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OFFICIAL REPORT
(HANSARD)

Wednesday, February 13, 2013

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Wednesday, February 13, 2013

The House met at 2 p.m.

Prayers

● (1405)

[English]

The Speaker: It being Wednesday, we will now have the singing of the national anthem led by the hon. member for Humber—St. Barbe—Baie Verte.

[Members sang the national anthem]

STATEMENTS BY MEMBERS

[English]

PRAISE CATHEDRAL WORSHIP CENTRE

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, February is Black History Month.

It gives me great pleasure to rise today and pay tribute to the congregation of Praise Cathedral Worship Centre and its spiritual leader, Bishop Lennox Walker, in the riding of Mississauga—Streetsville.

Praise Cathedral works actively towards empowering people to make healthy life-changing and life-sustaining choices, creating an atmosphere of praise and worship, love and unity to the winning of souls for the Kingdom of God. Since May 2005, the cathedral on Millcreek Drive has been a welcoming and shining example of the best in all of our people. I was honoured to co-present a Queen's Diamond Jubilee Medal to Bishop Walker recently, something that he acknowledged was an award for all the members of the church.

During Black History Month, let us all celebrate the tremendous contribution that Praise Cathedral and all Black Canadians have made to our great country.

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POVERTY

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, this past Monday was the first Family Day in British Columbia.

In my riding, municipalities celebrated this day with a free pancake breakfast in Langford, a family fun swim in Esquimalt and

family hockey games at the Sooke leisure complex, to name just a few.

While we welcome Family Day as a day to spend time together as families, we must now come together to do the work necessary to help those families who struggle every day to make ends meet. B.C. has the second-highest child poverty rate at 14.3%. The living wage in my riding is \$18.07, but the minimum wage is still only \$10.25, and the use of food banks in British Columbia is increasing twice as fast as the national average.

Fortunately there are groups such as the Mustard Seed food bank, the Coalition to End Homelessness and the Community Social Planning Council that are working hard to find solutions to the real challenges faced by all the diverse families in my riding, challenges in getting child care, affordable housing, food security, sustainable transportation and a living wage.

The work that these groups do will make a real difference for families in Esquimalt—Juan de Fuca in all these areas where the Conservative government is falling so short.

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LITERACY

Mr. Peter Braid (Kitchener—Waterloo, CPC): Mr. Speaker, teaching a young child to read is one of the most important and one of the most rewarding things we can do as parents and as a society.

Early childhood literacy not only provides an essential foundation for individual lifelong learning and success, it also prepares our future workforce to compete in the knowledge economy and enhances the quality of life for all citizens.

Ensuring that all young people can learn to read is the goal of Strong Start, an organization in my riding of Kitchener—Waterloo. Strong Start delivers an effective program that builds initial reading skills and enables children of all backgrounds and capabilities to succeed in a school setting.

Please join me in congratulating the staff and volunteers of Strong Start for their commitment to early literacy and for making a difference in the lives of families in our community.

*Statements by Members***PARLIAMENTARY BUDGET OFFICER**

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, speaking truth to power is difficult at the best of times, but the Conservative government has created a special section in hell for those men and women in public life who have the temerity to be speak truth to power.

Kevin Page joins an ever-growing list of heroic parliamentary officers who have challenged the almighty Conservative propaganda machine. He has been the ultimate challenger to a fact-free government, pointing out inconvenient truths just as the machine is revving into high gear.

Unassuming and polite to a fault, the tax weary public has developed a fondness for his candour and evidence-based analysis. The more cabinet ministers attack him, the more he grows in public esteem. Whether it is the F-35, the Treasury Board cuts or every budget presented by the government, the PBO and Kevin Page have been more often right than wrong.

I do not know where the future will take Mr. Page, but he has set a very high bar in speaking truth to power, and we in the Liberal Party wish him well. Mr. Page, truth gets you heaven; untruth, the other place.

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YOUNG SCIENTIST AWARD

Mr. Dean Del Mastro (Peterborough, CPC): Mr. Speaker, it is my pleasure to rise today to recognize a remarkable young man from the Electric City region and my riding of Peterborough, Ontario.

Mr. Adam Noble is a 19-year-old resident of Lakefield, Ontario, currently in his last year of studies at Lakefield District Secondary School. What Adam has achieved to date in the field of science is truly remarkable. I am pleased to have the opportunity to recognize it here in the House of Commons today.

Though his resume is surprisingly long for an individual who is only 19 years old, I will shorten it and just let members know that Mr. Noble is the proud recipient of the European Union Contest for Young Scientists' international cooperation award for his work with nanosilver and water filtration systems. Most recently, Mr. Noble was invited to attend and present at the Nobel Prize ceremony and symposium.

Adam is a driven young man with a bright future ahead of him, and I have little doubt that he will contribute substantially to our knowledge-based economy of the future.

We congratulate Adam, and we wish him continued success with his exciting future endeavours. His community, country and this House are proud of his achievements.

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[Translation]

WINTER SPECIAL OLYMPICS

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I am pleased to rise in the House to celebrate the achievements of our athletes during the latest Winter Special Olympics, which were held in Pyeongchang, South Korea, from January 29 to February 5.

The Canadian team finished with an impressive 44 gold, 44 silver and 21 bronze medals in six sports: alpine skiing, cross-country skiing, figure skating, floor hockey, snowshoeing and speed skating.

It is with a genuine surge of pride today that I honour three athletes from Beauport—Limoilou who brought home six of the 109 Canadian medals.

I want to congratulate Stéphanie Savard, who won one silver and two bronze medals in alpine skiing; Matthieu Besnier, who won one gold and one silver; and Jean-François Leclerc, who won bronze. The last two athletes competed in snowshoeing.

Bravo to the Canadian team, and in particular the athletes from Beauport—Limoilou, for their wonderful contributions.

* * *

● (1410)

[English]

SASKATOON—ROSETOWN—BIGGAR

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Mr. Speaker, this January I went on my fourth annual New Year's riding tour and visited 26 communities in six days.

In communities such as Fiske, Ruthilda, Delisle, Asquith and Saskatoon, to name but a few, in local restaurants, post offices and new horizons centres, I met with dozens of constituents. I heard how pleased they are that Saskatchewan farmers finally have marketing freedom for wheat and barley, and that the long gun registry has finally been destroyed.

Their message to me was clear. They want our government to keep taxes low, continue to open new markets for our goods and keep cutting unnecessary red tape, such as the changes we made to the Navigable Waters Protection Act.

I would like to thank everyone who came out to share their thoughts and concerns with me and made this the most successful winter tour to date.

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HEART MONTH

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Speaker, February is Heart Month in Canada where heart disease and stroke take a life every seven minutes and 90% of Canadians have at least one risk factor. Heart disease and stroke are conditions that devastate individuals and entire families.

The Heart and Stroke Foundation makes a real difference in reducing heart disease thanks to its 140,000 dedicated volunteers and 2 million donors across Canada. Canadians have the power to “make health last” by addressing key risk factors, including physical inactivity, poor diet and tobacco use.

Statements by Members

We in this chamber need to do our part by informing constituents about the importance of healthy living. One way is to encourage local governments to declare the first Saturday in June, national health and fitness day.

[*Translation*]

I would also like to invite all my colleagues to join me this evening in presenting the Queen Elizabeth II Diamond Jubilee Medal to Pierre Lafontaine and Phil Marsh, two trainers who, each week, invest their best efforts in improving the health of all members. Their investment in us will make us role models for a healthier Canada.

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AYLMER FOOD CENTRE

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, every month, some 900,000 Canadians rely on food banks to have enough to eat. Nearly 40% of those 900,000 people are children.

I rise today to commend the outstanding contribution made by the Aylmer Food Centre in the fight against hunger. Created in 1988 to help about 20 families in need, the centre, which is celebrating its 25th anniversary this year, now helps about 650 households in my riding.

With the cost of living rising despite stagnating wages, our communities need organizations like the Aylmer Food Centre more than ever. However, what Canadians need more than anything is for this government to make the fight against poverty its top priority.

* * *

[*English*]

CALGARY OLYMPIC GAMES

Ms. Joan Crockatt (Calgary Centre, CPC): Mr. Speaker, today marks the 25th anniversary of the opening ceremonies of the 1988 Calgary Olympic Winter Games.

I would like to congratulate everyone who was involved in making this first Winter Games on Canadian soil a success. These games left us with countless memories, including Elizabeth Manley's amazing silver medal win in women's figure skating, which I was particularly delighted with as a figure skater of some lesser talent; Brian Orser and Brian Boitano fighting it out for gold; as well as the Jamaican bobsled team and underdog Eddie the Eagle.

It is important that many of the facilities built for these games continue to benefit athletes, including the Olympic speed skating oval and WinSport's Canada Olympic Park. Our government recognizes that hosting the Olympic Games provides Canada with the opportunity to promote our culture, athleticism and respect for human rights.

In 1988, the world saw the best of Canada and 25 years later we are still reaping the rewards. Go, Canada, go.

● (1415)

[*Translation*]

ABORTION

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, Quebecers and Canadians were horrified to find out that three Conservative MPs asked the RCMP to launch a criminal investigation into some abortions. They clearly consider women who resort to this medical practice to be murderers.

The Prime Minister claims he does not want to reopen the abortion debate, but through his silence he is condoning the guerrilla tactics that a number of Conservative members are using to attack one of women's fundamental rights. The members for Kitchener Centre and Langley have moved two motions in the House to reopen the debate, and now three Conservative members are using the RCMP for partisan and ideological purposes in order to circumvent Parliament and the Supreme Court.

The NDP is proud to defend a woman's right to choose. Fundamental rights cannot be called into question, either directly or indirectly.

The Prime Minister should keep his promises.

* * *

[*English*]

TAXATION

Mr. Terence Young (Oakville, CPC): Mr. Speaker, 60% of my constituents in Oakville work outside our communities, from Hamilton to Mississauga to Toronto. I have met many working people in Oakville who budget down to the last dollar for GO Transit fares and really appreciate the tax credit our government introduced to save them money and keep more cars off the road. Others, who do not work near GO Transit stops, will sometimes hold off on filling their gas tank for days, waiting for when gas will be just a few cents lower per litre.

Over 1,200 families in Oakville use food banks to make ends meet. They have been overloaded with taxes from the McGuinty-Wynne government such as new sales tax, the eco-tax and the health tax. More taxes will only deprive their families of the basics. The last thing they need is a new super tax on gas, public transit energy, home heating fuel, that would drive up the price of everything they need at malls and stores, including clothes, cleaning supplies and groceries.

My constituents in Oakville say "absolutely not" to the NDP job-killing \$21 billion carbon tax.

* * *

INTERNATIONAL CO-OPERATION

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, NGOs play an important role in an effective democracy. They are able to project positive Canadian values abroad. Canada is home to many NGOs that have a proven track record of achieving results and forming deep partnerships in their work abroad.

Oral Questions

Yet the Conservative government has ignored the merit of these successful Canadian groups and ideologically defunded organizations like Development and Peace, KAIROS, CCIC, the Canadian Nurses Association, the Forum of Federations, the Canadian Teachers' Federation and many others.

These organizations are gathering on Parliament Hill today to call upon the government to reinstate Canada's aid to the level it was before in the budget and to work toward our commitment to invest 0.7% of our GDP on international development.

Canadians want to make a difference and help the world's poorest. The Conservatives must stop standing in their way, because many lives depend upon it.

* * *

GOVERNMENT OF CANADA

Ms. Eve Adams (Mississauga—Brampton South, CPC): Mr. Speaker, our Conservative government has been working hard over the past seven years for Canadians. Since forming government, Canadians have placed their trust in us to deliver results. That is exactly what we have done. We have lowered the GST from 7% to 6% to 5%. That is something that saves all Canadians money, every day, every time they make a purchase. We implemented the children's fitness tax credit to help moms and dads with the costs of hockey, soccer and gymnastics, for instance. We have implemented the children's arts tax credit to help with the costs of piano and guitar lessons.

Unfortunately, the leader of the NDP has a different plan for Canada. The Leader of the Opposition wants to implement a \$20-billion job-killing carbon tax that would hurt Canadians. On this side of the House, we will continue to stand tall for Canada and we will fight the \$20 billion job-killing carbon tax.

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DEMOCRATIC REFORM

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, another day, another Conservative under investigation. Senator Pamela Wallin is now under investigation for her expenses. She is alleged to have spent hundreds of thousands of taxpayer dollars on flights to Toronto. University of Regina constitutional expert Howard Leeson is calling on the Senate to remove Senator Wallin for failure to comply with constitutional residency requires.

All the while, Conservatives claim senators are "hard-working parliamentarians". The average senator worked only 56 days last year. That is 309 days off a year. This is the ultimate Conservative gravy train.

The New Democrats have always rejected Senate appointments. We demand that party operatives stop doing partisan work on the public purse. We demand they pack up their fundraising operations and go home, back to Kanata. When the last of these unaccountable Conservative political operatives go out the door, they can turn out the lights on their way out the door.

● (1420)

NEW DEMOCRATIC PARTY OF CANADA

Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC): Mr. Speaker, yesterday, the leader of the NDP asked our government members to make youth job creation a key part of the upcoming budget. I can tell the leader of the NDP and his party that on this side of the House, our priority is jobs, growth and economic prosperity. That is why we have stood firmly opposed to the NDP leader's \$20 billion job-killing tax that would kill jobs and stall economic growth. In fact, the NDP leader's \$20 billion job-killing carbon tax would raise the price of everything including gas, groceries and electricity. The NDP's 2011 election platform planned to raise over \$20 billion from its carbon tax scheme. The NDP leader said that this "will produce billions".

While the NDP leader is working on a plan to raise billions of dollars of revenue from Canadians with his job-killing carbon tax, our government will remain focused on what matters to Canadians: jobs, growth and long-term prosperity.

ORAL QUESTIONS

[Translation]

ETHICS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, in the Senate, the more things change, the more they stay the same. Senator Pamela Wallin claimed more than \$300,000 in travel expenses in the past three years alone. Less than 10% of these expenses were for travel in Saskatchewan, the province she is supposed to represent. Senator Wallin is using taxpayers' money to travel around the country and to star in the Conservative Party's fundraising activities.

Does the Prime Minister believe it is acceptable for taxpayers' money to be used to raise money for his political party?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I reject that characterization.

[English]

In terms of Senator Wallin, I have looked at the numbers. Her travel costs are comparable to any parliamentarian travelling from that particular area of the country over that period of time. For instance, last year Senator Wallin spent almost half of her time in the province she represents in the Senate. The costs are to travel to and from that province, as any similar parliamentarian would do.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, when Pamela Wallin was appointed to the Senate, it was well-known that she had not lived in Saskatchewan in decades. When Mike Duffy was appointed to the Senate, it was well-known that he had not lived on Prince Edward Island in decades. When Patrick Brazeau was appointed to the Senate, it was well-known that he had serious personal and ethical issues.

These are the Prime Minister's appointments. When will the Prime Minister take responsibility for his senators?

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the leader of the opposition is mixing different cases.

In the case of Senator Brazeau, I would point out that not long before I named Senator Brazeau, at the request of the NDP, he spoke on the floor of the House of Commons. He was a respected leader of a national aboriginal organization. Some things have happened more recently that are before the courts, and the Senate has taken the appropriate action under the circumstances.

* * *

[Translation]

ABORIGINAL AFFAIRS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the Human Rights Watch report released today reveals that aboriginal women absolutely do not trust law enforcement officials. This has even been a major obstacle in investigations into the murders of aboriginal women in Canada. The authors of this report also allege that aboriginal women were assaulted and sexually abused by some police officers.

Will the Prime Minister finally agree to launch a full public inquiry into the disappearances and murders of aboriginal women in Canada?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I am very aware of the fact that a report was released today. The Minister of Public Safety has asked the Commission for Public Complaints Against the RCMP to look into the serious allegations made in the report. We do not have any information about these allegations, but anyone who does should give the information to the appropriate authorities.

• (1425)

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, the only way to bring justice to these murdered women is to call a public inquiry. The Human Rights Watch report sheds light on the failure of the police and successive governments to protect aboriginal women and girls against violence.

Civil society, aboriginal representatives and the NDP are all calling for a national public inquiry into the murders and disappearances of aboriginal women.

How many more victims will there be before the Conservatives take action?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, the government has asked the independent commission for public complaints against the RCMP to follow up on some allegations that have been made. There is no question that the deaths of these women are a tragedy that has caused deep pain for many families. Our thoughts and prayers remain with the victims and their families.

We will continue to move forward with a vigorous criminal justice agenda to address the concerns of victims. We call upon the NDP to help us in that respect.

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, the NDP stands with aboriginal leaders and civil society in calling on the government to hold a national public inquiry into missing and murdered

aboriginal women in Canada. Provinces like B.C. are left to investigate police misconduct with a very limited mandate.

The government and police have failed aboriginal women. Will the minister agree to a national public inquiry to ensure a proper independent investigation, including into any possible police misconduct against aboriginal women in Canada?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, as I have indicated, I have asked the Commissioner for Public Complaints Against the RCMP to follow up on some allegations that have been made. In fact, I would encourage anyone with information that bears on these matters to pass it along to the appropriate authorities.

This is precisely why we have introduced legislation to deal with some issues inside the RCMP, and it is shocking to see that the NDP continues to stall these measures.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the allegation of sexual assault is not a complaint; the allegation of sexual assault has to do with a criminal act. Ordinarily, when there is an allegation, it is another police force that carries out the investigation with respect to an independent consideration of the question.

I wonder if the Prime Minister does not recognize that what is taking place is not a complaint about police behaviour. We have today, apparently, specific allegations of a criminal nature, and would he not agree that there has to be an independent police investigation with—

The Speaker: The Right Hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, obviously, if the hon. member has information relating to a crime, that information should be reported to the appropriate police authorities. If the allegation on top of that is that the appropriate police authorities are aware and are not investigating, we forward that information to the RCMP complaints commission, as we have done.

However, the responsibility of every member of the House is not simply to throw around allegations. If such allegations and evidence for them exist, I encourage the hon. member to give them to the appropriate authorities so they can be investigated.

[Translation]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the allegation came from a woman who gave information to an independent international investigation. That is a fact. It is not a complaint. It is an allegation regarding a violation of the Criminal Code.

In this case, who is the appropriate authority? The appropriate authority should be a police force other than the Royal Canadian Mounted Police. This is not a complaint. There must be a criminal investigation into an alleged crime—

The Speaker: The Right Hon. Prime Minister.

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, if a party in the House or an independent organization has information relating to a crime, that information should be reported to the appropriate police authorities. If the police authorities are not doing their job, there is a complaints commission. Our duty here is not to throw around allegations but to provide information and evidence so that the authorities can conduct any necessary investigations.

• (1430)

[*English*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, if an allegation is made against the Ottawa police force, it is not the Ottawa police force that investigates that allegation. It is investigated by another police force. That is the point. A separate and independent police force carries out that investigation.

The problem, clearly, is that there has been a breakdown of confidence with respect to people coming forward in those situations, as described by Human Rights Watch.

I wonder why the Prime Minister is so reluctant to follow a normal pattern with respect to allegations—not a complaint about police behaviour, but an allegation of criminal misconduct. In those situations we have an independent criminal investigation—

The Speaker: The Right Hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Once again, Mr. Speaker, the allegation we received relative to the RCMP is apparently that the RCMP will not investigate something. That is why we have given appropriate information to the RCMP complaints commission.

If Human Rights Watch, the Liberal party, or anyone else is aware of serious allegations involving criminal activity, they should give that information to the appropriate police so they can investigate it. Just get on and do it.

* * *

[*Translation*]

NATIONAL DEFENCE

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, the credibility—

The Speaker: Order. We will move on to the next question. The hon. member for Abitibi—Témiscamingue.

Ms. Christine Moore: Mr. Speaker, the Conservatives' economic credibility is taking a beating today.

We have learned that they were unable to properly calculate the cost of inflation for the shipbuilding strategy. I would like to remind hon. members that many communities are depending on that strategy.

When it comes to military procurement, the Conservatives are no champions. They revealed a long list of purchases in 2008, but then waited five years to unveil a plan for industrial development by way of the Jenkins report.

Why did they wait so long?

[*English*]

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, in terms of using our military procurement to create jobs and economic opportunity, as the Jenkins report recommends, the shipbuilding strategy is a perfect example. In fact, we have allocated \$33 billion for ships to be built in Halifax and Vancouver by Canadians, by Canadian shipyards.

In fact, industry analysts suggest that government ship projects will contribute, both directly and indirectly, to 15,000 jobs across this country and \$2 billion in annual economic spinoffs over the next 20 years.

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, as the minister paraded around that Jenkins report, we learned that a letter had been sent to the U.S. Department of Defence contradicting it. Let me explain.

The report underscores the importance of supporting Canadian industry. That is good. Assist audits help Canadian industry export to the American market. That is also good. However, the Minister of Public Works is cutting the assist audit program. That is not good.

Are the Conservatives committed to a strong industrial strategy, or are they abandoning Canadian workers and Canadian companies?

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, all we have to do is point to the \$33 billion investment in Canadian shipyards in this country, the 15,000 Canadian jobs it will create over the next 20 years and \$2 billion in annual economic spinoffs.

In terms of the assist audits, I gave clear direction to my officials last fall to continue offering this service, as has been done for a number of decades. We recognize that Canada's defence sector creates high-quality jobs and we are here to support it.

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, the Minister of National Defence was benched because he lost control of his department and could not keep his story straight, and now we have the Minister of Public Works.

The U.S. Department of Defence was very clear and specific that it was “fiscal restraints” cited by Public Works as the reason for eliminating the assist audits.

That has a certain ring of truth to it. Does the minister even know what is happening in her ministry? Can she tell us the real story, or is she as confused as the guy she is replacing?

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, this was a cost-saving proposal that was put forward by officials, but it was rejected by me and by my government.

Oral Questions

I gave clear directions to my officials last fall to continue offering this service, because it is important to the defence and security sector, and it is important for job creation.

* * *

[*Translation*]

ETHICS

Ms. Françoise Boivin (Gatineau, NDP): Everyone believes that, Mr. Speaker.

A relic from the 19th century has decided to sacrifice a lamb on the altar of the Senate's dubious ethics. Indeed, Patrick Brazeau has been suspended with pay. Ouch; that must hurt.

However, problems are nothing new for this senator, who was appointed by the Prime Minister. During his mandate, he hurled sexist and degrading insults at a journalist and has been chronically absent. He has a history of sexual harassment complaints against him, mismanagement, and failure to pay child support.

Can someone explain to me why this man was appointed and why the government has defended him all this time?

• (1435)

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, in the case of the senator in question, the Senate in fact took action yesterday. Of course, there are other matters in the hands of the courts and it is the courts that will take action.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, this looks like a paid vacation.

Last spring senators promised to review their attendance rules. That was another big promise. Yet this has not stopped 19 members of that hallowed hall of shame from missing over one-quarter of the sittings in 2011-12, not to mention all of those whose expenses are currently under scrutiny. Pamela Wallin is the most recent addition to the list.

She spent over \$25,000 on “other travel” during the quarter in which the last federal election was held.

I do not know what she was doing there. She was never elected or re-elected. So what was she doing with taxpayers' money?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, NDP members do seem to like to tar with a broad brush a wide number of good people, including Senator Wallin, and they are doing so using what they say is a non-partisan person.

We heard in an earlier statement by the member for Burnaby—New Westminster a reference to a professor and a call for his resignation. That professor, Mr. Leeson, is actually a former staff member of two NDP premiers and is currently on board the team Trent leadership campaign for the NDP. Not only is he not a non-partisan official, he is not even non-partisan within the NDP.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the growing Senate scandal now includes Pamela Wallin, who racked up massive travel bills, often to Toronto, when she claims to live in a cabin at Fishing Lake, Saskatchewan.

I looked at the land title for that cabin and it lists as its owner Ms. Pamela Wallin of Palmerston Avenue in Toronto. Is she the senator for Saskatchewan or for the Annex?

Patrick Brazeau, Mike Duffy, Pamela Wallin. How many more? When will the Prime Minister start defending the taxpayer instead of the entitlements of his cronies, the Liberal and Conservative senators?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I do not know how much time the member for Timmins—James Bay spends in Toronto, but I do know that Senator Wallin spent 168 days last year in the province of Saskatchewan, which she represents. The costs that are in question are related to her travel from Ottawa to Saskatchewan. As members know, we expect parliamentarians to maintain a residence in their home region and in Ottawa. That is exactly what Senator Wallin has done.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, if it were all tickety-boo, they would not be doing an expense audit on her now would they?

First the Conservatives said there was no audit, but then the media found out that there was. We also found out that last year, during the Conservative election, Senator Wallin racked up \$25,000 in “other travel”. Was she stumping for the Conservative election machine and then using the Senate to stick the bill to the taxpayer? That is just not right; not when they are telling average Canadians that the cupboard is bare.

What steps will the Conservatives take to get taxpayers' money back from their cronies in the Senate?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, we have been quite clear for quite some time that we have asked the Standing Senate Committee on Internal Economy, Budgets and Administration to ensure that the Senate's policies are being followed, are being adhered to, and corrective being taken if they are not. That is exactly why reviews have been taking place. It is because we asked for these reviews to take place, because we want to ensure that taxpayers' dollars are protected.

We want to ensure that when Senator Wallin is in Saskatchewan 168 days a year that she is there, and that is exactly the case, doing her work and representing the people in the community she has been sent to Ottawa to represent.

*Oral Questions***CANADA ELECTIONS ACT**

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, last year the Conservatives voted for an NDP motion to clamp down on fraudulent calls. The motion called for more power to the Chief Electoral officer. That motion also said that legislation would be introduced in six months. However, here we are 11 months later, and while they drag their heels on making the law stronger, Conservatives are making thousands of deceitful robo-calls. Is that why the government has delayed amending the Elections Act?

Hon. Tim Uppal (Minister of State (Democratic Reform), CPC): Mr. Speaker, as promised, we are looking at some reforms to our elections laws. A comprehensive proposal will be put forward in due course.

• (1440)

[Translation]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, how can we take them seriously when they are dragging their feet like that?

It has been nearly a year since the House of Commons unanimously adopted a motion to give more power to Elections Canada. Since that time, however, the Conservatives have been twiddling their thumbs.

Instead of following through, they have treated us to wonderfully creative tall tales about the NDP.

In short, they have done nothing to strengthen laws, and their party has even reoffended with more fraudulent calls.

What measures will the government put in place to end election fraud?

[English]

Hon. Tim Uppal (Minister of State (Democratic Reform), CPC): Mr. Speaker, as promised, we are looking at some reforms to our elections laws and they will be put forward in due course.

However, while we are talking about the laws, Canadians expect political parties to follow the law, unlike the NDP that took hundreds of thousands of dollars in illegal donations from its big union bosses. Canadians expect political parties to follow those laws.

* * *

NATIONAL DEFENCE

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, recently officials were evasive when I asked how they were accounting for inflation in the shipbuilding contract. Now we learn that their assumed inflation rate is 2.7% versus an industry rate between 7% and 11%. This huge inflation gap shows gross financial incompetence by the government and would add at least \$14 billion, or 56%, to the total cost of the ships.

Does this mean that we will get way fewer ships, a massive budget overrun, or both?

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, the government has allocated a budget for the procurement of new ships that, of course, will be built in Halifax and Vancouver by Canadian shipyards.

The cost estimates that the member is referring to come from military planners. Of course, they have the involvement of auditors and cost estimators and are overseen by the Treasury Board Secretariat.

However, let us not underestimate the importance of these projects moving forward. They will create 15,000 jobs across Canada and \$2 billion in annual economic benefits for the next 30 years.

* * *

GOVERNMENT SERVICES

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, the Minister of Finance misled the House when he said that budget cuts will only affect “back-office operations” of the federal government. The Parliamentary Budget Officer exposed this Conservative conceit.

The Conservatives have cut search and rescue, food safety and pensions. Canadians trying to reach the federal government cannot get through and have to spend hours waiting on a phone line. In the meantime, the Conservatives spend recklessly on advertising and limos and waste billions on botched procurement.

Why do Canadians have to pay the price for Conservative financial incompetence?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I would like to correct the hon. member. I invite her to read the public accounts that are tabled before the chamber. I invite her to read the government estimates that are tabled from time to time and with regularity. They will indeed confirm that our budget is concentrated on reducing overhead and back office operations. That is what we promised the people of Canada. That is what we delivered on because we believe in growth, jobs and opportunity.

[Translation]

Ms. Lise St-Denis (Saint-Maurice—Champlain, Lib.): Mr. Speaker, Canadians are aware of the government's cuts to the federal public service.

Many have legitimate questions about access to government services.

Given the reduced number of public servants who can answer Canadians' questions in person now, does the government have any plans to divvy up its workforce across the regions to help people who do not have a computer or access to computer services?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, the 2012 economic action plan is our plan for jobs, growth and long-term prosperity.

It is a plan for dealing with unemployment and creating more jobs in every region of the country.

We support this plan for Canadians, and every member of the House will support it if they want the same thing.

* * *

[English]

PUBLIC SAFETY

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I would like to continue talking about jobs because the Conservatives are allowing the police officer recruitment fund to run dry. The result is that police forces across the country are facing the prospect of laying off front-line officers. Street gang units in Quebec, for example, have made an important dent in organized crime, but the Conservatives are refusing to renew their funding.

How is that supposed to make our streets safer, especially when these squads have proven to be so important and effective?

• (1445)

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, I find it interesting that the member's party opposed that fund when we first proposed it.

Policing is a provincial and municipal matter. We will continue to work with the police to give them the tools they need in order to fight crime in their jurisdictions.

I might remind that member that when he was a member of the municipal council he talked about slashing \$2 million from the budget of Esquimalt for the police directly.

[Translation]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, the Conservatives absolutely do not understand Quebec's reality, but that is nothing new.

However, that should not stop them from funding successful initiatives to fight organized crime and street gangs.

Joint forces are important in ensuring a safe environment for my constituents, but federal funding for those forces is expiring and, unfortunately, there is no expiry date for street gangs and the Mafia.

Will the Minister of Public Safety work with Quebec to find ways of funding these joint forces?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, I find it very interesting, coming from those members, that they keep saying let us pay more for police, but when the police actually catch the criminals, they say let them out onto the street. It is a lot like trying to move water with a sieve. That is the criminal philosophy of the NDP.

* * *

[Translation]

TAXATION

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, yesterday the OECD revealed that many multinationals were using dubious strategies to pay less than 5% in tax.

Small businesses, on the other hand, have to pay tax of up to 30%.

Oral Questions

Several OECD countries are taking this situation seriously and have conducted studies to determine how much money is being lost through tax evasion.

Why has the Minister of National Revenue not conducted any such studies?

[English]

Hon. Gail Shea (Minister of National Revenue, CPC): Mr. Speaker, we do aggressively pursue all the information we receive. It is an issue we do take very seriously. That is why our government has increased the number of CRA experts on this file by roughly 40% since the last year of the Liberal government.

Since 2006, we have audited thousands of cases and identified more than \$4.5 billion in unpaid tax through our efforts in aggressive international tax planning. This is compared to just \$174 million in the final year of the Liberals.

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, Conservatives are quick to brag, but they are letting billions more go uncollected while they stand and congratulate themselves.

As yesterday's report by the OECD makes clear, unethical tax avoidance by multinational businesses is a serious problem and it is getting worse. The U.K., the U.S. and Australia are all taking action. They have studied the issue. They have developed estimates of just how much money they are losing.

Why will the Conservatives not get serious and do the same?

Hon. Gail Shea (Minister of National Revenue, CPC): Mr. Speaker, we are very serious about this issue, and thanks to the efforts of this government Canada is now party to over 100 tax agreements, work that the OECD recently has praised. However, if the member opposite insists on comparisons, he should know that since 2006, Canada has obtained roughly twice the number of convictions for international tax evasion. We are tackling this problem.

* * *

SPORT

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, the sport of amateur wrestling has a rich Olympic tradition that thrives here in Canada thanks to medal-winning performances by the likes of Daniel Igali and female medallists Carol Huynh and Tonya Verbeek.

Don Ryan, the president of Wrestling Canada, and many others around the world, were surprised to hear that the IOC has announced that wrestling will not be included on the list of core sports for the 2020 Olympics. Athletes and fans from across the sport world have spoken out against this decision.

Will the Minister of State for Sport update the government's stance on this decision?

Oral Questions

Hon. Bal Gosal (Minister of State (Sport), CPC): Mr. Speaker, many people were shocked by this decision, including Wrestling Canada's president Don Ryan, who was "deeply surprised by the recent recommendation". The Canadian Olympic Committee says it is disappointing to potentially lose this important sport from the Canadian Olympic games roster in 2020, and Olympic medallist Carol Huynh says it is hard to think of the Olympic games without wrestling.

It is regrettable and disappointing to potentially lose this important sport from the Olympic program in 2020. However, our government will continue to support our wrestlers through our record level funding to amateur athletics as they prepare for the important upcoming events.

* * *

● (1450)

[Translation]

EMPLOYMENT INSURANCE

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, thanks to the Minister of Veterans' Affairs, we now know that the Conservatives' employment insurance reform was not based on any impact studies. Since they did not do their homework, we will give them some figures. This is called science.

In Saguenay—Lac-Saint-Jean, 101,000 workers will be affected, 56,836 of whom have unstable employment status or work in seasonal industries. Tourism, retail, forestry and several other sectors will be affected.

The minister has impact studies on her reform. Can she table them in this House?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, research always has to be done when we consider making changes to any system. It is true that we conducted analyses, including analyses on the worker shortage and employers' need for temporary foreign workers.

What we are trying to do is help Canadians get back to work. However, if there is no work, employment insurance will be there for them.

Mrs. Sana Hassainia (Verchères—Les Patriotes, NDP): Mr. Speaker, the only study the minister has is the study on the quotas for cuts she is imposing on her department.

Workers looking for jobs will have to leave the local businesses in Verchères—Les Patriotes and clog up the road system going to jobs that pay 30% less in Montreal. Productivity will drop at local businesses as invaluable expertise leaves.

Why does the minister want to weaken local businesses?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, what we are trying to do is help people find jobs. This will be better for them, for their families and for the community.

This whole change is based on common sense. Workers will be better off if they work than if they do not work. If there are no jobs in their field in their region, employment insurance will be there for them, as always.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, seasonal industry representatives and NDP members are not the only ones opposed to the employment insurance reform. The Conservative government of New Brunswick is also raising its voice because Conservative members are not doing their job in Ottawa.

The deputy premier of my province, Paul Robichaud, says he is opposed to the reform as it was introduced by the federal government in the spring.

Is the minister starting to get the message? Will she suspend the reform, as the premier and deputy premier of New Brunswick have requested?

[English]

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, let us look at what the Newfoundland and Labrador Employers' Council said. It states:

Since about January 15 we have received more [job] applications than we received the entire summer and fall last year. The only change I can directly attribute this to is EI...implementation. It is great to finally have some good applicants from Newfoundland for our positions that have been vacant for a long time.

There are jobs. We have been trying to connect Canadians with jobs. However, if the jobs are not available for them, employment insurance will continue to be there.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, a skilled tradesman and temporary foreign worker working in Alberta for five years is in the process of seeking permanent residency. As required, he paid into employment insurance for all those years. However, he has been told he does not qualify to claim EI benefits because he is not available to work. He is keen to work but he cannot seek employment until he gets a new work permit, which could take three months.

Why is the government shunting yet another willing, skilled, experienced worker to the provincial welfare roles?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, there are requirements under the employment insurance program that benefits be available to support people while they are looking for a job. However, if they are not eligible to work then it is inappropriate that they receive the funding. We try to ensure, and I know the immigration department does try to ensure, that when people apply for a work permit or an extension they are granted that as quickly as possible. We want to make that happen because we want and need all of our talented workers as quickly as possible.

● (1455)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, for three days now the Minister of Human Resources and Skills Development has failed to answer direct questions on the clawback of pensions for seasonal workers. Does she not know how the system works? Human Resources takes the annual Canada pension plan of individuals and divides by 52, which gives it the weekly calculation. Then when they apply for EI and they are out of work, the department claws back 50¢ on the dollar of their pensions. How can Conservatives accept this theft of people's pensions?

Oral Questions

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the hon. member is suffering from selective memory. In this regard, the application of the EI rule is the same as what it was before any of the other changes were made. In fact, the application is actually the same as it was under the previous Liberal government. It is sad but true.

Employment insurance will be there for individuals when they need it, especially if work is not available in their area.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, it would be awfully nice if the Minister of Human Resources and Skills Development would tell the truth to Canadians. The fact of the matter under the new system is that the Canada pension plan is clawed back 50¢ on the dollar. For seasonal workers who are earning little enough to begin with, waiting for those pensions so they would be able to supplement their family to get by, these changes are now clawing half the money back of their initial dollar. That did not happen before.

How can the Prime Minister condone this incompetence from this minister and this theft of pensions?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, it is not the CPP that is being clawed back. The member should remember from his days at the cabinet table how they applied the system, and that is the same way it is being applied now. The principles are exactly the same.

We are working to ensure we are connecting Canadians with jobs when they are available in their area. However, if jobs are not available, we are continuing to ensure that EI is there for Canadians as it always has been.

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THE ECONOMY

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, the Conservatives' failure on the economy is having a disastrous effect on mid-size businesses. Between 2006 and 2010, 17% of mid-size companies were lost. The decline is even steeper in Ontario, where one-quarter of these firms have shut down. Just like the Business Development Bank of Canada, New Democrats believe these numbers should be a call to action.

When will the Conservatives act? Or, will they just go on doing nothing while Canada loses these important businesses?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, if the member took a moment to look at the BDC study, he would see that the study covers a period which includes the great recession and only goes to 2010. He would also see that in the past three years the annual growth experienced by the firms is 7%, a growth of 20% or more during the same period; 4% average annual sales growth in the past three years. One has to remember, as members opposite tend to forget, that we did go through this world recession in 2008-09, and it did affect firms, but we have come back rather well in Canada.

[Translation]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, the Conservatives do not understand just how much medium-sized businesses contribute to the economy. They still account for 12% of Canada's jobs, despite the decline. They are slowly disappearing, which is very troubling. The most worrisome part of this whole thing

is that the manufacturing sector is being hit the hardest. This sector has lost 50% of its medium-sized businesses.

Will the Conservatives finally bring in some measures to ensure that these businesses and jobs survive?

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, we did that and reduced the corporate tax rate, federally, to 15%. We encouraged the provinces to get their tax rates down to 10%. Most of them did, across the country, which has resulted in a combined rate of 25% as the base rate.

Here is what the Canadian Manufacturers & Exporters actually had to say recently about this:

If federal tax rates had not been reduced, Canada's unemployment rate would have exceeded nine per cent in 2009 during the recession....

It is time we get the facts on the table. Business investment has been a key driver of economic and job growth over the past five years, and lower taxes have contributed—

• (1500)

The Speaker: The hon. member for Cumberland—Colchester—Musquodoboit Valley.

* * *

VETERANS AFFAIRS

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, our government has enormous respect for the sacrifices made by the brave men and women of the Canadian armed forces. That is why, last May, we moved as quickly as possible to remove the Pension Act offset from the SISIP long-term disability benefits.

In January, we actually came to an agreement in principle with the veterans in question. However, today we have found out that the law firm representing the veterans in the class action law suit stand to walk away with as much as \$66 million. Can the Minister of National Defence please inform the House of our government's position on these high legal fees?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, my Nova Scotia colleague is correct. In fact, in January, I announced that the agreement in principle, estimated at over \$887 million, was reached with the veterans' counsel. This settlement will be of tremendous assistance to veterans and their families.

Oral Questions

The court will soon consider the proposed settlement, including legal fees sought by veterans' lawyers. Legal fees of \$66 million—that is a \$13,000 hourly rate—are being sought. We find this grossly excessive. The federal government will oppose the amount of legal fees sought as unreasonable. We expect that the bulk of the settlement will reach the intended beneficiaries, the veterans.

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CANADIAN WHEAT BOARD

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the crop year for the Canadian Wheat Board ends July 31. Typically, the board calculates final payments by December and issues cheques in January. Farmers depend on that timing. However, it is all contingent on government approval. The CWB asked for that approval on December 18, but they still do not have an answer now, eight weeks later.

Why is the government so slow? Why is it forcing farmers to wait more than two months now to get their own money? Will there be an independent audit to prove that none of that money was scooped? When will farmers finally get their final payment cheques for last year?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the member opposite would know that during his tenure in government, some of those cheques used to take 10 to 12 weeks getting through the maze of the Liberal government at that time.

We are in the final windup of these pools. There is a little more diligence, a little more work required, since it is the final time the farmers will have to wait for their money.

* * *

[Translation]

ABORTION

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, two weeks ago, Canadians were shocked to see the Conservatives trying once again to reopen the abortion debate. Three Conservative MPs asked the RCMP to investigate certain instances of abortion that they described as murder. One of these MPs holds a privileged position as the chair of a committee.

When will the Prime Minister stop rewarding Conservatives MPs who try to reopen the abortion debate?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the government has been very clear. As pointed out by the Prime Minister, the government has no intention of reopening this debate.

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FOREIGN AFFAIRS

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): *Bonjour, monsieur le Président.*

Today the House will vote on third reading on my private member's bill, Bill C-383, the Transboundary Waters Protection Act.

Some hon. members: Oh, oh!

The Speaker: Order, order. The hon. member for Bruce—Grey—Owen Sound has the floor.

Mr. Larry Miller: Mr. Speaker, a little order here would be good.

Today the House will vote at third reading on my private member's bill, the Transboundary Waters Protection Act. Through all stages, the bill has received overwhelming support from all members of the House, and I am very grateful for that support. I am hopeful that we will soon see it enacted.

I know the bill is very important to my constituents of Bruce—Grey—Owen Sound. Would the Minister of Foreign Affairs please tell the House why Bill C-383 is so important and whether he will be supporting it?

[Translation]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, that is a good question.

[English]

A good question. Tough, but fair.

I want to thank the member for Bruce—Grey—Owen Sound for the leadership that he has shown on this issue. Once again, the member for Bruce—Grey—Owen Sound is showing real leadership for his constituents, and indeed all Canadians. I am very happy to say the government will be standing solidly behind this member and his effort to stop the Americans from stealing all our clean water.

● (1505)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I rise today to salute the Centers for Disease Control in Atlanta and the Province of Quebec for putting in place emergency measures to deal with the possibility of an invasion of zombies. I do not need to tell you, Mr. Speaker, that zombies do not recognize borders and that a zombie invasion in the United States could easily turn into a continent-wide pandemic if it is not contained.

On behalf of concerned Canadians everywhere, I want to ask the Minister of Foreign Affairs: Is he working with his American counterparts to develop an international zombie strategy so that a zombie invasion does not turn into a zombie apocalypse?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, I want to assure the member and all Canadians that I am “dead-icated” to ensuring that this never happens. I want to say categorically to this member, and through him to all Canadians, that under the leadership of this Prime Minister, Canada will never become a safe haven for zombies, ever.

Routine Proceedings

[Translation]

PUBLIC SAFETY

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, the Conservatives boast about respecting the work of police officers and wanting to protect victims. Yet, today, the Minister of Public Safety rejected police officer Sandra Dion's request to prevent her attacker from living in a halfway house just down the street from her home.

For years, this government has done nothing to prohibit the transfer of pedophiles to a halfway house near an elementary school and daycare centre in my riding.

How can the Prime Minister and the Minister of Public Safety so easily dismiss Officer Dion's request and other similar requests?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, I am very concerned about reports of an individual convicted of very serious crimes returning to the same area where his victim lives. Our Conservative government will be bringing forward a victims' bill of rights as part of our plan for safe streets and communities, which is one of the four priorities recently set by the Prime Minister. Our government has taken strong action, despite the opposition of Bloc members, despite the opposition of the NDP and the Liberals. We would simply ask them to help us help the victims in cases like this so we can get the job done.

* * *

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of The Hon. Eva Aariak, Premier of Nunavut.

Some hon. members: Hear, hear!

The Speaker: The Chair has notice of a point of order from the hon. Minister of Foreign Affairs.

* * *

POINTS OF ORDER

ORAL QUESTIONS

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, in reference to a question I received from the member for Winnipeg Centre, we should take this issue very seriously. If there is a zombie attack, Canadians need to be well prepared. They should stock up on first aid kits, monster trucks, canned food and water, and I am not going to stand in this place and not warn Canadians that if the NDP had its way, Canadians would have to pay a carbon tax on each and every one of those—

The Speaker: Order. I do not think it needs saying that that was not a point of order.

ROUTINE PROCEEDINGS

[English]

FOREIGN AFFAIRS

Mr. Deepak Obhrai (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, three treaties: "Agreement between the Government of Canada and the Government of the State of Israel on Mutual Assistance in Customs Matters", done at Ottawa on 11 December 2012; "Agreement on Social Security between Canada and the Republic of India", done at New Delhi on 6 November 2012; and an "Agreement between the Government of Canada and the Government of the Republic of Benin for the Promotion and the Reciprocal Protection of Investments", done at Ottawa on 8 January 2013. An explanatory memorandum is included with the treaties.

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● (1510)

INTERPARLIAMENTARY DELEGATIONS

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present, in both official languages, the report of the Canadian delegation to the Organization for Security and Co-operation in Europe Parliamentary Assembly respecting its participation at the election observation mission of the Organization for Security and Co-operation in Europe Parliamentary Assembly, in Kyiv, Ukraine, October 26 to 29, 2012.

Mr. Gordon Brown (Leeds—Grenville, CPC): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present, in both official languages, the report of the Canadian delegation of the Canada-United States Inter-Parliamentary Group respecting its participation at the National Conference of State Legislatures that was held in Chicago, Illinois, August 6 to 9, 2012.

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COMMITTEES OF THE HOUSE

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, I rise today to present, in both official languages, the 5th report of the Standing Committee on Aboriginal Affairs and Northern Development in relation to Bill C-47, An Act to enact the Nunavut Planning and Project Assessment Act and the Northwest Territories Surface Rights Board Act and to make related and consequential amendments to other Acts.

The committee has studied this bill and has decided to report this back to the House without amendment.

*Routine Proceedings***PETITIONS**

IMPAIRED DRIVING

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, I am honoured to present a petition representing thousands of people. The petition highlights that last year, 22-year-old Cassandra Koliias was killed by a drunk driver. A group of people who have also lost loved ones to impaired drivers, called Families for Justice, say that the current impaired driving laws are too lenient. They are calling for new mandatory minimum sentencing for people who have been convicted of impaired driving causing death. They also want the Criminal Code of Canada changed to redefine the offence of impaired driving causing death to vehicular manslaughter.

ABORIGINAL AFFAIRS

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, I have two petitions to table today.

The first is from a number of people across Saskatchewan who take strong exception to Bill C-45, including, in particular, its provisions that impact in such a negative fashion upon aboriginal people. The petitioners call upon the government to rescind Bill C-45 until such time as proper consultation has taken place.

REGISTERED DISABILITY SAVINGS PLAN

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the second petition is again from a number of people from across Saskatchewan. They are expressing concern about the limited eligibility for registered disability savings plans, in particular for those people suffering chronic conditions, such as multiple sclerosis, who may not be permanently disabled now but who expect that they may face that adversity. Yet the present rules prevent them from applying for a registered disability savings plan now. The petitioners call upon the government to correct that obvious deficiency in the design of the program.

HOUSING

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am pleased to table a petition in the House today in support of Bill C-400, an act to ensure secure, adequate, accessible and affordable housing for Canadians. Nearly one and a half million households are in core housing need in our country and the Universal Declaration of Human Rights acknowledges that affordable housing is a fundamental right and not a privilege.

Canada is the only industrialized country that does not have a national housing strategy. Therefore, the petitioners call on the House of Commons to pass NDP Bill C-400 and finally give Canada a national housing strategy.

[*Translation*]

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, according to the Universal Declaration on Human Rights, access to secure, accessible and affordable housing is not a privilege, it is a fundamental right. But in Canada, a rich country, this is not yet the case.

That is why hundreds of people are adding their voices to the debates in Parliament in support of Bill C-400.

I am pleased to present this petition.

● (1515)

DEVELOPMENT AND PEACE

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, I have the honour to present two petitions today.

The first petition is signed by a number of residents from the beautiful city of Dieppe, Memramcook and Kent County, who are calling on the government to increase funding for a very important NGO, Development and Peace, that does essential work.

[*English*]

EMPLOYMENT INSURANCE

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, the second petition, signed by hundreds and hundreds of residents from my riding, calls on the government to stop the very negative changes to employment insurance that will hurt so many thousands of people in seasonal industries

The petitioners ask Parliament and the government to ensure that seasonal industries, their employers and employees, are treated fairly by stopping these changes to employment insurance.

SHARK FINNING

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, I rise today to present two petitions.

The first petition calls on the government to ban the importation of shark fins to Canada. The practice of shark finning results in an estimated 73 million sharks a year being killed for their fins alone. Over one-third of all shark species are threatened with extinction. They state that measures must be taken to stop this global practice of shark finning.

The petitioners call on the government to ensure the responsible conservation and management of sharks.

SEARCH AND RESCUE

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, the second petition calls on the government to save the Kitsilano Coast Guard station. The petitioners state that the recent decision by the federal government to close the Kits Coast Guard station is a grave mistake and will undoubtedly cost lives and cause peril onshore and in the water.

The petitioners call on the government to reverse the decision and keep the station open.

HOUSING

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I rise to present a petition from Canadians in support of Bill C-400, an act to ensure secure, adequate, accessible and affordable housing for Canadians. Canada is the only industrialized country to not have a national housing strategy. The UN has declared that access to affordable housing is a fundamental right and yet one and a half million households, almost 13% of all Canadian households, are in core housing need.

Therefore, the petitioners call upon the House of Commons to pass Bill C-400 and give Canada a national housing strategy.

Routine Proceedings

EXPERIMENTAL LAKES AREA

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, I rise today to present three petitions to save the world renowned and unique Experimental Lakes Area.

Since its founding, ELA has been a global leader in conducting full ecosystem experiments, which have been critical to understanding harmful acid rain, algae blooms, methyl mercury and in shaping public policy. The ELA is needed to continue to find solutions to the problems that affect safe drinking water, lakes and fish populations.

The petitioners call on the government to reverse the decision to close the ELA and to continue to staff and provide financial resources at the current or a higher level of commitment.

[*Translation*]

HOUSING

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I have the honour to present a petition in support of Bill C-400, which would give Canadians access to secure, adequate, accessible and affordable housing.

The right to housing is an inalienable right. We must ensure that this bill gets passed.

Ms. Francine Raynault (Joliette, NDP): Mr. Speaker, I am pleased to present a petition regarding Bill C-400, which would ensure that all Canadians have access to affordable and secure housing.

I think that everyone has the right to proper housing. Everyone should have access to that.

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, I thank all of my colleagues who have presented petitions in support of Bill C-400.

I also have a pile of petitions from Canadians across the country, Canadians of all ages and social classes, who are calling on the government to step up and adopt a national housing strategy, so that all Canadians have access to secure, adequate, accessible and affordable housing.

[*English*]

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today to present two petitions.

The first petition is from residents primarily in the Vancouver area. The petitioners call upon the House to take steps for a legislated tanker ban for supertankers along the coastline of British Columbia, bringing into legal effect the ban that has been in place since 1972.

• (1520)

FOREIGN INVESTMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is from residents primarily of Kelowna and Vernon, asking that the Prime Minister and cabinet refuse to ratify the Canada-China investment treaty.

The petitioners believe, as I do, this would impede Canada's sovereignty in order to bring forward laws for the environment, health, public safety and so on.

[*Translation*]

HOUSING

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasung, NDP): Mr. Speaker, I would like to present petitions that call on Parliament to ensure secure, adequate, accessible and affordable housing for Canadians. I can say that the need for affordable housing is as strong in my riding of Algoma—Manitoulin—Kapuskasung as it is in major Canadian cities.

[*English*]

The petitioners point out that almost 13% of Canadian households are in core housing need. They remind the House that access to affordable housing is defined as a fundamental right under the United Nations Declaration of Human Rights. Despite the obvious need, Canada remains the only industrialized country without a housing strategy.

With that in mind, the petitioners ask Parliament to support Bill C-400, which would give Canada a national housing strategy.

[*Translation*]

PENSIONS

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, today, I am presenting a petition in the House concerning old age security and the guaranteed income supplement.

Because the Conservatives decided to raise the age of eligibility for old age security; because economists have shown that this change is not necessary to ensure the program's viability; and because this change will likely hurt many seniors, especially those living in poverty, the petitioners ask that the government maintain the age of eligibility for OAS at 65 and increase the guaranteed income supplement to lift every Canadian senior out of poverty.

This is what one would expect in a country like Canada.

HOUSING

Mr. Claude Patry (Jonquière—Alma, NDP): Mr. Speaker, I rise today to table a petition signed by Canadians on Bill C-400, the Secure, Adequate, Accessible and Affordable Housing Act.

In Quebec, Loge m'entraide struggles every day to find housing for young people. That is why I am presenting this petition to the House today.

Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP): Mr. Speaker, it is a great honour to rise today to table a petition in support of Bill C-400.

The petitioners point out that Canada is the only industrialized nation without a national housing strategy. Perhaps that is why 1.5 million households, many of which are in my riding, Laurier-Sainte-Marie, are in core housing need.

Government Orders

I find this issue extremely important. The petitioners ask that we support Bill C-400.

[English]

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, as many members in the House know, safe, affordable, decent housing is absolutely central to the well-being of any family. Despite that, nearly 1.5 million Canadian households do not have the kind of housing they need in order to organize their lives, look after their kids and make a real contribution to community.

With that in mind, the petitioners in question have signed a petition in which they call upon the House of Commons to pass Bill C-400 so we can have a national housing strategy that would ensure the right of every Canadian to a decent and affordable home.

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, it is my pleasure to introduce a petition signed by many Canadians who have recognized the serious lack of affordable housing in the country and the need for some federal responsibility and some leadership on this issue.

The petitioners have witnessed Bill C-400, which calls on the federal government develop a national housing strategy. They ask us to support Bill C-400 and to bring this matter to the attention of the government and to other Canadians.

[Translation]

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, I, too, would like to table a petition in support of Bill C-400, which would ensure that all Canadians have access to secure, adequate, accessible and affordable housing. The housing problem is acute in my riding, Portneuf—Jacques-Cartier.

The need is great in every part of the country. The time has come for government to act and develop a housing strategy. That is what the petitioners are asking for.

• (1525)

[English]

Mr. David Sweet: Mr. Speaker, I rise on a point of order. This is the third time I have risen on this issue. When members give petitions in the House, the idea is for them to give the petition based on their constituents and not to add their own editorial regarding whether they support it or not. I think, Mr. Speaker, if you review the Standing Orders, you will find that is the case. I wanted to bring that to your attention.

The Acting Speaker (Mr. Bruce Stanton): I appreciate the intervention on the part of the member for Ancaster—Dundas—Flamborough—Westdale. He is in fact correct. Members are encouraged to present petitions in a neutral fashion on behalf of the petitioners who present these remarks and suggestions and recommendations to Parliament and to the government as the case may be.

[Translation]

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I will try to remain as neutral as possible. It seems to be the current fashion.

That being said, people do have concerns.

Canada is the only industrialized country without a strategy. As I was going through this exercise of standing up and sitting down, I checked the petitioners' names and places of residence. I recognized people from my riding, as well as other people I know who live outside the riding. It is a universal problem.

When will the government take concrete measures to address this issue?

Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP): Mr. Speaker, I am pleased to rise to present a petition supporting Bill C-400, which would finally give Canadians a national housing strategy.

* * *

[English]

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 all questions be allowed to stand.

The Acting Speaker (Mr. Bruce Stanton): Is that agreed?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

The Acting Speaker (Mr. Bruce Stanton): Is that agreed?

Some hon. members: Agreed

GOVERNMENT ORDERS

[Translation]

COMBATING TERRORISM ACT

The House proceeded to the consideration of Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, as reported (without amendment) from the committee.

The Acting Speaker (Mr. Bruce Stanton): There being no motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

[English]

Hon. Tim Uppal (for the Minister of Justice) moved that the bill be concurred in.

The Acting Speaker (Mr. Bruce Stanton): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: On division.

Government Orders

(Motion agreed to)

* * *

[*Translation*]

**INCORPORATION BY REFERENCE IN REGULATIONS
ACT**

Mr. Robert Goguen (for the Minister of Justice) moved that Bill S-12, An Act to amend the Statutory Instruments Act and to make consequential amendments to the Statutory Instruments Regulations, be read the second time and referred to a committee.

He said: Today I would like to speak to the House about Bill S-12, Incorporation by Reference in Regulations Act.

Bill S-12 has been studied by the Senate and has been adopted without amendment. This bill deals with a regulatory drafting technique. Essentially, the bill is about when federal regulators can, or cannot, use the technique of “incorporation by reference”.

The technique of incorporation by reference is currently used in a wide range of federal regulations. Indeed it is difficult to think of a regulated area in which incorporation by reference is not used to some degree. Bill S-12 is about securing the government’s access to a drafting technique that has already become essential to the way government regulates. It is also about leading the way internationally in the modernization of regulations.

But more specifically, Bill S-12 responds to concerns expressed by the Standing Joint Committee for the Scrutiny of Regulations about when incorporation by reference can be used. This bill would create the legal certainty that is needed to respond to those concerns.

Incorporation by reference has already become an essential tool that is widely relied upon to achieve the objectives of the government. It is an effective way to achieve many of the current goals of the *Cabinet Directive on Regulatory Management*, an important directive from the government that is designed to improve the efficiency and performance of regulations.

For example, regulations that use this technique are effective in facilitating intergovernmental co-operation and harmonization, a key objective of the Regulatory Cooperation Council established by our Prime Minister and President Obama.

By incorporating the legislation of other jurisdictions with which harmonization is desired, or by incorporating standards developed internationally, regulations can minimize duplication, an important objective of the Red Tape Reduction Commission, which issued its report earlier this year.

Incorporation by reference is also an important tool available for the government to facilitate Canada’s compliance with its international obligations. Referencing material that is internationally accepted rather than attempting to reproduce the same rules in the regulations also reduces technical differences that create barriers to trade and is in fact something Canada is required to do under the World Trade Organization’s Technical Barriers to Trade Agreement.

Incorporation by reference is also an effective way to take advantage of the particular expertise of standards writing bodies in Canada. Canada has a national standards system that is recognized all over the world. Incorporation of standards, whether developed in

Canada or internationally, allows for the best science and the most accepted approach in areas that affect people on a day-to-day basis to be used in regulations. Indeed, reliance on this expertise is essential to ensuring access to technical knowledge across the country and around the world.

Testimony by witnesses from the Standards Council of Canada before the Standing Senate Committee on Legal and Constitutional Affairs made it clear how extensively Canada already relies on international and national standards. Ensuring that regulators continue to have the ability to use ambulatory incorporation by reference in their regulations means that Canadians can be assured that they are protected by the most up-to-date technology.

Incorporation by reference allows for the expertise of the Canadian National Standards System and international standards system to form a meaningful part of the regulatory tool box.

• (1530)

[*English*]

Another important aspect of Bill S-12 is that it allows for the incorporation by reference of rates and indices, such as the consumer price index or the Bank of Canada rates, which are important elements in many regulations. For these reasons and more, ambulatory incorporation by reference is an important instrument available to regulators when they are designing their regulatory initiatives.

Bill S-12 strikes an important balance by limiting the types of documents that can be incorporated by reference when these documents are produced by the regulation maker. Indeed, the incorporation of these documents can only be done statically. This is an important safeguard against circumvention of the regulatory process.

Parliament’s ability to control the delegation of regulation-making powers continues, as does the oversight of the Standing Joint Committee for the Scrutiny of Regulations. We expect that the standing joint committee will continue its work in respect of the scrutiny of regulations at the time that they were first made, as well as in the future. We expect that the standing joint committee will indeed play an important role in ensuring that the use of this technique continues to be exercised in the way Parliament has authorized.

[*Translation*]

Another important aspect of this bill relates to accessibility. Bill S-12 not only recognizes the need to provide a solid legal basis for the use of this regulatory drafting technique, but it also expressly imposes in legislation an obligation on all regulators to ensure that the documents they incorporate are accessible to the public.

While this has always been something that the common law required, this bill clearly enshrines this obligation in legislation. There is no doubt that accessibility should be part of this bill. It is essential that documents that are incorporated by reference be accessible to those who are required to comply with them.

Government Orders

This is an important and significant step forward in this legislation. The general approach to accessibility found in Bill S-12 will provide flexibility to regulatory bodies to take whatever steps might be necessary to make sure that the different types of material from various sources are, in fact, accessible.

In general, material that is incorporated by reference is already accessible. As a result, in some cases, no further action on the part of the regulation-making authority will be necessary. For example, provincial legislation is already generally accessible. Federal regulations that incorporate provincial legislation will undoubtedly allow the regulator to meet the requirement to ensure that that material is accessible.

Sometimes, accessing the document through the standards organization itself will be appropriate. It will be clear that the proposed legislation will ensure the regulated community will have access to the incorporated material, with a reasonable effort on their part.

It is also important to note that standards organizations, such as the Canadian Standards Association, understand the need to provide access to incorporated standards. By recognizing the changing landscape of the Internet, this bill creates a meaningful obligation on regulators to ensure accessibility while still allowing for innovation, flexibility and creativity.

● (1535)

[*English*]

Bill S-12 is intended to solidify the government's access to a regulatory drafting technique that is essential to modern and responsive regulation. It also recognizes the corresponding obligations that regulators must meet when using this tool. The bill strikes an important balance that reflects the reality of modern regulation while ensuring that appropriate protections are enshrined in law. No person can suffer a penalty or sanction if the relevant material was not accessible to them.

The proposal would provide express legislative authority for the use of this technique in the future and confirm the validity of existing regulations incorporating documents in a manner that is consistent with that authority. There is every indication that the use of this technique will be essential to implementing regulatory modernization initiatives here in Canada in conjunction with our regulatory partners in the United States and around the world.

To conclude, enactment of the legislation is the logical and necessary next step to securing access in a responsible manner through incorporation by reference in regulations. I invite all members to support this legislative proposal and recognize the important step forward that it contains.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I would like to thank the Parliamentary Secretary to the Minister of Justice for his speech on Bill S-12, which some have been referring to as the housekeeping bill. But this bill has more to offer than you might think. It is a new form of regulation making, but not entirely new.

The Senate tackled the issue of incorporation by reference, and we should be tackling that issue here in the House, too. The

parliamentary secretary mentioned that Canada sometimes refers to regulations made in other countries.

How does the Official Languages Act fit in this context? Does the hon. member have any concerns about compliance? Is the government open to the idea of protecting regulatory accessibility in both of Canada's official languages?

Mr. Robert Goguen: Mr. Speaker, I would like to thank the member for her question.

This reductionist technique in no way affects the rule of law as it applies to official languages. The Reference re Manitoba Language Rights already recognizes the possibility of incorporating by reference in a single language. Is that the standard we wish to adopt? Certainly not. We know full well that the federal government always tries to make documentation available in both official languages.

As for international treaties, we know that it is not always possible to disseminate them in both official languages, for technical reasons. Similarly, materials of a technical nature, such as expert opinions, plans and diagrams, are often disseminated only in English. Some bilingual provinces, such as Quebec, Manitoba and New Brunswick, incorporate references that are unilingual into their provincial statutes. Obviously, efforts are made to respect bilingualism.

● (1540)

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the manner in which regulations are put into place is of critical importance given the very nature of what it is that government is attempting to do.

The question I have for the parliamentary secretary is with regard to processing. I understand that this has gone through the Senate. Could he give a brief explanation of the process from the federal administrators and the manner in which it would have been presented to the Senate? Was it at the committee stage? Could he provide a bit of detail as to how the Senate would have acquired the legislation in its conceptual stage?

Mr. Robert Goguen: To be quite honest, Mr. Speaker, I am not sure exactly why the bill emanated from the Senate. What I can say is that the technique is one that has generally been used in a number of legislative enactments and there was always uncertainty as to whether it could or should be used. In fact, all the act would do is formalize and authorize the utilization of this technique so there could be no question as to whether something can be incorporated by reference into legislation.

One thing that is very important to recognize is that when it is incorporated in legislation, the governing body, whose document is incorporated, has an obligation, as does the federal government, to make sure that it is totally accessible. If there were a question, for instance, of the costs being prohibitive, we would not incorporate by reference a document that may not be readily accessible because of cost.

It is also important to note that no person who perhaps would not have access to a certain document incorporated in legislation could ever be prosecuted or sanctioned if it was not readily accessible.

Government Orders

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, as I was saying when I was questioning my colleague, the Parliamentary Secretary to the Minister of Justice, to some people, it may seem as though the House is dealing with a housekeeping bill. I read this in a newspaper article today. However, in my opinion, Bill S-12 is anything but a housekeeping bill. It is crucial to our role as legislators. It is not necessarily bad, but it has a lot of ramifications.

When I arrived here at the beginning of this Parliament, I co-chaired the Standing Joint Committee on Scrutiny of Regulations. When the party leader at the time, Jack Layton, called me to tell me that I was going to co-chair the committee, I wondered what it was all about. I thought that I was quite knowledgeable in this field, but during my all too brief stint on this committee, I had the opportunity to work with the great legislative and legal minds in this Parliament, and I learned a lot about the important role played by this joint committee, which brings together senators and MPs. This committee ensures that our regulations are in line with the legislation and the delegation order and that they are written in specific way.

As an aside, right now, members of the Standing Committee on Justice and Human Rights are discussing a motion that I moved regarding Justice Canada's obligation, under the Department of Justice Act, to assure this House that any bills that are introduced in the House or the Senate are consistent with the charter and respect the division of power under the Constitution.

The same exercise applies when it comes to regulations. I urge my colleagues in this House, who will have to deal with Bill S-12 and decide whether it should be sent to the Standing Committee on Justice and Human Rights, to examine the bill and the changes it makes. Obviously, it adds text to what we call regulatory statutes. People are not necessarily aware of the Statutory Instruments Act, which states in section 3 that:

(1) Subject to any regulations made pursuant to paragraph 20(a), where a regulation-making authority proposes to make a regulation, it shall cause to be forwarded to the Clerk of the Privy Council three copies of the proposed regulation in both official languages.

(2) On receipt by the Clerk of the Privy Council of copies of a proposed regulation pursuant to subsection (1), the Clerk of the Privy Council, in consultation with the Deputy Minister of Justice, shall examine the proposed regulation to ensure that

(a) it is authorized by the statute pursuant to which it is to be made;

It is important to understand that in order to have the right to regulate, the agency or deputy minister must have the authority to make or draft regulations.

(b) it does not constitute an unusual or unexpected use of the authority pursuant to which it is to be made;

(c) it does not trespass unduly on existing rights and freedoms and is not, in any case, inconsistent with the purposes and provisions of the Canadian Charter of Rights and Freedoms and the Canadian Bill of Rights; and

(d) the form and draftsmanship of the proposed regulation are in accordance with established standards.

What the heck does the Standing Joint Committee on Scrutiny of Regulations do? My colleague from Hamilton Mountain co-chairs the committee with Senator Runciman from the other place. Every week, they receive stacks of regulations. If members think that we study a lot of bills in these chambers, it is nothing compared to the regulations. It can be mind-boggling.

I am telling the House about all this because that which is extremely important for our constituents is often found within the regulations. It is often through the regulations that we are able to say, based on enabling legislation, that a person has the right to do something or not.

● (1545)

We have regulations by the tonne. Thank heaven, because often the lawyers, the great legal minds we have in this precinct—and I am referring not to the House, but to the support provided at the Standing Joint Committee for the Scrutiny of Regulations—have already done a good analysis. For example, they communicate with the Minister of the Environment or the deputy minister to tell him that there is a problem with the regulations, and that he must rectify it. Sometimes the English version does not correspond to the French version. It is unbelievable.

I recall going before a liaison committee to have a budget adopted. I heard colleagues from the House, legislators, say that the Standing Joint Committee for the Scrutiny of Regulations was a waste of time, when it is the bastion for the Canadian public that makes sure that regulations hold up, that they are legal and are not unconstitutional or contrary to the charters. That is a big responsibility.

I would like to give my colleagues some background so they do not think that Bill S-12 is mere housekeeping. What does it do? It extends the powers of the authorities that are empowered to make regulations. It allows them to practice what I call the "et cetera" or "dot dot dot" technique.

I am not saying this to diminish the impact of Bill S-12. I understand why it is sometimes important to use incorporation by reference, given that it can be a lengthy, costly and sometimes utterly irritating process that often has a lot of red tape and pitfalls that may seem to be administrative. We know why. This is an effort, possibly with good reason, to cut delays so we can be effective in a modern society, as my colleague the parliamentary secretary put it. Technology has changed and we have computers. I certainly do not intend to stand in the way of progress. But progress must not come at the expense of the rights of the people we represent. That is extremely important.

I encourage my colleagues in the House to read. It will be a funny thing to hear a New Democrat talk about the Senate, but it is the government that decided to go by way of the Senate for a bill this important. In my opinion, no bill, and especially not bills that have as far-reaching an impact on the people we represent, should start out in the Senate, because senators are not representatives of the people, they are individuals who have been appointed by the government in power, whichever one it may be.

Given this background, when bills of this nature and with this far-reaching effect are to be introduced, bills that can have significant consequences for the people we represent, they should be introduced here.

Government Orders

Having said that, I do believe the Senate does its work seriously. The parliamentary secretary insisted on the point that the bill was adopted without amendment. Personally, that is not something I would boast about, because some senators had raised solid and serious objections.

I encourage members of this House to read what happened in the Senate and what was discussed. Various witnesses were heard, including experts in regulation. People working on the standardization of regulations are in favour of speeding up the process. As I said earlier, that is not a problem. Still, it must not diminish the legislators' powers, the powers we still enjoy in this fine democracy, thank God, to ensure that things are done properly.

That is one of the major problems. This bill speaks of accessibility. In other words, someone may find they have contravened a regulation. The body that made the regulation must demonstrate that its regulation was accessible. What is meant by "accessible" is not very clear. How will it be accessible? We are used to searching the Internet, using computers, and we can type and find things.

● (1550)

The other day I was telling someone that I have been a lawyer for almost 30 years. It is astounding to see how things have improved and accelerated. Now we can get answers in 3.25 seconds to questions it used to take two weeks to answer.

I wonder how I was able to answer all the questions and provide services when I was first practising law. Now I am able to do it in a fraction of the time it used to take. Newcomers to the profession do not know what it is like to go into a law library, take out books and search for regulations. Now they only need to type in "regulation concerning such and such" and it appears on the screen.

But not everyone has these skills. Not everyone is Internet savvy. Some older people may have more difficulty.

The regulations that are incorporated by reference may not be very accessible. How does one find a document? What is the starting point? What clues are there regarding incorporation by reference?

Some other questions have occurred to me. If we are searching for international treaties or standards, for example, which ones should we use to find out what stage they are at in those countries?

Let us imagine a person from my part of the country, Quebec, who lives in the most distant part of the province, who does not speak a word of English, and receives a regulation written only in English.

It could also be in New Brunswick, my colleague's province, where there are proud francophones who insist that things be written in both official languages.

All of this was discussed in the Senate. Details were provided about the type of reference documents being discussed, and what would be included.

I encourage members to read the senators' speeches, the questions they asked, and the answers provided by the minister, for example. It is more than simply updating the process. We must also deal with the content and the direction we want to go. Nevertheless, our

fundamental right as legislators is to be able to view and analyze regulations.

We have been told that it will not diminish the role of the Standing Joint Committee on Scrutiny of Regulations. I have my doubts about that, because the committee will be able to examine the initial regulation, but for any reference and what becomes of it, the committee will not be able to follow through.

I do not think that our legal drafters will use the regulation that has been referred if, at some time, they want to see where it is at a given moment. They will study it with respect to adoption and drafting of the regulation itself.

And yet it is clear in the Statutory Instruments Act: a regulation must have been published. This is going to short-circuit a large part of the regulations we are accustomed to.

I will repeat: the NDP is not against progress. We are prepared to support the government and send the bill to committee.

However, I would like to see some openness on the government side. I make the same appeal every time: when we have objections, we are not trying to throw a monkey wrench into the works; we are trying to protect ourselves from those wrenches hitting us on the head later, if this kind of regulation is implemented.

There will be situations when people have not had access, and other times when it is not in the right language. That takes us back to step one.

The NDP often tries to keep the government out of trouble. I do not think the Conservatives intentionally look for trouble. Perhaps they would benefit from listening to what the official opposition is telling them.

We will take our considerable reservations and worries to committee. We will hope to get answers that were given but not necessarily listened to in the Senate. The House and the Standing Committee on Justice and Human Rights hope to get these answers. If not, there may be a lot of difficulty getting support for this bill in the next stages.

If there are amendments to be proposed, I hope that all my colleagues on the Standing Committee on Justice and Human Rights will have open minds and will not assume that everything coming from the opposition is necessarily bad. At the heart of the matter, we all want to help Canadians understand.

● (1555)

Thousands of statistics on regulations are adopted every year. It is important to understand them and to provide for the use of incorporation by reference. I will leave it up to my NDP colleagues, some very knowledgeable law professors, to explain the difference between static incorporation by reference and ambulatory incorporation by reference. Since I do not want to put anyone to sleep here in the House, I will leave it up to the professors, who know how to make it all very interesting.

Government Orders

Nevertheless, with all these methods, it is hard to see things clearly. It is not like reading a document that clearly states what the regulations are. There is a logical outcome, but we cannot necessarily see it. We do not know where, since answers from the Senate are not always clear, but I hope we can get some clearer ones.

I have heard MPs say that the Standing Joint Committee on Scrutiny of Regulations is useless. Although I am no longer a member, from having been one in the past, I can assure this House that it is one of our most important committees, because it serves as a watchdog and it is non-partisan.

Perhaps my speech did nothing more than convince the members that that committee is non-partisan, and heaven knows that there is precious little about this place that is non-partisan. For goodness' sake, we need to make sure it stays that way. It is fundamental, because it is our guarantee to Canadian defendants and litigants that the regulatory work is being done in their interest, legally and in accordance with the Canadian Constitution and the Charter of Rights and Freedoms.

And with that, I am now ready to answer questions.

● (1600)

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I would first like to thank my colleague for Gatineau.

In preparation for today's sitting of the House I tried to read some of Bill S-12 but, to be perfectly honest, I needed some clarification because it is not always easy to understand these types of bills.

The member for Gatineau's speech has me worried, particularly with regard to the French fact in these regulations. I am very afraid. I have heard many things from the citizens of Alfred-Pellan, Laval, from the entire greater Montreal area.

Recent studies show that the French fact is being threatened and that the use of French is on the decline. This has my constituents very upset. Heads will most certainly roll if someone back home asks for regulations and gets them in English. Many people would not be happy about that.

Does my colleague believe this part of the bill will be adequately studied in committee? Is there something we can do about the French fact in Bill S-12?

Ms. Françoise Boivin: Mr. Speaker, that is indeed one of the serious issues arising from the study of Bill S-12.

Delegation and dynamic incorporation by reference, for example, mean that any future regulation taken by a regulator is automatically incorporated here, which does not always allow us to know what is coming.

Let us suppose that we have decided, by regulation, to bring Canadian international trade regulations in line with those of Australia—a country that comes to mind and that I would like to visit. There are rules on the books in Australia, though surely not regarding bilingualism. In such a case, one can be sure the regulations will only be in English.

One can only imagine a business owner from the Lower St. Lawrence trying, in vain, to understand those regulations, in all their complexity.

Could that individual argue that he need not follow the regulations given that they were not accessible within the meaning of the act as amended by Bill S-12? I do not know, and the answer certainly does not lie in the Senate deliberation transcripts.

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I thank the member for Gatineau for her excellent speech on a very technical—yet very important—topic.

She spoke about the definitions included in the bill, which are often vague. For example, in the case of ambulatory incorporation by reference, the existing authorities must make a reasonable attempt to make the information accessible.

I will use employment insurance as an example. Statistics Canada often provides the unemployment rates. However, not too long ago, we had to pay to access statistics from Statistics Canada. It is now free, but it was not before. There is no guarantee that in five, six or seven years, this service will not have a fee again. If that were to happen, this data would be less accessible and the purpose of this bill would be compromised.

Does the member for Gatineau agree with my interpretation? Does she think this is a potential obstacle to passing a bill that is meant to make it easier for all Canadians to access the regulations and laws?

Ms. Françoise Boivin: Mr. Speaker, I entirely agree with this viewpoint.

This problem could arise again. It was also raised in the Senate. An amendment, which actually made sense, was put forward to ensure that it is not just about documentation, because this is the only thing that we can have any control over, here, in Canada. There are rules on bilingualism, and it is simpler to follow them than to say to some foreign regulatory body that we want to receive its documents in French. It does not work that way.

There may be a way to make sure that the essence of the bill is kept and to make everything more modern and faster, while at the same time protecting, of course, established rights in Canada and in Quebec.

● (1605)

[*English*]

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am a member, in fact I am the co-chair right now, of the scrutiny of regulations committee. The committee has been seized with this issue and has discussed it many times. In fact, the committee, in 2007, issued a report on this very matter. I want to quote one section of that report from our joint committee for the scrutiny of regulations. It noted at the time that:

...incorporation by reference also gives rise to concerns relating to accessibility to the law, in that although incorporated material becomes part of the regulations, the actual text of that material must be found elsewhere. Such concerns are heightened where material is incorporated "as amended from time to time", in that members of the public may have difficulty ascertaining precisely what the current version is at a particular point in time. Where open incorporation by reference is to be permitted, provisions should also be put in place to require the regulation-maker to ensure that the current version of an incorporated document is readily available to the public, as are all previous versions that were previously incorporated.

Government Orders

My colleague spoke about this already, and I want to follow up a bit. I know that because we are now in an electronic age, some of us think it is easier to access materials now than it ever was before, that all we need to do is click on the web and everything will be there for us. However, we also know from other discussions we have had in the House that not all Canadians have equal access to those online resources. One of the things we need to absolutely make sure of is that the law would be applied equally for all Canadians and that all Canadians have access to the laws and regulations they are being asked to abide by.

I wonder if the member could take a couple of extra minutes to talk specifically about that issue of accessibility in the electronic age. [Translation]

Ms. Françoise Boivin: Mr. Speaker, I do not want to go over my background again and say when I began practising law. In my view, one statement a day about that is enough. Nonetheless, today's world is completely different from what it was when I started in the law. I am not going to say anything more about it, because everybody would be able to guess my age.

All this to say that it is not just a question of age, but also of natural ability. I know some young people who have no technological skills. None. Just because the world is moving fast now and we all have access to our portable computers, we cannot assume that this necessarily holds true for all 30 million Canadians in this wonderful country.

Of course, as my colleague said, you have to take the necessary steps. I would again like to underscore the high quality of the work done by the Standing Joint Committee on the Scrutiny of Regulations, whose members feel it is important to protect the general public and to ensure that we are all equal before the law. This is something that should not be different or more difficult for certain people.

There will of course be difficulties in implementation. It is not that we are against the bill, but we can foresee these difficulties. We do not have our blinkers on. When one of our bills is under consideration, we do not tell ourselves that it is perfect and that nobody can touch it. We are thinking about the people in our riding who will never be able to understand what it means and will not realize that, with rolling incorporation by reference, it is not the 1985 regulation that will apply but rather the version that has been in effect for a number of years already.

Let us be realistic: this is already being done. The government knows it was wrong to proceed this way. It is trying to remedy the situation by adding a specific clause to the bill to correct everything that has been done without authorization in the past.

In my view, there must be an in-depth study of the issue.

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.): Mr. Speaker, I am pleased to rise today to outline the Liberal Party of Canada's position on Bill S-12 to amend the Statutory Instruments Act and to make consequential amendments to the Statutory Instruments Regulations. The short title makes the bill's purpose clearer: the Incorporation by Reference in Regulations Act. Before commenting on the bill, I would like to explain to the House what incorporation by reference is.

In today's environment of globalization, regulation is becoming increasingly complex. For example, we must accept international standards for reasons of trade, safety and security. This reality is reflected in Canada's regulations. In order to simplify the writing of regulations, the regulatory authorities are relying more and more on incorporation by reference. Incorporation by reference can be either closed—also known as static—or open—also known as ambulatory, dynamic or rolling.

Closed incorporation by reference is merely a style of drafting. Rather than including a complex, multi-paragraph definition from another document in a regulatory text, the regulatory authority simplifies the reading and writing by referring to the other document as it appeared on a given date. That incorporation is called closed, because the version of the cited document is the one that existed on the date specified in the regulation. If the cited document is later changed, the new version will not automatically be incorporated into the regulation.

Open incorporation by reference, on the other hand, is a kind of sub-delegation of the power to make regulations, since the current version and future versions of the other documents are being incorporated. If the incorporated document is amended after the regulation is adopted, it will automatically be part of the regulation. Therefore the regulatory authority no longer has control over the regulation, since another body can change the document incorporated by reference, completely independently.

According to the analysts at the Standing Joint Committee on Scrutiny of Regulations, open incorporation by reference is not legal, except when Parliament expressly authorizes the regulatory authority to use it. That would mean, for example, that Parliament would need to pass legislation to permit it, or give such authorization when the power to make regulations is delegated. Open incorporation by reference amounts to a sub-delegation of the regulation-making power, which is contrary to our Constitution and our statutes.

The government, particularly the Department of Justice, is of the contrary opinion, and has used open incorporation by reference in many regulatory texts. For example, since 2007, the Conservative government has used open incorporation by reference at least 300 times. One reason the Conservatives introduced Bill S-12 in the Senate was to put an end to the debate and legitimize their way of doing things. The bill would authorize the regulatory authorities to sub-delegate the regulatory power without needing to obtain Parliament's authorization.

Clearly, this is a very complex bill. Since it affects all federal regulation, it is also very important. The Conservatives quietly introduced this bill in the Senate, but apparently they did not take their work seriously. The bill is full of flaws, some of which will have a serious impact on Canadians and the linguistic duality of our country. The Conservatives are too short-sighted to recognize these flaws and it will be up to the courts to make decisions.

Which way will the Supreme Court lean and when? I have no idea. Until that time, we will live in uncertainty, which will be bad for businesses, for francophone rights, and for all citizens' access to the law.

Government Orders

•(1610)

According to the analysts at the Standing Joint Committee on Scrutiny of Regulations, the Canadian Constitution does not allow sub-delegation of the regulation-making power. When Parliament delegates a regulation-making power to a department, for example, the department should not delegate that power again to another entity using incorporation by open reference.

This type of incorporation amounts precisely to sub-delegating the regulation-making power, since all subsequent amendments made by the foreign entity will automatically become part of the Canadian regulations.

This bill will legitimize this sub-delegation of the regulation-making power. It is understandable that globalization has made it necessary to coordinate our regulations with our partners'. This also benefits the regulation-making authorities since the present situation is confusing for them. It is also understandable that sub-delegating the regulation-making power will reduce the workload for regulation-making authorities, and this will enable them to free up resources for other tasks. For example, if they do not have to be constantly updating regulations to coordinate them with the incorporated documents, regulation-making authorities will gain an enormous amount of time. So the Liberal Party and I understand that the bill is satisfactory to them.

For Canadians and democracy, however, this bill creates more problems than it offers solutions. The Parliament of Canada will lose a portion of its control over regulations, since foreign entities will sometimes be deciding the content of our regulations. In other words, Canada will lose a portion of its sovereignty when the documents incorporated by reference come from entities outside Canada. The sovereignty we lose will be gained by others, like our principal trading partner, the United States. We quite often have to coordinate our regulations with that partner, but this bill means that it will sometimes be our neighbour that will decide the content of our regulations directly, without any participation by the Canadian government.

We believe that Parliament, which represents all Canadians, cannot agree to sub-delegation of the regulation-making power such as is permitted by Bill S-12, unless it has expressly authorized it when the regulation-making power was delegated in enabling legislation.

One of the worst problems this bill will create is the reduced accessibility of regulations. Clause 18.3 in the bill does state that the accessibility of the document incorporated by reference must be ensured by the regulation-making authority or the minister who is accountable for it to Parliament, but that is problematic since the bill says nothing about what the criteria are for accessibility or how the document is to be made accessible.

In other words, this confirms that the regulation must be accessible, but accessibility is not defined. Clause 18.4 of the bill states:

18.4...a document, index, rate or number that is incorporated by reference in a regulation is not required to be transmitted for registration or published in the Canada Gazette...

If the documents incorporated are not registered, how will they be accessible to the public? Will it be enough to provide the name of the document incorporated? Does the government have to provide copies of the document incorporated to people who want it?

If accessibility means publishing certain information, such as the name of the document and its authors, it is quite likely that there could be situations where the document incorporated is protected by copyright.

•(1615)

In that case, it would be up to the individual or the corporation to pay large amounts to obtain the document. Once again, the government would be shifting the cost onto the people. The law is supposed to be accessible to everyone. However, this bill could restrict accessibility. In short, there are more questions than answers about accessibility with Bill S-12. Judges will have to deal with these issues.

As I said earlier, clause 18.4, which confirms that documents incorporated do not have to be registered or published in the *Canada Gazette*, will reduce transparency and, in particular, make it impossible to examine regulations. The Standing Joint Committee on Scrutiny of Regulations does not have the resources needed to examine all federal regulations. Just imagine for a moment what will happen if this bill is passed.

With the multiplication of the number of incorporations by reference, regulations will be constantly changing. It will be impossible to examine everything. The government's transparency will be greatly affected, which is obviously not what we want.

According to an analyst to whom we posed the question, the committee would probably need 10 times more resources than it has now in order to carry out its work properly after the passage of Bill S-12. Are the Conservatives likely to give the committee proper funding? Knowing them as I do, I predict that they are not, and this does not bode well for the transparency and effectiveness of our regulations.

The lack of clarity in the bill is unfortunately not restricted to the general accessibility of documents or to the transparency of the government. Canada's linguistic duality could well be jeopardized. Because the incorporated material does not have to be registered or published in the *Canada Gazette*, there is no guarantee that it will be available in Canada's two official languages.

In the 1992 Manitoba language rights reference, the Supreme Court held that a document referred to in a federal regulation was subject to section 133 of the Constitution Act, 1867, and that it should be incorporated in both official languages, except if there is a bona fide reason for its incorporation without translation. This exception for legitimate reasons applies to material prepared by an international body or another foreign entity.

As we are all aware, English is now the dominant language on the international stage. French is still used in certain large organizations, but in general, English dominates. More often than not, then, the material that will be incorporated will be in English. Therefore, this means that the federal regulations will be available in English but not in French.

Government Orders

Will a document that is available only in English be considered accessible according to section 18.3 of the bill? Perhaps it will, perhaps it will not. We will have to wait until the courts rule on the issue according to their interpretation of section 18.3. Uncertainty and confusion will therefore reign for a number of years to come if the bill is passed as it currently stands.

Regardless of the courts' interpretation, the problem will still exist. There are precedents in Canadian history where documents incorporated by reference were only in English. For instance, if the courts decide that the regulation-making authority has a duty to provide a French translation of incorporated material that is available only in English, how are we going to judge individuals accused of having somehow broken the law?

Let me explain. Since open incorporation by reference amounts to automatically incorporating all the updates made to a given document in Canadian regulations, we can expect that it might take some time to make the translation available.

●(1620)

Section 18.6 states:

A person is not liable to be found guilty of an offence or subjected to an administrative sanction for any contravention in respect of which a document, index, rate or number—that is incorporated by reference in a regulation—is relevant unless, at the time of the alleged contravention, it was accessible as required by section 18.3 or it was otherwise accessible to that person.

In a case where the original is in English, will we have a legal system where anglophones and francophones are judged differently? Since the French translation—if there is one—is not immediately available, could a unilingual francophone be acquitted because of the translation time? What about a case where a francophone understands English?

I want to look at the last part of section 18.6: "...or it was otherwise accessible to that person". That means that no matter how a judge interprets section 18.3 on accessibility, a person could be charged if they had access to the law in some way. Since no one is considered ignorant of the law, will we have cases where francophones who understand English are criminally charged because the document was available in English but not in French? If that is the case, French will again be marginalized and francophones will be forced to work in English because documents will be available in English long before they are translated into French, if they are translated at all.

But that is not catastrophic. Truth be told, this bill is full of holes, and it will be up to judges to fix them. It will take years before everything is fixed. Until then, I have no idea what will happen, and neither do the Conservatives. Nothing in this bill answers these questions, and the government cannot claim that there are no problems with the bill. Despite everything, it is quite possible that francophones will once again lose out because of the Conservatives' carelessness.

We know this government, so we know that no amendments will be approved. However, I hope that the Conservatives will be open to amendments during the committee process. I urge all of my colleagues, regardless of their party, to vote against this bill, which will weaken our powers as parliamentarians, hurt linguistic duality and limit the public's access to our laws.

●(1625)

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I thank my Liberal colleague for his speech on Bill S-12. It is of the utmost importance that we speak to this bill today in the House, because it would be easy to suppose its only purpose is to implement regulations. When we dig a little deeper we understand the purpose of the bill and realize that it goes much further and contains small measures that deserve our attention.

In his speech, my colleague spoke of the French fact in the context of Bill S-12 and protecting the French language. This really bothers me, because we may find ourselves in a situation where official languages are not respected; what if a constituent of mine asks for regulations and gets them in English? That makes me angry. There are many staunch defenders of the French language back home, in Alfred-Pellan. Each and every Canadian has a right to protect his or her language.

In conclusion, the rights of some individuals will be trampled as they will not be able to receive regulations in their language of choice. What does my colleague think of that?

Mr. Massimo Pacetti: Mr. Speaker, I thank the hon. member for Alfred-Pellan. In fact, there are unilingual people not only in Alfred-Pellan, but all across the country. In most cases, francophones are the ones who end up penalized by regulations.

As I mentioned in my speech, the world we live in is becoming more and more international, thanks to globalization. As a result, there are times when Parliament loses control over documents used for incorporation, since most of them come from international sources. Some may come from a neighbouring country like the U.S., where 90% of documents are published in one language only, the other 10% being published in Spanish rather than in French.

This will penalize most unilingual Canadians, specifically unilingual francophones, since they will be unable to understand these documents. Such legislation will create obstacles for francophones who are faced with a time-sensitive situation, since they will have to wait for a translation.

●(1630)

[*English*]

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I want to thank my colleague for his excellent speech on Bill S-12. I know he has been seized with this matter for as long as I have, perhaps even longer, as we both serve on the scrutiny of regulations committee together.

For the people watching, this might seem like really dry stuff. I am not criticizing the member's speech. Mine will be given shortly, and it will not be any more exciting. As I look around this place, the galleries are not exactly packed.

However, there is something really important at stake here in Bill S-12. It is fundamentally about asking Canadians to comply with laws and regulations, and in doing so making sure they actually know what we are asking them to comply with.

Government Orders

The way it would be possible to make regulations under Bill S-12, Canadians would no longer have certainty in being able to know what the laws, and particularly the regulations, are. That, to me, is a fundamental concern.

How can Canadians potentially be held criminally responsible for not obeying a regulation when they had no way of knowing either that a regulation had been changed or where they could access that regulation, when it will be possible under the bill to incorporate by reference?

I would ask the member to spend a bit more time speaking about that, perhaps in plain English. Why should the bill be of concern not only to my colleagues here, who are flooding into the House now, but also to all Canadians who are watching this riveting debate here this afternoon?

Mr. Massimo Pacetti: Mr. Speaker, I want to thank my colleague for the question. She does a great job as vice-chair of the scrutiny of regulations committee.

We actually had about an hour on this specific bill. We were not allowed to invite anyone because the Conservatives did not want us to invite experts. We were just able to speak to our analysts, and so I do not know how many points we brought up.

Normally, when we are talking about second reading in the House of Commons, I would say, let us vote for it and send it to committee and have the committee look at it. However, the fact is that the bill has already come from the Senate. The Liberal senators presented amendments and the government refused them, which is why I am not in favour of voting for the bill at this particular time.

I understand that we live in a world with a majority Conservative government and that it will probably put closure on the bill or just vote en masse and then send the bill to committee. However, I am hoping that the Conservatives will be open to amendments.

From reading the Senate transcripts, whether of the committee or debates, I see that one of the biggest amendments concerned accessibility. There are different definitions of accessibility, but there is no definition in this particular bill. Anything could happen in the future. The government could actually take someone and criminally charge him or her over a minor incident, or it could be a major incident, but no one would know where the line in the sand was drawn between a minor and major incident.

The question is actually much deeper and more complex, but the accessibility part concerns its definition. Could people access these incorporation documents? Would the incorporation documents be available or accessible? We were talking about their being accessible in both languages. Moreover, when we talk about accessibility in terms of affordability, would people have to spend money to gain access to these documents that are referenced somewhere? We also talked about whether these documents would be available on the Internet. However, we all know that websites may have the information one day and then all of a sudden the websites disappear and the information would not be available the day after.

[*Translation*]

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I thank my colleague for his speech.

The work we do in the House must be transparent, particularly when it comes time to discuss a bill like this. The government is in no rush to talk about this subject. We have repeatedly seen it play this little shell game, at budget time, for example: the little hidden defect, the little Trojan horse.

Once again, my impression is that this bill is hiding things from us. Is the public going to ask what kind of bill of goods they are being sold?

I would like my colleague to say a little more about the fact that transparency must be uppermost in Parliament, in everything we do. As my colleague said a minute ago, this bill comes from the Senate; it does not even come from here. We are the ones who should have written a bill like this.

So in my colleague's opinion, why is the government exhibiting so little transparency?

● (1635)

Mr. Massimo Pacetti: Mr. Speaker, I thank my colleague from Compton—Stanstead. He is a good hockey player and a member who asks good questions in the House.

I have to say the bill is not very exciting. We are talking about changing regulations that most people do not understand. Even though I am an accountant by profession, it took me several hours to understand what this bill is doing. I told myself that this was not important and there would be lawyers who would sort it all out, but in fact, when we start to look into it more deeply, to think about the effects on the future and the way this is going to affect Canadians, we realize that we need to think twice about it. This is not a bill that is talking about crime or the economy or the budget, and so people do not find it very exciting.

The government is introducing the bill on a Wednesday afternoon, after passing another bill. It is starting to play a game. It says we are going to pass this one because it comes from the Senate so it is not important. But when we look at the Senate debates and the testimony at the committee meetings, we see that the committee did a serious job. There was other work that was supposed to get done, but the Conservatives imposed a gag order on the Senate for this bill and they swept it under the rug just before the Christmas holiday.

We therefore need to do our duty, and I hope the Conservatives will let us do our job here in the House.

The Acting Speaker (Mr. Bruce Stanton): Before resuming debate, it is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Thunder Bay—Superior North, the Environment.

Resuming debate, the hon. member for Hamilton Mountain.

[*English*]

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am happy to begin by letting the House know that I will be splitting my time this afternoon with the member for Toronto—Danforth.

I rise today to speak on Bill S-12, An Act to amend the Statutory Instruments Act and to make consequential amendments to the Statutory Instruments Regulations.

Government Orders

As I said earlier, at this point people who are watching this debate on television are probably shaking their heads and wondering why we are not debating the important issues, like job creation, EI, health care, climate change or the growing income inequality in Canada. Those are the issues grabbing headlines these days, and I might add rightfully so.

There is also a sub-theme to much of the recent media coverage, which focuses on this Prime Minister's repeated thwarting of the democratic process and the threat this represents to the institution of Parliament. Bill S-12 adds fuel to that fire. As dry as the title might seem, this bill will legitimize the ability of governments to do things by regulation without the express authorization of Parliament. Without being overly dramatic, this bill will undermine democratic values and risk turning law-abiding citizens into criminals.

Let me go back to try to explain the genesis of this bill. At issue is the proper process for creating rules of law through regulations. Regulations are a delegated form of law-making that is derived from and authorized by Parliament's ultimate legislative authority. As a result, it is particularly important that regulations are written and communicated in such a way that members of the public clearly know their rights and obligations. To that end, regulations must go through a legal examination, be registered, get published in the *Gazette* and are then referred to the Standing Joint Committee for the Scrutiny of Regulations for parliamentary oversight.

At times, other documents are referenced into regulations simply by naming them. The legal effect is the same as repeating the material word for word in the regulation. When the material that is being incorporated is static, such incorporations by reference do not pose a problem because the regulation has gone through the proper approval procedures. It becomes tricky when that incorporated material changes. For example, the document could contain a provision that allows it to be amended from time to time. In essence, then, future changes automatically become part of the regulation without any oversight.

Such incorporations by reference are called ambulatory or open incorporations by reference because their content is not static. It is this type of regulation making that poses the legal conundrum. Is it appropriate to allow rules to be imposed without those rules having gone through the proper regulatory process?

Given the proliferation of regulations in recent years, this is more than a theoretical question. There are, at the federal level alone, approximately 3,000 regulations comprising over 30,000 pages. That compares with some 450 statutes comprising about 13,000 pages. On top of that, departments and agencies submit to the regulations section, on average, about 1,000 draft regulations each and every year; whereas Parliament enacts about 80 bills during the same period. Regulations, therefore, play a major role in setting the rules of law that apply to Canadian citizens.

Canadians must be able to have confidence that the regulations that govern them have been duly authorized by Parliament. For that reason, the Standing Joint Committee for the Scrutiny of Regulations adopted a unanimous report in 2007 that called on the government to stop using unauthorized open incorporation by reference without the permission of Parliament.

The position of the joint committee was, and is, that absent an express grant of authority or a clear indication to the contrary in the enabling statute, the incorporation by reference of external material is proper only where a fixed text is incorporated, as opposed to a text that is amended from time to time. In fact, the use of incorporation by reference as amended from time to time has been deemed improper and illegal because it is a regulation without the express authorization of Parliament. The government knows that.

In the other place, Conservative Linda Frum noted in her speech on this bill that "Incorporation by reference is a widely used drafting technique currently, but this bill would legitimize it...". Those are important words: "this bill would legitimize it". With those five words she is confirming that the government knows it has been acting illegally every time it used the technique without explicit parliamentary authorization. Let us not kid ourselves; it did not just happen once or twice.

The Conservatives have used ambulatory incorporation by reference 170 times since 2006. Bill S-12 is essentially designed to give the government legal cover after the fact for its prior and ongoing illegal activities. Put differently and more specifically, proposed section 18.7 would retroactively validate a large number of provisions that were made without lawful authority.

• (1640)

This goes to the very heart of Parliament's authority to delegate its power and choose who can make rules on its behalf. It is mind-boggling that any MP would not be troubled by that prospect. However, party discipline, as enforced by the executive branch in this House, will almost certainly ensure the bill will pass unamended.

Apart from the concerns of allocation of power posed by the open incorporation by reference, I will now turn to the question of accessibility. If ignorance of the law is no excuse, then the law must be available. The problem with incorporations by reference is that the text of the incorporated material is not found in the regulation itself.

Where do Canadians turn to find out about their rights and obligations? The material that is being referenced may be obscure or hard to find. If it involves standards developed by private organizations, there may even be a charge for accessing the material. Nowhere does the bill suggest that departments have to make the material available, nor do they even have to provide information as to where that material might be. When the incorporated material can be amended from time to time, how can citizens know that a change has come into effect? Will past versions of the text always be available? Finally, what happens when the material being incorporated is a law, standard, or agreement from another jurisdiction that may not be bilingual? Would this be a way for the government to circumvent our Official Languages Act?

Government Orders

Proposed subsection 18.3(1) of the bill states, “The regulation-making authority shall ensure that a document, index, rate or number that is incorporated by reference is accessible”. However, what exactly does “accessible” mean? Will it be equally accessible for aboriginal or rural Canadians? Will people have to travel in order to obtain the text, or will the text only be available on the Internet? Would that satisfy the definition of “accessibility”?

Given all of these questions, it would seem likely that it would be left to the courts to define “accessible” in terms of incorporated materials. However, should the onus not be on us as legislators to provide that clarity? I simply do not believe that citizens should have to go to the time and expense of judicial proceedings to determine their rights and obligations. Surely we can, and must, provide that clarity in this House.

At this point, I do not think we need to throw out the baby with the bathwater. I do indeed have serious concerns about Bill S-12, and I have expressed many of them in the brief time afforded to me here today. However, as co-chair of the Standing Joint Committee for the Scrutiny of Regulations, I know that many of the issues I have raised today are concerns shared by members from all sides of the House and we could bring these perspectives to bear by studying the bill at greater length in committee.

The principle of the sub-delegation of power will be of concern to all of my elected colleagues. As parliamentarians, it fundamentally impacts our role and authority. Similarly, issues of accessibility are critical to the interests of our constituents whom we are here to represent. Given the sheer volume of regulations that are submitted each year, it is essential that we maintain the integrity of the regulatory process.

If we can find common cause on each of these three broad-brush issues, I am confident we can amend Bill S-12 to make it palatable to all parliamentarians. If not, I will have to vote against the bill when it comes back to this House for its third and final reading. Until then, however, I will remain hopeful and optimistic.

• (1645)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, on so many occasions in different committees we analyze bills after they pass here at second reading. We will talk about clause *x* and clause *y*, and whether the clauses should pass.

However, members need to recognize that quite often a minister's response to questions that we pose is that the detail will be in the regulations. Regulations are often referred to, which is why I think it is so very important, as the member has put on the record, that we make sure we have done that process well. We are very much dependent upon the regulations.

I would ask the member to provide comment on that committee stage and the degree to which the legislation we pass is dependent on the regulations in ensuring that the legislation is functional.

Ms. Chris Charlton: Mr. Speaker, the member is quite right. Oftentimes in this House, we are told, “Do not worry about that. The detail will follow. The detail will be in the regulations”. We on this side of the House keep reminding the government that it is actually the devil that is in those details. That is why we want to have a full discussion on the floor of the House about the way in which new

legislation, new bills, will impact Canadians. That is our job here. That is what makes the bill before us today so important.

It is absolutely critical that if we impose new obligations on Canadians that they have the ability to know what their rights and obligations are. That is why in my comments this afternoon I spent so much time talking about accessibility. We need to make sure Canadians can find the amended regulations and that they know what they are obligated to do, so we do not end up in circumstances where innocent Canadians are criminalized because they could not ascertain whether a regulation had changed.

I think all of us in this House have an obligation to make sure that does not happen. That is why I am encouraging my colleagues on all sides of the House to give the bill another look. Let us work together to amend it in committee to make it the very best bill it can be.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I thank my colleague for her very well-reasoned presentation on the bill.

The bill may be a little too detailed for the average person, but I take her point that the devil is in the details. It could affect people's lives in a very concrete way.

In the absence of gazetting or notification to the public that there has been a change in regulation, i.e. a change in the rules that people have to live by and could be charged under, and people are unaware of those changes, I am wondering what the possible ramifications are for the average person who might be watching the debate today. Could someone find themselves on the wrong side of the law because a regulation has changed but the public does not know about it?

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, that is exactly the most important question in this debate. The member is absolutely right; that is precisely what could happen.

We say, and I certainly said in my speech, that ignorance is no excuse under the law. An individual may not be aware that a regulation has changed, but if one is in violation, in some instances they could be held even criminally responsible for having violated that regulation. I do not think that is defensible. We know that is a possibility here today. We know that as we are reviewing Bill S-12, that could happen to an innocent Canadian, who through no fault of their own is in violation of a regulation. If we know that, as legislators we have an obligation to make sure that Canadians could not be trapped in that situation.

Let us work together. Let us make sure that we tighten that loophole. Let us make sure that we provide real accessibility to regulations. I think Canadians expect that of us and they have a right to expect that of us. We need to deliver on their behalf.

• (1650)

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, I thank my colleague from Hamilton Mountain for such an amazing introduction. I will be able to build on that, I hope, and actually dispense with parts of my own speech.

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The Conservatives would have us believe that Bill S-12 is a merely technical or housekeeping bill. They accomplish this in part by messaging that it simplify codifies an existing drafting practice for regulations, the use of incorporation by reference. We even have journalists now treating this as a routine bill. I do not know if there are any journalists watching this debate for that very reason.

In fact, Bill S-12 is anything but innocuous. Speaking in my capacity not only as the member for Toronto—Danforth but also as official opposition critic for democratic reform, it seems to me that the bill is actually an anti-democratic “reform”, so called. It is a big step backward for open government and indeed for accountable government.

Let me be clear that my focus and remarks are on the endorsement in the bill of a so-called drafting technique known as incorporation by reference, in particular open incorporation by reference, whereby the words “as it is amended from time to time” would be inserted to signal that a document that is incorporated by reference or other materials, when it is changed by external bodies, would automatically enter back into the regulation and continue as binding law without any further intervention by Parliament. This would be in contrast to static or closed incorporation by reference, whereby Parliament and the Standing Joint Committee for the Scrutiny of Regulations would actually know what document is being incorporated by reference, would be able to review whether it is appropriate that the document comes in and would know when it passes judgment on the regulations of what it is dealing with.

For some years, the Standing Joint Committee for the Scrutiny of Regulations has expressed concern about the use of open incorporation by reference for reasons that I will discuss a bit later. In 2000, the joint committee called for a legislative amendment to the Statutory Instruments Act to require, as part of its provisions that authorize regulations, that any use of open or ambulatory incorporation by reference be explicitly authorized by each statute as that statute is adopted by Parliament. Without such explicit authority being in each statute, the report says that regulations would not be allowed to use this technique of open incorporation by reference, and would only be allowed to use the technique of closed incorporation by reference at a known date.

Bill S-12 would give carte blanche to the executive branch to use incorporation by reference of an open sort with no constraints of any consequence. This means regulations could change over time when external bodies decide to revise their documents, which have been incorporated by reference, and Parliament would have no further oversight role. These external changes would become law automatically with no further action required from the Canadian state or from Parliament, other than, in Bill S-12, a very vague, unelaborated, undefined duty to ensure the document with its amendments would be “accessible”.

Therefore, any number of changes by non-governmental organizations, industry bodies, international bodies or even foreign governments, to their own documents that have been incorporated by reference, could slip into our system with no scrutiny. For example, there is something known as Parliament’s “power of disallowance” of regulations. A regulatory provision can be disallowed on a motion of the House, but that process is not triggered until the Standing Joint Committee for the Scrutiny of

Regulations actually makes a recommendation to the House and to the Senate to disallow the regulation. They would not even have a chance to make such a recommendation with respect to amendments to documents that have occurred on the initiative of an external body and that are entered into our law automatically. This would never come back to the joint committee.

The very description of what would be at stake with Bill S-12 should reveal to the average listener the threats that would be presented by ambulatory or open incorporation by reference to democratic accountability, as well as to the rule of law. This is due to the fact that after the bill passes, if it passes, the executive branch may not only incorporate known documents produced by external bodies, such as this code, that resolution, those guidelines, these rules, but may also effectively yield to that external body the power to change its document in a way that automatically would become legally binding in Canada.

● (1655)

We live in a regulatory era where there are 3,000 regulations making up over 30,000 pages versus about 350 statutes making up 13,000 pages. Without careful scrutiny by Parliament of executive power, our democracy hollows out. We have been witnessing what some scholars call “new political governance” whereby concentrated executive power comes to dominate the parliamentary branch. In Canada, the Prime Minister, the PMO and a small clutch of ministers have effectively engineered a takeover of our Westminster system in recent years.

To add to that phenomenon, greater and greater power in the executive to incorporate by reference materials produced by bodies with no accountability to Parliament, let alone the Canadian public, in the name of economic efficiency or easing the burdens of regulators or flexibility, is something we must be seriously worried about. It makes the problem of executive domination of Parliament even worse.

Before I talk a bit more about why democracy and the rule of law are affected by Bill S-12, let me comment on one other problematic feature of the current process whereby Bill S-12 has come to us. I am not referring to the fact that it started in the Senate; let us leave that to one side. Rather, I am talking about how the government wanders into the House and has the chutzpah, frankly, to claim that Bill S-12 comes from the Senate unamended, as if it were truly a routine bill about regulatory drafting techniques that the Senate unanimously adopted.

In fact, the legislation caused great debate in the Senate. Senators returned to the debates in the mid-2000s, which ended up producing that 2007 joint committee report that I referred to. They objected to how Bill S-12 does not take seriously problems of transparency and accountability, and more broadly, the fundamental principle of the executive branch’s subordination to Parliament.

Government Orders

Reasonable amendments were moved, but what happened? The current character of the Senate revealed itself in all of its glory, when Conservative senators voted to defeat every single amendment. This body was created in 1867 for two reasons: to be a regional voice in the federal Parliament and a chamber of sober second thought. It has simply become an extension of whipped party politics. The rational arguments of some senators on Bill S-12 were simply bulldozed by Conservative senators acting according to PMO instruction.

The government did respond to that 2007 report that I mentioned. It focused on one very technical argument that the joint committee had made, that allowing the executive to send on to another body the power to change something that had been incorporated by reference and have that become automatically a part of our law, which is called illicit or illegitimate sub-delegation.

The government focused on this and it made a whole bunch of comparisons to something known as inter-delegation, parliament delegating powers to the provinces to legislate. It created this equivalence between that situation and the situation we face, talking about how it was not a problem, that the provinces could be allowed to continue to amend their legislation or their rules and have a federal statute incorporate that by reference even as those rules change. However, the government failed to notice two fundamentally different features about that situation. First, the provinces are governed democratically, and second, they are within Canada. The fact of deferring to external rules by international actors who have no democratic process as part of how they produce their rules is totally glossed over by the way the government responded to the committee's report.

The government also ignored a serious rule of law concern. What happens when a document is amended by an external body in a way that maybe we cannot expect, in a way that is maybe radical, in a way that actually is problematic? Our Standing Joint Committee for the Scrutiny of Regulations has no opportunity to check whether or not those new changes fall within the ambit of the act. That is a rule of law problem right there.

How about a mega rule of law problem? The charter of rights is totally ousted by the ambulatory incorporation by reference process. Section 4.1 of the Department of Justice Act requires that Parliament double-check, after the executive has double-checked, that a regulation does not offend the charter. That does not get done with new amendments to incorporated by reference regulations.

• (1700)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am pleased to rise to join the debate on Bill S-12. I thank the hon. member for Toronto—Danforth and I say, in a non-partisan way because he does not belong to my party, that we are clearly fortunate in the House to have someone of his calibre, with experience teaching in law schools, who can bring to the House an assessment of something that may appear dry but which really cuts to the heart of dangerous changes to Westminster parliamentary democracy. In this place there is increasing power in the hands of the Prime Minister's Office and decreasing respect for Parliament as an institution and for our regulation-making authorities. The bill represents a threat because it becomes increasingly difficult to know if regulations are being made.

I also have this one concern. We accepted changes to pharmaceutical drug regulations in Bill C-38, which stated that pharmaceutical drugs were no longer added by regulation but could just be added by Health Canada through a list process, not through the *Canada Gazette* and not through routine regulations. We have to protect some of the more boring aspects of making laws in this place to protect the rights of Canadians.

Mr. Craig Scott: Mr. Speaker, I was not aware that when we voted on Bill C-38 that there was yet another problematic feature.

There is something in Bill S-12 that adds to that problem. There is a prohibition on incorporating by reference regulation materials from a minister who is making the regulations, or by any department or agency that he oversees. There is absolutely no prohibition on one minister turning to materials or documents from elsewhere in the government, another department or agency he or she has nothing to do with, and incorporating that by reference, even if those materials have not gone through the regulation process. That is quite a back door and it appears in this statute.

To add to what the member for Saanich—Gulf Islands has said, we really have to begin to understand how we are becoming hollowed out as a democracy when the executive is given that kind of authority.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I would not mind picking up on that.

The leader of the Green Party made reference to Bill C-38, and we could talk about the two budget bills that were introduced last year. Because of their size the thought back then was that the government was taking serious legislation, incorporating it into budget bills and then passing them, thereby avoiding due diligence in terms of what we should be doing.

I cannot help but think of that in terms of the bill that we have here today. Most people might see it as somewhat of a boring bill. However, it is a very important bill. It ensures that there is accountability. One of the primary roles that we have within the House of Commons is to pass the laws of the land, and a regulation is a law.

Could the member provide some comment in terms of what would appear to be a lack of respect from the government benches toward opposition or all parliamentarians of all political parties, not only today but going into the future, through the actions that are being taken?

Mr. Craig Scott: Mr. Speaker, those are very good points. The analogy to what happened with the budget bill, especially Bill C-38, with 70-odd pieces of legislation incorporated into a much broader bill, what we called an omnibus bill at the time, is part of the same fabric, the same problem, which is a lack of concern for parliamentary scrutiny. It may happen because Parliament cannot hope to actually look at everything that went on in Bill C-38 in any way resembling a responsible fashion because it was all being piled in within a short timeframe and the wrong committees are looking at it in a highly dubious process. It also may be because we are incorporating by reference materials and the joint committee has a hard time figuring out how they fit exactly into the picture and whether they are appropriate. However, we are looking at something resembling the same issue.

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I will end by saying that incorporation by reference, generally, really needs better rules and regulations about it than simply dealing with the problem of open incorporation by reference, for the same reasons given by my colleague.

• (1705)

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, the bill we are considering today is very important and quite complex. My colleague from Hamilton Mountain mentioned that the debate may seem very dry, but it is still at the heart of issues that affect all Canadians in terms of respect for the regulations in place. This despite the apparent simplicity of its purpose: to make reference to material and incorporate it in a regulation without reproducing the text. The material will have the same authority and the same force as the rest of the regulation, without actually being there in full.

This debate is already a few years old, and the answer is not always clear even though this technique has been used in federal regulations for a long time already, according to the Chief Legislative Counsel at Justice Canada, Mr. John Mark Keyes. In an earlier speech, my colleague mentioned that this government has used this technique 170 times since 2006.

The bill does indeed appear to be complex, dealing as it does with issues of administrative law and regulations, but it is nevertheless very important and its passage may have a direct impact on the lives of Canadians. We will look into this aspect a little bit later on.

As I said, this bill is very important because it will set a precedent for deciding once and for all whether using this technique for drafting and formulating regulations is legitimate and legal.

The issue is that the bill would make it possible to use open or closed incorporation depending on the type of reference, but the difference between the two is crucial. The regulation-making authority in question will be able to make reference to material—such as a legislative text, a treaty, a standard or technical material—and its subsequent and earlier amendments will be incorporated in the regulations automatically. This is called open incorporation.

Needless to say, in certain cases, incorporation by reference appears to be a logical solution. In the case of interest rates, for instance, or other similar indices, such as the consumer price index or the unemployment rate, I think it is obvious that it should be possible to incorporate numbers, rates or indices in the regulation without having to take the legislative route every time. However, if we dig a little deeper, two issues come up. First, I will quote subsection 18.1(3) of the bill:

The power to make a regulation also includes the power to incorporate by reference an index, rate or number—as it exists on a particular date or as it is varied from time to time—[that is, as it may change in the future] established by Statistics Canada, the Bank of Canada or a person or body other than the regulation-making authority.

In other words, the government will be free to incorporate in regulations the definitions, rates and indices established by just about anyone, including civil society groups, foreign governments, NGOs, and so on. The bill does not define those two terms nor does it refer to any definitions in any other legislation. This is a serious problem that was discovered by the Senate committee.

Senator Fraser, asking for clarification about the definitions of these two terms and the ridiculously broad scope of this power, “Trust us’ is what you are saying to me”.

The second problem has to do with the accessibility of the regulations, for both Canadians and for Parliament. Indeed, regulations are rather dry, often very complicated texts, and the addition of indices and figures without any direct reference could make the regulations and their objectives even more difficult to understand. It is important to ensure absolute clarity regarding the context in which these figures and indices are incorporated, and I am not convinced that this bill does that.

Furthermore, another kind of accessibility is at issue here: the power of parliamentary oversight. In that sense, this bill in no way responds to the joint committee's concerns regarding the use of incorporation by reference. In fact, the bill does the exact opposite. The joint committee worked very hard to respect the principle of the legislative power of Parliament.

These two problems are mentioned in the most recent edition of *L'action gouvernementale — Précis de droit des institutions administratives* by Lemieux and Issalys. I quote:

The frequency of such references is making some people fear an erosion of state sovereignty in favour of power structures over which they have no influence. It is also raising more concrete concerns about citizens' access to texts detailing the standards that govern them.

That is at the heart of what we are debating here. The authors are essentially talking about altering the regulatory power, since the reference could prevent people from understanding the regulations, particularly in the case of a so-called ambulatory incorporation by reference, since a reference is being made not only to an external text, but also to the specific context in which the text was created or amended, to which the person subject to the regulations does not necessarily have access.

• (1710)

The use of references to regulations outside of the Canadian legal context poses an even bigger problem, and yet this use is becoming increasingly common.

I would like to read another clause from the bill, paragraph 18.3 (1):

The regulation-making authority shall ensure that a document, index, rate or number that is incorporated by reference is accessible.

If the idea behind the reference is to avoid having to publish the documents incorporated a second time, since the documents are usually published and accessible in another form, what does the word “accessible” mean? I have listened to the majority of the speeches here this afternoon. But the absence of this definition, or the vague definition, is yet another obstacle to having an exhaustive and effective bill to protect Canadians from being ignorant of the regulations or of the provisions in regulations that could affect them.

According to the legislative counsel of the Minister of Justice, a document can be considered accessible if the person subject to the regulations is able to obtain a copy of the document in question and then understand what needs to be understood. It is not mandatory to send a copy of the document to this person. The document simply has to be accessible if the person makes a reasonable effort.

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And that is where section 18.7 takes on its full significance. If accessibility is not demonstrated, this clause paves the way for sanctions or convictions based on the incorporated document. So subsection 18.3(1) can be interpreted as requiring the regulation-making authority to be responsible for accessibility, not the people subject to the regulations.

But who will determine what constitutes reasonable effort? We can all agree that referring to a Canadian or Quebec law does not necessarily require much effort from one of our constituents. It will require Internet access, but that is another debate for another time.

However, if we are talking about a foreign government's specific phytosanitary standards, for example, the person must be able to find that information. In the event that Canada has not yet harmonized its standards with the country in question, the person must navigate a foreign government's website, hoping that the information will be posted in one of Canada's official languages.

I want to say that there are limits to that idea that no one can be ignorant of the law. As parliamentary legislators, we live in a legislative universe and we sometimes have trouble making sense of it. I cannot even imagine the average Canadian who is trying to understand an enabling statute and its many regulations, especially if the regulations are split between an existing text and references.

Mr. Keyes, who testified at the Senate committee, said this during his testimony:

...the bill is making a substantial improvement in that it is for the first time generally stating this obligation, and it is largely stating the obligation in the way that it exists right now in terms of the common law and in terms of the way the courts have dealt with these issues in the very limited number of cases that incorporated documents have ever come up in the courts.

But he forgot, perhaps, to mention that this improvement is the result of the bill and that debate is still raging over the best approach to take concerning regulation by reference.

This technique is controversial. Recommendations from the Standing Joint Committee on Scrutiny of Regulations clearly state the following:

...incorporation by reference also gives rise to concerns relating to accessibility to the law, in that although incorporated material becomes part of the regulations, the actual text of that material must be found elsewhere.

The report continues:

Such concerns are heightened where material is incorporated "as amended from time to time", in that members of the public may have difficulty ascertaining precisely what the current version is at a particular point in time.

The Liberal senators tried to amend the bill in order to establish guidelines to create standards related to the use of regulations by reference depending on whether it is static or ambulatory. This proposal was rejected, despite the fact that such provisions currently exist in many other countries, including Australia and New Zealand, as well as in certain provincial jurisdictions, including Ontario and Manitoba.

● (1715)

Furthermore, it is not always easy to distinguish between the two types of reference, which can lead to confusion during interpretation of the regulations. My hon. colleague from Saanich—Gulf Islands mentioned that Bill C-38 and Bill C-45, both massive bills, contained incorporation by reference provisions. In Bill C-38, it

was clause 89. I will not read the clause, because it is six paragraphs long. In Bill C-45, it was clause 30.

This massive bill before us already has some very important elements leading to both a static and ambulatory incorporation by reference. But this measure is not yet entrenched in our regulations, and as we heard in many speeches, its legitimacy raises some questions, not only for us as parliamentarians, because we have to discuss and debate these pieces of legislation and perhaps pass them, but also for any Canadians who find themselves having to navigate this quagmire.

Again, Bills C-38 and C-45 added, amended or eliminated over 130 different acts. If, some day, we can include incorporation by reference, particularly ambulatory incorporation by reference, we may get totally confused, and even more so if that practice is generalized with the presence of terms whose definition is imprecise or non-existent.

The Senate refused to define terms like "accessibility" and "reasonable effort to get the document". We, on this side of the House, hope to do this essential work at committee stage and to ensure that the legislation will be suited to all Canadians.

In the end, these elements of Bills C-38 and C-45 suggest that the minister is giving himself a fair amount of power. Do we really want to go in that direction with Canadian legislation? This process could well be used to make the legislation even less transparent and accessible to Canadians.

I do not think that this method should be completely avoided, since it also offers benefits in terms of the effectiveness of the legislation and the streamlining of statutory instruments which are often complex and cumbersome.

The hon. member for Hamilton Mountain gave a number of examples and she mentioned some numbers. I believe it was 30,000 pages of regulations and 13,000 pages of acts in Canada. Amending 30,000 pages of regulations is a very delicate exercise. If we want to ensure that these regulations are constantly up to date, it is going to require painstaking efforts.

In that sense, incorporation by reference may be an interesting option, but we must be able to define it and use it properly. That is why we will not oppose this bill at second reading, since it will be up to the committee to make this interpretation.

That is particularly important, because we have to be careful about possible abuse and we must limit such abuse by establishing clear benchmarks. Based on what we hear from the Standing Senate Committee on Legal and Constitutional Affairs, and the Joint Committee for the Scrutiny of Regulations, that aspect has not yet been taken seriously. The government must listen to the experts and to the opposition when it tries to improve this bill.

We still have some work to do to make this bill acceptable for this side of the House and for all Canadians. I hope that the government will co-operate with us in order to do so. It is in situations such as this that we need to set aside partisanship and work on behalf of the Canadians who elected us to represent them in this chamber.

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I would like to come back to some specific examples that I have already mentioned several times, which could affect Canadians. Let us talk about employment insurance legislation, for example, the provisions relating to pilot-projects referred to the unemployment rate. Sometimes it is the national rate but usually, it is the regional rate. A database is needed in order to be able to quantify the rate. A lot of tables are used in the employment insurance regulations but, under this legislation, as things now stand, the minister could apply the regulations and their open incorporation by reference. The minister could also simply refer to tables or statistics from Statistics Canada.

● (1720)

Until just recently, until several months ago, people had to pay to get access to information from Statistics Canada. Unless they worked at a university or in a research facility that provided them with access, people had to pay out of their own pockets to get access to these statistics and data.

If the minister makes regulations in which there is open incorporation by reference to regional unemployment rates that are not accessible to Canadians free of charge, does that constitute reasonable access? Will people have to pay to show that they made a reasonable effort to obtain the information related to the section of the regulations that directly affects them?

Here is another question. How much will people have to pay to show that they made a reasonable effort? Will they have to pay \$2.95, \$10, \$20, \$100, \$150? Right now, there is no way of knowing because accessibility and reasonable effort are not defined.

We have talked about different laws that can sometimes be linked to extraterritorial legislation or laws that apply outside the country. For example, this could be the case for laws affecting the Scott case, which pertained to a parent who took a child for whom he had joint custody out of the country.

A regulation that would affect legislation on this subject could refer to the laws in the country where that child is located. If the regulation makes an open reference, the person directly affected could have access, could consult the country's legislation to see whether the provisions are compatible with Canada's, and this could help the individual better understand the situation. In this case, the individual would have to access another country's website or legislation, which could be in another language.

This raises some questions. Does this prove accessibility? What kind of reasonable effort does the person have to show that they made to access these documents and this information? Will the person have to contact a foreign-language translator?

It is too vague for us as a party to decide whether we can support the bill. However, we think it is possible that closed—and even open—incorporation by reference helps improve accessibility.

Accessibility is at the heart of all of this. Notions such as reasonable effort must be better defined. We encourage the government to work with the official opposition and to work with all members of Parliament to ensure that we protect Canadians on this issue that affects them all. At the end of the day, we do not want them to end up in trouble or in a dangerous situation, in which they could end up being found guilty because they ignored the law or

violated a specific regulation that they could not have reasonably had access to.

Ignorance of the law is no excuse, but it is difficult not to ignore a law if we do not know what the law is about.

I urge the government to define these very important notions. It is important to better define the elements in this bill. That is the message I want to send to the committee that will be examining this Senate bill.

● (1725)

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, once again, it is the NDP that is protecting the middle class and consumers.

The Liberals are unreliable; no matter how you slice it, they snuck \$50 billion from the EI fund through the back door. It once again falls on the NDP to take a stand in defence of Canadians.

That said, I would like to thank my colleague for an excellent speech. There is a distinct lack of transparency here. We are quite concerned about the data access provisions and the minister's proposed discretionary powers. Could my colleague elaborate on that?

Mr. Guy Caron: Mr. Speaker, it is very worrisome given everything we have seen with this government, especially after the 2011 election when it obtained a majority.

Transparency is absolutely essential. In my opinion, we must consider this bill as an attempt to make the work of Parliament easier through a myriad of regulations to which Canadians are subjected.

However, my colleague raises a good point about transparency. We have to link transparency to the importance of properly defining the concepts that are the basis of this bill.

I mentioned the concepts of accessibility and reasonable effort a number of times. This should encourage the committee to conduct an exhaustive study in order to end up with an acceptable bill that will make it possible for Parliament to navigate more easily through all these regulations and all these pages.

Finally, we have to be able to modernize all of this. However, it has to be done while respecting Canadians' right to access this information, so that everyone can comply in the end.

[*English*]

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I thank the members who have spoken today, because I am beginning to get a bit of a clearer picture of what is happening in this bill.

I would like the member to talk a bit more about the issue of accessibility especially, in both languages, because I think that is a great concern that has been raised today. While we all want to see an effective bill, there seem to be some serious problems in there.

*Private Members' Business***PRIVATE MEMBERS' BUSINESS**

[Translation]

Mr. Guy Caron: Mr. Speaker, it is a very important question. It has been asked a number of times and it should be asked again.

At present, based on the content and the interpretation of the bill, the bill permits open incorporation by reference of texts from official sources, for example the Bank of Canada and Statistics Canada, and also unofficial sources, such as social groups, non-governmental organizations and even organizations outside the country.

Under the law, Canadians have the right to receive all documents in both official languages, whether they are laws, regulations or any document published by the House, the Senate or Parliament.

If we allow the cabinet and the government to make regulations with open incorporation of reference involving documents where there is little control over the ability to provide the information in both official languages, that is a major problem. That is an other element to be taken into consideration in the very thorough study that I hope will be conducted by the committee shortly.

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, Mr. Keyes said that the best approach is the one that protects the constitutional power of parliamentary oversight and the right of Canadians to have access to the laws that govern them.

For members of the House, that constitutional power is sacred.

I would like to hear the member speak to the potential threat this bill represents.

Mr. Guy Caron: Mr. Speaker, once again, this is a very relevant question.

Regulations are established by ministers, cabinet and the government. It is not Parliament, the House, that establishes them.

However, we are all subject to them. Consequently, it is very important that we have the transparency my colleague talked about earlier, as well as clear, precise concepts that will make our work easier.

As the official opposition, it is our job to act as the watchdog to ensure that this oversight, which must be exercised when it comes to regulations proposed by the government, is respected.

It is up to us to ensure that all legislation governing the dissemination of published and written documents is the same for electronic documents, even if closed or, in particular, open incorporations by reference are used.

● (1730)

The Acting Speaker (Mr. Bruce Stanton): If the hon. member for Rimouski-Neigette—Témiscouata—Les Basques so wishes, he will have four and a half minutes for questions and comments when the House resumes debate on this motion.

[English]

TRANSBOUNDARY WATERS PROTECTION ACT

The House resumed from February 8 consideration of the motion that Bill C-383, An Act to amend the International Boundary Waters Treaty Act and the International River Improvements Act, be read the third time and passed.

The Acting Speaker (Mr. Bruce Stanton): It now being 5:30 p. m., the House will proceed to the taking of the deferred recorded division on the motion at third reading stage of Bill C-383.

Call in the members.

● (1810)

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

*(Division No. 616)***YEAS**

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Welland)
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Andrews	Angus
Armstrong	Ashfield
Ashton	Aspin
Atamanenko	Aubin
Ayala	Baird
Bateman	Bélanger
Bellavance	Bennett
Benoit	Bergen
Bernier	Bevington
Bezan	Blanchette
Blanchette-Lamothe	Block
Boivin	Borg
Boughen	Boutin-Sweet
Brahmi	Braid
Brisson	Brosseau
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Byrne
Calandra	Calkins
Cannan	Carmichael
Caron	Carrie
Casey	Cash
Charlton	Chicoine
Chisholm	Chisu
Chong	Choquette
Chow	Christopherson
Clarke	Cleary
Clement	Coderre
Comartin	Côté
Cotler	Cullen
Cuzner	Daniel
Davidson	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dechert	Del Mastro
Devolin	Dewar
Dionne Labelle	Donnelly
Doré Lefebvre	Dreeshen
Dubé	Duncan (Vancouver Island North)
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseau	Dykstra
Easter	Eyking
Fantino	Fast
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Flaherty	Fletcher
Foote	Fortin
Freeman	Galipeau

Private Members' Business

Gallant	Garrison
Genest	Genest-Jourdain
Giguère	Gill
Glover	Godin
Goguen	Goldring
Goodale	Goodyear
Gosal	Gourde
Gravelle	Grewal
Groguhé	Harper
Harris (Scarborough Southwest)	Harris (St. John's East)
Harris (Cariboo—Prince George)	Hassainia
Hawn	Hayes
Hillyer	Hoback
Holder	Hsu
Hughes	Hyer
Jacob	James
Jean	Julian
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kellway	Kenney (Calgary Southeast)
Kent	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lamoureux	Lapointe
Latendresse	Lauzon
Laverdière	Lebel
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)
Leef	Leitch
Lemieux	Leslie
Leung	Liu
Lizon	Lobb
Lukowski	Lunney
MacAulay	MacKay (Central Nova)
MacKenzie	Mai
Marston	Martin
Masse	Mathyssen
May	Mayes
McCallum	McColeman
McGuinty	McKay (Scarborough—Guildwood)
McLeod	Menegakis
Menzies	Merrifield
Michaud	Miller
Moore (Abitibi—Témiscamingue)	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mulcair
Nantel	Nash
Nicholls	Nicholson
Norlock	Nunez-Melo
Obhrai	O'Connor
Oliver	O'Neill Gordon
Opitz	Pacetti
Papillon	Paradis
Patry	Pécllet
Penashue	Perreault
Pilon	Plamondon
Poillievre	Preston
Quach	Rafferty
Raitt	Rajotte
Rankin	Rathgeber
Ravignat	Raynault
Reid	Rempel
Richards	Rickford
Rousseau	Saganash
Sandhu	Saxton
Scarpaleggia	Schellenberger
Scott	Seeback
Sellah	Sgro
Shea	Shipley
Shory	Simms (Bonavista—Gander—Grand Falls—Wind- sor)
Sitsabaiesan	Smith
Sopuck	Sorenson
Stanton	St-Denis
Stewart	Stoffer
Storseth	Strahl
Sullivan	Sweet
Tilson	Toet
Toews	Toone
Tremblay	Trost
Trottier	Truppe
Turmel	Tweed
Uppal	Valcourt
Valeriot	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa

Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer — 279	

NAYS

Nil

PAIRED

Nil

The Speaker: I declare the motion carried.

(Bill read the third time and passed)

The Speaker: It being 6:12 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

* * *

SECURE, ADEQUATE, ACCESSIBLE AND AFFORDABLE HOUSING ACT

The House resumed from October 17, 2012, consideration of the motion that Bill C-400, An Act to ensure secure, adequate, accessible and affordable housing for Canadians, be read the second time and referred to a committee.

The Acting Speaker (Mr. Bruce Stanton): The hon. member for York South—Weston had two and a half minutes remaining for his remarks.

The hon. member for York South—Weston.

Mr. Mike Sullivan (York South—Weston, NDP): Mr. Speaker, I am very pleased to rise again in support of the member for Saint-Hyacinthe—Bagot's motion to create a national housing strategy.

As we know, the Government of Canada used to be a big player in the housing market of Canada. However, the Liberal government, in the 1990s, got out of the housing market completely and left it up to the provinces and to the cities themselves. We have never really recovered from that decision by the Liberal government.

Whenever we ask a question about housing, the Conservative government likes to say that it is spending a lot of money on housing, but it is taking credit for something the NDP did. The NDP actually was the party that, in a negotiation with the Liberals in 2005, negotiated that there should be money spent on housing in Canada as part of the budget. That money is still there. However, the Conservative government is attempting to cut that money. It has also threatened to cut off money for the co-ops in Canada, which is another bad sign of things to come.

Bill C-400 would force the government to create a regime that would deal with the provinces, deal with the municipalities and deal with the territories to put together a strategy that would create affordable, reliable housing for all Canadians, not just those who have the money to do it.

In my riding, we have 16,000 seniors. Over 15% of the riding is currently over age 65. Some of those seniors are desperately afraid that they are not going to be able to find a place to live in the near future, because there is no strategy, either provincially or federally, to create housing that seniors can afford. We have a growing number of these seniors.

There are places where seniors' housing can be affordably built. In the province of Ontario, they are tearing down hospitals. They should be using those hospitals, as in my riding, as seniors' housing. They are tearing down schools. They should be using those schools, as in my riding, as seniors' housing, because those seniors deserve a better place to live. We deserve, as Canadians, to have a housing strategy put forward at the federal level, and the bill does exactly that.

● (1815)

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, I rise with mixed emotion to debate this bill since it is not the first time that I have spoken on this issue and yet the dire need for secure, adequate, accessible and affordable housing is no less significant now than it was when this matter was before a previous Parliament. The bill received its support then and there is every reason for it to receive the same support now.

When each of us here wakes up in our ridings, we wake in accommodations that we can afford. In fact, I would wager that many of us have cottages or, in the case of some here, a second residence for when they are in Ottawa. We are more than fortunate enough to afford that luxury, but not every Canadian is. According to the most recent figures that date back to before the recession in 2008, which brought about serious economic instability, 13% of Canadians exist in what is called "core housing need".

The Canada Mortgage and Housing Corporation defines this situation as when "housing falls below at least one of the adequacy, suitability or affordability standards and [one] would have to spend 30% or more of its total before-tax income to pay the median rent of alternative local market housing that it is acceptable".

Housing is adequate when it is reported by its residents as not requiring major repairs. Housing is suitable when there are enough bedrooms for the size and makeup of resident households, according to National Occupancy Standard requirements. Housing is affordable when dwellings cost less than 30% of total before-tax income.

These are basic common sense criteria that should be inalienable, yet still we can easily recall the images that came from Attawapiskat last Christmas where none of these standards were met, houses that were little more than garden sheds made of plywood, more mould than wall.

In the face of the most recent economic crisis, the government has been more than willing to promote its position within the G8 as an innovator and model for the rest of the world and yet we exist as the only member of that group, one of a few of all industrialized countries, without a national housing strategy. In fact, trends would show that we similarly lag in the development of a national food policy, another mechanism to combat poverty.

It will be disconcerting to a majority of Canadians if the Conservative government does not feel it is the federal government's role to more meaningfully deal with the national crisis of poverty, housing and homelessness. Indeed, on May 9, 2012, this very Parliament passed Motion No. 331, brought forward by the hon. member for Shefford, confirming that:

—the government should: (a) keep with Canada's obligation to respect, protect and fulfill the right to housing under the UN International Covenant on Economic, Social and Cultural Rights; (b) support efforts by Canadian municipalities to

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combat homelessness; and (c) adopt measures to expand the stock of affordable rental housing, with a view to providing economic benefits to local housing construction businesses.

Today's Bill C-400 is the natural progression from that motion if in fact we are genuine about dealing with this issue and our previous support of Motion No. 331 has been more than a meaningless facade to leave people thinking that we actually care.

Michael Shapcott, director general of the Wellesley Institute, a funding provider for multiple expert studies on housing and health, is clear on this issue. Canadians with homes are healthy Canadians and healthy Canadians mean reduced health care costs, yet another reason that we need to pass this legislation. Just yesterday, Mr. Shapcott wrote that while this bill was before the House, Toronto added its 700th name to the roll of men and women who had died as a result of homelessness in Canada's largest city.

The Federation of Canadian Municipalities is also clear on this issue. FCM policy advisor Joshua Bates said in committee during the last Parliament:

Chronic homelessness and lack of affordable housing are not just social issues; they're core economic issues. They strain the limited resources of municipal governments and undermine the economic well-being of our cities, which are the engines of national economic growth, competitiveness, and productivity.

According to the government's very own economic action plan from September 2010, every \$1 invested in housing reaps a net benefit of \$1.40 to the Canadian economy, spurring growth, jobs and productivity. Meanwhile, homelessness costs our fragile economy \$4.5 billion each year without any net benefit at all. Clearly, investing in this problem is the only marketable solution, the only one that will negate the detrimental impact this scourge has on our economy, while fostering growth and productivity.

● (1820)

More still, the Senate report, "In from the Margins", shows that this is a cross-partisan issue. The subcommittee, comprised of Liberals and Conservatives, concluded that regulatory constraints, time constraints and declining operational support from the federal government were interfering with an integrated consideration of housing and homelessness. Specifically they identified that:

—unaffordable and inadequate housing, even for those who are currently able to meet their needs and aspirations, can contribute to poverty, and to a spiral that can include losing jobs, dropping out of school, and being unable to sustain families.

To that end, the report very clearly recommended that an integrated approach to housing and homelessness requires that the federal government, in collaboration with provincial governments, representatives of municipal governments, first nation organizations and other housing providers, develop a national housing and homelessness strategy. We need a national housing strategy, and we need that strategy to work for lower income and marginalized Canadians.

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My own community of Guelph is no exception to this. In my life before politics, my time with the Wellington and Guelph Housing Authority, working with valuable community groups such as Onward Willow, Women in Crisis and now the Guelph and Wellington Task Force for Poverty Elimination, affirmed my strong conviction that taking action to create affordable housing is, without question, one of the most effective ways to lift entire families out of poverty and into prosperity.

Still, as of this fall, Guelph's vacancy rate is 1.4%, well below the 3% that is considered a healthy balance between supply and demand for accommodation. Meanwhile, the population of Guelph and the surrounding Wellington County has grown 11.2% in the past decade. As of this month, unemployment in Guelph is at 6.2%. While Guelph's economy is above average for Ontario, affordability remains a challenge for families and seniors. The Guelph and Wellington Task Force for Poverty Elimination has observed a 120% increase in families using the shelters system.

When we combine a worryingly low vacancy rate with job market instability and general concern about the economy, very little choice is left for those at the lower end of the housing market, leaving individuals and families to accept accommodations that are painfully below standard. Not a week goes by without a constituent calling, concerned that they are on a four- to five-year wait list for affordable housing in Guelph. It leaves me feeling helpless that I can offer no solution.

Across the country, an astounding number of citizens either remain homeless or live in inadequate housing. More than 300,000 to 400,000 Canadians move in and out of homelessness, and there are 1.5 million households that lack secure housing. Approximately 3.3 million live in substandard housing, and more than three-quarters of one million families live in overcrowded housing.

Instituting a national housing strategy is more than simply a compassionate consideration. It is also the most effective way for Canadians to be sure their tax dollars, which fund our social programs, are being spent in the most efficient, effective and accountable way. With a nationwide comprehensive strategy, we are all better positioned to make a difference.

I call on all members, on compassionate grounds and in the interest of smart, sound economic policy, to pass this legislation. Let us begin the dialogue that will enable Canada to join its G8 partners and do the right thing for all Canadians.

• (1825)

[*Translation*]

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I am pleased to be able to speak today about Bill C-400, An Act to ensure secure, adequate, accessible and affordable housing for Canadians.

A disturbing trend has been developing in Toronto and every city in Canada. Young people, parents and especially those living on the margins are all too familiar with it: affordable housing is becoming less and less accessible for many Canadians.

As a Torontonian, I am in a good position to know that a national housing strategy is vital to the future of our city. We have known for a long time that it will require more than goodwill to address the

issues of homelessness and the lack of affordable housing. These are fundamental economic problems that are harming our country's economy.

Housing problems put an enormous amount of pressure on our cities, where the drivers of innovation, productivity and growth for the 21st century must be developed.

[*English*]

I was born in Toronto, and with my husband we raised our three sons in that city. I have seen first-hand the impact of rising costs of housing on families in Parkdale—High Park, the riding I represent, and in neighbourhoods across our city. Torontonians know well that our city's waiting list for affordable housing continues to grow. A year ago, that list reached an all-time high, with over 80,000 households on the waiting list. While a small number of those were able to find housing, many are left waiting, and not just for months; some are waiting for years, and some even decades. We simply cannot afford to ignore this problem any longer.

I recently received a letter from a constituent named Theresa, who urged me to support the bill. In her letter, she wrote that the right to housing is a core Canadian value that is centred on dignity, security and equality. She is absolutely right, and I thank Theresa for her concern and for taking the time to write.

Clearly, Canadians in Parkdale—High Park and neighbourhoods across Canada are watching us and they want us to act.

[*Translation*]

Given that Canada's household debt recently reached a critical level, we must now recognize that guaranteeing Canadians access to safe and affordable housing is not only one of the best ways to combat inequalities, but it is also vital to the health of our national economy.

Many international organizations, including the International Monetary Fund, have warned our government about a steadily growing level of household debt, but our government does not seem to want to listen. The Bank of Canada and the IMF have said that the level of household debt in Canada is too high. It has reached 158%, which is unprecedented.

Household debt is the result of many economic factors, but it is important to recognize that housing constitutes a large part of every Canadian household's budget. Canada has a household debt level of 158%, but we know that mortgages make up 68% of that debt.

Bill C-400, An Act to ensure secure, adequate, accessible and affordable housing for Canadians, is a call to action. This bill calls on the government to do what it too often forgets to do: take initiative.

We are not asking for a new department, a new commissioner or even a new report. We are simply asking the government to be aware of what families across Canada are experiencing and to take initiative instead of shirking its responsibilities.

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• (1830)

[*English*]

Bill C-400 asks the government to partner with provinces, cities, aboriginal communities, and with the private and non-profit housing sectors, to create a national housing strategy.

Why is Canada the only G8 country in the world that has failed to do so? Why is Canada falling so far behind?

We know that inequality is on the rise in Canada and when we look at the tremendous impact that access to secure, affordable housing has on social mobility and opportunity and the general economic vitality of cities like Toronto, it is clear that housing is not only an enormous challenge but also a very promising opportunity for economic leadership. When we see these factors come together, including all-time high levels of household debt, rising housing costs and growing inequality, it is easy to see that this combination will threaten the long-term economic prosperity of our country.

For each dollar spent on housing there is \$1.40 increase in GDP. If we are committed to ensuring long-term prosperity for generations to come, then we must get serious about a national housing strategy.

Looking back to the 1990s there is an alarming pattern of neglect of affordable housing. In 1993 the Liberal government cut permanent funding for new affordable housing. By 1996 it had downloaded the responsibility to provinces, leaving Canada virtually alone among the high performing economies of the world without a national social housing program. Then some provinces, like my own province of Ontario, were quite happy to download social housing to the cities with no resources to be able to support it.

It is unfortunate that the Conservative government, like the Liberals, has continued to neglect this key area of social policy. For instance, under the Conservative government, funding for the affordable housing initiative will be reduced from \$582 million in 2012 to zero by 2015. By 2016 consolidated federal housing investments will have been cut to \$1.8 billion, a cut of 52% in just six years.

These cuts and the absence of a housing strategy affect diverse groups in our community, from young people trying to get a head start to our seniors who hope to retire in peace and security. Each group is impacted by what the government has failed to do, which is to take leadership on affordable housing.

The last census found that 42% of young Canadians continue to live with their parents. For many this is due to the high cost of housing or the challenges of finding a job in today's economy. A survey conducted last year found that in my home province of Ontario, the number of seniors on housing waiting lists has risen steadily since 2004, reaching nearly 40,000 households, or one-quarter of all waiting households at the end of 2011.

Recent changes to EI will also have an impact on many Canadians' ability to afford housing, particularly at a time when funding for many housing programs is being phased out. With a loss of EI benefits, more households will be at risk of falling into core housing need.

As finance critic, I recognize that investing in our cities and taking leadership on affordable housing is a smart choice for our national economy. As a Torontonians and the member of Parliament for Parkdale—High Park, I know from personal experience that this is an area of urgent concern to our community. I urge all members of the House to lend their support to Bill C-400, an act to ensure secure, adequate, accessible and affordable housing for Canadians. This initiative is long overdue.

• (1835)

[*Translation*]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, I am pleased to rise here today to speak to Bill C-400 and I wish to congratulate my colleague, the hon. member for Saint-Hyacinthe—Bagot, on all her hard work on this matter.

In 2013, between 150,000 and 300,000 people are living on the streets in Canada, and another 2 million suffer from food insecurity. According to the Co-operative Housing Federation of Canada, 4 million Canadians, 750,000 of them children, are coping with pressing housing needs. The situation is particularly worrisome in aboriginal communities. I saw this first-hand when I went to visit Attawapiskat. Over-crowding and substandard housing are posing significant sanitary and social risks.

It is hard to create a healthy environment for children to grow up in when eight people are living in a house built for four. In a supposedly rich and developed country like Canada, this situation is pretty dismal. The fact that millions of Canadians—mainly women, children, aboriginal people, seniors and new Canadians—are having a hard time meeting such a basic need as housing is sad and shocking. A home is so much more than a roof and four walls.

Having adequate housing makes it easier to find employment, promotes family integration and helps improve self-esteem.

In the Ottawa-Gatineau region alone, nearly 12,000 families are waiting for social housing. The wait can sometimes be up to eight years. And that does not seem to be improving. With the cost of living going up and wages stagnating, Canadian families are increasingly having a hard time making ends meet and finding adequate housing. When they do manage to find housing, they must sometimes make sacrifices elsewhere, to their food budget, for example.

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Every month, 900,000 Canadians use food banks. This is a 31% increase over 2008 levels. I bring up the issue of hunger in Canada because it is closely linked to housing. When someone on a low income has to pay a high rent, there is less money remaining to put food on the table. A single mother earning minimum wage has a hard time finding adequate housing at market prices in Ottawa, Montreal, Toronto or Vancouver, for example. Some manage to do so, but they must sometimes choose between paying rent and putting food on the table. Some spend up to 70% of their income on rent, which leave very little to spend on children's clothing or school supplies.

That is one of the reasons why the House must pass this bill. To effectively combat poverty, we must tackle the access to housing problem head-on. It is high time for Canada to implement a national housing strategy, as proposed in the bill from my colleague from Saint-Hyacinthe—Bagot. Canada is currently the only G8 country that does not have a national housing strategy.

It is unacceptable for us to socially and economically abandon millions of Canadians on the side of the road. As the president of the Federation of Canadian Municipalities said:

Chronic homelessness and lack of affordable housing are not just social issues; they are core economic issues. They strain the limited resources of municipal governments and undermine the economic well-being of our cities—the engines of national economic growth, competitiveness and productivity.

The federation, which represents 2,000 Canadian cities, has clearly indicated that every dollar invested in housing creates a \$1.40 increase in GDP. It is a win-win situation.

● (1840)

This is true from a social and economic viewpoint, but also an international one.

Canada is a signatory to the UN International Covenant on Economic, Social and Cultural Rights and has international obligations with respect to housing.

In a report on housing, the United Nations singled out Canada for its delay in meeting its obligations concerning social housing and fighting homelessness.

A national housing strategy would allow Canada to send a clear message to the UN and all its G8 partners.

We have to do more than just make an investment in order to fulfill our obligations and to deal effectively with the problem of access to housing. We have to make an intelligent investment based on a national strategy that will take into account the specific needs of our communities.

If Bill C-400 is passed, and I hope it will be, the minister responsible for CMHC will have to develop a strategy in co-operation with the provinces, municipal representatives, aboriginal communities, providers of housing and concerned civil society organizations.

We need leadership from the federal government on this issue, but above all we need the government to work together with the stakeholders concerned.

The Conservative government has already shown, in the health file for example, that it is not very open to working with the provinces.

That must change if it wants to find lasting solutions to problems such as access to housing.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is with pleasure that I rise to speak to this particular bill today. I cannot help but make some comments on some of the earlier speeches. There are some within the chamber, generally speaking from the New Democratic side, who take pride as if they were the ones taking the moral high road on housing and a national housing standard. Once again, I think they could be accused of throwing stones in a glass house. I have had opportunities speak in favour of national housing and the important role that Ottawa should play. One of the individuals I have debated the subject with was the former member of Parliament Bill Blaikie from Winnipeg's north end, who said it was more about a provincial than a national standard. I used to be the housing critic for a number of years. One of the difficulties I had was trying to convince the provincial New Democrats to invest in non-profit housing.

One of the issues we have to look at is that there are many different forms of non-profit housing. We could talk about housing co-ops, life-leases, housing for 50-plus seniors, infill housing, residential rehabilitation programs, or shelter allowances, all of which play a critical role in making housing affordable for Canadians and getting them engaged in the issue and feeling good about their homes.

No political party stands front and centre on this issue. At any given point in time, government has dropped the ball. There is no question that government could be doing a lot more with respect to non-profit housing.

I am very disappointed by the lack of leadership from the Conservative government in dealing with this critical issue for all Canadians. My Liberal colleague stood in support of the bill that is before us, and calling into question the Liberal Party on this issue, I believe, is wrong. Some of the greatest investments in non-profit housing occurred during the 1970s. I would remind the member that when Pierre Elliott Trudeau was the Prime Minister of Canada, he invested in non-profit housing. The Liberal Party of Canada is committed to non-profit housing and building non-profit housing because we recognize that shelter is important for all Canadians. I also look to individuals like Lloyd Axworthy as someone who for years advocated the importance of shelter allowance programs, not only inside the Manitoba legislature but also here in Ottawa.

There needs to be co-operation on the housing file. We need to have provincial governments working with Ottawa to be able to develop housing programs that make sense. If we look at the province of Manitoba, where there are in excess of 19,000 non-profit housing units of a wide spectrum, that would not be possible if it were not for the millions of dollars of investment that come from Ottawa to provide that non-profit housing. It is an annual operational grant that does that.

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My concern is when mortgages come due. What will we be doing with that money going forward? We have advocacy groups throughout this country that want to ensure that the moneys that do come available are in fact reinvested in non-profit housing. However, it is more than just throwing hundreds of millions of dollars into blocks A, B, C and D. It is about looking at ways in which we can get the public, the non-profit groups that are out there, to also invest in non-profit housing.

There are many non-profit agencies out there that could assist in playing a strong role. All they are looking for is leadership from Ottawa to say that, yes, we need to have a national strategy and we are prepared to work with the provinces and pool the money together and engage some of these non-profit organizations. In every region of our country, we would find a high level of interest because they, like most, if not all parliamentarians, want to see affordable housing for all Canadians. We want to ensure that there is a basic standard.

●(1845)

When we talk about a national housing strategy, it is about more than building homes. Our housing stock in Canada needs to be maintained. We need to have revitalization programs. We need to work with cities. At the city level, they have the ability to reach into the individual communities through residential rehabilitation programs. These programs would make a difference. Through the private sector, individuals would invest in their homes. It would also create jobs when that type of investment occurred. It would maintain the housing stock.

We used to have a rental program. Through the rental rehabilitation assistance program, landlords had access to pools of money they could invest in rental stock.

Winnipeg is not alone. In many different communities there is a dire need for renovations. We need to start talking about initiatives the government could be taking to provide incentives for them to take place.

We also need to recognize that there are many different good ideas in different provinces. That is the reason the federal government has a role to play. We need to adopt a national housing strategy.

I look forward to the debate, although I suspect that it will be coming to an end relatively quickly. It would be nice to see the bill go to committee for the simple reason that there are many different stakeholders, like me, who have strong opinions on the issue.

They would like to see strong leadership. That leadership needs to come from the Prime Minister. There needs to be a commitment from the Prime Minister that whether one is living in an older community, in a suburb, on a reserve or in a rural community, and no matter what part of the country one lives in, housing and the standard of housing is of critical importance. It is one of the basic needs residents in Canada have. As members of Parliament, there is an obligation for us to ensure that we do the best we can to ensure that housing stocks are not only expanded but are improved.

I would not want any government of any political stripe to forget about the many agencies and non-profit groups that contribute to enabling individual residents to own a home or, in many cases, to afford to rent a place and to improve the quality of the home they reside in.

There are an endless number of individuals right across this country who want to see something happen on this file. That is the reason I would suggest that the government allow the bill to go to committee. If the bill goes to committee, it will afford the opportunity for representation by those who really want to see something develop. Let us see what happens at committee stage. That is why I would suggest that it is in our interest to see the bill pass second reading and go to committee. It is something that is in the best interests of all residents of Canada. I hope that as many members as possible will see the bill ultimately pass so that it can go to that stage.

●(1850)

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, a housing forum was held in my riding of St. John's South—Mount Pearl, Newfoundland and Labrador, in September. Before this forum began, a woman in a wheelchair handed the three New Democrat MPs in attendance a sheet of paper. The paper contained just five words: “family, shelter, food, career and health”. The woman asked each of us to take a moment to visualize what each word meant in our lives. Then she asked us to take a pen and eliminate one. The woman said, there is no choice; one has to go. Then she asked us to eliminate a second word and then a third.

They were tough choices. Even hypothetically, the choices were impossible. I eliminated career first, then my own health, and then food. I was left with family and shelter. I remember the exercise leaving me with a feeling of desperation in the pit of my stomach. The woman said the point of the exercise was for MPs to imagine it. Her point was that she is living it. That was a powerful point.

There is a housing crisis. Even in Newfoundland and Labrador, where the economy is booming, there is a housing crisis. This week there are stories in the news back home about two men struggling to make ends meet. They are struggling to meet housing costs in a boom town. Rental costs have gone up by more than 18% in the St. John's area over the past four years, which translates into some people struggling to keep a roof over their heads.

According to the Single Parents Association of Newfoundland and Labrador, rent for a three-bedroom unit four or five years ago was around \$650, and now it is up to \$1,100 to \$1,300 a month. From \$650 a month to \$1,300 a month in four or five years is an incredible increase. People are having a hard time coping with that. In many cases, they are not coping. Their income is constant; their rent is not constant.

The stories in the news back home this week are about two men. One is a single father with a young daughter getting by on worker's compensation. The other story is about a single man making minimum wage. These men are having an incredibly hard time getting by because of the rent.

The man on worker's compensation has a total income, including his daughter's baby bonus, which he pointed out, of \$1,479 a month. His rent alone is \$1,200 a month, so he has \$279 a month for everything else. His daughter does not take a lunch to school because there is no money for that, and he pointed that out as well.

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The single man making minimum wage heats only one room in his apartment, and he hangs blankets in the doorways to keep in the heat. His rent is going up on March 1 by another \$75. Where will that money come from?

Right now that original list of five choices—food, shelter, health, family and career—has a very real face, a desperate face.

During the 2011 federal election, I remember knocking on the homes of seniors in the middle of the afternoon. They would often come to their doors in coats and jackets. They wore coats and jackets inside their homes in the middle of the afternoon because they could not afford to turn on the heat. These are the kinds of decisions that people are being forced to make. Rents are continually increasing, and for people, seniors, on fixed incomes that means something has to suffer. Food suffers. Heat suffers. Medications suffer. People often do not buy the medicine they need because these are the choices they are forced to make.

Labrador City is another boom town in Newfoundland and Labrador. The mining industry, specifically the iron ore industry, is doing very well. The vacancy rate in Labrador West is almost zero. The local college offers a mining course that practically guarantees employment upon completion, but classes are not full because there is no place for students to live.

• (1855)

We heard stories about how women remain in abusive relationships because there is nowhere else to go.

I also visited Fort McMurray, Alberta, in the past year. That is another place that is absolutely booming. The average income is \$100,000. The average family income is \$180,000 a year. However, the cost of rent is astronomical. A new three bedroom home with a double car garage and an unregistered apartment can go for between \$700,000 to \$900,000, so we can imagine the cost of rental units. In the meantime, the income threshold for low-income housing is about \$80,000 a year.

There is a housing crisis in St. John's. There is a housing crisis in Labrador. There is a housing crisis in Alberta. There is a housing crisis across Canada.

Canada is the only G8 country without a national housing strategy, which is what Bill C-400 is all about. What does it cost? It costs nothing. It costs no money. It simply requires the minister responsible for the Canada Mortgage and Housing Corporation to work in collaboration with the provincial ministers responsible for housing, with representatives of municipalities, with aboriginal communities and with housing providers in the non-profit and private sectors. It requires all of these groups to work together to establish a national housing strategy.

How does that not make sense? That is smart governance.

Between 300,000 and 400,000 Canadians are homeless. They have no place to live. Three million Canadians live in housing insecurity, including 27,000 Newfoundlanders and Labradorians and almost 9,300 in St. John's South—Mount Pearl and St. John's East alone.

The Conservatives have said that their commitment to safe and affordable housing has helped over 775,000 Canadians since 2006. The Conservatives claim that their investment in housing has led to the creation of 46,000 affordable housing units. At the same time, waiting lists across the country for social housing are consistently getting longer and vacancy rates are dropping to record lows everywhere.

Bruce Pearce of the Newfoundland and Labrador Housing and Homelessness Network has described the bill as a life-saving bill. He said that Atlantic Canada would be hardest hit by the absence of a national housing strategy because there are fewer support networks in rural communities. There may be loads of shelters, for example, in downtown Toronto, but not so in places such as downtown Mount Pearl or places like it.

In areas of Canada that are doing well, where the economy is sizzling, the poorest people are suffering because of the increased cost of living, because of increased rents, because of increased everything across the board.

There was another story in the news recently back home of how 30 tenants in a low-income apartment building in St. John's were worried that they would soon be homeless. Their building is to be redeveloped into condominiums and they have until the end of April to move out. It will not be easy for those 30 families to find another place to live. One tenant stated, "Every time they put up the rent, that's less food you have every month, or it's a light bill you can't pay".

Yvette Walton, the head of Newfoundland and Labrador's Single Parent Association told CBC news this week that rent is rising too quickly on the Northeast Avalon, which is on the extreme east coast of Newfoundland. She said that it was causing huge amounts of stress, especially for single parent families and that the solution is more affordable housing. That is where a national housing strategy would come into play.

• (1900)

Let me bring this back full circle. With respect to family, shelter, career, food, health, which ones can we live without? As MPs we are imagining it, but there are people who are actually living it. Maybe living is not the right word. Existing may be a more fitting term. It is those people who Bill C-400 is designed to help.

The Acting Speaker (Mr. Bruce Stanton): In that we will have enough time left for the right of reply, we have about five minutes remaining for the intervention by the hon. member for Vancouver East.

The hon. member for Vancouver East.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am very pleased to have this opportunity to speak briefly today to Bill C-400. We hear the passion in the speeches today about why we have to get this bill through, a bill for an affordable housing strategy in our country.

Private Members' Business

I want to thank my colleague from Newfoundland and Labrador and others who have spoken in the House today on their experiences and perspective about why the bill is so critical. It is critical because we understand that safe, appropriate, affordable housing is a basic human right in our country. If people do not have it, as the hon. member just said, there is not much else they can do in their life. Whether it is work or income, if people do not have safe, affordable, appropriate housing, it is very difficult to get by.

The bill has had a very long history. I first introduced the bill in 1998. I was so hopping mad when I came to Parliament in 1997 because it was the Liberal government in 1995 that cut out our very successful national housing programs. When the member for Winnipeg North got up on his high horse and said that the Liberals had shown leadership and this was a great issue, it was his government that cut our programs. They were good programs and, yes, we could go back to the seventies and the eighties. They were housing programs that municipalities and non-profit societies used. We had excellent co-op housing, not-for-profit housing, seniors housing, special needs housing and what did the Liberals do? Balancing the budget on the backs of poor people, they cut out housing programs. Ever since that historic day, we have suffered because we have not had a national housing program.

The bill in the last Parliament was almost passed, but the election happened and the bill was died. Here we are again. However, we are determined and committed to keep this issue alive and not give up on the fact that we need a national housing strategy. It is a responsibility of the federal government to work with the provinces, territories, first nations, municipalities and other housing providers to bring about such a strategy. The bill is all about that.

I have heard all the arguments from the other side that government is doing it. The fact is the government had some money for about two years as part of the recession economic plan. However, since then, it has not put any money into an affordable housing plan.

I recently dealt with a group in my riding that was trying to get some money under the homelessness strategy, which does still exist. This was a church group which had its own money, land and needed some support from the federal government, but it was turned down. Why? The group was told that its development was affordable housing and therefore it could not be supported because it was not homelessness.

What kind of crazy system is this? Yes, we need to provide shelters. In metro Vancouver we have a dire situation of growing homelessness, particularly among the aboriginal community, people who cannot find shelter. However, we also need a longer term program. We cannot have people living in and out of shelters. Shelters have become permanent housing for people. That is no solution whether it is in Toronto, Vancouver or Mount Pearl, wherever it is.

I want to congratulate my colleague, the member for Saint-Hyacinthe—Bagot, for bringing forward the bill again. The New Democrats are here today to say that we will fight tooth and nail to get the bill through. There is tremendous support in the community. The Federation of Canadian Municipalities, major organizations, over 60 organizations have supported the bill, not because they like us, because they know this has to be done. This is about a

fundamental issue in our country of people who are suffering simply because they do not have access to safe, appropriate and affordable housing. We will keep this going and ensure that the bill gets through.

● (1905)

[*Translation*]

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP):

Mr. Speaker, I have put a lot of thought into what I will say about this bill before the House makes a decision at second reading.

I could recap my colleagues' arguments that added to the discussion and enriched debate. I could repeat the troubling statistics that reflect the serious shortage of affordable housing. I could quote from the scathing UN special rapporteur's report, which ranks Canada quite low. I could remind the House that we are the only G8 country that does not have a national housing strategy. Or perhaps I could talk about the co-operatives that are worried about the end of federal government operating agreements and the impact that will have on their low-income renters.

However, I feel it is more important that the House hear about the many measures being taken by civil society organizations to demonstrate the importance of a national housing strategy.

Dignity for All, which works to eliminate poverty in Canada, launched a widespread movement in support of Bill C-400. The organization dedicated part of its website to the movement and launched a massive letter campaign. As we speak, representatives from this organization are trying to rally more people and elected officials around this cause.

The National Union of Public and General Employees, and its Women 4 Change initiative, also supports the bill. On its website, it encourages its 300,000 members to sign the petition in support of this bill and to write to their MPs to urge them to back the bill.

All kinds of organizations have done the same thing. The academic community is speaking out. Groups such as the Canadian Federation of University Women and the École de services publics at Université de Saint-Boniface have done their part, as have many religious organizations throughout Canada including the United Church of Canada, the Anglican Church of Canada, the Catholic Women's League, Canadian Unitarians for Social Justice, the Federation of Sisters of St. Joseph of Canada, and the Canadian Religious Conference. All these organizations have taken steps to raise awareness and convince the House to pass Bill C-400.

In a last-ditch effort, the Front d'action populaire en réaménagement urbain, or FRAPRU, published open letters in a number of Quebec's daily newspapers. One of these letters was addressed to the Minister of Transport, Infrastructure and Communities, my colleague from Roberval—Lac-Saint-Jean. The letter explains the following to the minister:

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This strategy would achieve much more than the federal government's ad hoc and clearly inadequate interventions of the past 20 years in the areas of housing and homelessness.

I think this is rather compelling. I do not need to remind the House that Canada is supposed to have its universal periodic review with the UN Human Rights Council in the spring. I am anxious for that to happen. Canada will have to report to member countries of the United Nations human resources committee on its accomplishments in the area of housing. We will be following this.

Many organizations, including the Social Rights Advocacy Centre, have already indicated in their submission regarding this periodic review that Canada needs to create a national housing strategy.

Lastly, my office received a number of letters of support and several hundred pages of petitions from various organizations and individuals across Canada in support of Bill C-400.

I could not possibly thank everyone, since I have only a few minutes, but I wish to commend the following: Advocacy Centre for Tenants Ontario; AFEAS; CHRA; the Confédération québécoise des coopératives d'habitation; the Canadian Mental Health Association; the National Aboriginal Housing Association; the Federation of Canadian Municipalities, which represents over 2,000 municipalities; as well as all previously mentioned organizations.

I even have a letter from the Province of Manitoba in support of Bill C-400. I ask the House: what more do we need to pass this legislation?

We must remember this.

• (1910)

[*English*]

Safe and affordable housing is not a privilege, it is a fundamental right.

[*Translation*]

Secure, adequate, accessible and affordable housing is a right. It is not a privilege. It is a fundamental right and it is also a determinant of health.

I encourage my colleagues to vote in favour of Bill C-400—although I do not know the exact date of the vote—in order to ensure that all Canadians have access to decent housing.

The Acting Speaker (Mr. Bruce Stanton): It being 7:13 p.m., the time provided for debate has expired.

Accordingly, the question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bruce Stanton): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Bruce Stanton): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Bruce Stanton): In my opinion, the yeas have it.

And five or more members having risen:

The Acting Speaker (Mr. Bruce Stanton): Pursuant to Standing Order 93, the division stands deferred until Wednesday, February 27, 2013, immediately before the time provided for private members' business.

ADJOURNMENT PROCEEDINGS

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

[*English*]

THE ENVIRONMENT

Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.): Mr. Speaker, I rise to speak on an issue that has become urgent to people of northwestern Ontario and all Canadians. It is one that will have a real impact on the health of our fresh waters and our fish stocks but also on the health of citizens, not just in Canada but around the world.

The current government does not believe in science. It does not want science, especially any science that refutes its ideology or its agenda. The closure of the world-renowned Experimental Lakes Area near Kenora, in northwestern Ontario, has been surrounded by secrecy. Questions to the government have only resulted in empty answers devoid of any information. Time is running out. The announced closure of the ELA is only weeks away, with nobody lined up to take it over and continue its important work.

Canadians deserve more than empty talking points. The people of northwestern Ontario deserve more, and specifically the people of the riding of Kenora deserve more. The way the Conservatives have mishandled the ELA is also exhibit A in a larger problem: excessive party control and MPs who represent Conservative interests to their constituents rather than fighting for their constituents' interests in Ottawa. So far, the member of Parliament for Kenora has decided not to stand up for the ELA, despite the fact that a vast majority of his constituents clearly oppose the government's closing of this unique facility in their riding.

Kenora residents are not alone. Opinion polls show that three-quarters of all Canadians oppose the cancellation of funding for the ELA, including 60% of Conservative voters. The member for Kenora has also refused to address the fact that towns and cities across northern Ontario have passed resolutions calling on the government to reverse its decision on the ELA. This includes cities like Thunder Bay, Rainy River, Atikokan, Chapelle, Dorion, Terrace Bay, Sioux Narrows—Nestor Falls, Neebing, Red Rock, Gillies, Hornpayne and more. It also includes major communities in the Kenora riding like Dryden, Sioux Lookout, Lake of the Woods, Ignace and Kenora itself. First nations are against closing the ELA.

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There is an overwhelming call for the government to reverse its decision on the ELA. The countless petitions tabled in this House by members from all parties and from across the country, most especially from the people from Kenora, clearly show that. Yet we have never heard the member of Parliament for Kenora rise to present a single ELA petition on behalf of his constituents in this House. It has been left to opposition MPs to present them on behalf of the people in his riding. In fact, the member of Parliament for Kenora has never even uttered the words “Experimental Lakes Area” in this House. Why is this member not fighting for his constituents? Whose interests is the member representing?

The member for Kenora was invited by his own constituents to a public meeting on ELA last year, but he did not show up. I know, because I did, and so did over 100 of his constituents.

Mr. Speaker, it is not too late. On February 18, in Kenora, there will be another public meeting on the ELA at Knox United Church. The hon. member for Kenora has been invited. Will he attend?

On February 4, the member for Kenora was forwarded a petition, signed by over 500 residents of his riding, on ELA. Will he present it? When will this member speak up for his constituents?

• (1915)

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway, CPC): Mr. Speaker, I am pleased to one more time respond about the Experimental Lakes Area.

To summarize, the Government of Canada has made its decision: Fisheries and Oceans Canada will no longer operate the facility. The department recognizes the ecosystem experiments conducted at the Experimental Lakes Area have helped to enhance scientific knowledge of freshwater ecosystems. However, the department is now focusing its scientific work on what is being conducted at other locations across the country to meet its research needs.

The department hopes to transfer the Experimental Lakes Area to another operator that is better suited to managing it and ensuring it is available to scientists in universities or elsewhere who require whole lake manipulations. The department no longer needs to do this type of research.

The research that is conducted at the facility is of interest to many other science-based organizations. This is why departmental officials at Fisheries and Oceans Canada have held a number of discussions with a variety of interested parties. These discussions have resulted in the identification of potential operators. The department remains hopeful that a successful conclusion to those discussions will be reached as quickly as possible.

While Fisheries and Oceans Canada is working to transfer the facility to another operator, the department is continuing to invest in freshwater research in other locations in response to departmental needs. The department maintains an active freshwater fish habitat science program. This research examines fisheries productivity in response to the effects of human activities, including hydroelectric projects and industrial water extraction. In addition, work is conducted to develop tools to assist managers and stakeholders in protecting fisheries.

This past summer, the department invested research funding for a science project to predict and forecast the effects of multiple stressors on fisheries in the Great Lakes. The department also funded research investigating the drivers of fish productivity in fresh water. These projects support commercial, aboriginal and recreational fisheries, and the resulting data will help inform departmental decisions about the aquatic environment and fisheries resources.

In addition to these fish habitat projects, Fisheries and Oceans Canada has invested in science to better understand the risk of aquatic invasive species, a major threat to biodiversity. This supports effective measures to prevent new invasions and mitigate the impact of aquatic invasive species in our freshwater ecosystems. The department is working with the Province of New Brunswick to evaluate efforts to eradicate invasive smallmouth bass from Miramichi Lake, as one example.

In partnership with the United States, the department is managing sea lamprey, through the sea lamprey control program in the Great Lakes. We are also working with the United States to address potential aquatic invasive species. In July 2012, the binational risk assessment for Asian carp in the Great Lakes was publicly released, to help guide Canadian and American prevention, monitoring and control activities. The department is continuing to conduct research on other species of Asian carp.

The department conducts freshwater science activities in various locations across the country, including the Great Lakes, the Fraser River, lakes and streams in the Northwest Territories, Lake Winnipeg and the St. Lawrence River. The department also collaborates with a variety of science partners, including other government departments, provincial governments, universities, industry and non-government organizations. These successful collaborations result in scientific information that the department can use to develop policies and make decisions to support conservation and long-term sustainability.

In conclusion, Fisheries and Oceans Canada will continue to invest in and maintain our active freshwater science program.

• (1920)

Mr. Bruce Hyer: Mr. Speaker, we are no closer to any answers with that woefully inadequate response.

Let me tell the member what we do know. We know that the DFO has started procedures for decommissioning the ELA, at great cost. We know that no other organization has the resources to pay \$50 million to decommission the ELA. We know that the transfer of the ELA to anyone else will require transition funding.

Time is running out. It is mid-February and the facility is scheduled to close on March 31 if no arrangements can be made to keep it open.

I have two simple questions. Will the government extend the March 31 deadline, as is clearly needed? If not, will the government at least commit to bridge financing to keep the ELA open for three to five years until a good partner can take over in an orderly fashion?

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Mr. Randy Kamp: Mr. Speaker, unfortunately, my colleague has his facts wrong. I do not know where he got his figures from, but they are definitely not accurate.

As I said at the outset, the government has made the decision that it will no longer be operating this facility in the future. While the department is winding down its whole lake ecosystem experiments, it is continuing to invest in freshwater science in other locations across the country.

As I described earlier, the department has an active freshwater research program in many priority areas and departmental scientists

are conducting research on freshwater fish habitat and aquatic invasive species.

DFO is focusing its use of research-dedicated resources to priority areas and investing in science where it will do the most to achieve the best results for Canadians.

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 7:24 p.m.)

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