I absolutely agree that looking at closing loopholes for tax avoidance should be a priority, because every penny we collect should be used to provide services. However, how can we expect a government that does not want to be held accountable at any level to preach about accountability?

[*Translation*]

**The Deputy Speaker:** The hon. member for Drummond has less than two minutes for a brief question.

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, I will indeed be very brief. I would first of all like to congratulate my colleague on her excellent speech.

I would like to ask her a question about some concerns already raised by the Auditor General with regard to the slow pace at which the government enacted technical changes.

As mentioned earlier, this bill is nearly 1,000 pages long. It is huge. It could be called an omnibus bill, even though it is very different from Bill C-38 and Bill C-45, which were terrible, horrible omnibus bills because they tackled a range of issues. This bill is quite technical.

What does the member think of the Auditor General's advice that the government should move faster in order to avoid ending up with a bill so huge it is impossible to adequately address all the issues? The government should be more efficient.

[*English*]

**The Deputy Speaker:** The hon. member for Newton—North Delta has a little less than 30 seconds.

**Ms. Jinny Jogindera Sims:** Mr. Speaker, what is very clear is that the government finds it very difficult to act on the recommendations of an Auditor General and, as a matter of fact, seemed to flagrantly disregard them.

At least in this legislation the government has tabled about 50% of the amendments that are necessary and are waiting to be implemented. However, the government seems to show very little regard for the Parliamentary Budget Officer, the Auditor General, and the recommendations that have come out, because of its arrogance in thinking that it knows it all.

• (1555)

[*Translation*]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, it is a great pleasure for me to speak in the House with regard to Bill C-48, a bill that I believe is important.

I am going to take the liberty of beginning my speech with some slightly monarchist comments, by showing how princely I can be and by giving the government credit for drafting this huge bill that at least allows us to deal with a major taxation backlog. This must be acknowledged. It will be a great pleasure for me to support this bill because I wish to serve all Canadian taxpayers, be they wage earners, pensioners or entrepreneurs. It is about time.

As we have heard over and over again, the government has made countless tax rulings, some of which were obvious while others were less so. The real problem is that unfortunately both this government and the preceding Liberal governments used some artistic license that was actually rather inelegant and left everyone in a state of confusion. Ultimately, all the experts and everyone else in Canada had to fly blind without solid legislative instruments or the necessary regulatory instruments for businesses to make informed decisions and move ahead.

I will remind hon. members that the massive immobilization of capital is one of the major problems we now face, one of the great economic challenges now confronting us. More than \$500 billion are languishing in corporate coffers. I referred to this before the Holidays: it is a very clear symptom of a feeling of insecurity. It is something I was reminded of once again a scant few days ago when I had the pleasure of meeting business people in Quebec City, where my riding of Beauport—Limoilou is located.

*Government Orders*

Business people are very concerned, and have been for a number of years, about the failure to recognize entrepreneurship: people who have ideas and decide to take risks and make a real contribution to society in keeping with their talent and their ideas, and about a glaring problem with respect to the entrepreneurial succession. I refer to this because this government, for all its grand claims, is unfortunately producing very few results, and is even working directly against our common interest. I say this because after seven years in government, business people are still concerned, and companies remain cautious in their activities and in their efforts to invest and grow. So where does the problem lie? The problem is attributable to this government.

As my colleagues can see, I have stopped handing out compliments. I was happy to compliment the government on the bill it has introduced, but now we are going to take a few shots to make it truly clear that the emperor has no clothes.

I am going to take advantage of the opening of the hockey season to use an analogy from our splendid sport. Ultimately, Bill C-48 is an effort by the government in the middle of the third period to try to overcome a 10-nothing deficit. Mathematically, of course, the government may ultimately hope to emerge with a victory, but in reality, there is a huge deficit in terms of planning, vision and responsibility towards all the players on Team Canada and the spectators in the stands.

● (1600)

I am using this image to say “better late than never”, but there is nevertheless a limit.

The other problem, as my colleague from Rimouski-Neigette—Témiscouata—Les Basques has rightly pointed out, is that this corrects nothing. On the contrary, it increases the lack of transparency in the tax system due to its excessive complexity. Its great complexity is driven by, among other things, the government’s neglect and its very long-standing pork-barrel approach.

I first became active in politics in 2005. In 2011, I was in my third election campaign. I witnessed the blue wave in the greater Quebec City area. I was able to see the claims of the government, and the illusion it has maintained for years about its competence and capability. Unfortunately, those claims are utterly contradicted by the facts.

Getting back to the issue of the complexity of the tax system, I would like to state one very simple truth. Last week, sadly I was surprised to find out that the Canada Revenue Agency will no longer be producing a simplified tax return package. A great many people file a very simple tax return. Often people have only one source of income to declare and claim only a handful of credits. They do not need a detailed tax package that covers a wide range of areas, unlike the return I had to file in years past when I had several different sources of income. Several years ago, I was self-employed, among other things.

Doing away with the simplified income tax package represents a major, insurmountable obstacle for most taxpayers. As my colleague for Rimouski-Neigette—Témiscouata—Les Basques pointed out, over 60% of Canadian taxpayers required to file a return do not

prepare their own tax return. They rely on someone close to them or a professional to do their taxes, which is quite understandable.

I would like to give you one example from the Province of Quebec. When it comes to housing and rental laws, my reference source is the Civil Code.

In addition to having a unique Civil Code, Quebec also follows its own special practices. One agency, the Régie du logement, acts as a safety net and also provides support to all tenants and landlords in the province. I am talking here about residential leases, not about commercial leases.

The standard lease is one basic tool that has been around for many decades. It is a standard document that is easy to understand. It sets out the rules governing residential leases. It is a contract between a landlord and a tenant.

In the course of my work both as a politician and as a volunteer in private life, I have had to dispel and fight many myths associated with the basic rules governing rental housing. Another thing that is unique to Quebec is that landlords currently send out notices to their tenants advising them of changes to their lease. These notices are governed by very specific rules. Tenants are required to respond to these notices. Many tenants, despite the fact that they have a lease and a clear document, are under the mistaken impression that simply because they received this notice, they will be forced to move if they refuse to accept the proposed changes to their lease.

● (1605)

It is truly a horrible situation. For starters, tenants are not exercising their fundamental right to negotiate in good faith and this unfortunately results indirectly in a certain amount of speculation.

I do not have an actual copy of a lease agreement with me, but given that most people cannot understand a simple document like the one I have just described, just imagine how they feel about the general income tax package.

I logged on to the Canada Revenue Agency’s website. In addition to the general income tax package which is at least 50 pages long, if not longer, there is also the tax package for Quebec residents. There are basic tax forms, tax calculators and 13 separate schedules, including one calculating federal tax in Quebec, one for calculating federal amounts transferred from one’s spouse or common-law partners, one for capital gains or losses, one for a statement of investment income and so on and so forth. A number of schedules apply to self-employed workers who do not automatically pay employment insurance premiums or make contributions to the Régie des rentes.

When you look at the amount of paper provided in the basic general income tax package—which incidentally will be the only paper package for people—I must say it is so incomprehensible for most people that they cannot be faulted for not understanding it. The public did not ask for a tax form or tax package this complex.

*Government Orders*

I have received letters from people in my constituency who are indignant that the short form has disappeared. It made filing an income tax return much easier. Imagine the problem for seniors and people with low literacy levels, who already have trouble reading and understanding written texts beyond a certain degree of complexity, not to mention a lot of people who find it very hard to do basic calculations.

In fact, the government is sending the clear message that taxation is reserved for an elite, for people who have the education, the ability or the financial resources to have their taxes done for them. Unfortunately, my basic principle is that taxation should be affordable and accessible enough so that people do not have to spend a penny. In our democratic system, this should be something comparable to exercising the right to vote.

The government has failed at this, and Bill C-48 unfortunately will not help matters, although we can be glad that we can add measures that were passed more than 10 years ago to the act and regulatory framework. That is wonderful.

I am going to talk about another issue. There are a lot of them, of course, but I am particularly concerned about this one because I spoke about it before the holidays, and that is the issue of tax evasion. Unfortunately, after complimenting the government for once, I must really offer it some heartfelt criticism. The government is saying one thing and doing another.

It is great that the measures in Bill C-48 to address tax evasion can be passed and added to the act. We agree on that. However, as I have previously said in the Standing Committee on Justice and Human Rights and in other forums, what is the point in having a written act if it is not enforced or if we do not provide the means to enforce it?

• (1610)

These are two very important issues. Basically, the act states an intention and gives us a tool, but we have to use it and pay the price to enforce it. Otherwise, these are just meaningless words.

Before the holidays, we had a debate on the adoption of a free trade agreement with the Republic of Panama, which is practically a kingdom, one of the five most attractive tax havens in the world. I criticized that treaty because the government could not be unaware of that state of affairs, despite the claims made by the Republic of Panama. Panama may have laudable intentions of improving, but before going any further we will await the results. We really need to have results we can see.

Intentions have led to a great deal of human suffering, in relationships and in many other areas. As the singer Dalida said, "words, words and words". She saw things clearly and rejected this flood of words, because she had nothing more tangible or solid to rely on in her dialogue in that famous song.

If Bill C-48 passes, then the government is making a mockery of these measures by signing an agreement with the Republic of Panama. In my speech in the House, I provided proof positive that Panama was still a very popular tax haven. There are very attractive and very up-to-date websites, particularly European sites, saying that Panama is a winner if you want to evade income taxes, and feel free to help yourself. What purpose is there, then, in the government's

pretences if it is then going to contradict them by establishing an ongoing relationship, by sanctifying and recognizing the Republic of Panama, when it does not fully deserve such recognition?

Apart from enacting the measures, there is another aspect. We are seeing a flood of massive, savage cuts. As the Parliamentary Budget Officer said, those cuts mainly affect direct services to the public, the public service, essentially: the resources available to the Canadian government for carrying out its various missions. The measures concerning tax evasion set out in Bill C-48 will ultimately be no more than pretences, with no resources and no returns, or diminishing returns.

If there are no truly motivated employees in the public service who are trained and numerous enough to meet the challenge of tax evasion, we can enact all the laws we like, and we will simply be a laughing stock. In fact, and let us not delude ourselves, this is already the case. I have heard enough harsh comments. Some of my constituents have even used a few words to describe this government that I cannot repeat in this House. It is true.

I have only a minute left. My goodness, how time flies. I could have used at least another 20 minutes, or 40 minutes, to talk about C-48. In closing, I want to stress this inconsistency, which will not stop my colleagues in the official opposition and myself from supporting Bill C-48, which is nonetheless important. My questions have informed my colleagues about my concerns regarding the fact that we are only catching up halfway and we will not give up until we see the end of this government.

Hope will return when we form the government, but as always, New Democrats will find we have a heavy workload. However, we are not afraid of hard work. It will be our pleasure to rise to this challenge and do justice for all citizens of this country.

• (1615)

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, I congratulate my colleague on his speech.

He spoke about the complexity of tax regulations. According to him, the bill is limited in terms of all of the technical changes that will have to be made based on changes to the legislation.

What does my colleague think about this challenge? Could he speak to that?

**Mr. Raymond Côté:** Mr. Speaker, in light of the scope of this bill, there will no doubt be things that get through that we will unfortunately have to fix later. The government is a slacker in its approach. It procrastinates, tries to pull things together, quickly produces something at the last minute, submits it and ends up with a very flawed bill.

This is very concerning. The government does not take into account concerns from informed groups, from taxpayers and from the experts who must interpret and use the act. Since we will unfortunately not be able to find all of the mistakes and issues that could cause a problem, we will end up having to duplicate, or even triplicate our work after the fact. That is very disappointing.

*Government Orders*

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, I congratulate the hon. member for Beauport—Limoilou on his excellent speech.

My colleague pointed out some of this government's shortcomings as far as taxation and the economy are concerned. I find that very interesting.

The riding of Drummond has many small and medium businesses that drive the economy. These businesses need a tax system that is simple, efficient, fair and equitable. Right now, the bill does not quite meet these criteria. Unfortunately, the Conservative government has failed.

Earlier, the hon. member mentioned that the bill is almost 1,000 pages long. It is a very thick document. It is huge. It is also very complex. A great deal of work should have been done before. As was pointed out, the last amendments were made in 2001. Since they took office, the Conservatives have been dragging their feet on this issue, just like the Liberals.

I want to mention that the Auditor General raised serious concerns regarding how slow the government was in enacting the technical amendments described in the Department of Finance's comfort letters. When we are dealing with a 1,000 page document, how can we properly analyze, read and understand all these amendments? How can we do a serious job as members of Parliament and then report to our fellow citizens? It is very difficult with a document like this one. We should have similar legislation every year to keep up to date, instead of waiting for years and take forever to understand the details of this legislation.

I would like to know what my colleague thinks of all this.

• (1620)

**Mr. Raymond Côté:** Mr. Speaker, I thank the hon. member for Drummond for raising several issues.

I am going to use a metaphor to illustrate how this government really does not know where it is going. Problems of all sorts have accumulated. The government is trying hard to polish its image in an attempt to get off the hook and to hide the reality. It is like a wolf that gets trapped and cuts its paw to get away. The government is trying to fool us by saying that the wolf was set free. However, the wolf now only has three legs. It is handicapped, which creates a huge problem.

I am going to provide a very simple example regarding employment insurance. One of my constituents in the riding of Beauport—Limoilou is a qualified worker in Quebec City. Unfortunately, he works in a seasonal job. Because of the new rules, he must meet the government's unsustainable requirements. Still, he looks for work and tries to find a job in his field of expertise. But he is offered jobs that pay much less. As he said, he does not work all year round, and the annual salary—which he will never have for a full year—is around \$50,000 or \$60,000. Should he take a job that pays \$35,000 or \$40,000 annually?

This is truly a downward spiral. For the majority of Canadians, it is the quintessence, the promotion of mediocrity. It is really shameful for the government to do that. Of course, the hon. member for

Drummond also sees firsthand the impact in his riding. He did well to raise this issue. It is our role to do so.

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, aside from the initial statement by the parliamentary secretary, it does not appear that many people on the government benches are prepared to defend and explain Bill C-48. I have a question for my colleague.

Given that 400 notices have been issued by the Canada Revenue Agency and other similar bodies, and that 200 such notices still remain to be integrated into the Income Tax Act and other tax legislation, we can expect to see another bill. It may not be as massive as Bill C-48, but it will be relative weighty nonetheless. The bill will be needed to integrate these technical aspects. This matter has been dragging on since 2001. Technical notices that needed to be presented in the form of legislation had been piling up for over 10 years.

I would like to know what my colleague from Beauport—Limoilou thinks about the government bringing in over 10 years' worth of these measures in an omnibus bill, rather than tabling updates and amendments on a regular if not yearly basis, to tax legislation such as the Income Tax Act? If no one from the government can explain why this is not done on a yearly basis, then I would like my colleague's opinion on the government's response.

**Mr. Raymond Côté:** Mr. Speaker, I thank my colleague from Rimouski-Neigette—Témiscouata—Les Basques for his very important question. I think that the government is showing contempt. Let me explain what I mean.

I will use another analogy, namely that of the White Birch Paper Stadacona mill in Beauport—Limoilou. Mill workers unfortunately lost part of their pension fund after a contribution shortfall on the part of management. In essence, premiums paid by workers were not deposited into the fund.

The situation we have here is somewhat similar. When spread over a number of years, whether or not contributions are made or obligations met may seem harmless. Tabling technical legislation should be an annual obligation. However, when we consider a period of 10 or 15 years, there is a great deal of ground to make up.

Let me make another analogy, because I love doing that. Imagine a bank putting up with a person not making mortgage payments over a 10-year period. You can be sure that if the bank decided it had cut the person enough slack, demanding all at once 10 years' worth of outstanding payments, plus interest, would represent a fairly substantial sum of money.

This illustrates the extent to which the government has failed to assume its responsibilities and lacks perspective and consideration for Canadian taxpayers.

• (1625)

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is with pleasure that I rise to speak to Bill C-48 this afternoon.

*Government Orders*

I would indicate right at the beginning that the Liberal Party does support the bill. We would like to see the bill ultimately go to committee. I do not think that comes as a surprise to members, because at the end of the day, we would argue that many, if not virtually all, of the amendments we are talking about should have been and could have been passed years ago. There is a cost to Canadians, because the government has been so lax in wanting to pass this necessary legislation.

Having said that, I think Canadians would likely recall that last year the Conservatives had two massive budget bills. In those budget bills they threw in all sorts of pieces of legislation. For some peculiar reason they felt it was necessary to bundle in so many pieces of legislation and pass them through the back door of the budget debate.

When I reflect on it, and I have had the opportunity to discuss the issue with many of my constituents, I think the general feeling is that it was just wrong and anti-democratic. So many things could be said about what the government did last year, which was inappropriate, undemocratic and just not worthy of passage through this House.

On the other hand, we have this massive bill. It is important to take note of it. The bill is in excess of 900 pages. Sometimes when legislation is overhauled, there is a need to bring in substantial changes that will dictate that we have to have literally hundreds of pages, thousands of words, to get through all the amendments necessary to change that legislation. That does not apply to this particular bill.

Over the years we have seen the need for numerous changes in our taxation laws. The number has dramatically increased over the last few years. This matter was before our Auditor General. It was before our public accounts committee. A couple of years back, our public accounts committee suggested that the government act on this issue and that the government bring in smaller pieces of legislation to enact the many technical changes that are required for our tax laws. The committee made those recommendations years ago.

There is no doubt whatsoever that the government has sat idly by and allowed the list to grow considerably, to the point at which today we have a document that is excessive in terms of the number of amendments that have to be made to modernize or update our taxation laws.

Those amendments are all technical. Many of them are very small in nature, but some of them are quite significant. In reading it through and being provided some information, I want to highlight two or possibly three of them to provide examples.

For example, self-employed individuals can now contribute to EI. Bill C-48 ensures that those contributions are deducted from the annual income for taxation purposes in the same manner that employees' contributions are deducted. It is a very important change.

Then we go to the labour-sponsored venture funds. In 2010, Ontario was phasing out the tax credits for these funds. There have been other issues surrounding labour venture capital funds. I could talk at great length on some of the problems we had in the province of Manitoba while I was an MLA. At the end of the day, changes will be made to our taxation laws that will help deal with some of those funds.

Regarding airlines, provinces and taxes, this clarifies the allocation of miles flown over certain territorial waters for the purpose of provincial taxation.

● (1630)

There is one change regarding our first nations with respect to GST, so that they might choose to levy a sales tax on a reserve by allowing the Canada Revenue Agency to collect an administrative tax. All money collected would be returned to the band council. Bill C-48 would allow Revenue Quebec to fulfill that same function.

Even though we talk about the hundreds of changes that are very technical in nature, it is important that we recognize that those changes are absolutely critical. In fact, what we will find quite often when we look at the taxation books that try to provide advice to consumers is that much of it is coded, whether with asterisks, different colours or faded colours. Generally speaking, that is in reference to the fact that there was a need to change the legislation, but it has not yet been changed; it is still pending. Because it is still pending they have to make a note of that. We have an industry out there of tax lawyers, accountants, all sorts of advocacy groups and others who assist individuals in preparing their taxes. They have to take note of the many different changes we are expecting because until they pass they are not the law. Therefore, it is a very important issue.

I question why it took the government so long. Taxation is of critical importance to our nation. I have had the privilege of being an elected member, whether it was here or in the province of Manitoba as an MLA, for 20-plus years. People are concerned about taxes and the many forms of taxation. They believe there is a need for change. They would like to see more progressive changes to the way government collects its taxes. We need to have that debate. We need to encourage reforming the system where we can, not only these minor technical changes but in some cases major technical changes. There is a lot more that we can actually do.

I am surprised that the government has taken as long as it has. I felt that it would have been in a good position two, three or four years ago to put together the legislation that would have made many of the changes that were proposed many years ago, as opposed to allowing them to accumulate. I say this now because we know that, as time continues on, there will be future changes. We are not suggesting that it has to be done on an annual basis or even every second year. It depends on the technical changes that are required, the number of changes and, in good part, the government's agenda. It could be a budget implementation coming forward, which would cause additional changes. It could be a wide variety of reasons for which one could ultimately justify holding off for three or four years. To wait for 10 years, to allow it to go that long, has done a disservice to all Canadians because we want certainty in our tax laws. We better serve all forums, whether business or individual, by ensuring our laws are fair and are updated on a regular basis.

I encourage the government not to wait as long and, ultimately even when we go into committee, to look at and be open to the possibility of having other changes. In that sense, we in the Liberal Party support the bill to go to committee. We are not here to hold up the debate on the bill. We would like to see it go to committee.

*Government Orders*

•(1635)

I want to take advantage of this opportunity to speak on this bill to expand on a couple of ideas or thoughts I have had. Yesterday there was a special event in Winnipeg North. It is kind of an annual perogy lunch that I host. We had about 140 to 160 people show up. It afforded me the opportunity to really have some good healthy discussions with many of them and to address the group.

There are some real concerns that need to be addressed. Some of those concerns deal with taxation and the potential of providing tax deductions. This applies to Canadians from coast to coast to coast, but I talked to one individual who said she is on a very limited income, as are many seniors. They own their home because they have maybe lived in it for 25 or 30 years. However, they are on a fixed, relatively small income. At times there is a need to improve or fix up their homes.

Quite often what these seniors are looking for is a tax deduction or something that would allow them the opportunity to improve the structure of their home or to make some improvement. It would ultimately improve our housing stock if we allowed more seniors to be able to do that. They have the equity.

At the end of the day, tax incentives or tax deductions may be able to assist a senior and possibly stimulate the economy. When home renovations are encouraged or promoted, as the Liberal Party has done over the last year or more, talking about the benefits of having home renovation programs, the money will be spent locally, which in turn creates more employment.

If tax dollars can be grown by \$6, \$7, \$8, \$9 or \$10 because individuals are using some of their own money, it all helps out. These are the types of things that I would like to think we should be talking about more inside the House, not only during budget debates but also when the public accounts committee meets and when we have bills of this nature and are talking about the technicalities of taxation laws.

We should be talking about the importance of how taxation laws allow us to facilitate government programs through deductions or tax credits. Imagine the impact we have on charitable organizations.

Every province and territory has numerous charitable organizations that are very much dependent on those charitable tax numbers. Progressive government policies and good tax programs or incentives allow those charitable organizations to prosper and to be able to help Canadians from coast to coast to coast.

Again, it goes right back to the Canada Revenue Agency, our taxation laws and priorities for the government. That is why I am suggesting it is very important for us to add it to the debate.

I am very concerned about our middle class. The middle class in Canada could be doing so much better. To what degree are our taxation policies allowing the middle class to grow? I believe most economists would tell us that the middle class is actually shrinking in Canada, even though the vast majority of Canadians, 90% or more, would say they are a part of the middle class.

At the end of the day we know that the rich in Canada are getting richer and the poor are getting poorer, relatively speaking. We know that the middle class is not growing. There is a growing inequity that

is taking place. Taxation laws are one of the tools that can be used to deal with that issue.

When we talk about taxation laws, I believe it is a very important subject in which members should participate and share their ideas on how we could be a better society if we deal with it.

•(1640)

I made reference to different forms of taxes. Over the years, Revenue Canada does just one component of taxes. Income, property and consumption taxes are likely the big three. These are issues with which the public have a great deal of concern. There is a feeling the government is not doing enough to justify collecting the taxes that are being collected.

At the end of the day, it is important that we recognize all forms of taxes when we talk about income tax because that is what the average Canadian does. When we talk about income tax and in particular Bill C-48, I would ask the question I posed to the parliamentary secretary. What is in the bill to make taxation that much simpler for the average Canadian to understand? How does the middle class benefit from it? Is it consumer friendly?

Today I had a discussion with an individual who indicated to me that people cannot get a printed version of the income tax booklet. At one time the post office had income tax booklets which contained all the basic tax laws and information required to complete the forms. It is my understanding the booklet is no longer available, or at the very least to the same degree that it was available in the past. People say that we can get the information from the Internet. I think it is a mistake for us to be so dependent on individuals having to use the Internet or purchase a computer program in order to file their income tax returns.

Are there ways in which we can make the system simpler? What about those individuals who have a difficult time filing the very basic income tax returns? That happens a great deal. There are some non-profit groups that have a fairly decent understanding of our taxation laws and offer services to a lot of people who are on low or fixed incomes. To what degree would the proposed changes make it simpler for those individuals to get their taxes done on an annual basis?

I have had the opportunity over the years to go through my own income tax and I have had assistance in dealing with it, primarily because of time constraints and so forth. However, the bottom line is that I believe it is becoming more and more complicated in many different ways.

There are issues relating to why one group would get a tax break over another group. The issue of tax fairness is what I am referring to there.

I have heard many members in the chamber talk about the importance of dealing with tax avoidance. There are many individuals across the country who get away with not having to pay their fair share of federal tax. That applies at the provincial level also where there are many who are escaping paying their fair share of taxes.

*Government Orders*

Taxation is an important policy issue. It is through taxation that we are able to provide the types of services that Canadians want, whether it is in connection with health care, Canadian Forces, or the many other services that we provide throughout the land. That is all based on our ability to collect taxes and having good, solid tax laws.

The government has the responsibility to maintain the integrity of our taxation laws. That is the reason I believe it is important to have this debate now and to take this to the next step and allow the bill to go to committee so that ultimately it can pass and Canadians can see better tax laws.

• (1645)

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, it gives me great pleasure to speak again in the House today after spending time in our constituencies.

The goal of this legislation, as we mentioned earlier today, is to provide clarity to certain components of the tax act. We consulted with professionals across the country. There are many things in the bill which we believe will help improve providing service with regard to the tax act. Many professionals have provided input over a long period of time.

Given that the member's speech was all over the place, does he acknowledge that these measures need to come into force and will he support the bill?

**Mr. Kevin Lamoureux:** Mr. Speaker, that is what I indicated. Obviously the member was not listening. The Liberal Party supports the bill. We want to see the bill go to committee.

The member talked about the government working with the stakeholders. The government has been working with those stakeholders for years now. The government has attempted to give the impression that it is acting on reforming our taxation laws and making that a priority, when in reality the opposite is true. The government has been negligent. The government has dropped the ball. It has not made taxation reform and bring legislation forward in a timely fashion a priority. That is the reality. Many if not most of the clauses that will be debated once the bill goes to committee should have been passed years ago. The government has to take responsibility for its negligence in not doing its job in a timely fashion.

I indicated earlier the important point that Canadians very much deserve to have a taxation system that is fair, up to date, modern and completely legal. The government should not just say that the change will be made whenever we pass the legislation. We have far too many pieces of tax law that are in place unofficially. That is because the government has been so negligent.

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I would like to ask a brief question. I realize that the hon. member was not here during the last Parliament or the previous ones.

I agree with him when he says that it is not possible to study all the elements of such a large and complex bill and vote on it with full knowledge.

We have already said that we would vote in favour of this bill, but the underlying problem is that we waited 10 or 12 years for all the technical elements to be put together as a law.

First, can the hon. member confirm that his party wants to have regular updates of the various technical elements of the Income Tax Act and other taxation acts put together as a law?

If so, I would like to know why his party, which was in government prior to 2006, did nothing during the last four, five or six years of its mandate?

I see that as a problem because, while the Conservatives have not done anything about this and have let things get worse, the Liberal government that preceded them did not do anything either during the five or six years it was in power.

• (1650)

[*English*]

**Mr. Kevin Lamoureux:** Mr. Speaker, I appreciate the question, albeit it is somewhat misguided.

At the end of the day, we have to realize that it is not just one or two years. We also have to have amendments that are being proposed. We have to put it in the context of what kind of technical amendments have to be made. The last time the Liberal government did, it would have been in 2000-01, around that period of time, I believe. It would have been three or four years. Maybe the member can stand in his place and say exactly how many technical amendments were there. There is a need for us to be able to consult, to work together, and so forth. At the end of the day, if there was a need, I suspect that need would have been met.

It does not have to happen every year. That is why I indicated in my comments that a lot depends on what are the technical amendments.

What I am suggesting is that the technical amendments that we have before us today in the 900-plus pages of this bill are far too excessive. That was acknowledged back in 2009 from our public accounts. The Auditor General of Canada made that announcement. For example, from what I understand, back in 2003 the Auditor General of Canada did not say to bring in the legislation right then. The demand would not have been there. I suspect Jack Layton might have said something had that been the case, but it likely was not the case. We have to put it in the perspective of time. Today is far too long. Ten years is too long, not only because it is 10 years, but because there are so many technical amendments. Most of those technical amendments could have been made back in 2009. That is the reason the government is wrong in terms of bringing in a huge 900-plus page bill today.

The government should have drafted maybe a 400-page bill back in 2009. Then today we would only be dealing with a 300-page or a 400-page bill. It should have been broken down into other bills. Some of those bills could have been brought in earlier. That is what we would have ultimately argued.

At the end of the day, at least we have it here today. Let us get the bill passed and sent to committee. Canadians have been waiting far too long to see these technical changes that should have been put in place five, six, or seven years ago.

*Government Orders*

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, my hon. colleague from Winnipeg North spoke of fairness. One of the things I found in a lot of the government's omnibus budgets is tax credits that are available only to people who actually have income. We know that in order to enjoy a tax deduction, people have to have income to deduct it from.

A lot of these tax credits should be available to those who do not have income. In fact, those who need it the most are those who do not have income.

I wonder if the member would talk about the lack of fairness in tax deductions or tax credits when they are not designated as refundable tax credits.

**Mr. Kevin Lamoureux:** Mr. Speaker, that is a good question.

We could cite the example of volunteer firefighters and others, many of whom were not eligible to receive any of the benefit because it was a credit as opposed to a deduction. If the government was trying to send a message through government taxation policy, it missed the mark back then.

There are so many opportunities for government to have an impact if the desire is there to assist and to make a difference. It can be done through all sorts of tax incentives, tax credits, tax deductions, and so forth. When we talked about the budget bill, there was a huge fundamental flaw in that legislation. It did not allow for individuals who did not have the income to receive the tax benefit individuals who were more well off received. That is why there was a valid argument, and the Liberals made that argument, that there should have been a tax rebate, a refundable tax credit, for those individuals.

•(1655)

[Translation]

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, I would like to add one very important thing to what my colleague said, concerning tax avoidance and tax havens. It is important to note that a small effort has been made in the fight against tax avoidance and against all kinds of tax evasion. Still, it is only a tiny step. The government must work much harder to prevent the loss of this money that could be used for much better purposes, such as social programs. It is not right to slash old age security and raise the age of eligibility to 67, while still tolerating tax evasion.

I would like to hear my colleague's comments on the fact that the government must work harder to prevent tax evasion.

[English]

**Mr. Kevin Lamoureux:** Mr. Speaker, measures could be taken to get individuals paying a fairer share of tax. That, I think, is what the member is trying to highlight, the fact that Canadians as a whole do not mind paying taxes as long as they believe they are paying a fair share and everyone is contributing. The government has to make a decision whether or not it supports that concept.

[Translation]

**The Deputy Speaker:** It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Charlesbourg—Haute-Saint-Charles, Employment Insurance; the hon. member for Malpeque, Food Safety.

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, I am pleased to rise today to speak to Bill C-48, An Act to amend the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation.

First of all, I would like to say that I will be sharing my time with my colleague from Manicouagan.

As I mentioned earlier and as many of my colleagues in the House of Commons have said today, this bill is very big. The bill is huge, and with nearly 1,000 pages, it is the size of a very thick brick. It is a bill that dates from 2001 and to which no amendments of this scale have been made.

This bill is so big because previous governments had been dragging their feet, because they did not do their job and because they took too long to bring the bill to the table. Because they did not do their job properly, today we are faced with a huge bill, a bill that we might call an omnibus bill.

However, this bill does not compare to the horrible omnibus bills C-38 and C-45, which covered a range of different items such as the environment, the economy and old age security. Those were really bad bills. It was with good reason that they were called "Trojan horses". Those omnibus bills were horrible, "monster" bills.

This omnibus bill is acceptable as it deals only with income tax legislation. However, the problem is that the bill is so huge that it is practically impossible to study it carefully within the timeframe we have been given. The Conservative government must be much more attentive and efficient in bringing forward their bills on a more regular basis, which would allow us to have time to study the amendments to these bills.

In this regard, Auditor General Sheila Fraser stated in the report she tabled in the fall of 2009:

No income tax technical bill has been passed since 2001. Although the government has said that an annual technical bill of routine housekeeping amendments to the Act is desirable, this has not happened. As a result, the Department of Finance Canada has a backlog of at least 400 technical amendments that have not been enacted, including 250 "comfort letters" dating back to 1998, recommending changes that have not been legislated.

This has been dragging on since 1998.

If proposed technical changes are not tabled regularly, the volume of amendments becomes difficult for taxpayers, tax practitioners, and parliamentarians to absorb when they are grouped into a large package.

As I mentioned, that is what happened. The Conservatives have wasted time since coming to power, and now we have a hefty, 1,000-page omnibus bill. Of course I am neither an expert or a tax practitioner. However, as parliamentarians, it is important that we study bills with as much rigour as possible and within a reasonable amount of time. Unfortunately, we will not have the opportunity to do so with this bill.

*Government Orders*

Another point I would like to address is tax avoidance. Bill C-48 is a first step towards fighting tax evasion. However, the Conservative government is talking out of both sides of its mouth. On the one hand, it is taking a small step to prevent tax avoidance; on the other hand, it is signing bilateral agreements with countries that flaunt basic tax rules and are even tax havens. This government is not taking this seriously.

A number of my NDP colleagues sit on the finance committee. They heard some very interesting things from Brigitte Alepin, a very well-known tax expert. She has written two books that are reference works for anyone interested in fighting tax evasion and tax havens.

● (1700)

The first book is called *Ces riches qui ne paient pas d'impôt*. I recommend that all members of the House read it, particularly the Conservatives, since the work on tax evasion in Bill C-48 was not done properly. This excellent book, which was published in 2003, describes all the pernicious ways people use on a regular basis to avoid paying taxes, whether it be by deferring their taxes for ever or by inventing a rather questionable foundation. There are bona fide foundations but others can be very questionable. Clearly, there are also all sorts of subsidies.

I am going to talk about various issues but these are the choices that have to be made with a bill such as Bill C-48. The environment is very important and, right now, the government is shamelessly providing billions of dollars in subsidies to the oil and gas industries. They are even providing coal subsidies. I am not talking about tax evasion here but about subsidies that make the tax roll unfair and inequitable.

Ms. Alepin describes the three basic principles that are very important to a sound taxation system: the system must be simple, effective and fair. That is very important. However, right now, the Conservatives do not have a simple, effective and fair tax system, far from it. I mentioned a few aspects. I would like to read a short summary of Ms. Alepin's latest book, *La crise fiscale qui vient*, which is very interesting. If my colleagues have not read this wonderful book, I recommend that they all do so, particularly my Conservative colleagues since they did not do their work on the fight against tax evasion properly. This is what the book summary says:

The author identifies the signs of the impending fiscal crisis, which has already begun in most western economies. She provides a simple and enlightening description of the new conditions that exacerbate this crisis: the increased number of charitable foundations [I spoke about this earlier], the development of electronic commerce, the increasing use of tax havens [I also spoke about this], the competition between states to attract large corporations, etc. Although current governments seem to have given up on dealing with this crisis [and the Conservative government is a good example], Brigitte Alepin shows that there are solutions to this problem. She also shows how tax measures can help to reduce greenhouse gas emissions, among other things.

That is why I referred just now to tax measures and environmental measures. My colleagues also said that we could promote tax measures to favour, say, renovations. We had the ecoENERGY Retrofit—Homes program for energy efficient houses. Such programs are very good from the tax point of view. They are straightforward and keep the economy moving. It is the same thing here. When we have a government that stands up and earnestly tries to prevent tax evasion, and wants to invest in good things that benefit our economy and our planet and are good for our children and for

future generations, we can make fairer and more enlightened choices.

To sum up, Brigitte Alepin is truly a tax expert. She has written other books, like *Ces riches qui ne paient pas d'impôt* about rich people who pay no taxes. The summary I have just read you is taken from *La crise fiscale qui vient*, about the looming fiscal crisis. I advise everyone to read these books, and of course to invite Ms. Alepin once again before the Standing Committee on Finance, because she has a lot of useful things to say.

In closing, it is very important when embarking on such reforms to do so quickly, so that there is not too much work to be done, so that it is not impossible to do it, and above all, to make enlightened choices that will be the right ones for future generations.

● (1705)

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, I would like to thank my colleague for his comments. I do have a specific question with respect to compliance, which is a key aspect in maintaining the integrity of our tax system.

What does my colleague think of the fact that this government has not provided for a time frame to enable people to comply with the technical changes being made in the tax system? What does he think of this oversight?

Moreover, since compliance could have an impact on tax evasion, would that be necessary in his view?

**Mr. François Choquette:** Mr. Speaker, I wish to thank my hon. colleague from Saint-Lambert for her excellent comment. Indeed, if there had been a time frame, we might not have had to deal with a doorstop of some 1,000 pages. It is almost impossible for the Standing Committee on Finance to consider all the changes in a reasonable and careful manner.

All members of this House were elected to work carefully and thoroughly. It is very important that we be given the tools to do so. When omnibus bills with hundreds of pages are introduced, like Bill C-38 and Bill C-45, we are prevented from doing our job. Yet it is very important that this work be done carefully.

I wish to thank my hon. colleague for pointing out that work to prevent tax evasion has unfortunately not been done on the other side. This is just one small step. It is not a serious one. We have to work much harder and make choices in order to carry out a tax reform that reflects our priorities. Instead of making old age security at age 67 a priority we should be focused on increasing the guaranteed income supplement, and on the environment, in order to offer a better tomorrow for future generations.

**Ms. Lise St-Denis (Saint-Maurice—Champlain, Lib.):** Mr. Speaker, in his presentation, my colleague primarily condemned tax evasion. What measures does he and his party propose to deal with this issue?

**Mr. François Choquette:** Mr. Speaker, I thank the hon. member for her question.

*Government Orders*

Several measures could be proposed. I am not an expert in finance, but I know that the Standing Committee on Finance is examining the issue. In fact, many colleagues of mine have recently held meetings on this issue. The Leader of the Opposition and member for Outremont attended these events and he delivered a speech.

We support the fight against tax evasion. That job must be done seriously and rely on various approaches. Concrete measures can be taken, such as those that I mentioned and that Ms. Alepin proposed. That is also the choice of a political party and government. As a government in waiting, the NDP will make sure to respect seniors and to leave a healthier environment to future generations.

• (1710)

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, the hon. member for Drummond is absolutely right in stressing the issue of tax evasion. Incidentally, the tax measures passed by the federal government often have an impact at the provincial level. Indeed, for harmonization purposes, provincial governments must often, for better or worse, adopt similar measures, which can greatly promote tax evasion.

Could my colleague comment on this issue faced by the provinces?

**Mr. François Choquette:** Mr. Speaker, I thank the hon. member for Beauport—Limoilou for his comments.

That is very important indeed. I am just going to give an example. Recently, the Conservative Prime Minister refused to attend interprovincial meetings with provincial premiers. That is not the way to act if we want to promote co-operation, or if we want to find out the needs of the provinces. By contrast, an NDP Prime Minister will attend interprovincial meetings. We will be there to co-operate with the provinces in order to have a tax system that will be beneficial to all.

**Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):** Mr. Speaker, I will begin the New Year by addressing some notions that are, to say the least, tiresome, since they are associated with the ins and outs of the Canadian tax system. The spirit of plurality that should inform remarks made in this House and my constant concern to highlight the ethnic diversity of this country encourage me to present these comments, which deal with Bill C-48, from a perspective of exposing white-collar crime, tax avoidance schemes and corporate tax evasion on aboriginal lands.

At the risk of repeating myself, I did teach for one semester at the Cégep in Sept-Îles. My course was on legal and administrative aspects of aboriginal organizations. I have therefore gone very deeply into the subject, which I was teaching at the time at the college level, and I have decided to bring that knowledge up to date. Within the course, one section dealt essentially with white-collar crime, and the ways organized crime has found to interfere in the management and economic operations specific to Indian reserves. I think it is timely to share this information with all Canadians.

The Conservatives must already be telling themselves that they addressed this idea in Bill C-27. However, they are on the wrong track, because the people behind this economic malfeasance and who work on the fringes of Indian reserves in Canada are most often, in fact, non-aboriginal. They are foreign elements. They are financiers,

lobbyists, people with special interests who prowl around the reserves and work on the fringes because of the special schemes relating to income and other taxes, among other things.

That is why these financiers propose phoney corporate vehicles, which are mere fronts. The most common method is to exploit a few willing Indians on a reserve. The corporate vehicle is developed with a very special capital structure. From that point, the rules respecting income and other taxes come into play. We have to address this reality when we talk about tax evasion on the reserves in 2013.

If we consider this interference in the context of economic expansion in our communities, it is related to the successive announcements about such matters as the development of natural resources in remote communities, but it is also related to economic growth. I have already indicated in the past that the people who live on Indian reserves across the country have been compelled over the last 150 years to develop what is designed to be a parallel economy, not “parallel” in the pejorative sense, but because it meets special requirements, responding to a way of life and to adversity.

The aboriginal communities in Canada have long been ignored in the development of economic growth measures as proposed by the various governments, even in 2013. These communities have been left behind, and for a long time, many communities, if not nearly all the Indian reserves in Canada, have gone without.

Over the last 50 years, there has been an expansion, with the development of special schemes and alternative measures. There has been a genuine expansion. Economic conditions in some communities are very good. This is not true of most Indian reserves, but some communities are fairly well provided for with respect to their economic basis. This interference by harmful elements and criminal elements has been accentuated with this growth in the economic strength of Indian reserves.

The concerted efforts of tax authorities, combined with joint investigations carried out by specialized police units in Canada, have in fact highlighted the real mark left by embezzlement on the part of organized cells of shady operators, on the fringes of the aboriginal communities in Canada.

I said there are special tax rules for Indian reserves. Nonetheless, it took a few years for promoters from outside the communities to find compliant actors, among other things, on Indian reserves.

• (1715)

To set up these business vehicles, which are dubious, to say the least, it still takes a token member of the community. Often, these people are well placed and visible within the communities, but there also has to be a form of compliance on the part of both the federal and the provincial government authorities.

*Government Orders*

At one point, when I worked for my band council, I submitted this problem to the Indian affairs representative who travelled there. I was told quite brusquely that this did not fall within their mandate and I should approach some other authorities to resolve that kind of problem. In other words, they turned a deaf ear. I concluded as follows: there was compliance and blinkers had been very carefully placed on the representatives of government agencies at both the federal and provincial levels. This is a known fact.

When I taught that course, I based what I said on information compiled by information agencies here, agencies of Canada. So this was a well documented problem. When we talk about tax havens, we think of foreign destinations, but this type of scheme operates and is observed right here in Canada. We cannot ignore this.

On the subject of the compliance that existed, I would say that the various governments engaged in cherry-picking. In other words, they take a different view of operations in communities that are more docile or are relatively supportive of the policies of a particular government.

Other communities, some of whose representatives come to testify before the committee fairly regularly, support the existing government policies. In those communities, the schemes run by shady operators, organized crime or white-collar crime will be given free rein, even though that is not how it looks at first glance. These kinds of operations will be allowed to go on in certain more docile communities that toe the line promulgated by the government authorities.

The New Democrats believe this kind of tax avoidance and tax evasion has to be combatted, while at the same time preserving the integrity of our tax system. We support the changes this bill makes, and particularly those aimed at reducing tax avoidance.

I indicated that measures like the ones in Bill C-27 will make us look at our own community leaders and members as negative influences and the only ones responsible for tax avoidance and obvious financial wrongdoing, and this is a mistake. This is false in most cases, based on what has been proven. Studies and wiretaps from undercover operations and intelligence agencies in Canada indicate that these negative influences are located outside of the community. These include businesspeople as well as people involved in organized crime. Biker gangs have also expressed interest.

Furthermore, it is important to understand that most native reserves are located in isolated communities in the north. Verifications are done by financial institutions. However, based on my own experience and my own reality, other auditors and people in a position to shed some light on these kinds of economic activities and wrongdoings take very little interest in the development of and the realities facing communities above the 52nd parallel. That is why these kinds of wrongdoings can persist.

Make no mistake, in most cases, the expertise comes primarily from people who are outside of the community. Legal and judicial advisors have developed economic and financial schemes. They also develop share capital and divide this phony share capital in such a way that puts all voting shares in the hands of one individual or group. Everything is calculated very carefully. The same goes for imposing shotgun clauses.

Since I have studied corporate law at the post-graduate level, I am in a position to dissect share capital and to see it for what it really is. On the face of it, a business can call itself aboriginal, even though that technically may not be the case. A business might be owned by aboriginal interests on paper, but when we really look at how the share capital is divided up, we quickly see that the power is held by individuals outside of the community.

I submit this respectfully.

• (1720)

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusking, NDP):** Mr. Speaker, when we look at this bill, we see it is really huge. It is nearly 1,000 pages long. Therefore, it is very difficult to discuss the entire bill and to see what is missing from it.

The hon. member talked about the first nations. I think it is very important to talk about them. Today we saw a demonstration on Parliament Hill because the first nations have not been consulted and have not been taken into consideration regarding certain other bills.

With respect to such a bill, does the hon. member agree that when any bill is introduced, or even before it is introduced, the government has a duty to assess the impact of a bill's measures on the first nations and ensure that there are consultations and that accommodations are made?

**Mr. Jonathan Genest-Jourdain:** Mr. Speaker, I would like to thank the hon. member for her question. I have briefly studied the bill before us, and the only mention of aboriginal peoples in it concerns the harmonization of taxation on reserves.

As for consultation, this is the federal government's duty because of the fiduciary relationship between the Crown and the first nations that takes precedence over any initiative, whether it deals with land, legislation or anything else that could interfere with or have a negative impact on the lifestyle of a reserve in 2013, whether traditional or modern.

If such an initiative could interfere with this lifestyle, the government must consult the communities. A *pro forma* consultation, if I may use a legal expression, is not enough. The communities and their members must be consulted at length. That has not been done in most cases. I do not even think this bill will be the subject of much consultation with the Canadian population in general.

I thank you.

• (1725)

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank our colleague, the hon. member for Manicouagan, for his evocation of a world that is very rich but has unique problems.

*Government Orders*

That is why, a little earlier in our working day, I talked about Quebec City businessmen who want some recognition. Everyone aspires to a relatively normal life. But a normal life is not necessarily a life of conformity or submission to orders that do not solve problems, like the ones the government issues. It is especially sad to see aboriginal communities and band councils crushed under a burden that no other administrative body in Canada would accept.

I would like the hon. member to speak more about the lack of governance and lack of dignity that afflict first nations communities.

**Mr. Jonathan Genest-Jourdain:** Mr. Speaker, I thank my colleague for that question.

I am going to draw on my experience. Over the holidays—they were supposed to be holidays, but that was not the case—I was asked to develop a course on the amendments to the Indian Act and on bills C-27, C-38 and C-45.

For Bill C-27, I addressed certain concepts related to accountability, sharing and public disclosure of financial information on economic transactions and the financial information of private on-reserve businesses. The imposition of those measures is a first in Canada. It is likely that they will be fast-tracked and ultimately adopted. Well, with Bill C-27, it will be a first. Private and corporate entities will have to make their financial information available to the general public on the band councils' websites for a minimum of 10 years.

Once again, it is likely that there will be cherry-picking, that these measures will be imposed on certain communities and that the government in power will be quite accommodating and hands-off with other communities that support it more. I submit to you that there is a willingness to keep the communities at a certain level.

[*English*]

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, I will be splitting my time with the hon. member for Scarborough—Rouge River.

Before I begin I want to wish everyone a happy new year. Members are back from their constituencies after a break over the holidays. Let me tell you, Mr. Speaker, I have talked to hundreds of my constituents. The priorities of the current government are not the priorities of the people of north Surrey.

People are very concerned about a number of bills that were introduced last year. Clearly Bill C-38 and Bill C-45 are not the priorities of my constituents from Surrey North. They are concerned about the degradation of our environment and the service cuts being put in place. Those are some of the things I heard. I am hoping that the government will go in the direction that Canadians want. Canadians' priorities are about getting jobs and providing services to Canadians. Clearly the government has not done that.

It is an honour to rise today on behalf of my constituents from Surrey North to speak to Bill C-48, which is an act to amend the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation.

Bill C-48 is a massive, monster bill, with over 1,000 pages to it. Members have seen this before from the government. We have seen

legislation, two omnibus bills introduced by the government in the last year. We had Bill C-38 and Bill C-45.

Members all know what was in those bills. Those bills dealt with hundreds of different laws. They amended different acts that made no sense whatsoever. Those bills should have been split into various different areas, which we then could have debated in the House. The Conservatives rammed them through without the proper oversight of Parliament and the parliamentary committees. We have seen that the Conservatives did not even listen to one amendment. There were thousands of amendments introduced in committee and in the House, but the Conservatives failed to take any of those amendments into consideration. They rammed those bills through and we are seeing the consequences of ramming those bills through the House.

This morning members saw a protest outside the House, when the Idle No More demonstrations took place. In fact, they took place across this country. One of their concerns is the government's lack of consultation with first nations. It is not only with first nations. The government failed to consult Canadians on legislation it was bringing in. It failed to consult the very people who should have been consulted, the very people whom Bill C-38 and Bill C-45 were going to impact.

Again, Bill C-48 is a large omnibus bill, but there is one difference from Bill C-38 and Bill C-45. The bill actually relates to income tax issues, but to put this together in a large bill is still an issue for the opposition. Basically a huge bill creates a huge burden for those trying to understand what is included and what is not included in the bill.

On top of that, members have not seen this sort of bill for the last 11 years. We heard from the Auditor General, through one of her recommendations, about the impact that doing this legislation every 11 years could have on our economy, on the services we deliver and on tax evasion and those sorts of things, which we are trying to prevent.

I am going to look at the concern that the Auditor General raised previously about the slow pace of government in legislating the technical changes found in the Department of Finance comfort letters. Certainly the size of the bill, which again is close to 1,000 pages, and the long lapse of time between Bill C-48 and the last technical tax bill indicate that this process still needs improvement.

● (1730)

It took 11 years to move on some of these technical income tax issues. We need to address this on a yearly basis so we can close the loopholes that people and corporations are taking advantage of. We should not be waiting 11 years to update our tax code and legislation and to crack down on tax avoidance and tax evasion. New Democrats believe in cracking down on tax evaders and tax avoiders while ensuring the integrity of our tax system. We support the changes being made in the bill, especially those aimed at reducing tax avoidance.

*Government Orders*

The bill is so massive that trying to decipher it, to look at what is included and what is not, is difficult. In fact there are 400 recommendations that were offered by the Auditor General. However, only about 200 are covered in the bill. Therefore, not only is this a slow pace but the government has still not addressed some of the loopholes that have been pointed out by the Auditor General.

This is a good bill. We should not be waiting 11 years to bring it forward to address some of the concerns that have been pointed out by not only the Auditor General but other Canadians and organizations that deal with tax evasion and tax issues on a daily basis. The CGA is one of the associations that has strongly criticized the government about the need to have the code updated on a regular, yearly basis so that it is up to date and our businesses have clarity as to what needs to be changed and what they are dealing with from the government side.

There are many parts to the bill. I am not going to go through all of them because I know I do not have a lot of time. Part 1 of the bill deals with the offshore investment fund property and non-resident trust and includes proposals from budget 2010. Also, some of the changes in Bill C-48 are largely designed to ensure the integrity of tax system remains in place and to discourage avoidance. They incorporate feedback on proposals previously in Bill C-10.

Part 2 deals with the taxation of foreign affiliates of Canadian multinationals. Some of these changes reflect proposals from way back in 2007 and 2006. It deals with a number of different areas, but the fact is that the government is failing to update our tax code so we can catch those avoiders and can provide certainty to businesses.

Auditor General Sheila Fraser's 2009 fall report states:

No income tax technical bill has been passed since 2001. Although the government has said that an annual technical bill of routine housekeeping amendments to the Act is desirable, this has not happened. As a result, the Department of Finance Canada has a backlog of at least 400 technical amendments that have not been enacted, including 250 "comfort letters" dating back to 1998, recommending changes that have not been legislated.

The Conservatives are failing to update some of the changes that are required. They are slow. Their priorities are not right. The priorities of Canadians are not the priorities of the government. We saw that with Bill C-38 and Bill C-45, where the government brought in omnibus bills and rammed them through the House without even consulting the very people they would impact.

In its pre-budget submission in 2012, the Certified General Accountants Association of Canada stated:

CGA-Canada strongly believes that the key to sustained economic recovery and enhanced economic growth lies in the government's commitment to tax reform and red tape reduction. Therefore, CGA-Canada makes the following two key recommendations:

1. Modernize Canada's tax system—make it simple, transparent and more efficient

- Introduce and pass a technical tax bill to deal with unlegislated tax proposals
- Implement a "sunset provision" to prevent future legislative backlogs...

• (1735)

I want to summarize this. The Conservatives have been slow to get these technical changes legislated and they go as far back as 1998. Bill C-48 aims to deal with more than 200 of these changes,

but there is still a large number of technical codes that need to be changed. The Conservatives have failed in that sense.

[*Translation*]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, I thank my colleague for his informative speech.

I would like him to explain to us how having so many rules at the same time—this bill is nearly 1,000 pages long—complicates the administration of all those rules for companies. If they did not put so much energy and so many resources into understanding all the tax laws, they could be a little more competitive and create other jobs elsewhere than in tax administration.

[*English*]

**Mr. Jasbir Sandhu:** Mr. Speaker, we saw this last year with Bill C-38 and Bill C-45. The government brought in these large bills without any consultation with communities and rammed them through the House. Now we have another omnibus bill which deals with similar acts. I have to give that to the Conservatives. This legislation does not deal with hundreds of acts like Bill C-38 or Bill C-45 changed, but it would change a number of acts.

The Auditor General has asked for technical changes on a yearly basis so businesses can get to know them on a regular basis. Certainty would be provided to businesses, accountants and Canadians so they could deal with these on an ongoing basis. The Conservatives have basically waited 11 years to bring in this bill, 7 and a half years of their government and 6 and a half of another. We are happy with that, but the issue still remains. They have only dealt with half of the technical amendments that need to be changed and businesses need certainty. The Conservatives are clearly not providing that.

• (1740)

[*Translation*]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, I would like to congratulate my colleague on his speech.

He said this bill was massive. That also proves that much remains to be done to convert the various technical changes into legislation. In fact, those conversion difficulties penalize the business community. What does my colleague think about that?

*Government Orders*

[English]

**Mr. Jasbir Sandhu:** Mr. Speaker, my colleague is absolutely right. The Certified General Accountants Association of Canada strongly believes that the key to sustained recovery and enhanced economic growth lies in the government's commitment to tax reform and red tape reduction. The government has not brought in this sort of technical tax bill that deals with taxes for the last 11 years. It has failed to provide leadership and it has failed to provide certainty for our businesses. Any Canadian would tell us that uncertainty in the business environment is not good. The Conservatives have failed to see that.

The Conservatives have certainly failed to address some of the loopholes that need to be closed so businesses and individuals do not take advantage of these loopholes and hard-working Canadians who pay taxes into our system to have the available services are not cheated. Everybody has to pay their share.

The Conservatives have their priorities wrong. I clearly heard that from my constituents in Surrey North over the holidays. They wonder what the government's priorities are.

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Mr. Speaker, I wish you and all my colleagues and everyone on the Hill a very happy new year. I am very happy to be back after a good few weeks in my community and my constituency of Scarborough—Rouge River.

I am happy to rise today to speak to Bill C-48, An Act to amend the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation. Let us be straight. Bill C-48 is massive legislation that contains numerous technical changes. It is close to 1,000 pages long. This is definitely an omnibus bill, yet another omnibus from the government.

However, it is in stark contrast to the Conservatives' Trojan horse budget bills they presented as Bill C-38 and Bill C-45, which made sweeping changes to everything from environmental protection and government accountability to immigration and employment insurance, everything but the kitchen sink or everything and the kitchen sink.

Bill C-48 at least makes technical changes to a few closely related pieces of legislation. That is the big difference. The changes in Bill C-48 are largely designed to ensure the integrity of the tax system and discourage tax avoidance. The New Democrats believe in cracking down on both tax avoidance and tax evasion, while ensuring the integrity of our tax system. We support the changes being made in this bill, especially those that aim to reduce tax avoidance.

Moreover, the majority of measures in Bill C-48 have been in practice for several years, since it is the standard practice for tax measures to take effect upon their proposal. Once they have been announced, people accept them as adopted. It is for these reasons that we are supporting the bill. However, as I will reiterate later, the government needs to be more diligent in legislating these technical changes in a more timely manner rather than once every decade or so to avoid these massive pieces of legislation.

Bill C-48 includes outstanding legislative proposals dating as far back as 1998. Consultations with tax specialists and lawyers have indicated that the measures in Bill C-48 are overwhelmingly positive and that the changes in the bill are necessary technical changes. We believe these changes will in total be revenue positive and they generally move toward discouraging tax avoidance. Given the size of the bill, it certainly covers a great deal and many of these changes make sense.

Bill C-48 deals with offshore investment fund property and non-resident trusts and includes proposals from budget 2010 and August 2010 that are aimed at taxing the worldwide income of Canadian residents. It also deals with the taxation of foreign affiliates of Canadian multinational corporations.

The proposed amendments also ensure that provisions that use certain private law concepts, for example real and personal property, joint and several liability, reflect both the common law and civil law in both linguistic versions. Industry feedback that we received since July 2010 is entirely in favour of these changes.

The bill also includes: anti-avoidance measures for specific leasing property; ensures income trusts and partnerships are subject to the same loss utilization restrictions between corporations; limits the use of foreign tax credit generators for international tax avoidance; clarifies rules on taxable Canadian property for non-residents and migrants; and it provides an information regime for tax avoidance. All avoidance transactions, for example, any transaction where the purpose is to get a tax benefit must now be reported, even if the transaction is not abusive. Additional reporting will be required in cases where the transaction raises red flags for abuse of course.

The proposed bill clarifies the minister's authority to amend schedules and annexes to tax administration agreements if doing so does not fundamentally change the terms of the agreement which is already the practice.

The proposed bill also now allows tax administration agreements for the first nations goods and services tax between the federal government and aboriginal governments to be administered through a provincial administration system if the province also administers the federal GST. This will have the effect of simplifying the administration of the First Nations Goods and Services Tax Act.

However, these are all good things but I do have a few concerns that I would like to point out.

• (1745)

First and foremost is the timeliness and predictability. Given the complexities of this bill and its vast and massive scale, we believe the government needs to be more diligent and responsible when handling tax code. This bill seems way overdue. The government must ensure that tax proposals are legislated on a regular basis as failure to do so can create uncertainty in the business community, as well as among tax practitioners.

*Government Orders*

The chair of the tax and fiscal policy advisory group, in a prebudget consultation meeting on October 15, argued that implementing a sunset provision would ensure that tax amendments would be legislated and eliminate the growing backlog of unlegislated tax measures.

He stated that a sunset provision:

—would bring greater clarity and certainty to tax legislation, reduce the compliance and paperwork burden, and, perhaps most importantly, prevent any future legislative backlogs.

He also added that these:

—steps that would go some distance in improving and strengthening Canada's tax system. Canada needs a 21st century tax system that is simple, fair, efficient, and transparent with low, internationally competitive tax rates.

We agree. Efficiency, transparency and predictability in our tax code are important for Canadian businesses, fiscal planning and a healthy economy.

The Auditor General also agrees, and raised concerns a few years ago about the slow pace of the government in legislating these technical changes found in the Department of Finance comfort letters.

In 2009 it was raised at that time that there were at least 400 outstanding technical amendments that had not yet been put into legislation. Now, going on four years later, 200 of these outstanding amendments are finally being addressed in Bill C-48.

In the 2009 fall report, the Auditor General wrote:

No income tax technical bill has been passed since 2001. Although the government has said that an annual technical bill of routine housekeeping amendments to the Act is desirable, this has not happened. As a result, the Department of Finance Canada has a backlog of at least 400 technical amendments that have not been enacted, including 250 “comfort letters” dating back to 1998, recommending changes that have not been legislated.

While Bill C-48 aims to deal with more than 200 of these changes, it still leaves a good deal remaining. One has to wonder how long we, the business community and tax practitioners, will have to wait for the next update.

The second concern is with respect to transparency. Certainly the size of this bill, close to 1,000 pages, and the long lapse of time between Bill C-48 and the last technical tax bill indicate that this process clearly still needs improvement.

The government must work harder to ensure the integrity of our tax system. The size of this bill also says something about the government's concern for transparency. I hope this bill of approximately 1,000 pages receives thorough scrutiny by parliamentarians and full debate in the House and proper examination and consideration at all stages.

The large nature of the bill due to the infrequency of technical income tax bills has negative impacts on the business community and certainly makes it difficult for proper evaluation by Parliament.

As the Auditor General wrote:

If proposed technical changes are not tabled regularly, the volume of amendments becomes difficult for taxpayers, tax practitioners, and parliamentarians to absorb when they are grouped into a large package.

We need to do better and ensure that we are doing the necessary due diligence when we are responsible for the affairs of Canadians.

Finally, the third concern is compliance. While the measures in the bill are much needed and important, we also need to focus on compliance. While the vast majority of these measures in Bill C-48 have already been in practice for several years, as it is standard practice for tax measures to take effect upon their proposal, the aspects that have not yet taken effect typically involve direct reporting or compliance.

Compliance is extremely important to ensure the integrity of our tax system, as well as the need to close unexpected loopholes in a timely manner. While we agree that these changes are necessary, I wonder what efforts the government is going to take to ensure that people are complying with the ongoing technical changes?

Finally, ensuring the integrity of our tax system is essential. The last technical bill was passed in 2001 and the long lapse of time between Bill C-48 and the last technical bill indicates that this process still needs improvement.

The responsible management of tax code means that changes must be made on a regular and ongoing basis so those impacted are not left in a state of uncertainty. The Conservatives must ensure to further improve the process for getting these technical changes into legislation on a regular basis to create greater certainty, predictability and transparency in our tax system.

• (1750)

[*Translation*]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, I congratulate my colleague on her speech.

She talked about the need to process technical changes every year in order to avoid a backlog. The size of this bill quite obviously shows us that we will have to have smaller, more human-scale bills in order to simplify the regulations of the Income Tax Act.

Can she comment on that?

[*English*]

**Ms. Rathika Sitsabaiesan:** Mr. Speaker, I agree with my colleague from Saint-Lambert when she says it makes it a much more palpable and easy process for everybody, whether they be parliamentarians, clerks and our people who work in Parliament, business professionals, tax practitioners or whoever they may be. It makes it much easier when these practices are brought into law on a regular basis in small, bite-size bills rather than big telephone-book-size bills.

When the former senior chief of the sales tax division, tax policy branch of the Department of Finance, Marlene Legare, appeared before the Senate banking committee in September 2000, she said:

*Government Orders*

—I think that the main problem that has resulted in an especially long delay in this case is a timing decision. Once a particular set of measures has gone through that process and is ready to be put forward, should it then be put into a smaller bill, meaning Parliament would deal with more bills in a particular session, or should it be held aside to be included in a larger bill? We are developing a technical bill on an ongoing basis. Until now, the choice has probably been more in favour of combining measures so as to put forward fewer bills. I think the lesson that we learned from this experience is that it may be preferable to change the balance somewhat. That may mean putting forward smaller bills which would contain measures that would be enacted on a more timely basis.

So even the former senior chief of the Department of Finance's sales tax division, tax policy branch, agrees that it should be brought forward in smaller bills in a more timely manner so that our laws and legislation are actually, in effect, reflecting the practices in this country.

• (1755)

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP):** Mr. Speaker, I greatly appreciate all of the feedback we are getting on this side of the House with respect to this particular bill.

In particular I would like to touch on part 7, which talks about the first nations goods and services tax between the federal government and aboriginal governments to be administered through a provincial administration system if the province also administers the federal GST. If we think back to how that issue was bungled when the HST was rolled out in Ontario, it will help us avoid a similar scenario in the future.

On that note, I have been speaking with some first nations youth from Whitefish River First Nation this weekend, and they still wonder why the government does not meaningfully consult with and accommodate first nations when it comes to legislation, such as this one as well. As members know, it was a big issue with respect to the GST and the HST discussions and even of the bill itself, and we would not have seen ourselves in that situation.

Can my colleague comment on the importance of having the government meaningfully consult, accommodate and get free and prior informed consent before tabling legislation that affects first nations?

**Ms. Rathika Sitsabaiesan:** Mr. Speaker, I thank my hon. colleague for the extremely hard work she does. I have learned that the terrain of her constituency is vast, and how she is able to meet with constituents of all parts of her terrain is absolutely mind-blowing, and the work she does is laudable.

The member is correct that it is imperative that the government consult with the people who would be affected and impacted by the legislation that the government is proposing, especially the first nations communities that have the right to know what is coming up the pipe. I agree 100% with my colleague that the Conservatives have the fiduciary responsibility to consult with the people who are going to be affected by the changes they are proposing.

**Ms. Irene Mathysen (London—Fanshawe, NDP):** Mr. Speaker, I will be sharing my time this afternoon.

I am most pleased to join the debate on Bill C-48, a bill to amend the Income Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Act and related legislation.

The bill makes important and long-overdue changes to the tax laws, and this is the issue. While New Democrats support the bill, we do take issue with the omnibus nature of it. At close to 1,000 pages, it leaves little opportunity for study and debate.

The very point of Parliament and our democratic system is not only to introduce laws but to scrutinize those laws and ensure they are accurate and they work in the best interests of the country. That is the very reason we are all here, to work toward the betterment of this great country.

We put at risk our very democracy and we shun the very core of Parliament by introducing huge pieces of legislation that leave little time for such scrutiny.

I notice the members across have chosen to put up only one speaker on the bill, leaving the official opposition with the task of carrying out that important scrutiny of Bill C-48. That should be the role of all parliamentarians, but it seems that upholding the functions, checks and balances that Parliament is supposed to provide is not a priority with the government.

Conservatives take partisan rhetoric to the extreme and continue to introduce mammoth bills with as little debate as possible, and in fact with closure motions, so that there is as little debate as possible.

I want to add that it is not the changes that Bill C-48 undertakes that New Democrats are concerned about; it is the fact that the bill is so very large that the ability to scrutinize it is almost impossible. The changes outlined in Bill C-48 should have been introduced over the years, not grouped into one unwieldy bill.

There is no need for this massive piece of legislation. It should have been introduced in smaller pieces as routine housekeeping bills over the years. In fact, Bill C-48 includes outstanding legislative proposals dating back as far as 1998. Many of us in this chamber were children then. Good heavens, what a long time to postpone and procrastinate.

Even if the Prime Minister was not aware of these much needed updates to taxes, in 2009, the Auditor General raised concerns about the fact that there were at least 400 outstanding technical amendments that had not yet been put into legislation. There is no excuse. There were several years and plenty of time after this report was released to introduce the smaller bills that would have addressed the backlog of tax changes that needed to be addressed.

Of the outstanding changes outlined by the Auditor General, more than 200 are now in Bill C-48. Most tax practitioners have been relatively happy with the practice of the comfort letter process. However, as I have indicated already, the Auditor General's 2009 report noted "an expressed need for the legislative changes that the comfort letters identified and should be enacted".

I want to quote a little further from the Auditor General's fall report of 2009:

No income tax technical bill has been passed since 2001. Although the government has said that an annual technical bill of routine housekeeping amendments to the Act is desirable, this has not happened. As a result, the Department of Finance Canada has a backlog of at least 400 technical amendments that have not been enacted, including 250 "comfort letters" dating back to 1998.

*Government Orders*

The Auditor General is very clear. The need for updates to the legislation is important, perhaps even critical, and we had plenty of opportunities to pass bills related to tax legislation long before now.

Sadly, this is not the first time the Auditor General has complained about this issue. She expressed concerns over and over again, and in response the Department of Finance Canada stated:

—the government intends to release a package of income tax technical amendments on an annual basis, so that taxpayers will not be subject to more lengthy waiting periods as in the past before amendments are released to the public.

• (1800)

While comfort letters have since been regularly released to the public, very few technical bills have been introduced or passed in recent years. In the last 18 years, only four such income tax bills have been enacted. Annual income tax technical amendments were promised, but neither Liberals nor Conservatives bothered to do this basic annual housekeeping. How on earth can they continue to misrepresent themselves as good managers when their ability to manage is so obviously bad?

I would like to reiterate that there is absolutely no need to create massive bills such as this. At close to 1,000 pages, this is most definitely an omnibus bill. However, in contrast to the government's Trojan Horse budget bills, Bill C-48 does make some technical changes and does have a purpose as opposed to the callous lumping together of Conservative legislation into two omnibus bills in the spring and fall sessions. In those bills we saw the dismantling of environmental reviews, the rewriting of the Fisheries Act, the elimination of wildlife habitat protection, the repeal of the Kyoto Protocol Implementation Act, the reduction of the powers of the Auditor General and the dissolving of the Public Appointments Commission meant to fight patronage.

We also saw the gutting of food safety inspection. It was a one-stop shop of Conservative slicing and dicing through services Canadians rely on, while making changes to a slew of laws that they never once mentioned in their budget. By forcing omnibus bills such as the Trojan Horse bills through, the Conservatives demonstrated a mastery of the art of circumventing the democratic process and ignoring the concerns of Canadians and the concerns of first nations.

We now see another massive bill in Bill C-48 and that tells me that there is still work to be done among Conservatives if we are to see important changes legislated in a timely fashion. Failing to do so would hurt the business community and make it difficult for proper evaluation by Parliament.

It is not just difficult for parliamentarians. The government claims that its goal is to boost the economy, but by introducing overly complex bills, it does not allow small business people to invest the time and resources they need in order to understand them. They are in the business of business. They are not in the business of circumventing all of this red tape.

The Auditor General was clear about this and said, “If proposed technical changes are not tabled regularly, the volume of amendments becomes difficult for taxpayers [and] tax practitioners...”.

It is not just the Auditor General who has noted this issue. We heard from the Certified General Accountants Association of

Canada. In its pre-budget submission, it said that, “CGA-Canada strongly believes that the key to sustained economic recovery and enhanced economic growth lies in the government’s commitment to tax reform and red tape reduction”.

There is a need to modernize the system and smaller bills would do that.

Finally, I would like to address the very important issue of tax avoidance, parts of which have been addressed in Bill C-48. It is very important for the government. New Democrats absolutely believe in cracking down on both tax avoidance and tax evasion while ensuring the integrity of the tax system.

As members know, there are many honest and hard-working Canadians out there who believe in the systems that our taxes support such as health care, social assistance and various environmental policies, even though they have been dismantled and disrupted. Those Canadians need to know that everyone is paying his or her fair share and that every business and every person is making the contribution to this country that we need. Therefore, it is important to focus on compliance in order to ensure the integrity of our tax system. It is important to get rid of the loopholes in a timely manner. In an ever-growing complexity of tax codes, we now need simplification, clarity and changes that will make it progressive and effective.

• (1805)

[*Translation*]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank my colleague for her speech.

We have continually challenged the government on its primary responsibility to respect Canadians by being predictable, fair, clear and disciplined in being accountable and in adopting tax measures, in order to help the public cope with economic difficulties. I am thinking about the business owners I spoke to when I came back after the holidays, just a few days ago. They are demanding recognition and respect from the government.

My colleague is facing many challenges, as am I in Beauport—Limoilou. Big businesses have made massive cuts, and this affects small businesses that subcontract or that draw some type of benefit. I would like my colleague to talk about the lack of trust business owners in her riding have in the government because of its negligence and inaction.

*Government Orders*

• (1810)

[English]

**Ms. Irene Mathysen:** Mr. Speaker, my colleague is absolutely right about the difficulties facing people not only in all of Canada but particularly in ridings where multinational corporations have taken and taken and taken, whether tax benefits, resources, consuming infrastructure, or utilizing the expertise of the workers who made them wealthy and competitive industries and simply walked away, leaving the country high and dry, as we saw with the community of London—Fanshawe when the offshoot of Caterpillar left.

The future of this country is very clearly with small- and medium-size businesses. They are part of the community. In fact, last week I had the profound pleasure of speaking to members of the Rotary Club, made up of members of the small- and medium-size businesses that employ people, that are contributors to the community. They are not just there to take, take, take; they are there to give back and make for strong neighbourhoods. Therefore, we need a tax system that suits their needs. We need to stop these huge and ridiculous tax breaks for multinational corporations, the polluters, the banks, which are giving back very little, if anything at all, and we need to look very closely at small- and medium-size business and in that process make it as easy and expedient as possible for them to do their jobs as we would like.

[Translation]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, I would like to know whether my colleague can tell us if there would be a way for the government to make these tax measures much easier for the average person to understand—for me, for all MPs here, as well as for all businesses—instead of presenting a massive one-time reform of tax laws with 1,000 pages every 10 or 11 years. How could it be simpler?

[English]

**Ms. Irene Mathysen:** Mr. Speaker, I think it is really quite clear to us on this side of the House that smaller, more manageable bills would be the way to go. The promise to have an annual legislative process in place, I think, is the intelligent way to go. In that way, people could digest the small chunks at a time instead of this 10-year process where a thousand pages come at us and we try to sift and sort and understand them.

This is not exactly in regard to taxation, but very recently I received a number of complaints from concerned seniors who are being told that their income tax returns will now have to be done over the Internet. They are absolutely apoplectic. This is just another example of a government that is not looking at the needs of Canadians and is steamrolling over those Canadians.

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Mr. Speaker, as this is my first time rising in the House in 2013, I would like to take a minute to wish my constituents a happy and prosperous New Year.

I am glad to speak to Bill C-48 today, a bill that has been a long time coming. I hope it will not be another decade before we undergo this exercise again.

As we have heard, this is a huge bill. It addresses the changes to the Income Tax Act, the Excise Tax Act, the Federal-Provincial

Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation. It is almost a thousand pages.

What sets this large piece of legislation apart from the omnibus budget implementation acts that we debated last year is that it makes changes to a few closely related pieces of legislation. Therefore, I am perplexed as to why the government did not just throw it all in with the other stuff.

As we heard today, these changes are mostly old news and have been in practice for a number of years. That said, the bill is needed, as it has been more than 10 years since we have updated tax code legislation.

It is not that there have not been changes. The bill will include hundreds of tax measures that are already in place and have been enacted by comfort letters. In that respect, a lot of Bill C-48 amounts to technical housekeeping.

As the House is aware, the New Democrats are supporting the bill, but that does not amount to the acceptance of the government's direction on taxation or the belief that this entire process should not be improved. Certainly, the long period between updates to the tax code lead us to the situation that we have now where the legislation becomes so large. If we were to go through this process a little more regularly, we could avoid the scenario where MPs are forced to vote on bills that defy thorough study.

Tax lawyer Thomas McDonnell stated as much in a blog that touches on Bill C-48 as he discussed the legislative process with respect to taxation in both the United States and Canada. He wrote:

This Bill will also be passed without much in the way of informed debate in the House. Most parliamentarians voting on it will admit that they have not read it, let alone tried to fully understand the consequences of voting for (or against) it. This is not how Parliament is supposed to deal with one of its essential functions—the raising of revenue.

With that in mind it seems fairly straightforward to suggest that the government would do well to set a more regular schedule for this type of legislation going forward. I cannot imagine that such a move would be anything but positive, especially for those people whose business it is to work with the tax code.

We know there is broad support to do the work set out in the bill to get these measures into the tax code proper. The Auditor General has told us that it is long overdue. She told Parliament in 2009 that there were at least 400 outstanding technical amendments that had not yet been put into legislation. Over 200 of those outstanding changes are addressed in Bill C-48. While the Auditor General acknowledged that most tax practitioners were relatively happy with the comfort letter process, she noted the need to enact the legislative changes the comfort letters identified. Why it took four years to act on that advice is a question the government will have to answer. With the support it is receiving for Bill C-48 today, it is obvious that this could have been done some time ago.

*Government Orders*

When we are speaking about taxes, especially in the technical manner that we are today, most Canadians will not be sitting on the edge of their seats. This is not a bill that is likely to be newsworthy, since most of it is old news. What the bill does a lot of is to bring existing measures into the tax code that are designed to curb tax avoidance, which is actually good news for the vast majority of Canadians.

While the political discourse on taxation is often stuck in one gear, namely how to cut taxes, what is usually lost in the debate is the role that taxes play. Despite the universal desire to pay less, most people recognize the necessity of taxes. They allow us to operate as a country and can help us do a lot of good. Let us not forget about all the infrastructure dollars that go into our communities; they come from part of our taxes.

• (1815)

It is also a simple fact that countries require revenue and that revenue largely comes from taxation. What people absolutely want to see is a tax system that is fair, a system that guards against tax avoidance and a system that does not reward those people who are in a position to hide their money from their country. People do not want to feel that they are paying to subsidize others who have managed to use loopholes to minimize their contribution. That will not sit well with hard-working Canadians, and it should not sit well with parliamentarians either.

New Democrats understand this. We believe in cracking down on both tax avoidance and tax evasion, while ensuring the integrity of our tax system. We support the changes being proposed in the bill, especially those that aim to reduce tax avoidance.

The work being proposed in Bill C-48 is long overdue. Among the beneficiaries of the bill will be small businesses. These are the cornerstone of our communities, and it is important for us to do everything we can to create an environment that would make it easier to do business. These business people have enough to worry about without having to consider things like comfort letters. In that respect, what we are debating here is good. We would be streamlining the workload that businesses will have to comply with. Based on what I hear from businesses in my constituency of Algoma—Manitoulin—Kapusking, that would be a good and welcome thing.

As we have heard today, it would be impossible for any one of us to give a detailed account of such a large bill in the limited time we have to speak to the bill, so I will touch on one last item that I believe is timely.

What I am talking about is part 7 of Bill C-48. Part 7 clarifies the minister's authority to amend schedules and annexes to tax administration agreements if doing so does not fundamentally change the terms of the agreement. It would also allow tax administration agreements for the first nations goods and services tax between the federal government and aboriginal governments to be administered through a provincial administration system if the province also administers the federal GST. If we think back to how that issue was bungled when the HST was rolled out in Ontario, it would certainly help us avoid a similar scenario in the future.

I am sure members remember the discussion on the HST in Ontario. When the HST was brought in, how it would affect first nations was an afterthought by the Conservative government. Only some eleventh-hour negotiating at the insistence of Ontario chiefs like Chief Shining Turtle of Whitefish River First Nation, who is also the chair of the United Chiefs and Councils of Mnídoo Mnísing First Nations on Manitoulin Island and Anishinabek Nation Grand Council Chief Patrick Madahbee. They avoided a showdown over the issue. In the end the solution was there all along. The Conservative government and the Government of Ontario chose to ignore it until they had no choice.

It is fitting that the Idle No More national day of protest was held in front of Parliament today. This is a similar issue. Some of us, along with the leader of the NDP, took the opportunity to meet with these people who have travelled a long way to bring their message of dissatisfaction to Parliament. Much of the frustration they are expressing comes from exactly the type of oversight that was on display when the HST turned first nations' tax exempt status into an exercise in red tape. What was forgotten at that time was the constitutional obligation of the federal government to meaningfully consult and accommodate first nations in decisions that directly affect them. I would like members to think about that because it seems that people have forgotten those words. I will repeat them: meaningfully consulting, meaningfully accommodating first nations in decisions that directly affect them.

This has been a sticking point for the Conservative government and I hope it has now recognized that first nations are not going to merely roll over and accept top-down directives. Had the government consulted, it would have heard that messing with tax exempt status was a non-starter and it could have moved immediately to the solution. Had the government remembered about the HST fiasco, it would not have gone ahead with the type of legislation that it threw into Bill C-45.

• (1820)

I met with some young people from the Whitefish River first nation. They do not understand why the government is not respecting their treaty rights, the accords and other agreements that have been signed. They are beyond themselves when it comes to the fact that the government often does not respect doing meaningful consultation. They have a right to that. New Democrats are hopeful the government will now show signs of understanding this and will proceed accordingly.

In closing, I reiterate that although New Democrats are supporting this bill, it is by no means an endorsement of the government's tax policies which put too much of the burden on the little guy while allowing an increasingly freer ride for the top earners in this country. We remain unconvinced that such a model is the best way to create wealth or jobs, but that is not the goal of this legislation either.

• (1825)

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I very much enjoyed my colleague's speech, especially her conclusion.

*Adjournment Proceedings*

I found her comparison of the bill and the situation we are currently facing with our aboriginal communities particularly insightful. I found the connection quite relevant. In both cases, it appears that the government is waiting till the last minute to make any changes, despite how crucial they are. This is the eleventh hour, but we have no choice, since we are up to 950 pages.

It took the government 10 years to legislate technical changes recommended by the Canada Revenue Agency and other organizations and introduce this bill. Yet the situation decried by the Idle No More movement is the same: the government is waiting for a crisis to address a situation that should have been addressed long ago.

I wonder if my colleague could share her thoughts on how this government is governing. It always waits till the last minute and hopes that it can still manage things once they turn into a crisis situation, whether it involves aboriginal issues or fiscal matters. This bill, or at least certain parts of it, could have been implemented a long time ago.

**Mrs. Carol Hughes:** Mr. Speaker, I would like to thank the member for his question.

Obviously, it is the government's responsibility to consult and accommodate first nations. Before a bill is even introduced, the government should determine if the bill will affect first nations and if it has a responsibility to consult them. The government should also undertake other consultations once the bill has been introduced.

We should be getting the green light from first nations before we move forward with bills that have an impact on their reserves and their rights. That is very important to us. As we said, we have been waiting and waiting for this type of bill to put tax issues in order.

It is unfortunate that the Conservatives introduced a 1,000-page bill because with them it is hard to know what they might have added or what we may have been missed, since we do not have a lot of time to study it.

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, I would like to thank the member for her speech.

We are talking about a very complex tax system, yet this government has introduced a bill that is more than 900 pages long and in no way simplifies the system.

Does my colleague feel that this bill will ensure the transparency and integrity of our tax system?

**Mrs. Carol Hughes:** Mr. Speaker, my colleague is absolutely right.

This 1,000-plus-page bill includes approximately 200 changes. The Auditor General said that more than 400 changes needed to be made, but not all of them are here. There is still work to be done. It is unfortunate that it is taking this government so long.

It prefers to change things that adversely affect people instead of doing the work of the House to ensure that the i's are dotted and the t's are crossed.

**ADJOURNMENT PROCEEDINGS**

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

• (1830)

[*Translation*]

## EMPLOYMENT INSURANCE

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, allow me first to wish you and all the members in this House a happy new year.

Before the holidays, I rose on a number of occasions, along with a number of my colleagues, to make it clear to the Minister of Human Resources and Skills Development that her reform package was a slap in the face for workers who had lost their jobs.

This is already becoming clear in the horror stories being told by families who are reduced to living in poverty or who are forced to take any job at a salary that is lower than what they previously earned.

One of the negative aspects of the reform package involves changes in the calculations used in the working while on claim pilot project. Even though it has been proven many times in this House that the new calculation method imposed by the Conservatives is devastating for the majority of low-income claimants, the government implemented a band-aid solution and allowed some claimants to return to the former method of calculation for a very specific period.

The reality is that only certain claimants will be affected by this change, the ones who worked between August 2011 and August 2012. All other claimants feel they are being held hostage by the new program. Both experts and workers are baffled. In addition to having to choose the program that is best for them at the moment, workers also have to choose the one that is best for the next two years.

It was on this specific issue that I asked the minister, last November, why the government had set up a temporary, two-tier system that was geared solely to one group of claimants.

I would therefore like to take this opportunity in the House to ask the minister to explain her reasons for the flip-flop, even though she knows very well that the new measure penalizes thousands of claimants. If she knows that the new calculation will seriously affect claimants' quality of life, since she proposed making corrections only for certain claimants, how is it that she is not keeping the former calculation method for everyone?

In making it possible for certain claimants to return to the old method, is the minister admitting that there are flaws in what she is proposing?

Despite this evidence, she prefers to move forward by penalizing the next group of employment insurance claimants, under the pretext that it is a measure to aid with the transition.

*Adjournment Proceedings*

Thousands of claimants have been adversely affected by these reforms, especially the bungled working while on claim pilot project, even though the government promised that services and the social safety net supposedly in place to help those in need would not be affected.

We also know that claimants who choose to temporarily use the former system are currently experiencing record delays in receiving their benefits because the change must be made manually instead of electronically, as is the case for the new system.

Finally, the minister did not provide any real options for claimants put at a disadvantage by the new system, except to return to the old system, which cuts off their benefits while the changeover is taking place. Who is capable of living with no income for a month, the time it takes many workers to switch?

Will the minister admit that this new pilot project must be overhauled in order to support families in need and economic sectors that create temporary, part-time, contract and seasonal jobs?

[*English*]

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, it is the beginning of a new year and I am pleased to be here again and to respond to the member's comments on the subject of employment insurance.

Between July 2009 and March 2012 more than 920,000 net new jobs were created in Canada, resulting in the strongest employment growth among G7 countries.

[*Translation*]

We know that Canadians want to work, but they often face challenges when they are looking for a job.

[*English*]

What are we going to do to help unemployed Canadians find jobs? We are investing significant funds over the next two years to connect unemployed Canadians with available jobs. We are making it easier for Canadians who are out of work to identify new opportunities in their local communities. One way we are doing this is by sending out enhanced job alerts to Canadians receiving employment insurance regular benefits. These alerts are providing information about job opportunities within the claimant's local area that are within the claimant's occupation and related occupations.

The second part of our plan is to link the temporary foreign workers program with the EI program, helping to ensure Canadian workers are always considered before foreign workers.

We have also defined what is meant by suitable employment and what constitutes a reasonable job search.

• (1835)

[*Translation*]

We believe that the proposed definition is fair because it takes into account an individual's personal circumstances, working conditions, hours of work and travel time, which would apply as long as benefits are being paid.

[*English*]

We have also adjusted the working while on claim pilot to better encourage Canadians to accept all available work. We will do this by cutting the current clawback rate in half and applying it to all earnings made while on claim.

We will invest significant funds over two years to implement a new permanent national approach to better align the calculation of EI benefit amounts with local labour market conditions, making sure the program is fair for everyone.

It is important to remember that despite all of the opposition's claims, EI will continue to be there for those who need it as it always has been. EI is an important program in Canada and will continue to be. These improvements will introduce new needed common sense efforts to help better connect unemployed Canadians with available jobs.

[*Translation*]

**Mrs. Anne-Marie Day:** Mr. Speaker, the negative implications that so many organizations, including the NDP, have been condemning since the start are beginning to materialize and can be quantified. The Conservatives' blind ideology is helping no one. The facts are in. The numbers speak for themselves, and yet the government is stubbornly moving in the same wrong-headed direction, despite the palpable discontent of workers all across the country.

Can the minister commit to quickly reviewing the reform measures or can she commit to addressing the reform's shortcomings in the next budget? The minister needs to remember that her team governs on behalf of all Canadians—Canadians in every province, in every community and in all types of economies.

Canadians expect better from their government, and I strongly urge the minister to listen to the people. Criticism of this reform is coming from all sides, and it is high time the government realized that.

[*English*]

**Ms. Kellie Leitch:** Mr. Speaker, I am pleased to respond to the member of Parliament for Charlesbourg—Haute-Saint-Charles. Job creation, economic growth and long-term prosperity remain the focus of this government.

[*Translation*]

Our economic prosperity, however, depends on our ability to meet emerging and growing labour market challenges. It depends on our competitiveness and our flexibility.

[*English*]

We need to strengthen work incentives so Canadians are better served by working.

Connecting Canadians to available jobs in their local area is vital to supporting our long-term economic growth and productivity, as well as the quality of life for all Canadians.

*Adjournment Proceedings*

These changes are about empowering unemployed workers, helping them get back into the workforce and focusing resources where they are needed most. That is what Canadians elected us to do and what the NDP has voted against time and time again. We are here to support Canadian workers and make sure they are better connected to Canadian jobs.

## FOOD SAFETY

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, the adjournment debate relates to a question that I raised last October 2.

I want to put the question into context and hope for a detailed answer from the parliamentary secretary. Beyond that, I want to raise some concerns going forward with respect to the same agency, the Canadian Food Inspection Agency and proposed regulatory changes.

My question of October 2 was about the most recent crisis in the food sector, which concerned XL Foods in Alberta. The government and the minister deliberately misled Canadians on the crisis by constantly attempting to minimize the crisis, when in reality more than 1,500 meat products were recalled in all Canadian provinces and territories and in 41 U.S. states.

The record of the minister is he has presided over the largest meat recall in Canadian history after previously being in trouble over a food safety issue which caused the death of quite a number of Canadians.

What have Canadians heard from the government on the issue of food safety? Basically what they have heard is meaningless talking points about how much the government claims to care about the safety of Canadians. The fact is the government failed Canadians four years ago when it failed to implement the recommendations of the Weatherill report, and the government has continued this legacy of failure.

Why has the government not taken the action promised? If it did, why the failure?

I would say for the parliamentary secretary that it is not enough to say that we have more inspectors. We need to know what they do. Do they inspect actual products, not just paper?

As I said a moment ago, in an approach of being proactive going forward I would just note for the government a couple of serious concerns related to the CFIA proposed changes in the regulatory framework that governs potato movement.

First, is the proposed elimination of standard containers and ministerial exemptions. This is a serious matter. Imports and interprovincial trade already regularly occur, without damaging the stability of supply and price in the marketplace that could be in jeopardy with the deregulation of container sizes. Standard containers allow for predictable, standard inventory of packaging material with minimal waste and allow retailers to efficiently utilize shelf space by stocking a limited number of standard sizes. Standard containers allow consumers to more easily make price comparisons between equally sized products.

Negotiations on standard containers and ministerial exemptions with the United States took three years to achieve. An elimination of this policy without a reciprocal elimination or a change in marketing

orders in the United States puts Canada at a severe trade disadvantage.

Second, changes to the seed potato quality management program are a huge concern to the P.E.I. seed potato industry. The primary concern relates to amending these regulations without acceptance or harmonization with the 17 seed certification agendas in the United States which will put at risk our ability to export seed to the United States for re-certification. There is also the issue of cost.

There is the issue of past practice, but in fairness to the government I lay out those concerns going forward in a proactive way to give it a heads up that we are concerned and to allow the consultations and discussions to meet the needs of Canadian farmers rather than just the desires of deregulating on the part of CFIA.

• (1840)

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, when it comes to food safety, our government's top priority is the health and safety of Canadians. That is why the Food Inspection Agency directs its available resources to specific priority areas such as food safety and front-line inspection.

Since March 2006, the agency's field inspection staff has increased by more than 700, an increase of approximately 25%. The opposition members conveniently and repeatedly ignore this stat.

I stress that how inspection is done is just as important as how many inspectors are doing the work. That is why in budget 2011, the budget that the Liberal Party voted against, our government provided the CFIA with over \$100 million over five years to modernize food safety inspection in Canada. The agency is using the investment to do a number of things: update its inspection approach based on common inspection activities and standard procedures; deliver better training to inspectors; expand the use of science to help refocus resources on high-risk areas; implement Health Canada's revised listeria policy; build a secure electronic interface so CFIA can share information more effectively with stakeholders; and provide better, more modern tools for front-line inspectors.

As the CFIA continues to modernize its inspection approaches, it will ensure there continues to be enough inspection staff to protect the health and safety of Canadians.

*Adjournment Proceedings*

In the last four federal budgets, our Conservative government has invested significantly in our food safety system. The opposition always votes against these investments. In addition to budget 2011, in budget 2012 we provided \$51 million over two years to CFIA, the Public Health Agency of Canada and Health Canada to continue key food safety activities. The recent budget is strengthening, not weakening, our government's commitment to the health and safety of Canadians.

The CFIA has not and will not reduce staff or cut programs that would put the health and safety of Canadians at risk. Indeed, our government is supporting the CFIA's drive toward modernization and will allow the agency to focus its resources where they are needed the most.

If the Liberals really cared about food safety for Canadians, they would have supported the millions of dollars this government invested in budget after budget to ensure that Canadians would have safe food on their tables. The Liberals continue to vote against these initiatives to ensure CFIA has the strength and the focus to ensure we have the health and safety of Canadians put first.

• (1845)

**Hon. Wayne Easter:** Mr. Speaker, I get such a kick out of the parliamentary secretary and government ministers talking about how we may or may not have voted against something.

The fact is it was an omnibus budget bill. There are many things that we now know are hurting Canadians, like the EI program we just talked about. The words that the parliamentary secretary brought forward in answer to that adjournment debate certainly did not bring any comfort to those who worked in the seasonal industries.

Yes, we have voted against the budgets, not against the investments. The problem with the Conservatives is that when they talk about investing more money, it is mostly all smoke and mirrors.

On the CFIA issue, the fact is the Conservatives cut CFIA in a number of areas and then added a little more money back in. The

problem is the 700 inspectors, and the parliamentary secretary has not stood today and told us what they do. What we want is inspectors on the line inspecting products, not just shuffling paper around. We want to see inspectors who are actually dealing with the food products and we are not getting any answers to that from the Conservatives.

**Ms. Kellie Leitch:** Mr. Speaker, let us be very clear. The facts speak for themselves. The Liberals voted against these initiatives. I encourage the member to review my last response that answers his questions with respect to what inspectors do and what we are doing to support them in their jobs.

Our Conservative government has made a number of important investments in the past few years to ensure the CFIA has the resources it needs to keep Canada's food supply safe. In addition to increasing funding, our government has fulfilled all of the Weatherill recommendations to enhance Canada's food safety system, including the Safe Food for Canadians Act just before Christmas.

Today, organizations responsible for food safety and public health are better equipped to work together to prevent, detect and respond to food safety risks and Canadians are better informed about the steps they can take to protect themselves.

Canada's food safety system is one of the best in the world. Our government is committed to ensuring that Canada's food safety system continues to provide consumers the protection they expect and deserve, unlike the Liberals, who like to vote against every initiative we take to support CFIA.

[*Translation*]

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

(The House adjourned at 6:48 p.m.)

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