



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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VOLUME 147 • NUMBER 005 • 2nd SESSION • 41st PARLIAMENT

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, October 22, 2013**

—

**Speaker: The Honourable Andrew Scheer**

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# HOUSE OF COMMONS

Tuesday, October 22, 2013

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

• (1005)

[*English*]

### ECONOMIC ACTION PLAN 2013 ACT NO. 2

**Hon. Kerry-Lynne D. Findlay (for the Minister of Finance)** moved for leave to introduce Bill C-4, A second act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures.

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

\* \* \*

[*Translation*]

### BUSINESS OF THE HOUSE

**Ms. Nycole Turmel (Hull—Aylmer, NDP):** Mr. Speaker, I have a motion for which I believe you will find unanimous consent of the parties.

That, at the conclusion of today's debate on the opposition motion in the name of the Member for Toronto-Danforth, all questions necessary to dispose of the motion be deemed put and a recorded division deemed requested and deferred to Wednesday, October 23, 2013, at the expiry of the time provided for Question Period.

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

**Some hon. members:** Agreed.

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

**Some hon. members:** Agreed.

(Motion agreed to)

\* \* \*

[*English*]

### PETITIONS

#### NUCLEAR WEAPONS

**Mr. Ray Boughen (Palliser, CPC):** Mr. Speaker, I rise today to present two petitions on behalf of the residents of Regina, who

expressed deep concern about the continuing threat posed by nuclear weapons across the globe.

The petitioners call upon the Government of Canada to call upon national governments to negotiate a treaty banning nuclear weapons, leading to their complete elimination.

#### MINING INDUSTRY

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, approximately 75% of the world's mining and exploration companies are registered in Canada.

Various indigenous and non-indigenous communities, both in Canada and abroad, have raised serious concerns regarding the impact of mining activities in their communities, including by certain Canadian companies. These concerns include environmental destruction, weak environmental assessments, failure to fully and adequately secure the consent of local communities, complicity in human rights violations and the use of government-sanctioned militias.

In response to partner organizations in affected countries, the United Church of Canada is asking the Canadian government to implement binding legislation that will, among other things, regulate the activities of Canadian mining companies abroad, allow Canadian courts to hear claims originating overseas, and ensure compliance within our national human rights standards to promote long-standing Canadian values of respect for the rule of law, good governance and democracy.

I am proud to table this petition that has the signature of many hundreds of people across this country.

#### CELL TOWERS

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, I rise today to table a petition on behalf of constituents in Guelph with regard to the Rogers proposal for a 40-metre tall cellphone tower at 987 Gordon Street.

My constituents are very concerned about the possible health concerns, including cancer, of the proposed tower, which lies 120 metres from residences in an area populated by many families with young children. They are also concerned about the negative impact on the value of residential properties in close proximity to the proposed tower.

Residents and the Guelph city council are against the proposed tower. The petitioners are calling on the Minister of Industry to stop the building of the proposed tower.

*Business of Supply*

## HUMAN RIGHTS

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Mr. Speaker, I have two petitions to present today.

The petitions are in response to a delegation of 14 Canadians from across the country, led by the Rev. Shaun Fryday of the Beaconsfield United Church, to study the impact of Canadian mining interests on indigenous peoples of the Cordillera region in the Philippines. The report, known as the Beaconsfield initiative, contains recommendations including for the calling of this petition and other representations, which were made to the international subcommittee on human rights in May 2012.

## MINING INDUSTRY

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

As with other members who have risen today to present a petition, I have one that has literally hundreds and hundreds of signatures from Canadians from coast to coast, from Nova Scotia, Alberta, British Columbia and Quebec.

It is calling on the Government of Canada to take action to regulate Canadian mining company operations abroad. It has several parts. In summary, it asks the government to establish a forum for non-Canadians to make claims if they have been negatively affected by overseas operations of Canadian companies; to adopt a legally binding mechanism for greater accountability; to ensure that the export development corporation is mindful of the negative impact of extraction processes abroad; to ensure that all projects funded by CIDA meet the criteria for the ODA Accountability Act; and to adopt legislation to ensure that bilateral agreements such as FIPAs are also protective of rights in the countries in which Canadian mining companies operate.

## GENETICALLY MODIFIED ORGANISMS

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, the second petition is by petitioners who are mostly from British Columbia, from Comox, Vancouver, and Burnaby.

It is calling for legislation to ensure that all products containing genetically modified organisms be properly labelled.

## PUBLIC SAFETY

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, the Somali community left a war-torn country to come to our peaceful country only to have many of their children die at the hand of violence. Almost 50 young Somali Canadian males have been killed in Ontario and Alberta since 2006. In 2012, 6 of 33 Toronto shooting homicides befell Somali Canadian men. The petitioners call upon the government to investigate these deaths through the Standing Committee on Public Safety and National Security, develop federal-provincial job programs, particularly with the RCMP, and examine witness protection.

●(1010)

[Translation]

## MINING INDUSTRY

**Mrs. Maria Mourani (Ahuntsic, Ind.):** Mr. Speaker, today I would like to present a petition signed by many Quebecers who are deeply concerned about Canadian mining companies abroad. They

are concerned about the environment as well as the living conditions of indigenous peoples. The petitioners are simply calling for binding legislation to govern the activities of these companies abroad so that they comply with international human rights standards, which promote values we all share.

I am very proud to be presenting this petition, which is also sponsored by the United Church of Canada.

\* \* \*

[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 Speaker:** Is that agreed?

**Some hon. members:** Agreed.

## GOVERNMENT ORDERS

[Translation]

## BUSINESS OF SUPPLY

## OPPOSITION MOTION—SENATE ACCOUNTABILITY

**Mr. Craig Scott (Toronto—Danforth, NDP)** moved:

That, in the opinion of this House, urgent steps must be taken to improve accountability in the Senate, and, therefore, this House call for the introduction of immediate measures to end Senators' partisan activities, including participation in Caucus meetings, and to limit Senators' travel allowances to those activities clearly and directly related to parliamentary business.

He said: Mr. Speaker, I will be sharing my time with the hon. member for Timmins—James Bay.

I rise today to present to this House our practical suggestions for making the Senate more accountable to Canadians.

When the Prime Minister and the Conservatives were elected, they promised to reform the Senate. They also promised to clean up the appointments process. Now, seven years later, the only thing that has been done in that regard is that the Prime Minister has appointed 59 senators.

The Liberals and the Conservatives claim that the Senate is essential to our parliamentary system because, in their opinion, the Senate is the chamber of sober second thought and it gives the regions a voice.

In reality, the Senate is a haven for Liberal and Conservative Party organizers, contributors and fundraisers and, most of the time, these individuals act in the interest of their political party. Canadians have had enough and are fed up with the unelected and unaccountable Senate, which is always under investigation.

More and more Canadians agree with the NDP that the Senate should be abolished. Abolishing the Senate has been part of the NDP's broader vision of democratic reform for a long time. This idea is still a key component of our agenda, and more and more Canadians agree with us.

In the meantime, while we work toward abolishing the Senate, the Conservatives and the Liberals must take measures to correct their mistakes because the status quo is no longer good enough. The NDP is standing up for Canadians by moving this motion and proposing practical measures to make the Senate more accountable to Canadians.

There is no acceptable reason for unelected individuals to use taxpayers' money and Senate resources for partisan purposes. The Liberals and the Conservatives are defending the Senate, claiming that it is the chamber of sober second thought.

If that is the case, senators, as appointed rather than elected officials, should drop their partisan talking points and examine legislation in an impartial, non-partisan way. Like judges and other public servants who are also paid by taxpayers, they have a very specific job to do. They should start doing that job in an impartial and non-partisan manner.

• (1015)

[English]

Allow me, now, to share with members some very perceptive observations of a century ago, recorded literally half a century ago in Robert Mackay's classic book, *The Unreformed Senate of Canada*.

The quotation from 1913, published in the *The National Review* in London, is from a certain gentleman named Professor Stephen Leacock, who stated:

Liberals and Conservatives combined, we made our Senate, not a superior council of the nation, but a refuge of place-hunting politicians and a reward for partisan adherence.

Mr. Mackay, in his book, goes on to say:

Such statements, though rhetorical, are on the whole still true.

He is speaking in 1963.

Appointment of party supporters is an all but unbroken tradition. During his nineteen years of office Sir John Macdonald appointed only one Liberal and one Independent; Sir Wilfrid Laurier appointed none but Liberals...

Mr. MacKay then went on to draw attention to a debate in the House of Commons in 1906, where the prime minister at the time, Sir Wilfrid Laurier, was asked the following question:

Does the right hon. gentleman...say that under our present constitution he feels he must select appointees of his own party when choosing them.

That was the question asked of the prime minister, and Sir Wilfrid Laurier responded:

...if I have to select between a Tory and a Liberal, I feel I can serve the country better by appointing a Liberal than a Conservative...

Nothing better conveys the connection between prime ministerial prerogative, patronage, and the undue hyper-partisanship of the chamber we call the Senate.

I end by citing where Mr. MacKay says:

### *Business of Supply*

Senatorships have often been granted as pensions to the "deserving poor" among party supporters in the House of Commons and provincial legislatures, or as honours to editors of the faithful press, party organizers, or to contributors to the "war chest."

What has changed? My colleagues today will lay out how too many current Conservative and Liberal senators fit this tradition all too well. I will not go into those details, but one figure perhaps tells all. In the government's own factum before the Supreme Court in the reference on the question of Senate reform and abolition, the government itself tells us that 95% of the appointments to the Senate since the Senate began have been of persons of the same party as the appointing Prime Minister. Nothing has changed from those quotations from 1913 and 1963.

Canadians would be interested to know about the Senate administrative rules of 2004, which are not online and are not available for Canadians to see unless they go to a special effort to ask for a copy to be sent to them. In chapter 1, clause 3, various principles of parliamentary life are set out:

The following principles of parliamentary life apply in the administration of the Senate:..

(b) partisan activities are an inherent and essential part of the parliamentary functions of a Senator;

How so? I cannot wait to hear today from the members of the other parties how partisanship aids in fulfilling the supposed purposes of the Senate let alone how it is an inherent and essential function. The Senate has not bothered to remove this provision, even though last year it did amend some of the administrative rules on travel. In the principles:

a Senator is entitled to receive financial resources and administrative services to carry out the Senator's parliamentary functions...

Also:

a Senator is entitled to have full discretion over and control of the work performed on the Senator's behalf...in carrying out the [Senator's] parliamentary functions...

The whole question of parliamentary functions continues throughout the rules. Basically, a senator is prohibited from using his or her offices and other resources for anything but parliamentary functions, but the definition and the approach to parliamentary functions throughout the document, and what we know through the long-standing practice of the Senate, is to include almost everything but the kitchen sink. The rules go into some detail to exclude certain things as expenses that can be recovered. For example:

No Senator shall request the copying or printing of material by the Senate that...is partisan because it is on a party letterhead or includes a party logo....

It continues:

A Senator may not charge the following expenses to the Senator's office budget:

(a) payments to partisan organizations;

Wow.

Another provision under travel says that one cannot actually use Senate money to campaign during an outside election.

These specifications are clear in what they exclude. They exclude from partisanship almost nothing. Parliamentary functions of the Senate include almost everything.

*Business of Supply*

I would end there by making one final comment. It is not a lot better, in fact it is no better at all, if senators travel around the country as propagandists for the sitting government. If they go around the country showing up on behalf of the government on the Senate dime, not on the government dime, it is not so different from the way the government is using advertising through government dollars to convey a partisan message. There is so much more I could say, but I will leave it to my hon. colleagues, who will no doubt say it much better than I.

• (1020)

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, I would like to bring up something I heard yesterday that, I have to admit, was a bit of a surprise to me. The member for Oak Ridges—Markham, in answering a question in question period, talked about how the NDP had once asked for six senators. I was totally flabbergasted by this, but maybe it was because I have only been here for five years.

Can the member enlighten us on either the truth or the falsity of that particular comment?

**Mr. Craig Scott:** Mr. Speaker, I can, indeed, enlighten the House on the total, complete, and utter falsity of that claim. I would not like to know that it was knowingly propagated no fewer than three or four times by the member.

At the time in question, when there were discussions about a possible coalition between the party of the member who just asked the question and the NDP, the NDP asked for six cabinet positions, which is somewhat different from asking for six senators. New Democrats never asked for a senator. We have never wanted a senator in the Senate. When a person appointed to the Senate has claimed to be an NDPer, we have asked that person not to stay in our caucus. It is a complete and utter untruth, and I hope it is not more than that. I hope to see the member rise in the House at some point to correct the record.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I thank my colleague from Toronto—Danforth for an excellent motion. I certainly plan to vote for it. I appreciate the focus on getting rid of the hyper-partisan atmosphere in the Senate. I would like to get rid of the hyper-partisan atmosphere in the House. Both are threats to democracy in this country.

My question is slightly off-point of the motion, but as the other place is debating something, and my colleague from Toronto—Danforth has a distinguished background in law, I am wondering if he is prepared to share any personal views on whether the motion for gross negligence against three individuals offends principles of natural justice. I am deeply troubled by it. I have no use for the misuse of public funds, but a rush to judgment and a vindictive stoning in the public square of certain individuals, without getting to the bottom of what actually transpired, offends me.

I wonder if my friend from Toronto—Danforth has any thoughts.

**Mr. Craig Scott:** Mr. Speaker, I would like to emphasize that I am speaking entirely for myself in the spirit of the question.

I am myself troubled by the procedure. I think it is nothing but veiled, vindictive politics. The Senate has to look at its own procedures. Its procedures with respect to finding a senator guilty of

a criminal offence are much more protective of the individual than what is about to happen in the Senate. I have no time at all, from what I know, for the senators in question, but the process being followed in the Senate has to look at the Senate's own rules. That is simply my view. Whether it is actually the case, one thing everybody should know is that one lawyer's view is often matched by the opposite view from another lawyer.

• (1025)

[*Translation*]

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, I wanted to point out that over 600 constituents in the riding of LaSalle—Émard have voiced support for abolishing the Senate.

I would also like to congratulate my colleague on his opposition motion, because there is an urgent need to put an end to all partisan activities.

I would like him to expand on this in order to reinforce the importance of the motion he is moving here today regarding measures to end partisan activities and the urgent need to do so immediately.

**Mr. Craig Scott:** Mr. Speaker, I thank my hon. colleague for the question.

All I can say is that, yes, this is really urgent. Waiting until the Senate is abolished is out of the question.

Canadians deserve good governance, including a government and a Parliament that work, as much as possible, in the best possible way. Therefore, yes, this really needs to be done right now, as soon as possible.

[*English*]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, as always, it is a great honour to rise as the elected representative of the people of Timmins—James Bay who have given me their trust to speak on their behalf in the House of Commons.

I make this speech today recognizing that the democratic life of this country is at an all-time low. There is an incredible amount of political cynicism out there among ordinary Canadians, who look to this House, which is supposed to be the democratic House of the commons, for the common people of Canada, at a time when we see a government that has undermined the basic principles of accountable democracy. There has been the suspension and shutting down of the independent organizations that provide information, the muzzling of scientists and researchers, and the fact that under this first-past-the-post system, a mere 5,000 votes across 15 ridings gave the present Conservative government its so-called stable and very corrupt majority.

One can look at how electoral fraud and robocalls were used in ridings where some members were winning by six or seven votes. Phone calls were made misdirecting Canadian people from their right to vote, such as in Nipissing and other areas. No wonder Canadians are frustrated with the democratic system.

*Business of Supply*

Even more so, Canadians look at the squalid example of the so-called upper chamber. These are the people who are supposed to be above the fray, who are so important, these senators, that we are supposed to just trust whatever they say, trust whatever they do, because they have the bigger picture. They are not supposed to be sullied by the ordinary partisan nature of politics.

We see today that they are debating in this so-called upper chamber—it is even in the language of the chambers; we are the lower people and they are upper people—the fact that three to four members completely misappropriated funds and completely abused the system. We are being told that well, they are senators. If a senator says that he or she is entitled to money, he or she is entitled to it.

Senator George Baker the other day stated in the press that “The Senate is above all rules”. Senators can set their own parameters for rules. Senator Baker thought it was really unfair that because these senators could set their own rules and decide what they want we would actually suspend senators for stealing money.

We had Senator Wallin's lawyer say that the move to suspend her for her abuse of the public trust was “...an affront to...democracy”. I was trying to find a comparison to an unelected and unaccountable senator who cannot be fired but can abuse the system. They cannot do anything with her except cut off her pay, and that is somehow an affront to democracy.

It goes much further, as we learned yesterday with the latest revelations from Mike Duffy. We now have a widening picture of a Prime Minister involved with his key fundraiser, Mr. Mike Duffy. They were threatening each other, blackmailing each other, and working out a deal to make a payoff with hush money. There were numerous senators involved, and part of the payoff for this hush money was that they were not going to actually comply or work with the Senate audit.

Of course, within the Senate, we did not believe that they were out doing the right thing with the audit anyway, because it was the old boys' club. However, we found out that in the Prime Minister's Office, the sitting Prime Minister had access to all of Mike Duffy's travel records, which is what the auditors did not have. Their knowledge of what Mike Duffy was up to was extensive.

It is unprecedented that we have a case of a police investigation into a sitting prime minister. It is unprecedented the legitimacy crisis we are seeing in the Senate.

The New Democrat position is well known. We believe that the Senate is an anachronistic institution that has been full of people who flipped pancakes at fundraisers for the Liberals over the years and got appointed or flipped pancakes for the Conservatives and were party hacks. They were paid off and were made men. We know that. However, the issue, if we are not going to move to abolition, is to look at what has been the poison in the Senate. That poison is the partisan work they do for the parties. By being made men in the Senate, they work for their political leaders.

● (1030)

I want to give an example of this idea of sober second thought. Canadians need to reflect that for the next 12 to 15 years, the sock puppets and hacks appointed by the Prime Minister will continue to interfere with, undermine, and potentially derail the democratic

decisions of an elected House of Commons. That is what sober second thought means in Canada. It allows the Liberals their veto when they are kicked out: they will still have their party hacks doing the party work above the rights of the elected House.

Perhaps we will not move to abolition right away. However, the Senate has completely breached faith with the Canadian people, and the Canadian people are fed up with the abuse that has gone on. We see the bleeding of their friends, who are asking about due process and about these poor senators who have a right not only to rip off people, not only to claim whatever they want, not only to claim that they live in Saskatchewan or Prince Edward Island just because they say so, but also to get the money and not be held accountable.

It will take a lot to clean up that mess, but one way we can begin is by imposing on all senators the same rules that the Senate has applied to Ms. Wallin. If they are here to do the work of sober second thought, then by all means they can travel to Ottawa and charge for their stay here if the charges are legitimate and they legitimately live 100 kilometres outside the city and they are not running some kind of scam. If they are doing Senate committee work, they can travel. They have a budget for that.

However, the days when senators could stand up and claim that they travelled across Canada to do the cheerleading and the fundraising for their political party have to end. The days when senators could travel across the country and attend their various corporate boards and charge it to the taxpayer have to end. If the Senate is to have any credibility in this age, then the senators have to stop being the partisan puppets who do the heavy lifting.

It has to end. Hiring campaign organizers, fundraisers, and bagmen and putting them in the Senate has to end. In what possible alternate universe would anyone think that Leo Housakos would be someone to put in a so-called upper chamber for life because he would put the interests of the people of Canada above his own partisan interests? It is unfathomable. The man was a Montreal bagman. That is why he is in the Senate. Those days have to end.

My colleagues in the Senate are feeling bad that Canadians are noticing how much they have been ripping them off. They feel that nobody has ever paid attention to what they have gotten away with.

I am asking my colleagues in the Senate to come forward as well, because they have a responsibility. What we are seeing with the latest allegations against Mike Duffy and Nigel Wright is that Nigel Wright told Mike Duffy they would not give him a hard time about the fact that he was as much a resident of Prince Edward Island as I am because if they went after Mike Duffy, then Nigel would be asking about all of the other senators who are employing the same scheme. That was the so-called honour system, or dishonour system, of these made men and women, who claimed that if they were entitled to the money, they would get it.

*Business of Supply*

The Senate is now in a situation in which Canadians are fed up. We are trying to offer an alternative here, which is to clip their wings. Let us say that we will end the poison in the Senate until the day comes when Canadians get a vote on replacing that anachronistic institution. The poison in the Senate is the fact it has been a partisan dumping ground and is doing partisan work. All of the other work it is doing has become a facade for its real purpose, which is as a party political machine, and it has to end.

• (1035)

**Mr. David Anderson (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, the member opposite talks about honour and accountability. We hear him talk about this regularly. We on this side would suggest that he is making things up rather than being accountable and honourable himself.

Two weeks ago he accused me of clearly breaching the ethical guidelines of the House of Commons. He did it outside of the House. I received a response from the Ethics Commissioner that said my letter to the CRTC was entirely appropriate. Will the member stand up right now, do the honourable thing, be accountable, and apologize to me for the remarks that he made in the media?

**Mr. Charlie Angus:** Mr. Speaker, it is a very serious issue when a parliamentary secretary writes to a semi-judicial body, because it is against the rules of cabinet. I am very glad that my hon. colleague has had this issue dealt with and I am glad for him.

I will continue to ask questions about whether or not these are breaches, but the fact that he has been found okay is good news for him.

**Mr. David McGuinty (Ottawa South, Lib.):** Mr. Speaker, I appreciated my colleague's remarks.

I have read the motion several times. There is a lot in the motion that is of merit, leaving aside the NDP's choice to bring this motion on its first opposition day in this new sitting.

The area that I am having the most difficulty with is the question of senators participating in caucus meetings. What is the rationale behind the NDP's call for senators not to be able to participate in caucus meetings?

The member knows full well that although caucus meetings are occasionally political and partisan, they are also very much policy-based. They are discussions about the merits of bills, they are internal meetings about private members' bills, and, for that matter, about motions like this one being debated today that has been put forward by the NDP.

Would the NDP agree that if we preclude senators from participating in caucus meetings of their own party and if we want senators to be non-partisan, why do we not say to senators that they should participate in all caucus meetings, including caucus meetings of the NDP?

**Mr. Charlie Angus:** Mr. Speaker, part of the problem for my Liberal colleagues is that they do not have the ability to step back and see the problems being caused by the poison that runs through this system. An example is Mac Harb.

Mac Harb was an hon. member of the Liberal caucus. On June 9, 2013, the present Liberal leader defended his caucus member,

because a caucus has to defend its own. He said that what Mac Harb did was an honest mistake and that all Mac Harb had to do was pay the money back and he would be welcomed back into the Liberal caucus. Mac Harb was under investigation for breach of trust and possible fraud, but because he was within the caucus, the present Liberal leader had to defend him.

I would point out to my hon. colleague that we found out that Mac Harb's housing scheme included a plan through which he basically bought an unlivable house in Cobden. What would an unlivable house in Cobden cost? Then he sold it and kept a .01% stake in that house. What would that be? Let us say it is a \$50,000 house; that would be a \$50 investment. He could not even get a can of paint to fix up that unlivable house, so for the \$50 that he owned in the house he could collect \$20,000 a year.

I disagree with the leader of the Liberal Party. That is not an honest mistake.

If we are going to continue to have these people sitting in caucus, then we are going to continue to see the massive distortions in ethics that will go from the so-called upper chamber right into the Liberal Party caucus. I am trying to help my colleagues in the corner get out of that ethical morass. I would ask them to come with us into the 21st century.

• (1040)

**Mr. Erin O'Toole (Parliamentary Secretary to the Minister of International Trade, CPC):** Mr. Speaker, ironically, although this motion from the hon. member for Toronto—Danforth decries the partisan activities in the Senate, who does he have to speak in the House for the NDP on the motion? He has the most hyperpartisan and flippant parliamentarian in Ottawa, the member for Timmins—James Bay.

I just sat through the member's speech and heard him refer to parliamentarians as pancake flippers and sock puppets. These are words on a motion that is critical of partisanship and demands accountability. Well, I am demanding that same level of accountability and civility from the NDP. I truly hope that the member for Timmins—James Bay discovers a way to advocate for his constituents without diminishing the level of debate in the House and without slipping into name-calling and chicanery.

However, as my colleagues and I on this side will explain today, our government believes that the measures proposed in the motion are not the appropriate way to proceed. In fact, like many of the pronouncements made on the Senate by the NDP, this motion truly is flippant and is not a sincere measure to reform that institution.

Canadians want to see reform of the Senate and a meaningful role for that House in our bicameral parliamentary democracy. Canadians expect much from the men and women who serve them as parliamentarians. In fact, this debate reminds me of the famous Canadian political quote about what characteristics are needed for serving in public office: "You need the stamina of a water buffalo, the hide of a rhino, and the energy of a go-go dancer." Who said that? It was Stan Waters, a retired lieutenant-general from the Canadian Forces, a distinguished World War II veteran, and most interestingly, the first elected senator in the Canadian Senate.



With that quote by the first elected senator in mind, I would like to devote my remarks to highlighting a major step taken by our government to ensure that Canadians' desire for Senate reform becomes a reality. This major step is the reference on Senate reform that will be heard by the Supreme Court of Canada in November of this year.

Reference questions to the Supreme Court of Canada are an important part of our legal development as a nation. Section 53 of the Supreme Court Act provides for this ability, and there have been 75 federal references since 1892. Such questions have been posed for tax clarity, national securities regulation, individual rights, and numerous issues of national importance.

Reform of the Senate is another issue of national importance that only this side of the House is taking seriously. While the last 20 to 30 weeks have understandably led to some public disappointment in the Senate, we are actually sending this reference to the Supreme Court of Canada as a result of the last 20 to 30 years of desire for serious reform of the Senate.

I do not exaggerate when I suggest that Canadians have been demanding more accountability and modernity in the Senate for the last 20 to 30 years. I quoted Stan Waters earlier in my remarks. He was elected by voters in Alberta in 1991 and served in the Senate with distinction. One of my former colleagues, Senator Bert Brown, retired from the Senate just months ago. For 30 years, he led the campaign for a triple-E Senate that we will all remember. Bert was perhaps most famous for ploughing "Triple E or Else" into a farmer's field in Alberta. Interestingly enough, it was actually his neighbour's field, so hopefully he got permission before carving that message to Canadians. However, it really was a cry from a number of people who were not being heard in the national discourse in Ottawa, and for 20 to 30 years people like Bert Brown, Stan Waters, and the voters in Alberta have been asking for change.

● (1045)

What is the common thread between these Canadians pushing for the reform of the Senate over the last 30 years? They are all Conservatives.

The triple-E Senate proposals came out of Alberta during the early 1980s. These approaches called for changing the method of selecting senators to one based on elections and for changing the distribution of senators among the provinces, as well as changing the powers of the Senate. In other words, the triple-E Senate would have been elected, equal and effective. Truly, it would have been the reform of the Senate that has been called for over 30 years.

After many years of promoting this reform on the national stage, the movement truly took root in public discourse in Canada. First came the appointment of the elected Stan Waters by then-prime minister Brian Mulroney. Following that, in the early 1990s, many of the key elements raised by Bert Brown and Stan Waters in the triple-E discussions found their way into constitutional discussions in our country at that time surrounding the Meech Lake and Charlottetown constitutional accords.

In fact, the Charlottetown accord would have resulted in a fundamentally reformed Senate. It would have been elected with an equal number of senators for each province and with some

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limitations on the powers of the Senate. We all know what happened. The rejection of the Charlottetown accord in the 1992 referendum was a setback for the prospects of fundamental, constitutional and Senate reform for many years.

The public dialogue in discussion for Senate reform only ended, however, with the election of the Liberal government in 1993. The Chrétien Liberals did not continue the approach of appointing elected Albertan senators-in-waiting, despite the fact that Albertans had chosen people who they wanted to serve in the Senate. They returned to the older custom of appointing the few Albertans perhaps brave enough to declare themselves as Liberal supporters in Alberta at that time. While the 13 years of Liberal government saw the movement for an elected and accountable Senate sidelined for more than a decade, the desire for reform continued to germinate in the public consciousness and in public opinion.

Following the defeat of the Liberals in 2006, our government made Senate reform one of its key democratic reform priorities and brought forward proposals to implement term limits for senators and a process to consult Canadians on Senate nominees. In fact, the only province continuing to elect senators, Alberta, has seen some of those elected senators sit in our upper chamber because Prime Minister Harper appointed them as per the direction of the Albertans

**The Deputy Speaker:** Order, please. The member has been here long enough to know that he cannot use the name of a sitting member of the House.

**Mr. Erin O'Toole:** My apologies, Mr. Speaker. My passion for this speech sidelined my adherence to the rules for a moment.

Our government believes that the Senate must be reformed, or as with its provincial counterparts, if we cannot reform it, it should vanish. Our government is committed to reforming the Senate so that it better reflects the democratic values that Canadians have grown to expect and that is why we introduced the Senate reform act.

The Senate reform act contained two important elements. First, it would limit senators' terms to one non-renewable term of nine years. Second, it provided for a framework that provinces and territories could use to consult their populations on Senate nominees. While we know Alberta has been electing its senators for some time, other provinces have considered it, with the province of New Brunswick talking about electing its senators some time in the next few years. However, in our federal Parliament, despite our best efforts, progress on our Senate reform initiatives have been stalled by continued questions really about the constitutionality of that legislation from the lower house reforming the upper house.

While we remain confident that Parliament alone does have the authority to proceed with the amendments found in the Senate reform act, it appears that any progress will continue to be stalled until we can put these important constitutional questions to rest.

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That brings us to our Supreme Court reference. On February 1, our government launched this reference question to the Supreme Court of Canada to gain clarity on the constitutionality of the Senate reform act as well as on a broader range of Senate reform questions and issues. The clarity achieved as a result of the reference will allow debate in the House to proceed on the basis of the merits of reform and without the uncertainty surrounding the constitutionality of the act. Ultimately, by addressing these questions now, we can move forward and accelerate the pace of reform. If all the questions and hyperbole in the House are any indication, truly there must be a desire to reform and to look forward, not to the past.

The reference process poses six questions concerning the amending procedures of part V of the Constitution Act, 1982. The first two questions ask the court to confirm the constitutionality of the provision for nine-year non-renewable term limits for senators and a non-binding framework for provinces and territories to establish their own processes to consult voters on the selection of Senate nominees. Our government remains confident that these measures separately and together may be accomplished by Parliament acting alone, pursuant to section 44 of the Constitution Act, 1982.

The remaining questions focus on the appropriate amending procedures for a number of other issues that have been prominent in the Senate reform debate, being mindful as I said at the outset that this debate has been going on for 30 years. These additional issues include a national Senate appointments consultation process, real property and net worth qualifications for senators, and as a last resort, a question will be posed for consideration of outright Senate abolition.

Canadians deserve a more democratic Senate and the Supreme Court reference will help advance our progress toward that goal. We have been pursuing that goal since assuming government some years ago.

At this point, I will introduce and outline, in some broad strokes, the key arguments that our government is putting forward in the Supreme Court reference on Senate reform. The Constitution comprehensively sets out the rules for achieving Senate reform. Part V of the Constitution Act, 1982, exhaustively describes the procedures for implementing any proposed constitutional reforms and sets out amendments that require provincial consent. In relation to the Senate, four changes require provincial consent: the powers of the Senate, the method of selecting senators, the number of senators to which each province is entitled, and residency qualifications.

● (1050)

Any other changes to the Senate can be made by Parliament alone. The plain language of sections 38 to 44 of part V of the Constitution, the history of the Senate and amending procedure reform, and the ordinary rules of statutory interpretation, all support Parliament's authority to make the reforms proposed in the Senate reform act without obtaining the consent of the provinces.

It is our government's position that except for the four matters mentioned explicitly in section 42, Parliament has the exclusive authority to make laws amending the Constitution in relation to the Senate. Term limits, consultation processes on appointments and the removal of property requirements are not among the four matters set

out in section 42 of the act. Therefore, Parliament alone can make these real changes to that institution. These real and tangible changes related to accountability and reform have been asked for by Canadians for 30 years.

Our government looks forward to receiving the Supreme Court's opinion on this matter. Arguments will be made next month on this important national reference question. Our government received a strong mandate to pursue Senate reform, and the Supreme Court reference represents another concrete step toward the goal of making the Senate a more democratic, elected and representative place.

Our government strongly supports measures to improve accountability in the Senate, but we do not believe that the motion before the House today would bring us any closer to achieving that objective. In fact, the motion today and the partisanship and hyperbole it has already generated from the opposition members actually undermines the very principles that the motion purports to represent.

To have a serious discussion on democratic reform or potential amendments to the Constitution or on constitutional questions and removing partisanship from the upper house, and to try to advocate for those things through partisanship in the lower house does not seem to me to be a way to really engage the House in a serious debate about Senate reform, or indeed, to engage Canadians, Canadians such as Bert Brown or the late Stan Waters, who worked tirelessly for decades to reform that institution.

Motions that promote partisanship and promote division among Canadians in parts of this country undermine our parliamentary democracy. Therefore we certainly oppose the motion today, and I encourage all members, including the member for Toronto—Danforth, to encourage his colleagues to speak about reform of that institution in a meaningful and serious way, as Canadians have been asking.

As I said at the outset, Stan Waters was the first elected senator from the province of Alberta. There have been several since. These are Canadians that not only step up wanting to serve the public in the unique capacity of our upper house, but they are asking the public to support them in their pursuit of public office.

As any members of the House would know from knocking on the thousands of doors, which I know we all knock on in elections, that degree of connection and accountability that we seek on the doorsteps of Canadians translates into accountability in elected office. The very act of going to Albertans, asking for their votes, while knowing that senators will not serve beyond the end of their terms, would build accountability into each seat in the upper chamber. In fact, fighting against reform, which the opposition appears to do, particularly my friends in the Liberal caucus, would breed the opposite result.

● (1055)

How can we truly believe that any Canadian, man or woman, from any region of the country, any territory, if they never have to ask Canadians for their support and they could technically sit in the upper chamber for 30 or more years, how can we really expect accountability to exist in every case?

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As any elected member of the lower House knows, going and seeking the trust of voters through an election builds accountability and term limits will build in accountability and respect for the institution in a way that has not been seen.

I should note that reform of the Senate is truly what Canadians want. It can be done in a way that I have outlined in my remarks. Many of the changes can be done by the House alone and effective senators can play a significant role.

As I said yesterday in some remarks on the subject, while I was in the Canadian Forces during the Chrétien Liberal government, the Canadian Forces was being dismantled. There were morale problems. The only—

• (1100)

**Mr. Royal Galipeau:** The decade of darkness.

**Mr. Erin O'Toole:** The decade of darkness.

The only people who spoke for the Canadian Forces were two senators, the late Senator Forestall, a Conservative senator, and, with respect, Senator Kenny, a Liberal senator, who took it upon themselves to advocate for this institution.

This side of the House wants serious reform. This side of the House has been advocating for that for many years. We wait with heated anticipation for the Supreme Court reference in November that we hope will give the House, and all members in it, a road map for reform of our Senate.

**Mr. Craig Scott (Toronto—Danforth, NDP):** Mr. Speaker, I thank the hon. member for outlining the government's position. I do not doubt his sincerity in putting it forward, but unfortunately we are really sidestepping the question. Throughout the presentation, the hon. member did more to reinforce our position than I think he realized because he spent so much time talking about how election and accountability were tied together.

Basically, the idea of an appointed partisan Senate is completely at odds with everything he claims the government and his party stand for. Therefore, all his argument amounts to is saying that the perfect, at least in the Conservatives' vision of the world, is the enemy of the good. Why, for goodness sake, can we not at least take some steps in the direction that we have been asking?

The Senate really is unduly partial to parties and political power. Partisanship has meant it has never been a serious defender of either principle or the provinces, let alone the people. That is so obvious. However, all we get is a half-measure reform that has been sitting on the books for well over seven years and that is used as an excuse for no action at the moment.

I would like to ask the member if you cannot join us in making the Senate somewhat better now until either your reform or our goal of abolition takes place.

**The Deputy Speaker:** I would remind all members, including the member for Toronto—Danforth, to direct questions through the Chair rather than directly to members.

The hon. parliamentary secretary.

**Mr. Erin O'Toole:** Mr. Speaker, the hon. member covered a bit of ground in that question/statement, so I will try to pull two issues from it.

First, he talked about our Senate reform act having been on the books and having not advanced in some time. I would remind the hon. member that the Supreme Court reference is occurring in November.

As a learned law professor from one of our fine institutions before his election to Parliament, I would urge him to consider a proactive step in the reform debate. He should get involved. He should make a submission. The NDP could intervene and try to add to the debate of that reference where serious discussion will occur.

With respect to his remarks about partisanship, certainly the upper house and those elected senators I spoke about in my speech did sit in a caucus, as we all do as parliamentarians. I think it shows how really insincere the motion is when one would say that such caucuses could not exist in the upper house when elected senators in Alberta are running on principles as Conservatives. Therefore, certainly, the caucus structure in the Westminster system is important and I hope the hon. member acknowledges that.

• (1105)

**Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.):** Mr. Speaker, my question for the member across the way is very simple. We have watched that party, since it came to power, appoint 57 senators, including Duffy, Wallin and Brazeau, and there is a problem. That is 2% of the Senate that the Conservatives appointed.

When the member sits in caucus, has the Prime Minister revealed some of the information that we have seen now between Mr. Duffy and the Prime Minister? Has the Prime Minister revealed to caucus members when Mr. Duffy and Pamela Wallin were going across the country during the election? Was he also part and parcel of that? Did he benefit from Mr. Duffy going to his riding to speak?

Do Conservative members know what is going on in the Prime Minister's Office, since they sit in caucus, or are they in the dark, too?

**Mr. Erin O'Toole:** Mr. Speaker, the member for Scarborough—Agincourt talked about what happens in caucus. I cannot speak about what happens in caucus, other than the fact that the our caucus is truly united on a desire to reform that institution. That is a singular common thread on this side of the House.

I would remind the hon. member that it was actually Prime Minister Chrétien who stopped the tradition of appointing elected senators. Albertans had expressed the desire to send elected upper house parliamentarians to Ottawa. That was done by Prime Minister Mulroney. Liberals actually stopped the movement for Senate reform.

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I think back to famous former Liberal senator Andrew Thompson, who set new standards for bringing the respect of the House down. I would encourage the hon. member for Scarborough—Agincourt to work within his caucus. I do not need to know what he says, but he should work within his caucus to get Liberals serious about Senate reform and catching up on the ground lost under their government.

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I would also like to thank my colleague for his speech. He explained in large part the government's position on the Senate.

It is important to remember why the Senate was created and how the Fathers of Confederation initially envisioned it. It was supposed to be a chamber of sober second thought. That is not the case today. The upper chamber is just as partisan as the House of Commons, if not more so.

I heard my colleague complaining about the partisan nature of the House of Commons and the role of the party system. The second chamber, the upper chamber, was in fact created to offset the partisanship in the House of Commons. I wonder if the government thinks that an elected upper chamber—which is what it is seeking and will argue in favour of in court in November—would solve the problem of partisanship. After all, if senators are elected, they will still have a political allegiance. This will not solve the partisanship problem that we take issue with when the upper chamber was supposed to function as a chamber of sober second thought.

Having elected senators will not achieve that and, what is more, it will create a dysfunctional chemistry between the two chambers. We will have two elected chambers with no clear sense of which is best positioned to draft bills. That is a whole other matter.

I would like the hon. member to elaborate on that.

[*English*]

**Mr. Erin O'Toole:** Mr. Speaker, a few times in his question, the member for Sherbrooke mentioned the Senate as a chamber of sober second thought. In my remarks, I briefly talked about some of the good work done by the Senate in the last number of decades. It can be effective and I think will be more effective when senators are elected and accountable for their regions.

I mentioned Senators Forrestall and Kenny advocating for defence and military members and their families during the decade of indifference. I think of another Liberal senator, and here I am being non-partisan, Michael Kirby, and some of his work on health care, another important public policy element. I am also thinking of Senator Hugh Segal, who I met while I was a cadet at the Royal Military College of Canada, the only senator who talked about engaging foreign policy and all these sorts of things, defence procurement, a number of the issues that were not in the media to the same degree they are now. He was advocating for them then, and, in fact, was appointed by a Liberal prime minister.

There can be effectiveness in the Senate. It is our government's firm belief that it has been Canadians' desire for the last 30 years for accountability through election and term limits that will make the Senate even more effective and a complement to parliamentarians in both Houses.

● (1110)

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, I would like to identify the part of the NDP motion that the Liberal caucus supports and the parts that we find are wrong and that we cannot support.

The motion reads, “That, in the opinion of this House, urgent steps must be taken to improve accountability in the Senate” and we agree, but we should add “in the Senate and in the House”. It goes on to say, “and, therefore, this House call for the introduction of immediate measures to end Senators' partisan activities, including participation in Caucus meetings”. Well, that is ridiculous. It is certainly against the Constitution. It continues, “and to limit Senators' travel allowances to those activities clearly and directly related to parliamentary business”. Can we also ask the same of the members of Parliament?

The Liberal Party agrees with the first part of the motion “to improve accountability in the Senate”, but also in the House. We believe Canadians want to see improved accountability in both the Senate and the House of Commons, which is why we have taken the lead on making that happen.

As of today, Liberal senators and MPs are the only ones who have begun to proactively disclose the details of their travel and hospitality expenses online for Canadians to see. In fact, Liberal senators are now far more accountable for their spending than NDP MPs, who continue to hide how they spend taxpayer dollars from their constituents.

Today what Canadians are wondering is why the NDP members will not disclose their expenses. Is it that they have something to hide, or maybe it is in their political culture to be accountable for others but not for themselves?

Why would those members not unanimously support the four measures our Liberal leader proposed publicly some months ago: hospitality expenses made by MPs and senators and their staff be disclosed; introduce legislation to make meetings of the Board of Internal Economy of the House of Commons open and transparent to the public; create a quarterly and more detailed online expense report for spending by members of Parliament and the Senate that is also more easily accessed and usable by the public from the home page of the Parliament of Canada website; and the House and Senate Boards of Internal Economy should work with the Auditor General to develop mandatory performance audits of the House of Commons and Senate administration every three years.

Is that agreed, unanimously? Certainly, I am sure my colleagues will applaud that, if they want to be as accountable themselves as they want the Senate to be.

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The second part of this motion cannot be supported by the Liberals, “to end Senators' partisan activities, including participation in Caucus meetings”. That would certainly be against the Constitution.

I want to explain this to my NDP colleague who is so surprised. We have no right to say today that there are two kinds of parliamentarians, some with some powers and prerogatives and others without powers and prerogatives when it is not written in the Constitution of Canada. It is as simple as that.

We cannot say “You are a parliamentarian, but not the same as the ones in the House. You cannot be part of your caucus”. This would change the character of the Senate, its relationship with the House and it would be a constitutional problem.

● (1115)

[*Translation*]

It is very amateurish on the part of our NDP colleagues to be constantly introducing motions in the House that make no sense and waste time. It really is a basic thing to know that one house cannot restrict the powers and prerogatives of another house.

[*English*]

That is why we cannot support it. I think I have made my point clear.

Another example of the NDP amateurism in all these issues is that in June 2013 we had a debate of the opposition day motion that called for the complete defunding of the Senate. I doubt MPs are asking for that. The Liberals opposed this motion on the grounds that a defunded Senate could not achieve its constitutional mandate. Can we agree about that?

The New Democrats are falling into the trap that the Prime Minister has set. They are making it a constitutional issue rather than an issue about the Prime Minister's judgment in his appointments, and it distracts from scandal and cover-up in the PMO on the Wright–Duffy affair.

Yesterday, we learned that Mike Duffy was told to take the \$90,000, keep his mouth shut and go along with the cover-up, or Conservative senators would kick him out of the Senate. On June 5, the Prime Minister said in the House:

...it was Mr. Wright who made the decision to take his personal funds and give those to Mr. Duffy.... [It was] not communicated to me or to members of my office.

That is what he said.

Now he saying that it was his best knowledge at the time. What a change. A lot of questions come from that. The Prime Minister, shamefully, does not want to answer to Canadians. That is completely unacceptable. Who told him that at that time? If somebody told him that only Mr. Wright was aware of the \$90,000 cheque, who told him that? The Prime Minister should give names and should explain why these people misled him, if that is the case. If it is not he who misled Canadians, he should explain himself. The fact that he is not explaining himself is completely a scandal and an attack against our democracy.

The fact is that my Conservative colleagues accept that, day after day, the Prime Minister stands up and, instead of answering specific questions, deflects all the questions. They should be very impressed that this is the Prime Minister of Canada behaving this way. Let me say that as a minister I always answered questions in this House. The opposition may not have always been pleased by my answers, but as a matter of respect, if they asked me questions on something, I gave an answer. Most of these ministers do the same as the Prime Minister. When we come with a specific question on anything, most of them are pleased to read their notes and they give an answer that has nothing to do with the question. When they do not answer questions from the opposition, it is not only this House that they are not respecting; it is the people of Canada.

[*Translation*]

To get back to my NDP colleagues, they are not at their best when they talk about the Senate. First, there is this entire matter of abolishing the Senate because some senators misappropriated their budgets. Senator Duffy seems to have scoffed at the basic rules of respect for taxpayers.

It is absolutely staggering that the NDP is proposing to reopen the Constitution on that basis, because that is what we would be obliged to do. This party would be obliged to tell Canadians that the economy is doing very poorly, that the government has so mismanaged the economy that it has become anemic, but that that is not its priority. Its priority is to ask the Prime Minister of Canada, the premiers of the provinces, the House of Commons and all the provincial legislative assemblies to undertake a huge constitutional negotiation for the purpose of abolishing the Senate.

The Supreme Court will very likely tell us that that will require all or at least seven provinces with 50% of the population, but that is a relatively minor difference because, unless the NDP members rise and say they are prepared to abolish the veto on constitutional change that this House granted Quebec, 7/50 and unanimity are more or less equivalent.

The NDP members have never explained themselves on that point. Perhaps they should do so since they want to talk about the Constitution at all costs instead of talking about the Prime Minister's accountability.

If Quebec's veto on constitutional change is a joke to them, then 7/50 is equivalent to unanimity among the provinces. That is their fate and that is the debate we would have.

● (1120)

Obviously, one province will say it wants certain things if we abolish the Senate. We would embark on an enormous negotiation that would no doubt turn out badly and would be a huge waste of time. That is the NDP's irresponsibility.

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As for the Conservatives, their irresponsibility on this issue lies in their wish to elect the Senate without changing anything else in the Constitution of Canada, as though the provinces had nothing to say on the matter and a Senate elected without any mechanism for resolving conflict with the House of Commons would not lead to the same repeated paralysis we see in the United States. The Prime Minister of Canada wants to import many things from the United States, including parliamentary paralysis. The whistle has to be blown on that.

Furthermore, if the Senate were elected, the Prime Minister would focus on his own province and British Columbia, since those two provinces are highly under-represented in the Senate. Since the Senate is not elected but plays a useful role, which, most of the time, consists in leaving the last word to the House of Commons, the problem of the under-representation of Alberta and British Columbia is controllable.

However, if the Senate were elected, all its members would have only one idea in mind: to get themselves re-elected and to serve out their terms, and the under-representation of British Columbia and Alberta would be utterly intolerable. We do not know which province would volunteer to give them more senators.

Would it be the Atlantic provinces? That is highly unlikely; their weight in the House of Commons is steadily declining. Would it be Quebec? No, Quebec is a nation. We can forget about that. Ontario is quite under-represented in the Senate and the House of Commons, so that is highly unlikely. Manitoba, Saskatchewan and the Northwest Territories have no senators to give away.

Consequently, we would find ourselves in an enormous constitutional crisis with the ill-considered plan of an irresponsible Prime Minister who still refuses to conduct himself in a transparent manner with Canadians.

[*English*]

The Liberal Party of Canada is the only party with a comprehensive plan to make Parliament more accountable and transparent, and publicly disclosing our expenses is just the first step.

With the return of Parliament, Canadians can count on the Liberal Party and its leader to continue pushing for measures to prevent ethical breaches, increase openness and transparency and strengthen the integrity of our electoral system and our great democracy.

[*Translation*]

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Mr. Speaker, first of all, I have to point out that the member had his facts wrong.

The NDP was the first to post the expenses of its members online. My colleague failed to mention this. This is the first thing he addressed, but contrary to what he claims, we do this. The NDP started doing it even before the Liberals made an attempt to do so.

In addition, this motion has to do with the Senate. If anyone in the House wishes to move a motion on how the government or anyone else uses the House of Commons, they may also bring forward a motion on that. However, today's motion refers to the Senate. There is no need to confuse the issue, when there is no argument. This is my reading of the situation. The Liberals have no argument with

respect to the Senate. They still want to maintain the status quo on this issue.

Let us stop confusing the issue and talk about what is on the table right now, namely the motion on the Senate. Should any members in the House wish to move a motion dealing with the House of Commons, they can do so, and that motion can then be debated and voted on.

I just wanted to comment on the Liberal member's misleading claims.

● (1125)

**Hon. Stéphane Dion:** Mr. Speaker, if the member is claiming that he posts all his expenses online and that his caucus does too, Canadians would be very interested to know this, since we have not seen them.

Furthermore, if the New Democrats are indeed volunteering to show transparency, why do they not vote unanimously for the Liberal leader's proposals, which they have refused to support?

As for the Senate, I put forward a whole series of arguments. I do not understand why he did not make any, but I will try to reiterate my own. We cannot abolish the Senate without the agreement of the provinces and Quebec—unless the member wishes to get rid of Quebec's veto. He did not really explain this. This is not a priority for Canadians. It is irresponsible to make us waste so much energy on this when we should be focusing on more serious issues such as the economy and the environment.

This motion is unconstitutional. We cannot limit the prerogatives of a group of parliamentarians through a House of Commons motion. It is completely amateurish of his party to bring forth a motion like this today, when there are so many urgent issues to discuss, including the Prime Minister's refusal to address serious allegations of a cover-up.

[*English*]

**Mr. Craig Scott (Toronto—Danforth, NDP):** Mr. Speaker, normally I hold my counsel, but I really do have to take exception to being called an amateur on a point of law from someone who has proven to have no serious training in the law in his positions on constitutional matters.

The question is that the House take urgent steps. It is not actually saying what steps to take. It could well be by calling on the Senate later to adopt these measures itself. It could be for the parties to actively make sure senators do not sit in the caucus.

As for the earlier claim that the constitution is violated by this, I would urge the member to read the case of *New Brunswick Broadcasting Co. v. Nova Scotia*. It makes it very clear that the privileges of the House block any application of the rest of the Constitution. Secondly, I would urge him to read the Canadian Charter of Rights and Freedoms and understand how section 1 works. Reasonable limits on rights in the Constitution are absolutely possible. The idea of making sure that senators do not sit in caucus has everything to do with de-partisanizing the Senate. Therefore, the rational objective, the minimal infringement on such prerogatives as sitting inside the House and caucus, is not touched upon.

I would ask him to read the case of *Osborne v. Canada*, in which the Supreme Court said that high functionaries of the civil service themselves can be prohibited from engaging in partisan activities, and that would not violate the charter. Therefore, rather than these broad sweeping claims from the member who does not know anything about constitutional law, I would prefer he make his precise arguments.

**Hon. Stéphane Dion:** Mr. Speaker, I am sorry to have made my colleague go out of his mind like this. Sometimes jurists have difficulties with political scientists. It is true, but I am very proud to be a political scientist. To speak for my profession, we know a lot about the Constitution and the political consequences of some of the legalities involved. A political consequence is to reopen the Constitution because we saw Duffy mismanage his budget enormously.

Certainly it is amateur to pretend the contrary. I should not say that anymore. Okay, my colleague is not amateur. I withdraw this word. My colleague is wrong on this issue, for example, when he put an equivalency in the ruling on the top bureaucrats and parliamentarians, because a senator is a parliamentarian according to the Constitution. To say that there are limits on the ability to express one's political opinion and preferences when one works for the government as a public servant, and to say because of that we are entitled to deprive a parliamentarian of being a part of his or her caucus, is something that does not make sense and will not reach first base in baseball.

• (1130)

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I am pleased to be able to ask my colleague a question. He seemed to get his facts mixed up during his speech. I will also reiterate what my colleague from Toronto—Danforth said.

According to the motion as it stands now, senators would no longer have party affiliations. It is therefore not unconstitutional to ask them not to sit in a caucus, since the motion proposes to eliminate all partisanship among senators. If they are not partisan, they can create a non-partisan caucus. However, we do not think that they should belong to a partisan caucus, since we do not want them to be partisan. Therefore, constitutionality is not an issue.

The member claimed that our desire to abolish the Senate came about in recent years, but that is completely untrue. We have been calling for the abolition of the Senate for over 50 years. This is not some revelation we had in response to the Senate scandals.

This brings me to my question. I would like to know whether the member for Saint-Laurent—Cartierville agrees with us or whether he supports all senators travelling to participate in partisan activities.

Does the member agree that senators—both Liberals and Conservatives—should travel around the country to campaign during elections? Does he agree with this level of partisanship and does he agree that senators should be allowed to use taxpayer money to participate in partisan activities?

**Hon. Stéphane Dion:** Mr. Speaker, I am 100% opposed to any misuse of public funds and any use of parliamentary funds for partisan activities, whether in the Senate or the House of Commons.

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That is why I am surprised that the NDP members are putting forward a motion that applies only to senators and not to themselves. This clearly demonstrates that, in political culture, it seems to be more important to demand accountability of other people than of oneself. If we want to really work together to ensure that past abuses committed by unscrupulous parliamentarians never happen again, the Liberal leader has a very clear proposal. Unfortunately, it was rejected by our NDP colleagues.

I would also like to ask them why they have not yet stated their position on respecting Quebec's right to veto any constitutional amendments.

[*English*]

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, I appreciate the opportunity to join in this debate.

I think most Canadians, and anyone watching this debate, understand that the member's integrity and opinions are beyond reproach. One thing that he garnered a lot of recognition for, and justifiably so, was the work he did as the minister of intergovernmental affairs in past governments. He certainly worked hard at gaining an understanding of all the provinces and their positions on the Senate.

I fully appreciate his comments on accountability, and in this motion I think it is fair to point the guns at the NDP and ask why the New Democrats have not been more accountable.

However, we are concerned and confused about other aspects of the motion. Would these issues have come forward during his days as the minister for intergovernmental affairs? Would the issues around the Senate and Senate reform have been issues that premiers would have come to him with?

**Hon. Stéphane Dion:** Mr. Speaker, certainly issues about accountability, transparency, and honesty have always been important. That is why our caucus is so motivated to improve these matters, which are so important to Canadians here in the House as much as in the Senate. We would be very willing to go ahead, and we wish that our colleagues from the other parties would be as motivated as we are about it.

Regarding constitutional reform, I must admit that Canadians have come to the conclusion that we may make a lot of improvements on many issues without starting mega-constitutional changes and negotiations that may deprive us of the ability to focus on the very concrete issues that we have today. It is irresponsible of the New Democrats and the Conservatives to suggest today that we need to reopen the Constitution, when we may improve the Senate's accountability and ability to work as a chamber of sober second thought, a chamber of scrutiny.

The obligation of the Prime Minister is to justify his choices, not in press releases on a Friday afternoon but in a speech in the House on the Senate, explaining why he made these choices. He should also provide an ironclad guarantee that when he is appointing a senator, this senator really does live in the province he is supposed to represent.

*Business of Supply*

• (1135)

[Translation]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, I will be sharing my speaking time with my honourable colleague from Newton—North Delta.

After being locked out of the House of Commons for five weeks by the Conservative government, I am unabashedly delighted to be back in this chamber to resume our debates. I always enjoy listening to what my colleagues have to say. Not long ago I had the good fortune to hear my colleague from Saint-Laurent—Cartierville refer to Liberal and Conservative senators as “dishonest parliamentarians” for allegedly dipping into the till and misappropriating public funds, actions which the RCMP are investigating. That is interesting. Clearly they are guilty of some dishonesty.

One of the attacks heard earlier today concerned the motion tabled by my colleague from Toronto—Danforth. I would like to thank him for that motion. MPs do not have the same burden to bear as senators. The NDP's position on this matter is perfectly consistent. MPs should not regulate themselves. It is precisely for that reason that we need a third party to investigate whether MPs are indeed honest and spend taxpayer dollars properly in the interests of their constituents. The NDP believes in the need for transparency, but unlike the Liberals, we do not believe that we must also be judge and jury.

As everyone knows, for the past two years, we have been dealing with a majority Conservative government that appears to disregard the people and their needs and turn a blind eye to the scandals piling up around it week after week, day after day. Thank goodness we have opposition days that enable us to raise issues that are important to our constituents. I think my colleague from Toronto—Danforth took a step in the right direction by tabling a motion today that would improve transparency and perhaps restore the public's trust in the Senate which today, unfortunately, is a sick institution.

We need to remember the reason why the Westminster system initially provided for the establishment of both an upper and a lower house. The objective originally was to have the wise, appointed members of the upper house act as a counterbalance and ensure that the lower house had done its legislative work properly and not screwed up. It was a noble objective. In fact, the idea at the outset was not bad one.

The Senate could have remained a chamber of sober second thought where wise individuals reflected on legislation passed by the House of Commons. Unfortunately, in recent decades, an institutional shift has taken place thanks to the Liberals and Conservatives. The chamber of sober second thought has become a repository for friends. Liberal and Conservative party supporters are rewarded. They need only make their way to the other side of the building to receive a salary to the age of 75. In years past, they were guaranteed a salary for life. When the voters reject a former MP or minister in an election, the Prime Minister appoints him to the Senate. When an MP is rejected by the voters, he is rewarded with a Senate appointment.

The old parties in power gradually changed the very meaning of the upper house and made it a repository for friends of the regime, a place where people are rewarded with partisan appointments. Those

partisan appointments are not based in any way on expertise, but often on reputation. The appointments are partisan, and the work is partisan. Celebrities are appointed to the Senate to do the job on the ground, to raise funds in our towns, villages and communities. Should that really be the work of someone who is appointed to the Senate? We do not think so. We also think that the institution is so far gone that it should be abolished. Lastly, we also think that, in the meantime, we could remove some of the biggest irritants from the Senate. The point of the NDP motion introduced today is to restrict partisan work.

• (1140)

Why use public funds to travel across the country to give talks and raise money for the Liberal Party or the Conservative Party? Does that really serve the public interest? Why not move forward immediately with the motion the NDP has introduced to improve the situation and correct the problem that has crept in over the years, over the decades. The member for Sherbrooke mentioned it earlier. This is not a new idea in the NDP. We believe that the Senate is superfluous and that we could easily do without it, especially given how sick it is and all the partisan appointments that have been made.

Remember that, when the current Prime Minister was in opposition, he said he would never, ever, appoint unelected senators. He has appointed 59 of them. That is what you call packing a chamber, and it works. We think this institution, which is undemocratic, archaic and obsolete, deserves to be forgotten and relegated to the dustbin of history. In the meantime, however, before we see how and when we can do that, perhaps we can improve matters. That is what the NDP is doing: actually trying to improve matters.

The upper chamber, or the red chamber, as it used to be called in Quebec, was abolished in 1968. Nova Scotia's Senate was abolished in 1928. I know those dates by heart. I do not believe many people will demonstrate in the streets of Quebec demanding that the senate, the red chamber, be restored. That will not be the case in Nova Scotia either. People often demonstrate in Montreal and Quebec. We are very civic-minded, but I have never heard that demand made.

This summer, my team and I knocked on thousands of doors in Rosemont—La Petite-Patrie, collecting signatures for a petition calling for the abolition of the Senate. Mr. Speaker, you should have seen the enthusiasm of some of my constituents. Many asked me whether they could sign twice. I said no because that is not ethical or legal. They could sign only once, but I said I would definitely pass on the message for them. People are fed up. They are exasperated with this government's partisan politics and partisan appointments and with those of the previous government. People are incensed to see the appointees, those who are supposed to be the sages of this country, embezzle public funds and use them solely for their own political parties or, even worse, for their personal interests.



*Business of Supply*

That is the case with the saga involving Pamela Wallin, Patrick Brazeau, Mac Harb and Mike Duffy who, it seems, may be at the centre of a cover-up attempt orchestrated and organized by the Prime Minister's Office. The NDP asked the Speaker to rule on whether the Prime Minister had misled the House on June 5 when answering our questions. That would be very serious.

In light of the current Senate mess, we believe that it is time to eliminate the partisan work of the hundred or so senators and to have them do what they are supposed to do, namely, to review laws and sometimes enhance, improve, or correct them. This happened last year with private member's Bill C-377, which is an abomination. Senators were able to make amendments that, quite frankly, were very important to the protection of the public interest, privacy, and unions.

We are hoping for changes to be made quickly. We do not need to dither and debate the issue for weeks. The motion moved by the NDP today can be implemented very quickly to bring about change. If the Liberals and the Conservatives were to act in good faith and really wanted to improve things, I do not see why they would vote against the NDP motion. It would help restore Canadians' and Quebecers' confidence in an institution that needs it after being rocked by all these scandals, after all the partisan appointments of senators, who apparently used public money for private purposes and were reimbursed for expenses to which they were not entitled.

• (1145)

Therefore, in the interest of transparency and in order to restore people's confidence and put an end to the crass partisan activities of Liberal or Conservative senators, I am asking everyone in the House to support the motion moved by the member for Toronto—Danforth.

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, I wish first to congratulate my colleague on his excellent presentation.

I am not a complete amateur, in my opinion, contrary to what the member for Saint-Laurent—Cartierville thinks. Moreover, being called an amateur does not bother me too much. Anyone can see that my back is broad, and there is a reason for that.

All summer long, I travelled throughout my constituency of Abitibi—Baie-James—Nunavik—Eeyou, the second-largest in Canada. My constituency is highly diversified. I have 14 Inuit communities, nine Cree communities and two Algonquin communities. I have logging and mining towns and villages throughout the riding.

Wherever I went, people talked to me about the Senate and the need to abolish that outdated institution.

When someone calls me an amateur, it does not bother me, but when he calls my constituents amateurs, I have a small problem with that.

I would like to know whether my colleague heard the same thing in his constituency.

**Mr. Alexandre Boulerice:** Mr. Speaker, I thank my colleague for his question and his very relevant comments.

People read the papers and keep up with the news. At some point, there is a kind of scandal overload with respect to politicians. We

need only think of the Charbonneau commission in Quebec and what we have witnessed at the municipal level in some Quebec localities. It is absolutely deplorable.

Then at the federal level, we note the appointments made by the current Conservative government and the scandals at the other end of this building. It really undermines the respect Canadians may have for men and women in politics.

This is being seen and felt everywhere in our communities. People are talking to us about it on their home turf. They are asking us when this Conservative government will be thrown out. The time is coming.

People are also asking us when the rules will be changed to stop the scandals and prevent politicians from stuffing their pockets with money belonging to their fellow citizens and taxpayers.

The exasperation is palpable, and we have to respond to it. We have to put measures in place to improve transparency and accountability. People are yearning for it. They are yearning for justice and honesty on the part of their politicians.

Let us adopt the NDP motion and—please—take partisan activities out of the Senate.

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, I thank my colleague for his speech.

I would like to ask him whether he agrees that members and senators should proactively disclose travel and representation expenses, that meetings of the Board of Internal Economy of the House of Commons should be public and transparent, that a more detailed quarterly report on the spending of members and senators should be posted on the website, and that the House of Commons and Senate should work together with the auditor general to have regular, mandatory audits.

• (1150)

**Mr. Alexandre Boulerice:** Mr. Speaker, I thank the hon. member for Saint-Laurent—Cartierville for his very specific question with its grocery list of point (a), point (b), point (c) and point (d).

I will not go into detail on each of his proposals because that might make him all too delighted and it is too close to noon for that.

However I can say that the office expenses of the NDP members are public. They are on the website. If the hon. member has not been to look at them, that is another kettle of fish. I have a first-rate neighbour here in the House, by the way. The newspapers, including *La Presse*, have reported on our expenses and how the information is disclosed and published promptly. However, I think it is important to point out that the papers have made generalizations that can be misleading.

As we have done with our members' office expenses, we will be proactive in order to be transparent, so that people know exactly how their money has been spent. We would be more than happy to work with the auditor general, other bodies or third parties that can examine our expenses and ensure that the rules have been properly applied.

*Business of Supply**[English]*

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, first of all let me say what a delight it is to be back here in the House of Commons. I am a little bit disappointed that we were not back here a month earlier to deal with the business of the people and major concerns I heard in my riding, but let me also assure members that I have had a wonderful time in Newton—North Delta listening to the concerns of citizens as they worry about their future, whether it is high youth unemployment or the lack of decent-paying jobs. I would say the Senate and issues surrounding the Senate were the key focus in many of the conversations I had in my riding, whether in a grocery store, at official meetings, or even at social gatherings.

I also want to thank my colleague from Toronto—Danforth for bringing forward a motion that is practical and that tackles the issue of the Senate one step at a time. I say that it is practical because everyone knows that I fully support the abolition of the Senate. I can think of a myriad of ways to spend the \$92.5 million: addressing the high student debt load and high youth unemployment, putting more money into skills training, addressing our seniors, and addressing our veterans. I can think of a million ways to spend that money the way Canadians would like to have it spent.

That is a goal and that is what we will keep pushing for, but in the meantime, the NDP prides itself that we are not here just to critique what the government does but to put forward solutions. Here is a solution put forward to address—in the short term, in a very practical way—some of the serious problems in the Senate.

I am not saying that this motion is going to address the problems around some of the scandals that escalated yesterday with all the allegations. What this motion actually does is try to take away some of this energy and some of this confrontation between the government and some of its own appointees. It puts forward a practical first step to address some of the abuses and some of the partisanship.

Our colleague from Toronto—Danforth has put forward a very simple resolution that I cannot imagine any member could be opposed to, whether they sit on one side of the House or the other and no matter which political party they belong to. It is that “urgent steps must be taken to improve accountability in the Senate”. Surely we all want that, and it sets out how some of that could be done. The motion states that the whole House calls for:

...the introduction of immediate measures to end Senators' partisan activities, including participation in Caucus meetings, and to limit Senators' travel allowances to those activities clearly and directly related to parliamentary business.

We have heard every political party say there is a need for change. The motion before the House today does not require a constitutional change. This is a practical step that the House could take. It could then go over to the Senate, and with the kind of partisanship that exists right now, this issue could be addressed very quickly.

First of all, every person has said that. There are some people who think they can do doublespeak, and I was thinking of the person who made this quote. I puzzled over it as an English teacher. This is a direct quote from a member of Parliament in the second opposition:

It would unbalance so many things that we just have to focus on making it a better quality Senate rather than trying to change the Senate.

• (1155)

When I read quotes like that, the first thing that comes to my mind is how to go about making it a better-quality Senate without making some changes, because obviously the status quo is not working, and it is not working because there is so much partisanship.

It is the House of sober second thought. Do we really believe that Canadians across this beautiful country now believe that the Senate is a House of sober second thought? The institution has been very badly damaged, and this motion that the official opposition has brought forward goes partway toward taking some short-term steps, which, by the way, are very straightforward.

Before we get into a discussion about all these people being independent and being appointed because of their skill sets and being representative of the diversity of our great country, which actually was the goal at the beginning, let us think about who was actually appointed to the Senate. I will not read a long list, but it includes Irving Gerstein, chief fundraiser and chair of Conservative Fund Canada; Judith Seidman, Quebec co-chair of the Prime Minister's leadership bid; and Donald Plett, Conservative Party president. The list goes on and on.

I do not want my friends in the far corner on the other side to think that some of the appointments they made are exempt. They include David Smith, national campaign co-chair; James Cowan, Nova Scotia campaign co-chair; and Grant Mitchell, Leader's Alberta Outreach Coordinator.

Let us call the Senate what it is: it is appointees, and the appointees are either failed candidates, big-time fundraisers, or big operators within their respective parties. Both parties, Conservative and Liberal, have to take responsibility for the damage they have done to the institution of the Senate. I do not know how they can even say it is an institution of sober second thought. I just do not see how they can say that.

Let us get back to the motion. As I said, it contains very small steps, but very significant steps, and I am sure everybody will support them. One of them is for senators not to take part in caucus meetings. I find it absolutely bizarre that anybody thinks that caucus meetings that occur for all the parties in the House are not partisan. It is bizarre. If they are not partisan, why are they not happening in the public eye, in the media, and why can we not walk into each other's caucus meetings whenever we wish to, depending on what is being discussed?

I am not saying there is anything wrong with political parties having caucus meetings, but surely we do not want senators, who are non-partisan and provide independent sober second thought once they are appointed, to be present as caucus meetings unfold. We would have to go a long way to convince even my granddaughter in grade 12 that they are anything but partisan.

*Business of Supply*

Let us look at the second aspect of this motion, which is to limit travel allowances to those activities clearly and directly related to parliamentary business. Let us remember that we are not talking about elected people who travel around to speak to their constituents and hear from them about legislation and so on. They are also talking to their constituents about issues that are important to them. We are only talking about limiting travel allowances to those activities that are related to parliamentary business and putting an end to campaigning and fundraising junkets.

I hear a lot from different parties to the effect that we need to do something. I hear my colleagues across the way saying that they are waiting to hear from the Supreme Court; well, there is nothing the Supreme Court is going to say that will stop them from voting on this issue. Therefore, I urge every member in the House to vote for this motion.

• (1200)

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I thank my colleague for her excellent speech, which reminds us of certain important facts. The upper chamber, the Senate, is supposed to be a chamber that scrutinizes bills passed by the House of Commons, with the aim of offsetting the partisanship that can exist in the House.

Our motion is therefore very reasonable, in that it ensures that senators will be obliged to stop participating in purely partisan activities such as caucus meetings. This is a very reasonable way to prevent excessive partisanship. The main purpose of a caucus is to bring the party together to discuss its position and then emerge with the party's points of argument.

I would like to know if my colleague agrees that these measures, which are applicable immediately—it is important to note—are quite reasonable. It is important that the members of the House of Commons adopt these measures in the hours ahead.

[*English*]

**Ms. Jinny Jogindera Sims:** Mr. Speaker, I am always impressed by my colleague's thoughtfulness, both at committee and in the House, and by the way he does his research, speaks on issues, and represents his riding.

The motion before us today is so reasonable that I find it hard to understand why anybody would be opposed to taking these very simple first steps while we wait to hear from the Supreme Court and while we look at abolition and other dramatic changes, as some parties want to do.

We have been hearing from the Liberal Party for ages that it has tweaks to the status quo, such as a new appointment system, but we have heard nothing so far. Let us assume that the Liberals are serious. Surely any such system would have to exclude partisanship as either the basis or the outcome of appointments. If that is so, the Liberals should embrace today's motion, because it would try to make a dent in the problem of partisanship for current senators, unless they are just waiting out the time and delaying, which is the Liberal's favourite pastime.

Rather than delaying, let us pass the motion so that we can show the Canadian public that we are taking steps to protect their tax dollars and to limit the abuses in the Senate.

• (1205)

[*Translation*]

**Mr. Marc-André Morin (Laurentides—Labelle, NDP):** Mr. Speaker, I am wondering if the hon. member shares my opinion.

If we were to pass this motion today, if the Senate were to start doing the work senators are paid to do, and if the Senate began to fulfill its mission, the Senate itself would be completely useless, not for us, but for the Liberals and Conservatives. The Senate would lose its partisan, biased bent.

[*English*]

**Ms. Jinny Jogindera Sims:** Mr. Speaker, the member is another hardworking member of Parliament who I know is much loved in his riding because of the amazing work he does for his constituents.

It appears that it is in the interest of the current government and the other party in the House to keep partisanship alive. If that were not so, they would support the motion.

If we want the Senate to be that sober second thought institution, then everybody should be supporting the motion. The motion is not about abolition, although that is what I favour. All it says is that senators should not go to caucus meetings, should travel only on parliamentary business, and should stop their fundraising and partisan politics across this country. It is very simple.

[*Translation*]

**Mrs. Maria Mourani (Ahuntsic, Ind.):** Mr. Speaker, I would like to understand the motion.

I agree with the first part of the motion because we are in need of accountability. However, we are also talking about partisanship in an appointed Senate. We agree that senators are appointed through a partisan process. I have a hard time understanding how, under the current system, senators that are appointed by various governments could cease to be partisan. It is normal that they are partisan, that they participate in caucus and so on.

The other aspect that I do not understand is the link between partisanship and dishonesty. I understand that they want to do away with partisanship in the hope that it will result in accountability. I do not understand that though because members here in the House are partisan, yet I believe that we all have a strong sense of honesty.

There are a number of aspects in the motion that I do not understand.

[*English*]

**Ms. Jinny Jogindera Sims:** Mr. Speaker, we are absolutely partisan about this, but at the same time, we are elected. Every four years, we go back to our constituents, who either send us back here or not. That is where our accountability comes in.

*Business of Supply*

Senators are appointed. By the way, I am not in favour of appointments. I am not even in favour of the Senate. However, what the motion does is stop the overt and active partisanship in going to caucus meetings, travelling around the country fundraising, and working during election campaigns on the taxpayers' dollar, which I do not think is right. If each party wants to pay people to campaign for them, that is a separate issue altogether. However, what we are talking about is senators doing this in their role, using government money.

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, it is always an honour to get up in the House of Commons to speak to the issues people elected us to speak to.

I am particularly happy to be up today to talk about this. It is an opportunity for us to not only to highlight some of the inconsistencies in the NDP messaging on this but to highlight the significant reforms we have put on the table with respect to the Senate to try to move it into the 21st century and make it an institution accountable to Canadians that Canadians can again be proud of.

One of the most important things any of us can do as parliamentarians is make sure that Canadians have pride not only in their country but in the institutions that serve their country and make it such a great place to live.

I will quote the motion. I do not want to get it wrong. The NDP motion says:

...urgent steps must be taken to improve accountability in the Senate...

If this is so important, I have to ask myself why the NDP, since we have been elected, has chosen not to support any of the reforms we have put on the table with respect to the Senate.

We have been in office eight years, but the vast majority of that time was spent in a minority government, when we needed the support of one or both opposition parties to move legislation through this House and into the Senate. Quite often, that was not the case when it came to the Senate.

We put in place a number of significant proposals that Canadians have long been asking for. We have been consistently frustrated, in part because the NDP for so long has maintained one position. That position is that the Senate needs to be abolished. However, today the NDP members have changed their minds yet again and now have moved to say that the Senate actually needs to be reformed.

There are some of the inconsistencies. The member for Outremont, the leader of the NDP, has also brought a bill forward in this House that would actually give the Senate even more powers. In the span of a short period of time, we have seen the NDP move, with respect to Senate reform, in all kinds of different directions. It is very confusing, and it is very hard to understand what the NDP actually wants with respect to Senate reform.

One of the discussions we have been having is with respect to non-partisanship in the Senate, which I think was brought up by the former leader of the Liberal Party and the former Bloc member, now an independent member. This is very difficult to understand. The only way one could actually guarantee that a senator would be non-

partisan would be to strip the right of that senator to vote in an election. Every senator has the right to vote in an election. By their nature, they are going to be making decisions, whether we strip them of their rights to come to a caucus meeting or not. I hope that the NDP is not suggesting that we need to strip senators of their right to vote in elections to ensure that they remain non-partisan.

I think this reflects the immature nature of the NDP approach to this, or as was said earlier by a Liberal member, the amateurish nature of this motion. It is another attempt to waste time in Parliament. The reason it is wasting time in Parliament is that we have so many serious things we should be talking about right now. That is not to minimize the events that have occurred in the Senate over the last number of months.

Canadians have expressed that they are very disappointed in what they have seen in the Senate, as they should be, and not just recently but for a long period of time. It is the lack of accountability in the Senate. It is the lack of transparency in senators' spending, our inability to extract accountability from our Senate colleagues, and Canadians' inability to extract accountability because senators are not elected and there are very few opportunities for them to be removed.

● (1210)

We have also seen in the recent past the sad spectacle of one senator who was being tried with respect to spending infractions and was being paid the entire time it took to get this case through court. He was subsequently found guilty and sent to jail, but throughout that period he was still receiving a paycheque from the people of Canada, despite the fact that he was unable to attend the Senate or perform any of the functions that we would expect of our senators.

Since being elected, the Conservatives have put on the table very meaningful reforms with respect to the Senate because we understand the status quo is not an option for a country as great as Canada in the 21st century. It is not an option for a country that will be seizing on extraordinary opportunities, a country that will be leading in economic growth, a country that will be leading in so many different areas that are important, not only to Canadians but to people around the world. We are a country that will do its part in making sure that Canadian values are protected, not only at home but abroad. To do that we also need to move forward and make some changes to the Senate.

When we look at the Senate, we have two options. We could abolish the Senate and go through the process that is required to abolish the Senate, seeking the approval of the provinces to do so, or we could try to work within the constitution and reform the Senate. That is what we have brought forward. We brought forward some very positive proposals that would see us working with our provincial partners in order to have a more accountable Senate.

*Business of Supply*

One of these initiatives is the selection of senators. Right now, senators are called by the Governor General on the advice of the Prime Minister and they serve up to 45 years. In many instances, that happens without the consultation of the provinces. Within the current constitutional framework, we asked how we could reform the Senate so that we work with our provincial partners and we do not open the constitution, distracting Canadians from the real job that we need to do during this time of global economic downturn. We want to continue to focus on creating jobs and opportunities but at the same time try to reform some of these institutions that Canadians are asking us to bring into the 21st century.

In the Alberta model, Albertans elect senators. It has already been talked about by a number of my colleagues that a number of senators from Alberta have been elected. There are elected senators serving right now from Alberta. Alberta has a selection process where the people of Alberta are consulted, an election takes place and that list is provided to the Prime Minister who then selects from the list of elected senators to fill vacancies for the province of Alberta in the Senate.

The member for Durham quite eloquently talked about Stan Waters, the first elected senator. There was a lot of hope back then when former prime minister Mulroney appointed the first elected senator to the Senate, following this election or selection process. Unfortunately that stopped with the election of the Chrétien Liberals. The Liberals had a different approach to the Senate. They also had their own challenges to face. They had a different approach. In some areas they are protective of the status quo.

We came to power in 2006 with a different agenda. We consulted Canadians, and Canadians asked us to move forward with the selection process. We want to work with our provincial partners to see if this process, the Alberta model, could be brought in throughout Canada, thereby taking it out of the hands of the Prime Minister and putting it back in the hands of the Canadian people, making the Senate more accountable.

● (1215)

At the same time, in order to be truly accountable, to have the type of diversity that we need in the Senate and to have that sober second thought, which is a term that a lot of people use, we thought we would also bring in term limits for our senators. The proposal that we brought forward has a nine-year term. Canadian people would have the opportunity to select their senators, they would serve for one full term of nine years, and then there would be another selection process.

What this did not do was force this system upon the provinces. In order to do that we would have to reopen the Constitution. We would have to have a large, long, protracted negotiation with the provinces. A lot of provinces have different feelings with respect to what should actually happen in the Senate. However, this was a co-operative way of bringing about meaningful reform in the Senate.

Having brought that forward when we were first elected in a minority government and trying to proceed along, seeking these reforms, we were quite often frustrated in the process by the opposition parties. Obviously, as members know, in order for a government in a minority situation to pass legislation, it needs the support of other opposition parties.

At the same time, of course, we were dealing with very difficult circumstances in terms of the global economy. There were a number of things we were trying to focus on, not only as a government but as parliamentarians together. There were two elections at that time, and the good people of Canada decided that we deserved a majority government. In the time since then, we have continued to move forward with meaningful Senate reform. It is something that is not only important to us but it is important to Canadians.

Just to go back to some of the rationale for what we are putting on the table as proposals with respect to the Senate, one of the things that we know we can do as parliamentarians without seeking constitutional amendments is making changes to how our systems work here. We can do that. Section 44 of the Constitution Act, 1982, grants Parliament alone the power to “make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

That is important. It is obviously a very important section because that gives us, the House of Commons and the Senate together, the opportunity to make changes to how we operate, to make changes within our rules without having to seek the approval or the constitutional amendments that, as we know, have not always been successful in the past. They sometimes even divert government's attention away from what Canadians are asking us to do, especially right now in a time of global uncertainty, which is to focus on jobs and economic growth.

That is a responsibility that we have through the Constitution, to make changes right here. Having said that, we also know that some of the reforms we have put on the table are not universally accepted by either members of the opposition or some of the provinces. As I said earlier, some of the provinces have differences of opinion on what we should do with the Senate and how the Senate should be reformed. Individual members of Parliament, individual senators, all have a lot of different ideas.

That is one of the reasons we referred a series of questions to the Supreme Court of Canada. It was so that we could have a proper road map of what we could do, and how we could move forward with Senate reform in a way that is co-operative, in a way that does not open up the old constitutional battles of the past, and in a way that will not see the House being diverted from the main goals, which are to continue growing the economy, to continue tackling crime in our communities, to work with the provinces to expand and make our health care system better, to tackle the very urgent needs with respect to infrastructure, to do better things to build on the success of our Canadian Armed Forces over the last number of years and to provide them the appropriate equipment.

● (1220)

There is a lot of work that we need to do at the same time as we look at reforming the institutions of the House of Commons and the Senate. However, one thing that is very clear is that we need to move in the direction of reform. The status quo is no longer acceptable to anyone.

*Business of Supply*

I guess the circumstances or the activities of some senators over the last number of months have really highlighted for Canadians why it is so important that we reform the Senate. It has highlighted for Canadians why, since 2006, we have been so focused on trying to move forward this reform agenda with respect to the Senate. I am now happy that I am hearing from the opposition, or at least from some of the opposition, that we need to move away from the status quo and make some changes to the Senate to expand accountability in the Senate and make it a more responsible institution for the 21st century.

I think all of us in the House would agree that what we have seen over the last little while, with respect to the Senate, is not something that reflects poorly just on the Senate. It is something that reflects poorly on all of us as elected officials, as people who serve Canadians. When we are given the awesome responsibility of serving people, whether it is through election or through an appointment to the Senate, we are given that responsibility by the Canadian taxpayers, who pay us a lot of money to do the jobs that we do. They entrust us with a lot of money in order to do those jobs. They expect that we would use those funds appropriately and that we would understand how hard they have worked in order to provide us with the resources we need to get our job done.

What we have seen lately in the Senate is an embarrassment not just to government, it is an embarrassment to all members of Parliament and it is an embarrassment to all senators. We have to get to the bottom of this. We have to work as best as we can as parliamentarians to reform that institution. If we cannot reform the Senate, I think we have to move forward, working with our provincial partners, and like all of the provinces have done, abolish the Senate. At this point, it just is quite clear to us that Canadians have lost faith and trust in the Senate as an institution the way it is right now, so we are going to move forward with that reform agenda.

However, at the same time, we can in no way support a motion such as this, because as was very eloquently said by the former leader of the Liberal Party, this is a very amateur motion. It is void of any substance whatsoever. If we are to make real, meaningful changes with respect to an institution such as the Senate or the House of Commons, we have to do it properly and not in the spirit in which this was brought forward.

● (1225)

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I am pleased to have the opportunity to ask a question of my colleague, the Parliamentary Secretary to the Prime Minister, who finished his speech by saying that the situation in the Senate is an embarrassment to all members of Parliament and that we have to get to the bottom of this.

This leads me to my question. Why did that same member of Parliament earn the distinction yesterday of providing the best “non-answer” to a question? One journalist described the hon. member’s answer in question period yesterday as the most complete non-answer in the history of QP.

The hon. member just told us that we have to get to the bottom of this situation that is an embarrassment to all members of Parliament. That is the same member of Parliament who changes the subject

every day in the House of Commons when we ask questions in order to get to the bottom of this situation. That is the same member of Parliament who diverts the attention of Canadians, who are also looking for answers.

I wonder why he is unable to give us answers when we ask him questions in order to get to the bottom of this situation.

[*English*]

**Mr. Paul Calandra:** Mr. Speaker, let me say how crushed I am that the press gallery is not supportive of me and that its members are somehow upset at the way I answer questions in the House of Commons. I will do better to make the press gallery happy with me. I am just happy that those people do not live in my riding and that the press gallery will not be passing judgment on me in the next election.

The reality is that the Prime Minister, with respect to the circumstances that have happened in the Senate, has answered all the questions that have been put forward to him with the information that he had available to him at the time. I have an email here from a constituent of mine, Carole. She is a senior, and she emailed me yesterday and said, if she wanted to watch *Matlock*, she would turn the TV on and watch repeats of *Matlock*. She said it is time for us to get back to doing what we are supposed to be doing and working on constituents’ behalf.

I called her and asked her about that. She said to let the police do their job; let the authorities who are investigating the senators do their job. If there are charges that need to be brought forward, they will bring those charges forward. She said we should concentrate on jobs, growth and economic activity, and that is what we are going to continue to do.

● (1230)

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, I want to thank my colleague for his speech. I agree with many things he has said, though not all. I agree with him that the motion we have today from the NDP is amateurish. Not the sponsor of the motion—I have respect for him—but the motion as such is not at the level we should have as a first motion to discuss.

I agree with the member that the misconduct of the last months by some parliamentarians is affecting all of us. However, I would insist that my colleague does not seem to realize how much of the situation is serious. It is possible that the Prime Minister himself misled the House and Canadians. If it was he or I who was involved like that, I am sure I would answer to prove that it is not the case. I would give the facts.

For example, the Prime Minister claims that he answered to the best of his knowledge when he said to the House that the \$90,000 given to Mr. Duffy by Mr. Wright was the decision of Mr. Wright alone and nobody was aware, and now we know it is not true. He said that he answered at that time to the best of his knowledge. So the question is very clear: Who gave him this false information? Why is it so impossible to have an answer to this very precise question?

*Business of Supply*

**The Acting Speaker (Mr. Barry Devolin):** Before I go to the parliamentary secretary, I would just like to ask the co-operation of all members to speak to the matter before the House and to ask questions related to it. In this context, while the subject matter clearly is relevant, asking for an explanation of an answer that was given in question period yesterday is severely straining that logic. I will allow this question to go forward, but I ask members to stick to the matter before the House more narrowly than has been the case in the past few days.

The hon. parliamentary secretary.

**Mr. Paul Calandra:** Mr. Speaker, you know how much I value your opinion and how important I think the rules of the House are. I will abide by your decision and make sure I stick to the substance of the motion we are talking to today.

I do agree with the hon. member in that I do have a lot of respect for the member opposite who has brought this motion forward. He has been asked to do something by his party that he probably would not do if he were still practising law and representing a client. He has been asked to do something pretty quickly to try to score some partisan political points in a debate with respect to Senate reform. This is ironic in a sense, because in the motion the members say they want to remove partisanship from the Senate by bringing forward an incredibly partisan bill at a time when we should be working together to elevate people's respect for the prestige of the institutions that support this country.

We will continue to work for amendments or improvements in the Senate because that is what I think Canadians are asking us to do, and we will work with both opposition parties, if that is something that can happen. However, we have been waiting since 2006 to bring some very meaningful reform to the Senate and have been very frustrated by the lack of support we have been given from the opposition.

[*Translation*]

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, I would like to remind the House that more than 600 of my constituents in LaSalle—Émard said they were in favour of abolishing the Senate. Like the NDP, people recognize that the Senate is an archaic institution. We want to work on having it abolished.

In light of the scandals that have been uncovered, we feel that urgent steps must be taken to improve accountability in the Senate.

We also recognize that the current government bears some of the responsibility for the partisan appointments that have been made and the way in which recently appointed senators were used for fundraising and partisan campaigns.

I want to ask my colleague why he is unable to recognize his government's responsibility for the troubles in the Senate in recent months.

•(1235)

[*English*]

**Mr. Paul Calandra:** Mr. Speaker, the people who are responsible for the current Senate scandals are the people who were entrusted by the people of Canada to represent them in the Senate and then took

actions that were an offence, not only to the rules of the Senate but to the Canadians who have sent us here to represent them. This is something that these four senators need to account for. That is what is happening right now with respect to accountability in the Senate.

In the member's own question, she flip-flopped twice. The NDP's position is to abolish the Senate, but not necessarily abolish the Senate. They would reform it first, spend House time talking about reforming the Senate and debate the member for Outremont's bill, which would actually give the Senate more power. However, at some point in time, they would come back to the debate and talk about abolishing the Senate.

The New Democrats are all over the map on this. It really shows how amateur and immature they are. I guess that comes with losing 16 straight elections. The New Democrats are at the point right now where they will try anything to get from that side of the House to this side, no matter how stupid they look. No matter how ridiculous they look, they will put anything on the table. They do not care about the consequences of bringing forward motions like this and wasting taxpayers' time.

We have issues with respect to criminal justice that need to be addressed. We have issues with respect to Canadian-European free trade that need to be addressed. We have sectors within that trade agreement that want to talk more about the agreement. What does NDP bring forward? The most important thing to the NDP right now is to try to remove partisanship from the Senate. They are trying to remove partisanship from the Senate. It is unbelievable. New Democrats should really get thinking.

There are a lot of Canadians in the galleries watching this. I know the last thing they are probably thinking about is how we can remove partisanship from the Senate. What are Canadians talking about? They are talking about how they can keep their jobs, how they can keep their taxes low and how they can keep their communities safe. The last thing they are thinking about is that they have to remove partisanship from the Senate. It is of vital national interest. Let us stop all debate on everything else, and let us get to removing partisanship from the Senate.

The only people who think that is important are the New Democrats. That is why, for 16 straight elections, they have been sitting on that side of the House.

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, what Canadians are thinking about right now is how to get rid of the Conservatives.

Mr. Speaker, I will be splitting my time with the member for Charlesbourg—Haute-Saint-Charles.

I rise today to speak in support of the opposition day motion put forward by the hon. member for Toronto—Danforth, a very fine member. There needs to be accountability in the Senate. That is obvious. Measures should also be taken to end partisan activities of senators, including participation in caucus meetings, and to limit senators' travel allowances to those activities clearly and directly related to parliamentary business. I do not think that is asking too much. I see the motion as common sense, as good for Canadian democracy and as asking for what is right.

*Business of Supply*

As member of Parliament for St. John's South—Mount Pearl, I tend to view the parliamentary world through a Newfoundland and Labrador lens. I make it my mission, actually. It is how I am wired. I consider how this legislation, this bill, this body, this agreement, discussion, debate impacts Newfoundland and Labrador. How does anything impact Newfoundland and Labrador, including this question?

How do the partisan activities of senators impact Newfoundland and Labrador? They do in so many ways. Let me give a glimpse of one senator through the Newfoundland and Labrador lens. Conservative Senator Fabian Manning was a Conservative member of Parliament. He lost his seat after he was defeated in the 2008 general election. He was appointed right after that to the Senate. Then Fabian Manning was cherry-picked for the 2011 election to run again for the Conservatives in the federal riding of Avalon. Manning lost again in that general election. It was his second defeat. Then he was appointed again to the Senate.

Let me summarize. We have a sitting senator who was rejected by the people, my people of Newfoundland and Labrador, not once but twice. We have him speaking on behalf of the Conservative government all over my riding of St. John's South—Mount Pearl. Yes, Senator Manning represents the Government of Canada in my riding at funding announcements and official functions. I have asked this question in the House before. Is Senator Manning supposed to be Newfoundland and Labrador's voice? He is not. We are supposed to represent Newfoundland and Labrador in Ottawa. We are not supposed to be representatives of Ottawa in Newfoundland and Labrador. It is not supposed to work that way, but it does. That is the reality. The reality is that senators represent the parties that put them there. Liberal senators for Newfoundland and Labrador represent the Liberal Party of Canada, not necessarily the best interests of Newfoundland and Labrador. Conservative senators for Newfoundland and Labrador represent the Conservative Party of Canada, not necessarily the best interests of my province.

I have heard this question asked: Why would New Democrats want to abolish the Senate, to eliminate the upper house when Newfoundland and Labrador would end up with fewer voices? That is not the case. Senators represent the parties, the Liberals and Conservatives, that put them there. Their voice is not the voice of the people, not the voice of Canadians. Their voice is not the voice of Newfoundlanders and Labradorians.

When the fathers of Confederation assigned the Senate to review and scrutinize legislation passed by this House of Commons, the Senate was supposed to act as a chamber of sober second thought. The Senate was supposed to be less partisan and to ensure representation of minorities, provinces and regions. The Senate was supposed to offset the House of Commons with its representation by population so that the interests of smaller provinces, like Newfoundland and Labrador, would be protected, defended and looked after.

● (1240)

That is not the way it works. Senators vote according to the interests of the parties they represent rather than the regions they are supposed to represent. The Senate has become a home for Conservative and Liberal Party organizers, bagmen and bagwomen

and failed candidates. Senators act in the narrow interests of their political parties. Senators attend weekly party caucuses where they are handed party lines. That should stop. Senators participate in party fundraising. That should stop. Senators have publicly advocated on behalf of a political party or parties using Senate resources. That should stop. It should stop right now for the good of democracy and for the health of Canadian democracy.

I used to say that we had a triple-u Senate, triple-u as in unaccountable, unelected and under investigation. However, there are two more u's. The fourth is unapologetic and the fifth is useless. Unaccountable, unelected, under investigation, unapologetic and useless makes five u's. Now it is time for a u-turn toward abolishment of the Senate. That is our firm commitment. At the same time, we do not believe Canadians should be forced to wait for accountability, not when something can be done right now.

The Senate will cost taxpayers \$92.5 million this year. That is \$92.5 million for a gold-plated retirement home, a gated country club, a political pasture and golden handshake for the politically connected, party bagmen and women, failed candidates and party lackeys. A lackey is a yes-man or a yes-woman. That is \$92.5 million that could be better spent on seniors, on the unemployed and on eliminating student debt. The list is endless and that list does not include the Senate.

The Senate is an embarrassment to Canadians from one end of the country to the other. It is an embarrassment to real politicians like the elected members of Parliament in the House today, the real politicians. Senators do not have to run for election. They are not accountable to anyone. They do not have to apologize to anyone when they fleece the taxpayer. We have seen example after example of that. The Senate should absolutely be abolished.

Canadians should not be forced to wait for accountability when something can be done now, right at this moment, today in the House.

Finally, there is a bigger debate taking shape in the country about a need for democratic reform. A bigger debate about how smaller provinces like Newfoundland and Labrador, with a population of 514,000 people, half the population of the city of Ottawa, can have an equal seat at the Confederation table with larger provinces like Ontario and Quebec that have more representation because they have bigger populations. The question is this. How do we ensure that smaller provinces have an equal say at the Confederation table? How do we look after the interests of smaller provinces like Newfoundland and Labrador, Nova Scotia, New Brunswick, P.E.I. and Saskatchewan?

From Newfoundland and Labrador and the smaller provinces' perspective that is a debate that must happen, a debate that is destined to happen.

● (1245)

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, I know the motion is about the Senate, but more broadly speaking it is about accountability. I would like to ask the member for St. John's South—Mount Pearl if he considers it acceptable for a parliamentarian to go on parliamentary business, at the expense of taxpayers, to help in a by-election.



*Business of Supply*

**Mr. Ryan Cleary:** Mr. Speaker, earlier this year we had a by-election in Newfoundland and Labrador in the riding of Avalon. I went to Labrador to join it. As the member of Parliament for St. John's South—Mount Pearl, as a member of Parliament for Newfoundland and Labrador. I participated in meeting after meeting with community representatives and activists about a whole host of different issues in the riding of Avalon. This example is my example, but my main priority when I went to Labrador was to represent my party in that riding, and that is exactly what I did.

[*Translation*]

**Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP):** Mr. Speaker, I want to thank my colleague for his eloquent speech.

His example of the senator from Newfoundland and Labrador makes it very clear that senators work not in the interests of their region, but in the interests of the party that appointed them.

I have a question for my colleague. Does he think that the government should take action and start cleaning things up before waiting for constitutional amendments? I think it should start right now and not in two months or six months. It should start cleaning things up right away.

[*English*]

**Mr. Ryan Cleary:** Mr. Speaker, as I thought I had clearly said in my speech, my party, the New Democratic Party of Canada, absolutely believes in the abolishment of the Senate. The chamber of sober second thought has five u's: unaccountable, unapologetic, under investigation, useless, the whole nine yards. However, changes may take some time and the changes that need to happen in terms of partisanship of the Senate should happen right now. We urge members on both sides of the House to follow our lead and make those changes right now.

• (1250)

[*Translation*]

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Mr. Speaker, I would like to know whether my colleague agrees with me on the following.

We often hear both the Liberals and the Conservatives making the argument that we should talk about the economy and that we are silly to want to talk about anything else. Does this mean that we will no longer talk about aboriginal woman, democratic reform of the Senate or employment insurance? We will no longer talk about anything that is not directly related to the economy. On the contrary, I think that we should talk about all these things that affect certain regions of Canada. Canada is a big country and the situation is not the same everywhere.

Does the member agree that we should talk about all of these issues in order to improve our country and our parliamentary structures, or should we only talk about the issues that interest the Conservatives and the Liberals?

[*English*]

**Mr. Ryan Cleary:** Mr. Speaker, that is an excellent question. It is funny that because this debate is taking place today, we on this side, Her Majesty's official opposition, have been accused of not caring about the economy, not caring about a free trade agreement, not caring about this and not caring about that. Nothing can be further

from the truth. We believe in a strong economy, justice for aboriginal women and an untold number of different issues for the country.

One of the fundamental principles of our country that this whole democracy is based on is that the House of Commons is the shape of our democracy, but the Senate with five u's has to go and should go. It does not mean that we care any less about the other major issues before our country right now.

[*Translation*]

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, before I begin I would like to take a few seconds to welcome all my colleagues on their return to Parliament Hill.

As we know, there has been a prorogation, which has deprived us of a precious month of debate on these fundamental issues. I earnestly hope that this new parliamentary session will be rich in terms of constructive debate and poor in terms of partisanship, so that we can all work together for the common good and improve the lives of Canadians.

I am accordingly proud to speak today in support of the motion by my colleague from Toronto—Danforth, which calls upon the House to take urgent steps to improve accountability in the Senate and immediate measures to end senators' partisan activities, including participation in caucus meetings. The motion also requires that senators' travel allowances be limited to those activities clearly and directly related to parliamentary business.

As parliamentarians, we have a duty to think as objectively as possible about the future of the Senate, its current role and what contribution it actually makes to progress in our society and in our democracy.

Before I express my opinion on the subject, I would like to issue a brief historical reminder. I hope it will give us a better understanding of the issue that brings us all here today, namely the relevance of the Senate.

Members will recall that electoral reform was a campaign promise by the Conservative Party and was included in its Speech from the Throne. However, not only have we not moved forward, we have retreated. This government has in fact appointed 59 new senators, including party faithful, defeated Conservative MPs, and party friends and organizers. It is a sorry story. The fact that we are where we are today is due solely to that party, which knows very well how to stab itself in the back, shoot itself in the foot or place a banana peel on the floor to be sure to slip on it.

While we discuss this motion by the member for Toronto—Danforth, whom I congratulate, the Senate is debating the expulsion of three senators and the withdrawal of their pay and privileges. The senators are disappointed at their loss of credibility in this matter. They were somewhat slow to debate the expulsion of these three senators. Their loss of credibility has been much discussed. Those mainly responsible, the Conservative Party and the Liberal Party, established a wholly partisan procedure for the appointment of senators.

*Business of Supply*

Many provinces are asking that the Senate be abolished. Among them is Saskatchewan, whose premier, at the Council of the Federation meeting of provincial premiers in July 2013, called once again for the abolition of the Senate. Multiple scandals involving the Senate prompted the Premier of Saskatchewan, Brad Wall, to once again call for its outright abolition at this meeting.

Nova Scotia abolished its senate in 1928, and no one has been bothered about it since. Canadians want to see the Senate go. It is time that the old parties began listening to them. There is no longer any place for unelected senators who can block democratically passed legislation. The provinces of Canada are getting on very well without a senate. An unelected Senate filled with party cronies and bagmen has no place in a modern democracy.

Neither is it necessary to wait for the abolition of the Senate before taking action. Certain practical steps can be taken immediately. The NDP is calling for an end to the partisan work done by senators at taxpayers' expense. Senators should no longer be able to take part in weekly caucus meetings, conduct fundraising campaigns, engage in political organizing or promote a political party using Senate resources. The NDP demands an end to travel that is not directly related to senators' legislative functions and is paid for by taxpayers.

• (1255)

The NDP proposes that the Senate be abolished simply because it is an archaic institution, filled with cronies, organizers, money men and former Conservative and Liberal candidates. Senators act solely in the interests of the party that appointed them.

The origin of the Senate dates back to Confederation. At the time, the Fathers of Confederation gave that chamber the mission of reviewing and elaborating upon the legislation passed by the House of Commons. The Senate was supposed to be less partisan. It was also designed to represent minorities, the provinces and the regions in the federal legislative process.

As a result, the Constitution Act of 1867 divides the country into four regions: Ontario, Quebec, the maritime provinces and the west. It sets the number of senators for each of those regions. The problem is that the Senate has never really filled this role with which it was initially entrusted, and senators instead vote according to the interests of the party they represent, rather than defending the interests of the regions they are supposed to represent.

Unfortunately, there are a great many recent examples of partisanship clearly prevailing over defending the interests of our society. To thousands of Canadians, the Senate has now been reduced to a platform used by the party faithful to conduct fundraising campaigns and promote the agenda of the government in power.

Many senators have been appointed to the Senate not on the basis of merit but as a reward for their loyal services to the party in office. Both the Liberals and the Conservatives have appointed defeated candidates, campaign managers, party cronies and donors. The NDP believes that such appointments seriously threaten our democracy since senators are not elected by the people and are not accountable.

Consider Conservative Senator Pamela Wallin, who claimed \$300,000 in travel expenses unrelated to travel to her home province.

She was also seen attending numerous Conservative fundraising activities. During question period on February 13, 2013, the Prime Minister confirmed that he was aware of the senator's travel expenses and that everything was above board. In August the Deloitte report concluded that Ms. Wallin had misused Senate resources, specifically by improperly claiming living and campaign-related expenses.

Carolyn Stewart Olsen is another Conservative senator appointed to the Senate by the Prime Minister in August 2009. Between December 2010 and February 2011, she claimed over \$4,000 in housing and meal expenses. During this time, the Senate was not sitting and she was not working in Ottawa.

Senator Gerstein was the chief fundraiser of the chair of the Conservative Fund of Canada. Appointed on January 2, 2009, he is the Conservatives' biggest fundraiser. He was charged with violating the Canada Elections Act for filing a false tax claim and exceeding spending limits on campaign advertisements.

Senator Judith Seidman served as Quebec co-chair of the Prime Minister's leadership campaign.

Senator Plett was the president of the Conservative Party of Canada.

Senator Braley is one of the party's major donors. Prior to his appointment, Senator Braley donated funds to the Conservative Party.

It bears mentioning that in all, 51 of 57 senators were appointed by the Prime Minister.

I invite my colleagues to work together with the NDP toward the abolition of the Senate. The credibility of our institutions and our democracy is at stake. It is nothing short of the right thing to do to protect taxpayer dollars, and this is precisely the mandate given to us by Canadians.

• (1300)

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I would like to thank my colleague for her speech, which served as a reminder of the facts about a number of senators. The majority of them are Conservatives, but there were also some Liberals who broke the rules.

Of course, some senators have merit. They have had distinguished careers and played by the rules, but the majority of them are partisan through and through, if I may say it that way. Some are defeated candidates, like the candidate from the Quebec City region who was once an MP. The voters said no, they did not want her to represent the Quebec City region. Days later, the Prime Minister said that she would become a senator. It is clear that partisanship in the Senate is about as bad as it gets.

Everyone knows our position, and my colleague spoke about it as well. We believe in abolition. Why, then, is it important to take meaningful measures quickly to ensure accountability and reduce partisanship in the Senate as much as possible?

**Mrs. Anne-Marie Day:** Mr. Speaker, I would like to thank my colleague for his question. There was a time when members of the Senate were considered to be wise people whose job was to comment on policies.

*Business of Supply*

Nowadays, it is clear that the Senate has gone off in a direction that is completely unacceptable to hard-working Canadians.

There was in fact an example of this in Quebec City when a senator was appointed. She had been a minister in the oldest government, which is to say the Conservative government, since 2006, and she was defeated. It was a partisan appointment. That is not okay. It is not an ideal situation.

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, I thank my colleague for her speech, which provided a good summary of recent facts and everything that has happened in regard to the Senate. She also underscored the urgency of and need for the motion that has been moved, with due regard to the ultimate goal of the NDP, which is the abolition of the Senate. This goal has been on the NDP's agenda for 50 years.

I would like my colleague to speak further about the abolition of the Senate and to explain why the NDP is in favour of abolishing the Senate because it fails to reflect a modern democratic Canada.

The Senate is no longer an institution worthy of the 21st century.

• (1305)

**Mrs. Anne-Marie Day:** Mr. Speaker, I thank the member for LaSalle—Émard for her question.

The Senate currently costs \$92.5 million. I do not believe that we still need this body, which in the past provided sound advice about the positions taken by the first people to represent us in Canada. Several provinces eliminated their senates and few people noticed.

The government proposes legislation and the Senate can reject it. Senators are not elected democratically. I believe that these are the main reasons why the Senate really should be abolished, apart from the fact that it is very unpopular from sea to sea.

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Mr. Speaker, I was just now listening to the Prime Minister's parliamentary secretary saying, at the end of his speech, that the Conservatives could not support this motion because it did not contain any concrete measures, yet the motion does include concrete measures: to put an end to partisan work carried out at the expense of taxpayers—such as participating in the caucus meetings of parties in the House of Commons, fundraising, working as political organizers and promoting political parties—and to travel that is not directly related to legislative duties.

Can my colleague clarify matters for the Conservative government's parliamentary secretary's colleagues and explain to them why these constitute concrete measures?

**Mrs. Anne-Marie Day:** Mr. Speaker, it is really unfortunate that the party does not support either the positions or the proposals we are putting forward.

We are reaching out to the government and giving it a way out, because this whole affair has really gotten out of hand.

We are proposing a number of solutions that could help improve things. It is important to remember that this was one of the promises the Conservatives made during the election and it was included in the throne speech. They therefore need to take another look at the solutions we are proposing. This might be the last chance they have to save the Senate.

**Mr. Jacques Gourde (Parliamentary Secretary to the Prime Minister, for Official Languages and for the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, I am pleased to rise to speak on this opposition day and to debate today's motion.

I would like to remind the House of the wording of this motion, because some of the points in my speech are meant to clarify certain aspects. The motion reads as follows:

That, in the opinion of this House, urgent steps must be taken to improve accountability in the Senate, and, therefore, this House call for the introduction of immediate measures to end Senators' partisan activities, including participation in Caucus meetings, and to limit Senators' travel allowances to those activities clearly and directly related to parliamentary business.

As parliamentarians, I believe we have an obligation to contemplate and carry out Senate reform, as needed, in such a way that promotes and ensures accountability—as we already do here in the House of Commons—transparency—as we also did in 2006 when we came to power—and the reliability of the system, as well as to uphold the public trust. It is really important to focus on public trust in relation to the Senate as an institution.

We would like to increase the accountability of the Senate. This is one of the most important objectives that our government has vigorously pursued, although the opposition has failed to support any of its efforts to do so since 2006.

That said, I firmly believe that the motion before us today in the House shows that the opposition does not have a clear position on the Senate. Our government has always favoured the idea of having senators elected by Canadians in every province. To date, only Alberta has ever held these elections.

Indeed, our Prime Minister honoured the choice of Albertans and appointed the senators who were recommended by Albertans themselves. We would like other provinces to follow suit. If each province could elect their own senators, the new representation here in the upper house would be very interesting indeed.

What is truly striking is that Alberta held senatorial elections in 1989, 1998 and 2004, but the NDP and the Liberals boycotted these three elections.

On our side of the House, we respect the choice of Canadians. We have encouraged each province to hold these elections. Indeed, we went further by asking the Supreme Court for a legal instruction on how to set up the consultation process to ensure that senators were accountable to Canadians.

The Prime Minister's position is absolutely clear. The status quo in the Senate is unacceptable. The Senate must be reformed or, like the old upper houses of our provinces, vanish. This view was clearly expressed in the throne speech that opened this session of the 41st Parliament last week, and I quote:

The Government continues to believe the status quo in the Senate of Canada is unacceptable. The Senate must be reformed or, as with its provincial counterparts, vanish.

*Business of Supply*

As members will know, the issue of Senate reform has been referred to the Supreme Court of Canada. This referral will further clarify what options are feasible and how they may be exercised. Our government is committed to bringing about real change in the Senate, while respecting the Constitution of Canada, which I am sure has the support of all my colleagues in this House.

● (1310)

That is why, as noted in the throne speech, our government is anxious to receive the opinion of the Supreme Court of Canada before proceeding with Senate reform. My colleagues will be presenting in greater detail the government's arguments on the various issues referred to the court. Personally, I will be emphasizing the significant work our government has done to ensure accountability in the Senate. More particularly, I would like to review the steps the government has taken to ensure that the obligation to be accountable applies throughout our parliamentary institutions.

The motion states that urgent steps must be taken to improve accountability in the Senate, something the government has been actively engaged in since it came to power in 2006.

In order to achieve our democratic reform goals, we have already implemented a broad range of measures to achieve improved accountability in the Senate.

Our government can in fact be proud of its track record on Senate accountability. I would like to emphasize that our government is focused on meaningful Senate reform, including elections, term limits and strong spending oversight.

When it became obvious that the possibility of reform was becoming bogged down in interminable debates about the constitutionality of our proposals, we returned to action. In the circumstances, I am pleased to provide my colleagues with an overview of the major breakthroughs in terms of responsibility and accountability in the Senate that our government has been proposing since 2006.

In that connection, I would like to restate the government's commitment to improving democratic institutions in Canada, including the basic principle of responsibility.

Our record clearly reflects our goal of reinforcing government responsibility and transparency, so that our citizens can have confidence in their political institutions. This is very important.

If our democracy is to function properly, we must be willing to make the necessary changes to the Senate. Canadians can rest assured that we are the only party seeking to introduce genuine change. For example, it was our government that turned its attention to responsibility and improved the Senate rules governing travel and expenses. We have taken 11 steps to increase transparency and accountability in the Senate. Since 2006, our government has made Senate reform one of its priorities in the context of democratic reform, and has made proposals to introduce term limits for senators, and set up a framework for democratic consultation of the electorate in connection with the selection of senatorial candidates from the provinces.

Canadians have given our government a strong mandate to proceed with Senate reform. We have made substantial efforts to

secure passage of a bill that would give the Senate democratic legitimacy, and improved accountability. Our government believes that term limits for senators and voter consultations on the appointment of senators are changes that Canadians want to see, and it is taking action accordingly.

These measures will help build relations between Canadians and senators, because it is ultimately to Canadians that every parliamentarian must be accountable.

● (1315)

The Supreme Court of Canada was asked to answer six questions to provide us with a Senate reform instruction manual. These questions addressed issues like appropriate procedures for amending sections of the Senate reform act and anachronistic property qualifications and, as a last resort, abolishing the Senate.

The fact that our government sent these questions to the Supreme Court proves that it is determined to reform the Senate and not merely talk about it. I therefore believe that it is important for our democratic system to evolve accordingly to ensure that political entities remain accountable to taxpayers and for the democratic process to preserve the trust of Canadians.

Through the initiatives mentioned above, our government will be able to implement concrete measures to increase Senate transparency and accountability, and we shall continue to work at maintaining the confidence of our fellow citizens.

To conclude, the NDP is contradicting itself when it first tells the media that it wants to abolish the Senate and then presents a motion on Senate reform. The NDP has already said that it wants to abolish the Senate, and yet today it is speaking about reform. We have not forgotten that in those years when we were a minority government, the NDP, behind closed doors, negotiated Senate seats in the event of a coalition with the Liberal Party. Who is telling the truth?

Our government remains determined to implement Senate reform, and we are convinced that Canada's Parliament has the power to enact the improvements to the Senate contained in our legislative measures on Senate reform. Our government is convinced that these measures should be taken to increase Senate accountability.

I do not believe that the motion presented today in the House of Commons is a serious or suitable measure to achieve this objective. I am therefore personally opposed to it, and would ask all members of the House to oppose it as well. However, we will continue to work towards Senate reform in keeping with the sound proposals we expect to receive from the Supreme Court of Canada.

I trust that all members of the House will be able to work together to give Canadians confidence in our Canadian democratic institutions, in which we take great pride.

I am ready to answer questions from my colleagues.

● (1320)

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, I found my colleague's presentation quite interesting.

*Business of Supply*

First of all, I want to make it very clear that the NDP has always called for the abolition of the Senate. It is truly unfair for the government to wage a campaign of disinformation and fiction.

What does he think his constituents and fellow Canadians will have to say? They are completely shocked by the scandal involving the Conservative senators appointed by the honourable member's own Prime Minister. What are they saying about the Senate? Are they not frustrated that after his government repeatedly called for Senate reform, the only thing they are seeing is scandal and a glaring lack of responsibility toward Canadians?

**Mr. Jacques Gourde:** Mr. Speaker, I thank my colleague for her question. May I say again that every MP and senator is responsible for managing his or her own expenses. That is of paramount importance to us. We have done our duty on this side of the House. We have put in place measures to ensure that senators attend to theirs. I want to remind every MP and senator that they have a moral obligation to respect taxpayers' money.

**Mr. Marc-André Morin (Laurentides—Labelle, NDP):** Mr. Speaker, ever since my eminent colleague from Toronto—Danforth tabled his motion, the Conservatives and some Liberals have maintained that he is an amateur and that his motion was hastily cobbled together.

However, I have a few questions for the Parliamentary Secretary in an attempt to prove that it is actually his government that is flying by the seat of its pants.

Their version of a reformed, elected Senate has no electoral rules. None at all. There are no rules that would apply to the entire country. Each province would be left to come up with its own rules.

Moreover, if the Senate remains a partisan institution, candidates vying for a Senate seat will wage a partisan campaign. Will they have access to funds provided by their respective parties or will their campaigns be financed in some other manner?

There are many questions that cannot be swept under the rug because when important questions such as these are swept under the rug, that is when people start making things up as they go along.

If my colleague has some idea of how this would work, then I invite him to let me in on the details.

**Mr. Jacques Gourde:** Mr. Speaker, I thank the hon. member for his very interesting question.

We have given the provinces the option of electing senators from their own list. That will not change.

From the standpoint of democracy, it would be a significant gain for Canada if every province could select the individuals who deserve to sit in the upper house. It is a great privilege.

If every province, such as Alberta, did the same thing, I am sure we would have a list of distinguished Canadians who could sit in the upper house.

[*English*]

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I wish to pursue the point that was just made by my hon. colleague.

In fact, what the Conservative majority has offered the provinces is not the opportunity to elect their own senators; rather, they have forced the provinces to hold elections, for which they are not compensated, under a dog's breakfast of different rules and regulations from one province to another, and under different election campaign financing rules and so on. They will then take on the cost of organizing these elections in order to offer up a list of possible candidates.

However, under Bill C-7 it would still remain the Prime Minister's prerogative to choose someone to be appointed to the Senate. He would be in no way restricted to the list of possibilities created through this process of forcing the provinces hold elections.

I wonder if the member could be clearer about what is currently before the House, which emanated from the Senate side as, I think, a very inadequate attempt to create real reform in the other place.

● (1325)

[*Translation*]

**Mr. Jacques Gourde:** Mr. Speaker, I thank the hon. member for her very interesting question. However, I would remind her that if every province could hold elections to elect senators, Canadians in each province would choose their own senators.

It is ultimately the people who would make that choice. That would be greatly appreciated and it would also be a significant gain for our democracy.

Democracy in Canada has a cost and we are all aware of it. Defying democracy has a much greater cost. I think the best solution is to let Canadians choose their own senators.

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I am pleased to put a question to the Conservative member from Quebec. Conservative members from Quebec are a rare breed. They are almost an endangered species.

This brings me to Bill C-7, which no longer exists because it died on the Order Paper due to prorogation. This bill was presented by the government, which requested a reference to the Supreme Court. As the hon. member for Saanich—Gulf Islands explained, the bill provided that the provinces could hold elections at their own expense. Then, it would be up to the Prime Minister to decide whether or not to appoint the elected individuals.

If, for example, there were three vacancies in Quebec and five individuals were elected, it would ultimately be up to the Prime Minister to choose who would get a seat. This is because the government decided to put forward a piece of legislation that did not require any change to the Constitution.

That is what the government did. This was a rather strange approach designed to circumvent the Constitution, to leave it be so as not to trigger a debate on the issue. The Conservatives designed a piece of legislation that bypassed the Constitution by giving the Prime Minister the prerogative to select senators.

How does this process allow Canadians to have a greater say in Senate appointments if the Conservatives still give the Prime Minister the power to accept or reject an individual? An individual can be elected, but the Prime Minister does not have to appoint him. How does this give power to citizens?

*Business of Supply*

**Mr. Jacques Gourde:** Mr. Speaker, I would like to thank my colleague for his question.

I would like to remind him that democracy is important in Canada. In two years, he will surely get a taste of democratic choice in his riding, and I would like to give him a little tip. In politics, you can win once, but it is much more difficult to win a second time.

Respecting the Canadian Constitution is very important. The Constitution currently sets out that senators are chosen by the Prime Minister. If people want to change one part of the Constitution, it needs to be opened up, which is not something that can be done every year based on the acts and regulations they want changed. It is done only very rarely and will happen in good time.

[English]

**The Acting Speaker (Mr. Barry Devolin):** The hon. member for Elgin—Middlesex—London is rising on a point of order.

**Mr. Joe Preston:** Mr. Speaker, some discussions have taken place, and if you seek it, I believe you would find agreement to return to routine proceedings and reports from committees.

**The Acting Speaker (Mr. Barry Devolin):** Does the hon. member have unanimous consent?

**Some hon. members:** Agreed.

## ROUTINE PROCEEDINGS

[English]

### COMMITTEES OF THE HOUSE

#### PROCEDURE AND HOUSE AFFAIRS

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Pursuant to Standing Order 104 and 114, I have the honour to present, in both official languages, the first report of the Standing Committee on Procedure and House Affairs regarding membership of committees of the House. If the House gives its consent, I should like to move concurrence at this time.

●(1330)

**The Acting Speaker (Mr. Barry Devolin):** Does the hon. member have unanimous consent?

**Some hon. members:** Agreed.

(Motion agreed to)

## GOVERNMENT ORDERS

[Translation]

### BUSINESS OF SUPPLY

#### OPPOSITION MOTION—SENATE ACCOUNTABILITY

The House resumed consideration of the motion.

**Ms. Annick Papillon (Québec, NDP):** Mr. Speaker, I would like to share my time with my wonderful colleague from Notre-Dame-de-Grâce—Lachine.

I am extremely pleased to be back in the House after this Parliament was prorogued for a month, a decision made by the Conservative government. The Conservatives decided to take an extra month because they did not want to talk about the Senate. Now that we are here, I am pleased to have the opportunity to speak to the NDP's motion on Senate accountability.

First of all, with this motion, the NDP is proposing practical solutions to the problems in the Senate and is asking that the government put an end to the partisan work done at taxpayers' expense. Senators should no longer be able to attend weekly caucus meetings, engage in fundraising or political organization, or promote a political party using Senate resources.

Second, the government needs to put an end to travel that is not directly related to senators' legislative duties and is paid for by taxpayers. Current Senate regulations clearly indicate that partisan activities are an inherent and essential part of a senator's parliamentary duties. The regulations also provide details concerning what a senator may or may not be reimbursed for.

Last May, the Senate Standing Committee on Internal Economy, Budgets and Administration made 11 changes to the rules on travel. However, the new rules still allow senators to take part in various partisan activities. Basically, the Senate's origins go back to the time of Confederation. The mission that the Fathers of Confederation gave to the Senate was to review and enhance the legislation passed by the House of Commons.

In fact, the Senate was created under the Constitution Act, 1867, primarily to protect regional interests, but also to provide what George-Étienne Cartier called a power of resistance to oppose the democratic element.

In theory, senators from different sectors of society are supposed to review bills passed by the House of Commons in an objective, non-partisan way. In practice, however, the Senate has never really played this role. Instead, senators vote in the interests of the parties they represent rather than in the interests of the regions they are required to represent.

Today, the Senate is nothing more than an extension of the government in power. It is just as partisan; it is perhaps more partisan than it has ever been. Although the Senate is supposed to give careful consideration to House of Commons bills with a view to proposing amendments to them, the reality is that senators usually support the positions of their parties. The Senate has not vetoed a bill since 1939.

Moreover, senators are chosen by the Prime Minister himself. He never misses an opportunity to appoint someone from his own party. In a number of cases, the Prime Minister has gone so far as to appoint Conservative candidates who have been defeated in previous elections, if you can imagine.

The Prime Minister, who once described the Senate as, and I quote, a "dumping ground", now seems to find it very useful as a way to reward his henchmen. He personally has appointed 59 senators, although he promised not to appoint any.

*Business of Supply*

The Senate has become a platform used by the party faithful for fundraising campaigns and to promote the agenda of the government in power. Senators are actually raising money for the parties they represent while they are being paid, housed, fed and ferried around at taxpayers' expense. With all the services senators receive, the Senate costs Canadians almost \$100 million per year, not counting senators' retirement pensions. Given their insignificant role, that is a lot.

Here is what Michael Fortier, a former Conservative senator appointed by the Prime Minister himself, had to say about the Senate in a CBC Radio interview recently, in March 2013 to be precise:

I was very naive...I thought it would be a different place than the one I found. I found it to be extremely partisan...on both sides, including my own. And it was very annoying because these people were trying to be members of parliament and they weren't...[I]f I had to choose today, I would say that I'm probably closer to closing the place down. I just don't see the usefulness.

● (1335)

Canadians should not have to wait for the Senate to be more transparent and accountable when solutions can be put forward right now.

The Liberals and the Conservatives are defending the Senate, saying that the upper house is a chamber of sober second thought on proposed bills. However, the Senate seats are now held by organizers, financial backers and former candidates of the Conservative and Liberal parties.

The reality is that, most of the time, senators act solely in the best interests of the party that appointed them. Senators may have to travel to review legislation or even to conduct studies, but Canadians should not have to pay for senators' personal or partisan travel.

Three senators appointed by the Conservatives—Pamela Wallin, Mike Duffy and Patrick Brazeau—are, to say the least, currently tainted by a scandal dealing with housing and travel allowances that were wrongfully claimed. They are all under investigation by the RCMP.

Since 2010, Pamela Wallin has claimed \$300,000 in travel expenses not related to travel to her province of origin. She has also been seen at numerous Conservative fundraising events. In question period on February 13, 2013, the Prime Minister confirmed that he was aware of the senator's travel expenses and that everything was in order. After an audit by Deloitte, Senator Pamela Wallin must repay some \$140,000 that she owes. However, she feels that the process was unfair.

As for Senator Mike Duffy, he had to leave the Conservative caucus on May 17, 2013, because of the controversy surrounding his expenses. The Prime Minister's former chief of staff secretly paid Senator Duffy \$90,000 so he could repay the housing allowance he claimed illegally as a senator. Mike Duffy's name also came up in another matter. According to the RCMP, the senator apparently hired a friend for phony service contracts worth \$65,000.

Lastly, the Senate cut part of Senator Patrick Brazeau's salary, starting in July, since the senator had not repaid the \$49,000 he owed. Mr. Brazeau had claimed a housing allowance when he was not entitled to it.

The government has only itself to blame if its Senate reform has not moved forward in the too many years that it has been in power.

The Conservatives could have counted on the NDP's openness, but they chose to put reform at the bottom of their list of priorities. They were elected seven years ago with the mandate of reforming the Senate. They have failed utterly. It is a complete failure. Like the Liberals, they are now part of the problem.

On this first opposition day, now that we are back in the House for this new parliamentary session, we are facing a critical situation. The government in Ottawa is not working because it is caught up in Senate scandals.

What does the Conservative government intend to do? Does it intend, once again, to let everything go and say that it is not a big deal and that the Senate will be reformed in five or 10 years, or does it intend to finally take action on this, as the NDP motion proposes?

We simply want to make senators accountable and capable of looking taxpayers in the eye and telling them that it is true that they do not deserve what is happening to them right now and that the government must take action.

● (1340)

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, I would like to thank the hon. member for Québec for her very passionate remarks.

Like me, she must have met with a lot of constituents this summer. That is what I did, and this was a hot topic wherever we went. Whether in Chisasibi, Chicoutimi, Kuujuaq or Paspébiac, it was what everyone was talking about throughout the summer.

The Conservatives asked for an extra month to properly prepare their throne speech; yet they were practically silent on the issue in the speech.

How does my colleague explain the government's almost utter silence on an issue that is so important to the democracy of our country?

**Ms. Annick Papillon:** Mr. Speaker, I would first like to thank my colleague for his excellent question.

It is true. We know that the Conservative government did not want to have to deal with questions about the Senate because the Senate is clearly its Achilles heel. That is where the government has failed on every count. It appointed a number of senators who have been playing politics for many years, probably at taxpayers' expense in some cases. Perhaps that is not true and we will have to see what the RCMP investigation says, but this is clearly a serious problem.

With regard to the Speech from the Throne, it is true that the Prime Minister did not see fit to address the issue. When I asked the Minister of Transport a question about the throne speech, she said that I was not supposed to speculate on the speech. That is strange, because everywhere in the media, whenever I turned on the radio or television, there were questions about the government's intentions. Let me just remind my Conservative colleagues that the whole point of the Speech from the Throne is to make the government's intentions known, so it is only natural for people to ask questions.

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, I would first like to congratulate my NDP colleague for her fine speech. I hope it was an eye-opener for our Conservative colleagues regarding the Senate.

*Business of Supply*

What troubles me is that, during yesterday's question period, false statements were made about our position on the Senate. I would like my NDP colleague to remind hon. members what we would do about the Senate.

**Ms. Annick Papillon:** Mr. Speaker, like my colleague and other NDP members, many of us went to our constituencies because we are riding-oriented MPs. We asked people what they thought about everything that was going on in the Senate. They are disgusted with what is happening. It has become a farce, and we absolutely have to put an end to the farce and all the scandals.

We New Democrats know how difficult it is to make ends meet every day. None of us would ever think of spending \$100,000 here and another \$100,000 there. We know that every penny is earned by the sweat of our brow. Frankly, it is time to put an end to this and to show Canadian taxpayers a little more respect.

**Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP):** Mr. Speaker, I would like to thank my colleague for her eloquent remarks.

Having gone door to door in my riding, I know that people all say they have had more than enough of these senators who use their money to promote their own party.

How did her Quebec City constituents respond when she went door to door?

**Ms. Annick Papillon:** Mr. Speaker, people in Quebec City, like Canadians everywhere, think that taxpayers are already paying a lot. The burden on Canadian taxpayers has grown enormously. Household debt has reached 168%; this is terrible, and in the midst of it all, these scandals emerge.

As federal MPs, obviously, we find this reprehensible. What I hear, particularly in Quebec City, is that things are not working in Ottawa; whenever you open the paper and read news about Ottawa, you read about the dysfunctional Senate, which is nothing but a symbol of corruption, collusion and so on.

People in Quebec City and across the country deplore the situation. I would so much like to offer a more positive image of what we are doing here in Ottawa. That is why I am very sincerely inviting my Conservative colleagues to support this NDP motion, which is actually a very fair and very honourable position. If everyone here in the House voted unanimously for this motion, perhaps a sin confessed would be half forgiven.

• (1345)

**Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP):** Mr. Speaker, I would like to thank the hon. member who spoke before me for her passionate remarks. I would also like Canadians to know how pleased I am to rise in support of the motion that my colleague from Toronto—Danforth has introduced on this first opposition day.

Speaking of knocking on doors, I knocked on many myself as I walked through Dorval, Montreal West, Notre-Dame-de-Grâce and Lachine this summer. I met with thousands of my constituents. I asked them what they thought about the job I am doing, about the job the current government is doing, and about whether they thought we were on the right track. I asked them about their interests and their passions.

They talked a lot about job losses and the struggling economy. The aerospace sector in Montreal is not at all what it once was. They also talked about youth employment. However, one subject came up a lot: all the problems with the Senate. Remember, at the end of the last session of Parliament, there were a number of scandals in the Senate. Pamela Wallin and Mike Duffy, for example, were names we heard often.

Montrealers are increasingly cynical about politics. They told me they were horrified by the current political system. A lot of money is wasted in the Senate, and that is cause for concern. People are asking what the Senate is for and whether having this second chamber is of any use at all to Canadians. People are asking what senators do for us and why they have such large expense accounts. Those questions came up frequently. As I told my constituents, I am in favour of abolishing the Senate, pure and simple. I am going to continue along those lines.

I am very pleased today to speak to the motion moved by the hon. member for Toronto—Danforth. Let me just read it.

That, in the opinion of this House, urgent steps [and I really emphasize the word "urgent"] must be taken to improve accountability in the Senate, and, therefore, this House call for the introduction of immediate measures to end Senators' partisan activities, including participation in Caucus meetings, and to limit Senators' travel allowances to those activities clearly and directly related to parliamentary business.

When I read this motion, which was moved by my friend and colleague from Toronto—Danforth, I felt that it was a good one. It gave me an excellent opportunity to tell my constituents how absurd I feel it is that a senator can take part in the caucus of the party he or she represents.

In the past, the Senate was established to ensure that experienced people could review the laws and assess them critically, since senators were in the chamber for a longer time. They were supposed to provide a non-partisan opinion. Senators participate in the caucus that they represent. For example, every Wednesday morning, the Conservative senators meet with the members of the Conservative caucus, and the Liberal senators meet with the Liberal caucus. I wonder whether a senator can really offer a non-partisan assessment. I know what a caucus is. Members of Parliament participate in caucus to get an explanation of the party line and to be told what will happen this week and where the emphasis is going to be. Am I supposed to believe that a senator is non-partisan? Really. That time is spent studying our party platform. We talk about our values and what we believe in. Am I supposed to believe that a Conservative or Liberal senator is non-partisan? There is something completely absurd about this concept.

As we know, at the moment, senators are not elected: they are appointed by the Prime Minister's Office. As we saw in the last session, they are not accountable. Many of them are even under investigation. This summer, some people told me they were not sure they wanted to abolish the Senate, since it might be useful. In response, I talked about the National Assembly of Quebec. I told them that Quebec once had an upper chamber, and that in 1968 parliamentarians discussed the issue and came to the conclusion that it made no sense to invest taxpayers' money in that chamber. Senators' work duplicates ours. Senators are appointed, not elected. People have no say in the matter.



*Business of Supply*

On December 31, 1968, the second chamber of the National Assembly of Quebec was dissolved. What a great gift to ring in the new year.

• (1350)

Truly, it was a great thing to do.

When I asked people whether they thought there was any real difference between the House of Commons of Canada and the National Assembly as regards the relevance of what is said about bills, not one person told me that the Senate was really useful. No one thought it was.

What is the Senate at the moment? It is a platform used by the party faithful to raise funds and promote the government's agenda. As my colleague said earlier, it is a chamber of failed candidates. That is what happened in the last election. In my riding, candidate Smith was not elected, and right after the election the Prime Minister made him a senator. What is that? Disgusting is what it is.

The people said that they did not want this person representing them, and the Prime Minister's Office disregarded that and appointed him to the Senate.

What is the Senate? It is a \$90-million annual expense. In fact, expenses have risen to \$92.5 million a year. I find that horrible.

Senators' partisanship is blatant. The Senate does not work. Last May, the Standing Committee on Internal Economy, Budgets and Administration made 11 changes to the rules governing travel. However, despite these 11 changes, senators can still participate in partisan activities. Indeed, a senator can travel to a riding, claim hotel expenses, per diems and travel expenses to take part in partisan activities.

I am going to read what the Senators' Travel Policy provided in 2012 and included in the definition of "Parliamentary functions". It points out that certain activities are excluded:

...but does not include activities related to (a) the election of a member of the House of Commons during an election under the Canada Elections Act, or (b) the private interests of a senator or a member of a senator's family or household.

This policy allows all senators to travel to engage in fundraising activities or to attend a Conservative cocktail. The current rules are not adequate. I am going to provide some numbers to support this, because I find it rather incredible. I am also a taxpayer and it sickens me to pay for that.

Over the last three years, Senator Irving Gerstein spent \$998,771. That is the cost to taxpayers. Moving on. Another Conservative senator, Judith Seidman, spent \$633,258. Davis Smith, a Liberal senator, spent \$935,705. James Cowan, another Liberal, spent \$1,362,852. Yet another Liberal senator—the Liberals are having a rough time—logged \$999,454 in travel expenses. Grant Mitchell spent \$1,209,704. Larry Campbell spent \$923,535. Over a period of three years, these seven senators spent close to \$7 million. That is incredible.

I see that I have only one minute left. I will be quick even though there is so much to say about the despicable things that are going on in the other place that it is difficult to limit oneself to a brief 10-minute period.

A lot of money is spent uselessly in the other chamber.

Let me get back to my colleague's motion. Since we cannot abolish the Senate until we take office in 2015, we want to put a stop to the partisan activities that are carried out at taxpayers' expense, and to travel that is not directly related to senators' functions.

In closing, I would like to quote someone who enlightened me considerably regarding this debate. I am referring to Michael Fortier, a former Conservative senator appointed by the current Prime Minister. In an interview on CBC radio, he said:

• (1355)

I was very naive. I thought it would be a different place than the one I found. I found it to be extremely partisan on both sides, including my own. And it was very annoying because these people were trying to be members of Parliament and they were not. If I had to choose today, I would say that I am probably closer to closing the place down. I just do not see the usefulness.

I think those comments speak volumes.

[*English*]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I appreciate the comments from the member, but I am somewhat surprised in the sense that I have had the opportunity, as she has, to canvass constituents. I have had ample opportunity to get a sense of what those important issues are, and there is no doubt that the behaviour of some senators is being held to question and that there is a lot of concern over what is happening on the other side; however, one of the biggest concerns I thought Canadians had was with regard to the Prime Minister's Office and the \$90,000 cheque: what did the Prime Minister know, what did he not know, and did he mislead the House of Commons? That seems to be the big issue of the day.

Given that we have the very first opposition day, does the member not believe that her constituents would like to see us focus our attention on the Prime Minister's Office and the very real, very tangible scandal that appears to be there? Is that not what we should be holding the government to account for today on this very first opposition day?

[*Translation*]

**Ms. Isabelle Morin:** Mr. Speaker, I thank my colleague for his question.

First, as a constituent, if a Liberal member came to see me, I would certainly not talk about abolishing the Senate. I know how closed off the Liberals are to new ideas and I know that their position on the Senate is to maintain the status quo. I would therefore not want to waste my time telling the member what I think. At any rate, the Liberals do not listen to their constituents. That is what I think.

Second, we are entitled to a certain number of motions and opposition days. It is our right to use them for whatever topic we choose. My constituents told me that they are worried about the Senate in general. That does not mean that they are not worried about what the Prime Minister did; it was just crazy. In addition, it is very difficult right now to know who is telling the truth. We all agree on that.

*Statements by Members*

There is the economy, which is in a very dangerous situation. There are a lot of topics. Railway safety is also important and it was not mentioned in the throne speech. However, at some point, you must decide on a topic and this is the one we chose for today's debate.

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I am pleased to have the opportunity to ask my colleague a question. Her speech was excellent.

I would also like to remind you that all hon. members are subject to the same rules. Whether we are talking about the hon. member for Ajax—Pickering, Yukon, Lotbinière—Chutes-de-la-Chaudière, Lévis—Bellechasse, Kitchener—Waterloo or Don Valley West, we are all subject to the same rules, which say that we must not travel for partisan purposes.

For instance, as a member of Parliament, I would not be able to travel at taxpayers' expense for the general meeting of a constituency association.

Why do the rules that apply to senators allow them to travel for partisan purposes when MPs are not allowed to do so?

This motion asks that the rules be the same. My hope is that the government will support it so that MPs and senators will be subject to the same rules.

• (1400)

**Ms. Isabelle Morin:** Mr. Speaker, I would like to thank my colleague for his question.

In fact, I find it very worrisome to know that my money and that of my family, my neighbours and my constituents in Notre-Dame-de-Grâce—Lachine is being used to pay a senator who is going to give a partisan speech in a riding that is far from his or her own jurisdiction. I find that very worrisome.

Senators should look into legislation and study it, something they are not doing. I fail to see how attending partisan activities at the expense of taxpayers can help senators better understand the legislation or do their job better. I find this very unfortunate.

Basically, I think it is very wrong. The goal of our motion is to state that there is no problem if people want to hold partisan activities, but they must pay their own way. In any case, senators are well paid. In short, these activities should not cost taxpayers money.

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## STATEMENTS BY MEMBERS

[*Translation*]

### TRANSPORTATION OF HAZARDOUS MATERIALS

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, public safety must not be taken lightly. However, it seems that the federal government has not learned from its mistakes. After the listeriosis and E. coli crises, where deregulation and industry self-regulation were singled out as root causes, a study by the Canadian Centre for Policy Alternatives on the deadly tragedy at Lac-Mégantic has criticized the government for its "regulatory failure".

Researchers found that the rail safety budget was cut by 19% between 2010 and 2014. However, the number of carloads of oil has risen from 500 to 140,000 in recent years and is still expected to increase. In addition, there are currently only 35 field inspectors.

It was this government that gave MMA permission to use a single conductor. The government must now take responsibility and give answers to the hundreds of Quebec communities on rail lines that have legitimate concerns about the transportation of hazardous materials.

\* \* \*

[*English*]

### CANADIAN CENTRE FOR CHILD PROTECTION

**Ms. Joyce Bateman (Winnipeg South Centre, CPC):** Mr. Speaker, parents all across Canada are increasingly concerned their children could be victimized through the misuse of technology. This is why I was honoured to be part of CyberTip Awareness Day at the Canadian Centre for Child Protection in my riding of Winnipeg South Centre.

On September 26, Mrs. Lauren Harper and the hon. Minister of Justice came to Winnipeg to announce the donation of \$100,000 from the Government of Canada to the centre. This is Canada's gift on the birth of His Royal Highness Prince George of Cambridge.

What a wonderful choice, because many children will benefit and be protected as Canadians join in the celebration of Prince George's birth.

I would like to commend the contribution of the Canadian Centre for Child Protection in ensuring that all Canadian children and youth are safe online and in their communities.

\* \* \*

[*Translation*]

### SMALL AND MEDIUM-SIZED BUSINESSES

**Ms. Annick Papillon (Québec, NDP):** Mr. Speaker, this is BDC Small Business Week, and we are celebrating the contribution that small and medium-sized businesses make to the Canadian economy. Each year, we celebrate entrepreneurship with some 200 activities that draw nearly 10,000 business people.

Small and medium-sized businesses in Canada represent 99.8% of all businesses and are a vital economic development driver. There are many success stories in my riding of Québec.

I would like to take this opportunity to draw attention to the Chambre de commerce et d'industrie de Québec, which was recently given an entrepreneurship award by the Fédération des chambres de commerce du Québec in recognition of the success of the first Foire des entrepreneurs. In Québec and across Canada, there are women and men who are living their dream. They are our entrepreneurs. They are innovators, builders and, above all, job creators.

Please join me in paying tribute to these hard-working people who, time and time again, make our country stand out internationally.

*Statements by Members*

[English]

**CANADIAN CONSULTING ENGINEERING AWARDS**

**Mr. Peter Braid (Kitchener—Waterloo, CPC):** Mr. Speaker, I rise today to recognize the winners of the annual Canadian Consulting Engineering Awards, presented by the Association of Consulting Engineering Companies Canada.

Our prosperity and quality of life depend on building and maintaining our public infrastructure. Engineers play a critical role in ensuring the safety and integrity of our public buildings, water systems, roads, and bridges.

We all must work together to provide quality infrastructure for our communities. Our government has announced our new building Canada plan, which will invest an unprecedented \$53 billion over 10 years to ensure that Canada's public infrastructure continues to meet the needs of Canadians.

The Canadian Consulting Engineering Awards recognize outstanding achievements in engineering and celebrate the highest level of innovation and ingenuity. Congratulations to all of the winners.

\* \* \*

● (1405)

**DAVID LEWIS PUBLIC SCHOOL**

**Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.):** Mr. Speaker, on May 10, 1990, David Lewis Public School opened its doors for the first time. Since then, thousands of young students have walked through those doors in pursuit of an education.

Karen Peach, the principal, has been at David Lewis for the past 11 years. She and her staff teach 362 students, ranging from junior kindergarten to grade 8. The school serves a culturally diverse community, which is celebrated by the school community and the community at large.

Over the last five years, on the Fraser Institute school report card the overall rating of the students' academic achievements out of a possible score of 10 ranged between 9.3 and 10.

I wish the staff and students at David Lewis Public School a happy 25th anniversary and continued success over the next 25 years.

\* \* \*

**FLOOD RELIEF EFFORTS IN CALGARY**

**Ms. Joan Crockatt (Calgary Centre, CPC):** Mr. Speaker, I have never been more proud to call Calgary my home.

In June's floods, the largest natural disaster in Canadian history, the people of Calgary showed incredible spirit and pulled together in the face of overwhelming adversity. They showed the world how friends and strangers help each other.

I want to thank everyone who sacrificed time, money, and effort, including our Prime Minister and his wife, cabinet ministers, and members of Parliament, who helped Calgarians dig out their basements after the floods.

In a record-breaking eight days, cabinet approved federal disaster assistance financing. By sending in military helicopters to help

people get rescued from their rooftops, the government was there for Albertans.

Then in the Speech from the Throne we announced the national disaster mitigation program to reduce the impact of natural disasters like this one. This is what people in my riding have been calling for. Bravo.

\* \* \*

**CAMPAIGN FOR THE RIGHT TO LITERACY**

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, everyone has the right to literacy, a fundamental skill and the foundation for participating in society, yet far too many Canadians suffer from low literacy.

I am proud to say that a national campaign for the right to literacy has begun in my riding of Dartmouth—Cole Harbour. Led by Lesley Dunn of the Dartmouth Learning Network, the campaign encourages leaders and citizens across Canada to sign a declaration calling for a national framework for literacy. I am also proud to say that the very first person to sign this declaration was the leader of the NDP. Since then it has been signed by politicians of all stripes and all levels of government.

I encourage every member of the House to take this opportunity to show their support and sign the declaration calling for a national framework for literacy.

\* \* \*

**GRAIN SHIPMENTS BY RAIL**

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Mr. Speaker, I believe that farmers are the salt of the earth and I am delighted that farming is pretty good right now. Farmers have a lot to be thankful for: cattle prices are high, hog prices are on the rise, and supply management sectors are relatively stable, with new opportunity being opened up with the Canada-EU free trade agreement. This agreement, of course, is good for all sectors.

Grain farmers have produced a huge record crop. When we hear farmers complain about storage shortages or their trucking bill, we know they have a big crop.

While these comments are partly in jest, it is true that grain movement and prices will very much depend on CN and CP rail.

I want to assure farmers that my colleagues and I are aware of the importance of early and heavy grain movement and will be strongly encouraging the railways to get at it. This crop is almost in the bin and much of it is in temporary storage, but it is still a long way from market and is still very vulnerable. We will keep watching out and ensure that this crop gets moved.

*Statements by Members***SUPPORT FOR SMALL BUSINESSES**

**Mr. Dean Allison (Niagara West—Glanbrook, CPC):** Mr. Speaker, I would like to talk about the tremendous work our government has done to support the growth of small business as we recognize Small Business Week across Canada.

We are continuing our work to reduce red tape by removing unnecessary and ineffective regulations, allowing businesses to grow and create more jobs.

We are reducing taxes and we are reducing the administrative tax burdens on small businesses by improving CRA's ability to provide quick and effective services.

By extending the hiring credit, we are making it easier for small businesses to expand their workforce and further stimulate economic growth. In addition, we are helping young entrepreneurs become the business leaders of tomorrow by contributing millions of dollars to the Canadian Youth Business Foundation.

We are also investing in research, development, and innovation programs that directly help small businesses with their efficiency and productivity.

It is clear that our government recognizes the critical role played by small businesses in our economy, and we will continue to provide them with our support.

\* \* \*

● (1410)

[Translation]

**COMMUNITY CONTRIBUTIONS**

**Mr. Réjean Genest (Shefford, NDP):** Mr. Speaker, I wish to commend the outstanding contributions of two individuals who were awarded the Quebec National Assembly medal last week.

Joanne Ouellette is the executive director of Solidarité ethnique régionale de la Yamaska, an immigration advocacy group. Ms. Ouellette is a visionary, a smart and caring woman.

Serge Tremblay is a businessman who founded the Leucan Shaved Head Challenge and the Leucan 12-Hour Ski Challenge. He is known for his contributions to many causes.

I would also like to recognize Chantal Bossé, CEO of CHABOS, who is the second Canadian woman to win the title of Microsoft PowerPoint MVP for 2013-14, and the only francophone woman among this group of experts.

I wish to personally congratulate Joanne Ouellette, Serge Tremblay and Chantal Bossé on the contributions they make to their communities.

\* \* \*

[English]

**JUSTICE**

**Ms. Roxanne James (Scarborough Centre, CPC):** Mr. Speaker, Omar Ahmed Khadr pleaded guilty to heinous crimes. He pled guilty to the murder of Sergeant First Class Christopher Speer, an American army medic. He also pleaded guilty to providing material support for terrorism, conspiracy and spying.

Last week the courts readily decided that he must continue to serve his sentence in a maximum security federal facility. Too often this serious criminal gets all the attention, especially from his soft-on-crime friends in the NDP and Liberal Party. In fact, the member for Gatineau referred to the “tragedy of Omar Khadr”.

The real tragedy is that on August 6, 2002, Tabitha Speer lost her husband and Taryn and Tanner Speer lost their father.

Rather than focusing on the rights of confessed terrorists like Mr. Khadr, the Liberals and the NDP should join our government in standing up for the rights of the real victims of crime.

\* \* \*

[Translation]

**AUTISM**

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, I rise today to talk about Autism Awareness Month, which is observed every October in Canada.

It was recently estimated that nearly 1% of Canadians live with autism. My colleagues from Vancouver Kingsway and Sudbury have moved motions regarding autism, and I am proud to say that the NDP has worked very hard to find solutions and help Canadian families who have loved ones with this disorder.

During recent discussions with autism groups, I learned what little compassion the federal government has shown for their realities. It has ignored the practical solutions that have been proposed, such as the creation of national treatment standards to ensure fair access to care for children and adults across the country. The Conservatives also refused to improve surveillance standards, which would have helped us better understand autism.

As deputy health critic for the NDP, I hope that Autism Awareness Month will help Canadians better understand this disorder and understand the need to offer better support to the people with this disorder and to their families.

\* \* \*

[English]

**CANADIAN FORCES COLLEGE**

**Mr. Ted Opitz (Etobicoke Centre, CPC):** Mr. Speaker, the Canadian Forces College in Toronto is among the premier centres of military education in the world. The CFC plays a vital role in the professional development of selected Canadian officers and prepares them for senior command positions at the global strategic level.

The CFC includes international military members, RCMP, senior public servants and private sector leaders addressing future strategic responsibilities in a complex global security environment through many programs offered at the CFC.

The National Security Programme is the CFC's year-long senior course. This week is its annual field study exercise to Ottawa, visiting key federal departments and varied experts. The International cadre are from Brazil, the U.S., Pakistan, the United Arab Emirates, Saudi Arabia, Trinidad and Tobago, Kenya, the Netherlands and Poland.

As a former graduate and staff member at the CFC, I welcome the Canadian Forces College National Security Programme to Ottawa on its annual field study exercise.

\* \* \*

● (1415)

### HUMAN RIGHTS

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, this past weekend I participated in an international conference in Paris in support of the struggle for democracy and human rights in Iran and in remembrance of yet another massacre of 52 Iranian residents of Camp Ashraf in Iraq, protected persons under international humanitarian law.

The victims' families and former political prisoners, with whom I met, were particularly pained by what they felt was the silence of the international community in the face of ongoing massive domestic repression in Iran, where hundreds of Iranians have been executed since President Rouhani's election, where Rouhani has appointed a justice minister who is a person directly responsible in the 1988 massacre of 5,000 political prisoners, and where the massacres of Camp Ashraf residents, of which the most recent was the fifth of its kind, continue with impunity, while other residents have disappeared.

It is our responsibility, as they have asked me to convey, to break the silence, to hold the Iranian and Iraqi governments to account, to secure protection for the Ashraf residents and to ensure, as they cautioned me, that nuclear negotiations must not serve as a distraction from the ongoing massive violation of human rights in Iran.

\* \* \*

### RELIGIOUS FREEDOM

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, this past Sunday we witnessed yet another tragedy in Egypt. Another Coptic church was attacked, killing four people, including two young girls, an eight-year-old and a 12-year-old. I would like express my sincerest condolences to the family and friends of the victims.

This assault represents the latest attack targeting the Coptic community in Egypt. Our government condemns this. Places of worship should be places of safety. We call upon the Egyptian authorities to protect Coptic Christians and bring those responsible to justice.

Our government firmly believes that implementing a transparent, democratic system that respects the voices of Egyptians, including the members of all religious communities, is the best way to restore calm. It will give all Egyptians a stake in the future stability and prosperity of their country.

### Statements by Members

Canada will continue to support the transformation to a pluralist, democratic Egypt that protects the right of all Egyptians, regardless of faith, to live in peace.

\* \* \*

### INTERNATIONAL TRADE

**Mr. Dan Harris (Scarborough Southwest, NDP):** Mr. Speaker, the Conservatives seem to be at their happiest when they are misleading Canadians and spreading falsehoods about the NDP. Yesterday it was about a trade deal.

Last week our excellent trade critic sent out a statement saying:

New Democrats welcome progress towards a comprehensive new trade agreement with the European Union. We believe in expanding and diversifying our trade relationships...

Reasonable people would recognize this was a responsible position. In fact, a Conservative minister called the NDP approach "balanced", yet the Prime Minister yesterday disregarded the facts and instead started making stuff up. I think he has been reading too much Jeffrey Simpson, or maybe his talking points were inaccurate due to a production deadline.

In reality, the NDP supports greater trade with Europe, and we can be trusted to tell the truth and defend the interests of Canadians.

\* \* \*

### INTERNATIONAL TRADE

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, through the Canada-Europe trade agreement, our government is creating new and historic opportunities in Europe for our agricultural producers. Almost 94% of EU agricultural tariff lines will be duty-free when the Canada-Europe trade agreement comes into force.

Our government has successfully negotiated an outcome that provides our exporters access to 500 million new hungry consumers. Our government is standing up for Canadian farmers and ranchers. In fact, the Canadian Agri-Food Trade Alliance said:

CAFTA fully supports this deal, which we expect will expand agriculture and food exports to the EU by an incredible C\$1.5 billion dollars a year.

However, the NDP is an anti-trade party beholden to unions and radical anti-trade activist groups. Union friends of the NDP have already denied the benefits of a Canada-Europe trade agreement and the Leader of the Opposition said last week, "there's going to be a hell of a price to pay" for trade with Europe.

On this side of the House, we support free trade and new jobs and opportunities for Canadians, while the NDP supports no trade and the Liberals support the drug trade.

*Oral Questions***ORAL QUESTIONS**

● (1420)

*[English]***ETHICS**

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, does the Prime Minister regret any of his actions? Not Nigel Wright's actions, not Mike Duffy's actions, but does the Prime Minister regret any of his own actions in the Senate scandal?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, as I have said before, we expect that when people are parliamentarians in either House, they will respect the rules, particularly rules obviously regarding expenditure. If they do not, we expect there to be accountability, and that is what we expect when people make mistakes. We will continue to operate on that basis going forward.

This government, of course, will focus on the real priorities of Canadians, and that is jobs, growth and ensuring we have opportunity for future generations.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, on June 5, the Prime Minister said that no one else in his office knew about Nigel Wright's \$90,000 payment to Mike Duffy. Was that true?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, I have addressed that question, some months ago in fact.

The fact is, as we all know, Mr. Wright himself has said that this was a decision he took himself. He admits it was an error of judgment and he has taken full responsibility for his actions.

This government will continue to take its responsibilities, and those responsibilities are to focus on the real concerns of Canadians, including jobs and the economy. That is why we have been working hard and showing the fruits of those labours through things like the Canada-Europe trade agreement.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, as if whether or not the Prime Minister tells the truth to Canadians is not a matter of real concern to Canadians.

*[Translation]*

Did Nigel Wright tell the Prime Minister that no one else in his office was aware of the \$90,000 payment to Mike Duffy? Did he say that, yes or no?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, Mr. Wright was very clear when he made that decision. It was his responsibility. He took responsibility for the decision, just as this government accepts its responsibilities. We are responsible for fostering growth, jobs and economic security for Canadians, and we will continue to pursue those goals.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, when the Prime Minister told Canadians, in the House, that no one else in his office knew about the \$90,000 payment to Mike Duffy, was he told that that was not true? Did he even ask the question?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I addressed that question several months ago. The facts are

clear. Mr. Wright made the decision himself. It was his responsibility. He accepted responsibility just as this government accepts its responsibility to improve Canada's economic performance, as compared to other developed countries, in these uncertain times. We intend to continue serving the major goals of Canadians and their families.

*[English]*

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, how are Canadians supposed to know if the Prime Minister is telling the truth if he does not know himself?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, it is interesting. I just heard an NDP member saying I guess that the NDP supported the Canada-Europe trade agreement when the NDP's leader said that there was going to be a hell of a price to pay and a lot of jobs lost in Canada. Today apparently the NDP members support it, yesterday they said that they had never seen it and on Friday they said that they were against it.

Therefore, what are Canadians to believe? They are to believe that the only party that is focused on the real needs, focused on the economy and doing things for Canada, is this government.

\* \* \*

● (1425)

**INTERNATIONAL TRADE**

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, I would like to offer my sincere congratulations to the many Canadians at all levels of government and in the public service who played a role in the achievement of the agreement between Canada and the European Union, including the Prime Minister, the Minister of International Trade and people like former premier Jean Charest. Congratulations.

*[Translation]*

We support this agreement in principle because it seeks to reduce barriers to trade, thereby increasing trade between Canada and the European Union, and because it will benefit the middle class.

Can the Prime Minister tell us when the House will have access to the details of this important agreement?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I appreciate the fact that the Liberal Party supports this historic agreement with Europe.

*[English]*

Mr. Speaker, as you know, last Friday I announced the largest and deepest trade deal in Canadian history with the European Union. It is a very important step forward. We released a compendium of the impacts of that on every single sector of the economy, which I think is why we see such strong support. I can assure the hon. member and his party that in the days to come the government will be releasing additional detailed information.

\* \* \*

**ETHICS**

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, leaders take responsibility when things go well but also when things go wrong.

Clearly, when it comes to the scandal engulfing the PMO, things have gone very wrong. The Prime Minister appointed Mike Duffy; he hired Nigel Wright. His inner circle, with whom he meets daily, has worked for months to cover up this scandal.

Will the Prime Minister take any personal responsibility for this abuse of Canadians' trust?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as I think I have said, it is unacceptable and those individuals who have been engaged in this particular affair have been dealt with and continue to be dealt with.

As I have said repeatedly, we do not assure Canadians that everything will be perfect, but we do assure Canadians that when anything goes wrong, people will be held accountable. The misuse of expense accounts is not acceptable and will be dealt with appropriately.

[*Translation*]

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, it does not make any sense.

When it comes to an agreement involving hundreds of people, various departments and a number of levels of government for many years, the Prime Minister is happy to take all the credit, but when it comes to the actions of his right-hand man, he goes into hiding.

Will the Prime Minister finally take responsibility for this sordid affair?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, it is quite the opposite. As I said in Brussels, I am not the only one responsible for this historic agreement with Europe. The provincial and territorial governments have been crucial partners.

[*English*]

This really has been a team Canada effort of all levels of government, of stakeholders in the business community and, of course, of strong public servants who in this country do not work in silos but work across government. I was the first one to acknowledge on Friday that the achievement of this historic agreement was a team Canada effort and it will continue to be, going forward, as we implement it.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, Nigel Wright said to Mike Duffy, "We have been working on lines and a scenario for you that could cover all your concerns, including the cash for repayment".

Who is "we"?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, very exciting—

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

**The Speaker:** Order, please. The hon. Parliamentary Secretary to the Prime Minister has the floor.

**Mr. Paul Calandra:** It is certainly nice to be loved, Mr. Speaker.

The Prime Minister has answered these questions very clearly on a number of occasions with all of the information that he had available to him. We are continuing to work closely with authorities on this and we are providing them any information that they require.

### *Oral Questions*

In the meantime, there are a lot of issues facing Canada and we are going to continue to move forward with jobs and economic growth for such things as the Canada-European Union free trade agreement, which brings lots of jobs and opportunity across this country.

[*Translation*]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the only one who can answer those questions is the Prime Minister. Canadians will judge the Prime Minister's silence harshly.

When the Prime Minister spoke to Mike Duffy personally on February 13, was Nigel Wright also present?

• (1430)

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, this question shows that we must continue to work with the authorities. We have answered all the questions on this subject based on the information that we had. Meanwhile, we have continued to work on real Senate reform.

[*English*]

We have put forward a number of proposals to reform the Senate. That is why we are continuing to move those forward, including an elected Senate with term limits, unlike the opposition, which brought forward a silly motion today to apparently end partisanship in the Senate.

There is a lot of things that are confronting this government and the Canadian people, and we will get the job done for them.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, we do not know why the Prime Minister cannot tell the truth. Canadians can handle the truth.

On August 21, long after he resigned, Nigel Wright gave the RCMP a binder full of documents related to the Mike Duffy affair. What is in the binder?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, what is clear is that we are continuing to work with authorities to get to the bottom of this.

Mr. Wright has accepted sole responsibility for his actions on this. We will continue to answer all the questions to the best of our ability and will work with authorities on this.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the only person who can answer these questions is the Prime Minister.

Did the Prime Minister or anyone else in his office threaten Mike Duffy with expulsion from the Senate if he did not go along with the "cash for repayment" scheme cooked up in his office?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, again, Nigel Wright has accepted full responsibility on this matter. We have answered all of the questions that have been posed to us to the best of our ability.

*Oral Questions*

What this underlines, though, is that Canadians want accountability in the Senate. That is why we have put on the table a number of reforms, which include Senate elections and term limits for senators. We hope the NDP and the Liberals will join us in bringing that accountability to the Senate.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, in December 2012, the Prime Minister's chief of staff said that several senators had deals cooked up similar to that of Mike Duffy.

Who were they?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, as I have said on a number of occasions and will continue to say, Mr. Wright has accepted full responsibility for this.

The Prime Minister has answered all the questions on this, and we are continuing to work with authorities. In the meantime, there are a lot of issues that we are confronting, including a trade deal with the European Union, including crime and safety in our communities.

There are a lot of things Canadians want us to focus on. We will continue to focus on those issues while working with the authorities to get to the bottom of this.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, how about crime and safety here?

On June 5, the Prime Minister said that he was “not aware” of the results of the audit of Pamela Wallin's expenses.

Was that true? Only the Prime Minister can answer.

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

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, on May 17, when the Prime Minister kicked Pamela Wallin out of the Conservative caucus, was he aware that the audit of Pamela Wallin's expenses had already turned up \$40,000 in illegal spending?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, again, the Leader of the Opposition's questions highlight the importance of our continuing to work with authorities to get to the bottom of this.

We have answered all questions that have been posed to us to the best of our ability. We will continue to do that. At the same time, Nigel Wright has accepted sole responsibility for this. We will continue to move forward with Senate reform. We will continue to move forward with opening opportunity and jobs for Canadians across this country, such as with the Canada-European Union free trade agreement, which will benefit our communities, which will benefit our small businesses.

We are going to continue working on behalf of Canadians.

•(1435)

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, what changed? What changed between February 13, when the Prime Minister personally vouched for Pamela Wallin's expenses and May 17 when the Prime Minister kicked Pamela Wallin out of the Conservative caucus?

If the Prime Minister was not aware, as he claims, of that \$40,000 in illegal expenses, then what changed?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, what is clear is this: Canadians expect that all of us, not only in this place but in the Senate, when we are entrusted with their hard-earned tax dollars, will act responsibly. The Prime Minister was quite clear yesterday when he said that not only should the letter of the law be followed but also the spirit of the law.

Most of us, or at least some of us, come from a private sector background. When we are caught, or when individuals are caught padding their expenses, they are fired. They do not have that opportunity in the Senate, and Canadians have said they want change. That is why we have put reforms on the table, which will allow us to elect senators and which will limit them to nine years in office.

Hopefully, they will come on board and vote for those as well.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, in July, the RCMP revealed that Nigel Wright had in his possession detailed records of Mike Duffy's “travel, meetings, teleconferences, social events, holidays, noteworthy current events, speeches, and political interactions”.

Here is what is troubling. The Prime Minister promised the House that he would turn over all the evidence to the RCMP. Why would he allow a former staffer to walk out with such a trove of evidence when an investigation by the RCMP was taking place?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, in his own question, the member acknowledges the fact that we are working with the RCMP and authorities to get to the bottom of this. That is what we have committed to. We are going to do that. Mr. Wright has accepted full responsibility for this.

In the meantime, we are going to continue focusing on jobs, hope and economic prosperity for all Canadians. That is what happens when we negotiate a free trade agreement that opens up a market of 500 million people to our small businesses across Canada. This means hundreds of thousands of new jobs and prosperity. That is what we hope they will focus on, as well as the accountability of the Senate and getting to the bottom of this.



*Oral Questions*

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, Chris Woodcock, the former PMO issues manager, was sent the February 20 email from Mike Duffy, detailing his deal with Nigel Wright. The Prime Minister misled Parliament when he claimed that no one else in his office knew of the deal. It was a PMO office-wide strategy to subvert the work of a committee by Duffy's silence and cover the whole thing up.

Nixon used to call his cover-up experts "the plumbers". Why did the Minister of Natural Resources hire Chris Woodcock, the PMO's disgraced plumber, as his chief of staff?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, as I have said on a number of occasions, we are working closely with the authorities. Nigel Wright has accepted full responsibility for his actions on this matter.

In the meantime, I was pleased to hear that the Liberals have tentatively supported the Canada-Europe free trade agreement. We are going to continue to focus on jobs, hope and economic prosperity for all Canadians, because that is what they have asked us to do.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the Prime Minister's story about the PMO deal with Mike Duffy has been contradicted by the police and by Nigel Wright himself. Mr. Wright was no solo freelancer. The Prime Minister's lawyer, his director of issues management and others were also intimately involved. The cover-up went on for months, with threats, hush money, spin lines and a Senate report doctored by Conservatives. It was in the Prime Minister's Office, on the Prime Minister's watch.

It is his responsibility, not Nigel Wright's. Why does he not get that basic fact?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, again—and I will speak a little bit more slowly for the Liberal Party—we are working very closely with authorities. It is very important that we get to the bottom of this.

In the meantime, Conservatives are able to work on more than one thing at a time. We can work on community safety. We can work on expanding markets for our small and medium businesses. We can work on natural resources. In fact, this is Small Business Week across Canada. Small businesses are looking at the opportunities and the advantages that a Canada-EU free trade deal has to offer them. We are going to continue to do that.

• (1440)

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, Canadians just do not believe the cover-up. Mr. Wright might try to assume responsibility, but it is fiction. He clearly did not act alone.

We also asked about the paper trail. The Prime Minister said there was none, not a single email, but that too is false. There is a paper trail. It goes on for hundreds of pages, and the key document was in the personal possession of the Prime Minister's director of issues management.

Is it credible that a document proposing possible illegal behaviour by the PMO was not reported to the Prime Minister?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker,

again, as I have said on a number of occasions, we are working with authorities. Mr. Wright has accepted full responsibility on this. What this highlights is the importance of our continuing to work with authorities to get to the bottom of this.

In the meantime, it is also Citizenship Week. As somebody whose parents came to this country in the 1960s, I cannot say how proud I am that I have the opportunity to stand in the House of Commons and answer questions.

Let me just say this. Let us all celebrate the fact that, even despite the challenges we face, this is still the best country in the world in which to live.

\* \* \*

[*Translation*]

**ABORIGINAL AFFAIRS**

**Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):** Mr. Speaker, today the Conservatives will present their most recent version of the first nations education bill in a climate of utter distrust and widespread concern with respect to this government.

We should remember that the UN rapporteur asked the government not to rush forward with this bill. It is not too late to change course and fix an education system that is handicapped by chronic underfunding.

Will the minister choose confrontation or collaboration?

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, collaboration.

[*English*]

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, the minister's words do not match his actions. Any first nations education act must be backed up with adequate funding. Former Auditor General Sheila Fraser said it would take up to 28 years to eliminate the education gap with first nations students. Under the Conservatives, this gap has widened even more.

Canada is setting these children up for failure. Will the minister provide equal funding for on-reserve schools?

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, what the government will not do is throw more money at a known system of education that proves to be failing too many first nations students across the country. The fact of the matter is that a lot of experts, chiefs, and organizations throughout the country, including the Auditor General, have called for a legislative framework. We committed, as a government, to work with aboriginal peoples, and that is what we are continuing to do and will continue to do.

*Oral Questions***SCIENCE AND TECHNOLOGY**

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, a shocking new report has revealed the real impact of the Conservatives' muzzling of science. Ninety per cent of government scientists feel they cannot speak freely about their work to the media. Even worse, many think they would face retaliation if they blew the whistle and revealed information about harm to public health, public safety, or the environment.

Why are the Conservatives making it a higher priority to protect their reputation than to protect the public?

**Hon. Greg Rickford (Minister of State (Science and Technology, and Federal Economic Development Initiative for Northern Ontario), CPC):** Mr. Speaker, our government has made record investments in science, and it is paying off. In fact, Canada is ranked number one in the G7 for our support for scientific research and development in our colleges, universities, and other institutes. We are creating jobs, strengthening the economy, and improving the quality of life for all Canadians.

Ministers are the primary spokespersons for government departments. However, scientists have been and are readily available to continue to share their research with Canadians.

**Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP):** Mr. Speaker, the only record the Conservatives have broken is in keeping scientists off the record.

[Translation]

The information commissioner is already investigating the muzzling of scientists by the Conservatives.

Now we have learned that almost half of federal scientists have seen situations where their departments have withheld information that could be vital to health and safety.

How will the government guarantee the scientists' freedom?

•(1445)

[English]

**Hon. Greg Rickford (Minister of State (Science and Technology, and Federal Economic Development Initiative for Northern Ontario), CPC):** Mr. Speaker, the only people who are trying to muzzle scientists are the opposition. They do not want to hear the science on Keystone XL pipeline. Instead of listening to the science behind Keystone XL pipeline, the NDP leader attacked Canadian jobs and Canada's national interest on the world stage.

The NDP members should listen to their NDP colleagues in Saskatchewan, who accept the science and support the Keystone XL pipeline for the jobs and contributions it will make to their economy and our country.

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**INTERNATIONAL TRADE**

**Mr. LaVar Payne (Medicine Hat, CPC):** Mr. Speaker, the Canada-Europe free trade agreement is a historic deal for our beef and pork producers. For ranchers, it means nearly duty-free access for up to 80,000 tonnes of pork, 65,000 tonnes of beef, and 3,000 tonnes of bison. The Canadian Pork Council said that access will

allow the industry, battered by a drop in U.S. sales, to invest in new plant capacity.

Would the Minister of Agriculture please explain this deal and why it is so important for the red-meat industry?

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food, CPC):** Mr. Speaker, as the member for Medicine Hat readily points out, this deal will be worth over a billion and a half new dollars to Canadian agriculture. Do you know who disagrees? It is the NDP and its agricultural focus group, the National Farmers Union. Yesterday, the NFU said increasing economic activity for farmers is a red herring. The Leader of the Opposition said, "a lot of farmers would be put in danger of losing their whole business".

That is ridiculous. The NDP and its union bosses are dead wrong again. They need to listen to farmers and support this valuable deal.

\* \* \*

[Translation]

**THE BUDGET**

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I do not think this is rocket science: we want to see the text of the agreement before we decide whether to support it or not. As a responsible opposition, we will not sign a blank cheque for the government.

Once again, the omnibus budget bill has a few surprises in store for us. It contains changes to the regulations for Supreme Court justices in order to correct the errors the Conservatives made in the appointment of Justice Nadon.

Can the Minister of Finance explain how the rules for the appointment of Supreme Court justices fall under budget measures?

**Hon. Peter MacKay (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, our government has long defended the right of members of the Barreau du Québec to serve on Canada's highest court.

[English]

We have taken steps today, with respect to the clarification, to bring forward, and I want to be clear, not legislative amendments. These are, in fact, simply declaratory provisions that will serve as a clarification for the Supreme Court Act. I should also indicate to the House that we have also now taken steps to ensure that the Supreme Court itself will clarify the situation so that Mr. Justice Nadon can join them and they can have a full complement of Supreme Court justices.

[Translation]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, why is that in a budget implementation bill? If the Conservatives were not ashamed of their agenda, if they were not trying to once again pull the wool over Canadians' eyes and circumvent the law, they would not be hiding behind an omnibus bill.

This legislation greatly reduces the powers of occupational health and safety officers and makes it more difficult for employees to refuse to work in unsafe conditions.

How is the weakening of occupational health and safety laws a budget measure?

[English]

**Hon. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC):** Mr. Speaker, our government remains focused on the economy and on keeping Canadians' workplaces safe, fair, and productive. These amendments would ensure that employees and employers remain on the forefront of resolving occupational health and safety issues. Building and sustaining safe workplaces contributes to Canada's overall prosperity.

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, Conservatives have introduced another 300-page omnibus budget bill, and of course, they threw in everything but the kitchen sink. Supreme Court appointments are now a budget matter to Conservatives, as are attacks on workers' health and safety. Health and safety officers are to be stripped of their powers and rules weakened around workers' health and safety rights.

Why is the Minister of Finance using a budget bill to attack workers?

**Hon. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC):** Mr. Speaker, as I just said, and maybe the member opposite did not hear, health and safety officers will receive the additional support they need, in fact enhancing the quality and consistency of their decisions and improving overall safety for Canadians in the workplace. We are about ensuring that Canadians can be safe and productive. That is why we are investing in this area.

Why does the member opposite not think Canadian workers should be safe?

\* \* \*

●(1450)

#### FINANCE

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, the Minister of Finance is also getting himself into trouble with the international business press. Bloomberg reported that “he's fully exposed his lack of understanding of what the Federal Reserve's bond buying program actually entails”.

Reuters says that he confused “printing money” and “quantitative easing”. *Business in Canada* says that the finance minister's position is “at odds with what Canada's monetary policymakers have said”.

Can he now clarify his statements?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, it has been called different names. The most recent one was monetary accommodation. Before that, it was called quantitative easing. It is still printing money, and it still means that the next generation will pay for it, and I am not in favour of that.

#### Oral Questions

[Translation]

#### INTERGOVERNMENTAL RELATIONS

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, the Minister of Intergovernmental Affairs has a knack for breaking cabinet solidarity for the wrong reasons. After giving his support to Quebec's so-called “charter of values”, more aptly named the “charter of shame”, he is now claiming, against all logic, that a single vote is enough to break Canada apart following a referendum.

My question for the minister is this: if 50% plus 1 is a clear majority, what constitutes an unclear majority?

**Hon. Denis Lebel (Minister of Infrastructure, Communities and Intergovernmental Affairs and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, as mentioned, this matter is before the courts. I spent the summer touring the regions of Quebec. No one wants a referendum, and the federal government certainly cannot be reproached for defending federal legislation.

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, my question is for the Prime Minister. The Minister of Intergovernmental Affairs says one thing to the francophone community or media, while his cabinet colleagues say the opposite to the anglophone media. This is very dangerous behaviour when dealing with issues as important as national unity and human rights.

If this is not his idea, will the Prime Minister condemn this doublespeak? The people of Brandon—Souris and Provencher are not impressed with the current Prime Minister.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the fact of the matter is we believe, on this side, that debates on the process for dividing the country are best left to the courts.

Everybody on this side, including the Minister of Intergovernmental Affairs, is an unconditional supporter of the unity of this country. I believe that Quebecers, as much anyone else, do not want another referendum. They do not want to be arguing about this. They want to be taking this country, united together, forward into the future.

\* \* \*

[Translation]

#### EMPLOYMENT

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, the latest TD Bank report is contradicting the nice stories the Conservatives are telling. The shortage of workers—this so-called problem that the Conservatives solved by making terrible EI reforms and giving carte blanche to those who wanted to hire temporary foreign workers—is just a myth. In the end, the crisis announced by the Conservatives amounts to nothing.

On what evidence did the Conservatives base the announcement of such a crisis?

*Oral Questions*

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Mr. Speaker, the question once again shows how out of touch the NDP is when it comes to our economy. Some NDP members approached me to speed up the hiring process for temporary foreign workers in their ridings because they were concerned about a labour shortage.

It is very important that we connect Canadians with the jobs that are available in our economy so that they can continue to improve our economic situation.

• (1455)

[English]

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, once again, the Conservatives are ignoring the facts. Let me quote the TD Bank economists: “Evidence of economy-wide shortages is hard to find”.

To justify gutting important programs, like employment insurance, and to enable widespread abuse of the temporary foreign worker program, Conservatives point to a looming skills shortage. However, the experts and the science do not back them up.

Would the minister now admit that the government was wrong?

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Mr. Speaker, every single industry organization, every business I have met with in this country from coast to coast, says that the number one emerging issue they are facing is one of skills shortages. There is no doubt we need better labour market information to identify exactly where, in what regions, and in what industries.

I find it peculiar coming from that particular member, since she has actually raised with me skills shortages for particular employers in her constituency. She should know better. She should talk to the employers in her own constituency.

\* \* \*

[Translation]

**JUSTICE**

**Mr. Royal Galipeau (Ottawa—Orléans, CPC):** Mr. Speaker, Justice Marc Nadon is an exceptional candidate for the Supreme Court of Canada. He is a dedicated lawyer with over 20 years of experience in the Barreau du Québec, followed by a 20-year career as a judge.

[English]

Mr. Justice Nadon, who has served with distinction, makes one of the finest appointments to the Supreme Court of Canada. Could the Attorney General of Canada please update this House on the status of his appointment?

[Translation]

**Hon. Peter MacKay (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, our government firmly believes in the right of Quebecers to serve on Canada's highest court.

[English]

Today, in addition to the declaratory provisions to clarify the Supreme Court Act tabled in this House, I am announcing, as well,

that I have authorized the filing of the reference to the Supreme Court of Canada to expedite the challenge of Justice Nadon's appointment.

Our government will fervently defend the eligibility of long-standing members of the bar in all provinces and territories to serve on the highest court of our country.

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**SCIENCE AND TECHNOLOGY**

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, middle-class Canadians expect the government to ensure safe and healthy communities in which to raise their children. However, in a report released yesterday, half of federal scientists report being aware of actual cases in which the health and safety of Canadians has been compromised because of political interference with their scientific work in which their department or agency suppressed information.

How could we possibly entrust the health and safety of our kids to the Conservative government?

**Hon. Greg Rickford (Minister of State (Science and Technology, and Federal Economic Development Initiative for Northern Ontario), CPC):** Mr. Speaker, Canada is ranked number one in the G7 for our support for scientific research and development in our colleges, universities and institutions.

It is just another reason Canadians are excited because of the signing of the free trade agreement with Europe, which will create access to more than 800 million consumers. This agreement will make Canada an even more attractive place for investors and manufacturers. Science, research and innovation will help drive that process.

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**GOVERNMENT ACCOUNTABILITY**

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I would like to read to the Prime Minister from his own message to ministers in his “Accountable Government: A Guide for Ministers”, 2011.

As a Minister, you are individually accountable to Parliament for the discharge of all responsibilities vested in you. You must answer all questions pertaining to your areas of responsibility, correcting any inadvertent errors at the earliest opportunity.

Does he even pretend to believe those words anymore?

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, it is clear that this is the government that brought in the Accountability Act. After years of corrupt Liberal government, Canadians demanded a more accountable, open government. That is what they are getting from this government.

The President of the Treasury Board has undertaken an open government initiative that is seeing millions of documents put on the table that were never there before. We have shone the light of information on 70 different departments of the government that were previously not open to the freedom of information process.

When it comes to accountability, when it comes to honesty, when it comes to democratic reform, it is this government that Canadians can count on to get the job done, all the time.

\* \* \*

• (1500)

[Translation]

#### ELECTIONS CANADA

**Mr. Mark Adler (York Centre, CPC):** Mr. Speaker, my question is for the Minister of State for Democratic Reform.

[English]

Elections Canada has found that Liberal leadership candidates who have large debts dating back to 2006 are not in compliance with the law. Ken Dryden's lawyer is now bragging publicly that the former Liberal MP will not even try to pay the money back. This constitutes mounting evidence that he wilfully used loans to circumvent donation limits, an offence under section 497 of the existing act.

What can Elections Canada do under the existing law to combat such law-breaking?

**Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC):** Mr. Speaker, It can investigate. Under the present law, the Commissioner of Canada Elections has the power to investigate whether anyone has used loans to circumvent donation limits, a clear offence under section 497 of the existing Canada Elections Act.

Elections Canada is right to point out that non-repayment of political loans, while illegal, is not enough to deem that an offence has occurred. More evidence of wilfulness would be required. That takes an investigation, and there is nothing under the existing law to stop such an investigation from starting right now.

\* \* \*

[Translation]

#### EMPLOYMENT INSURANCE

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, a directive disclosed this past June by *Le Devoir* concerning access to employment insurance records has recently become official.

Advocacy groups for unemployed workers are concerned, since claimants will no longer have access to records in their own file when submitting an application for review. Unemployed workers must now make their submissions without even knowing why their claim was denied.

The Mouvement autonome et solidaire des sans-emploi has written the Minister to demand an explanation. How will he respond?

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Mr. Speaker, I will answer when I receive the letter.

#### Business of Supply

[English]

#### FINANCE

**Mr. Brent Rathgeber (Edmonton—St. Albert, Ind.):** Mr. Speaker, last week's Speech from the Throne made a vague reference to balanced budgets and reducing the cost of government. It stated that the government will introduce balanced budget legislation, but only during normal economic times and with timelines for returning to balance in the event of an economic crisis.

My questions are for the Minister of Finance. Does the government intend to pass balanced budget legislation or merely to introduce it? Who gets to define "normal economic times" and "economic crisis"? If it is him, Canadians would like to know what those definitions would look like.

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the first question was whether the government intends to introduce balanced budget legislation and the answer is yes.

The other question was to the effect of what it would mean. Normal times are times when the government is not in deficit. This government is getting back to normal times after the great recession, the largest recession since the 1930s. We will be back in balance in 2015 and then we will keep it balanced. Governments will be expected to keep it balanced in Canada.

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### GOVERNMENT ORDERS

• (1505)

[English]

#### BUSINESS OF SUPPLY

##### OPPOSITION MOTION—SENATE ACCOUNTABILITY

The House resumed consideration of the motion.

**Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC):** Mr. Speaker, I want to turn to this very interesting motion put before us by the member for Toronto—Danforth. His motion reads:

That, in the opinion of this House, urgent steps must be taken to improve accountability in the Senate, and, therefore, this House call for the introduction of immediate measures to end Senators' partisan activities, including participation in Caucus meetings, and to limit Senators' travel allowances to those activities clearly and directly related to parliamentary business.

When I read the motion, I was put in mind of a very good book with which the hon. member for Toronto—Danforth will be familiar. Albert Venn Dicey's book *Introduction to the Study of the Law of the Constitution* in which one does not figure out what it is about until one gets to the last word of the giant title. That is a bit of what is going on here. When we actually go through this very long motion, we are really talking about, first, senators should not, according to the motion, participate in caucus meetings; and second, senators' travel allowances should be limited to activities clearly and directly related to parliamentary business.

*Business of Supply*

This is a small part of a larger question relating to the whole issue of Senate reform, or potentially Senate abolition as the New Democrats would favour. I want to deal with it in that context. Let me start by dealing with the travel issue that is proposed in part of the motion. Then I will deal with the suggestion about participation in caucus meetings, which, whether it was intended or not, does have the unavoidable consequence of involving some significant institutional/constitutional questions. Perhaps that was not the intention of the member, but that is the consequence of what he has done. I think those larger implications have to be addressed intelligently before we vote on this issue.

Starting with the whole travel allowance issue, the reason it was initially suggested that I participate in this debate is the fact that I am notorious for my very limited travel. In the last decade or so, I have repeatedly been either the bottom or the second from the bottom in terms of travel expenses. I was 308 out of 308 last year and this is something that happens year after year. I did a good annual report to my constituents, by the way, in which I outlined my expenses. My travel budget in 2006-07 was substantially below the average. My travel outside the constituency was \$1,100 versus an \$85,000 average. In 2008 my travel outside the constituency was \$5,300 versus an \$83,000 average. In 2009 my travel was \$5,900 versus a \$107,000 average.

Of course part of the reason for that is that my riding is fairly local. Another reason is that I take care to have my staff look for the least expensive flights when I do have to travel to keep things under control that way.

I also make it a habit of trying to keep my entertainment expenses as low as possible. This year they were \$0, also making me 308 out of 308 in the House of Commons. As a result Terry Milewski referred to me as the “king of the skinflints”. He also complained that the Prime Minister only spent \$29, so it takes work to be the king of the skinflints with a prime minister who is as frugal as that.

One of the things I would point out is that the issue of travel expenses is really not a Senate issue. It is an issue that relates to us in our function as parliamentarians. The report that is made about me and all MPs is made in our capacity as members of Parliament and is made to the House of Commons, and as Speaker of the House of Commons, to you. Therefore, I am not sure we are in a position here to probe too deeply into the internal rules that govern the Senate in this regard.

● (1510)

If we were to do so, sooner or later we would probably find ourselves bumping up against this document, the Senators' Travel Policy, which was adopted by the Senate Standing Committee on Internal Economy, Budgets and Administration on May 10 of last year. It is about a 30-page document with several appendices, including forms to fill out. It explains the rules on the purposes of travel. There is a 64-point travel system, which should sound familiar to members of Parliament, in section 2.7 of this manual. This includes a variety of different subsections, including a travel expense claim form that must be filled out. A senator who is travelling has to list the purpose of his or her travel on that form.

It states at section 2.7.3 that:

Senate resources shall not be used to fund travel that is incurred to pursue the private business or personal interests of a senator or alternate.

Therefore, to some degree the rules already exist. It may well be that there is a need for change to improve them. I am fully willing to accept that, and I gather the Senate is too, because there have been several tweaks to that policy since it was adopted in May 2012. However, the rules already exist in some form or another.

We examined somewhat and discussed what is happening in the Senate in the case of certain senators. We were discussing whether or not the rules were simply violated, and perhaps even egregiously, but not whether there is an absence of a rule that effectively states that senators' travel allowances be limited to, as the motion states, “those activities clearly and directly related to parliamentary business.” I think the rules already contain a version of that requirement, so I am not sure we are crossing some great divide in what we do here.

However, these are Senate rules. They pertain to the Senate and were adopted by the Senate. I suppose we can give them advice on what to do, but in the strictest sense it is beyond our jurisdiction. That is something I wanted to draw attention to.

I want to talk a bit about the broader issue of Senate reform. The reason I want to do this is because there are two substantive parts to the motion, the travel allowances part and, as it states here, a part that proposes to end the participation of senators in caucus meetings. Here we are moving into something else, which is a very substantial constitutional question of whether Senators should be non-partisan or outside of the partisan structure and, if so, how we enforce that, if we can enforce it.

Let me dwell on that a bit. The debate that has occurred in many countries that have senates is that an upper house in a federal system tends to be a senate that is seen in some respect as being a states' house, a cantons' house, a house of the Länders, to use the German term, or a provinces' house. In Canada we discussed that as a possibility, but it was not fully the model adopted here. It was the model that was adopted fully, overtly, and deliberately in both the United States in the 1780s and in Australia when it adopted its Constitution in 1901. Although that model was tied down with a large number of formal rules designed to prevent partisanship from creeping in, in both cases they became partisan houses.

This is particularly striking in the case of the Australian Senate, where the structure of the ballot for Senate elections is effectively a party list ballot. That has the effect of making the upper house more partisan, if anything, and less a voice of independent reasoning and thought than the lower house is. That was not the intention in either the Australian Senate or the American Senate, but a history of those Senates suggests that it is very difficult to reconcile having an upper house in which members are independent with restrictions on how they use that independence so as to ensure they merely represent some other set of interests. They merely represent geographical or provincial interests, religious or sectarian interests, or whatever the interests are that the founders seek to entrench in the constitution.

● (1515)

In the end, senators tend, just like people in this House, to resolve themselves into partisan groupings, and if individuals fail to do so, the tendency is that they are replaced by people who are more partisan. That seems to happen regardless of the type of system.

The system for appointments that we adopted in 1867 seems to have been adopted with the intention of ending the partisanship we had prior, in the elected upper house of the Province of Canada. We did not succeed.

My sense is that if we vote for an elected upper house, we probably also would not succeed in preventing people from becoming partisan representatives to some degree. That is the nature of the way electoral politics works, unless we want to adopt something really radical, such as abolishing the Senate and replacing it with some kind of referendum, which they have done to some degree in Switzerland, for example. Unless we try to do something that is really a radical departure, I suspect that we will not get away from some level of partisanship.

Now we are left with the question of how we actually go around enforcing something like this. In the case of participation in caucus meetings, does it mean we simply cannot go into the caucus meeting when it occurs? Caucuses are not creatures of the House of Commons; they are meetings that occur outside the House of Commons and are entirely conventional in their nature. How exactly would we enforce this ostensible expression of the will of the House of Commons? I do not think we could. I suppose one could design some kind of law, an actual statute, but I suspect that we would run into a fundamental problem of freedom of association. Freedom of association means we get to choose who goes into our caucuses, and each of the different parties does so. I do not see how one overcomes that fundamental constitutional flaw with this particular suggestion, so it fails at that level as well as at the level of utility. I cannot determine what public good is being achieved by doing that.

The fact is that some level of coordination between the upper and lower houses is of value. We all know from watching it that the upper house is very much not controlled by the lower house. Some people think that is a good thing and perhaps some think it is a bad thing, but it is a statement of reality.

Let me turn now to pointing out the fundamental problem that exists when we are talking about Senate reform, including the suggestions made by my colleague from Toronto—Danforth.

The problem is that the Senate is dysfunctional in several ways at several levels, and it is unclear which kind of constitutional formula or amending formula is required to make which change. The changes that are the most important are perhaps not the ones that are the easiest or the hardest to make. There is almost a random relationship between different aspects of the Senate and the amending formula that has been used.

This government is attempting to ask the Supreme Court to assign an amending formula to each of the different proposed changes that either are being proposed by the government, such as elections to the Senate, or that could be proposed by the government, such as the abolition of the Senate, because it is very unclear what rules apply.

One of the questions that has to be resolved, for example, if we try to move to an arrangement with elected senators, is the term of office for those elected senators, unless we make a term election for life, which I do not think anybody supports. At what point does the term become too short to allow the senator to be independent? Something we are told has a constitutional weight is the independence of

### *Business of Supply*

senators, the assumption being that a senator elected for a one-year term would be unable to be fully independent.

The Supreme Court is being asked the following question:

In relation to each of the following proposed limits on the tenure of Senators, is it within the legislative authority of the Parliament of Canada, acting pursuant to section 44 of the *Constitution Act, 1982*,

—which is another way of saying “under a certain section of the amending formula that lets the Parliament of Canada act unilaterally”—

to make amendments to section 29 of the *Constitution Act, 1867*, providing for

- a. a fixed term of nine years for Senators [...];
- b. a fixed term of ten years or more for Senators;
- c. a fixed term of eight years or less for Senators;

Then it goes on to give

- d. a fixed term of the life of two or three Parliaments for Senators;

as an alternative.

Further on it speaks of a renewable term for Senators, as opposed to a non-renewable term, and then:

(f) limits to the terms for Senators appointed after October 14, 2008 [...];

● (1520)

That refers, of course, to senators appointed by the present government or under the term of the present government.

The final one is:

g. retrospective limits to the terms for Senators appointed before October 14, 2008.

The reason for asking all of these questions is that in the past the Supreme Court indicated that a term that is too short or too limited is problematic in terms of the independence of senators, but it never specified what it meant by that statement. It said to ask it a specific question and it would give the answer.

The assumption then was to make the Supreme Court a proposal, try to enact a piece of legislation, and see what happened. However, when that was tried by the current government in 2006, the opposition said that if it did that, it would have constitutional issues because it would be unclear whether senators who have been elected to fixed terms are really elected to those fixed terms or if the terms could be extended in practice because the government would be unable to limit them. The government says it is electing senators for a term of  $x$  years, but within that term the senators could plausibly say they refuse to retire at the end of the term as they had to be appointed for a longer period, because it is unconstitutional to change the law to limit their terms to the length given.

That is the reason for this kind of question. We are simply listing all the different possible considerations that need to be taken into account so that there is no legal or constitutional limbo. That is just on the issue of Senate terms.

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There were also questions—and I mentioned there were many dysfunctions in the Senate—relating to how consultations take place, questions on whether the kind of advisory elections proposed by the government would be constitutional, and questions on the abolition of the property qualification. Senators have to own or lease property worth about \$4,000 within the province that they represent; can that be abolished unilaterally, or do we need to get the consent of seven provinces and half the population? Could we abolish the Senate? Of course we could abolish the Senate with the consent of all provinces—nobody questions that—but could we do so with the 7/50 formula or unilaterally, just through parliamentary action? That has to be established.

In the question asking the Supreme Court about that, there are three separate subquestions to deal with the different possible ways of abolishing the Senate. Those subquestions are there to make sure that we do not start down some constitutional road and then realize that we have in fact acted in a manner that, in the judgment of the Supreme Court, is unconstitutional.

Those are some of the issues that relate to the Senate. They are important issues and I think reflect the spirit that the hon. member for Toronto—Danforth was trying to get at in putting forward this motion. However, I have to say that despite his good intentions, I think he missed the mark. He has a proposal here that is outside of our jurisdiction; he is addressing major points in a roundabout way, which is unwise on something as complex as this; finally, if taken too seriously, it might potentially put us in a position where we would be violating the freedom of association protection in the Charter of Rights and Freedoms. That is to say nothing of the fact that I think all of this would actually be unenforceable in the end.

Those are some pretty significant objections, and some reasons that members should probably vote against this motion.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I listened intently to my colleague across the way. While I disagreed with the arguments he used, I noticed that he consistently tried to back up his arguments with evidence, as he saw it, as proof of why one would be swayed this way and of the consequences of adopting the New Democratic motion to try to help fix the mess in the Senate, which is what we are attempting to do. The government seems very loath to move any significant legislative agenda to do something about the Senate and the fiasco that it has created, but I noticed very consistently in his speech that there was an argument and some proof behind it.

I contrast this with what happened at the procedure and House affairs meeting this morning. It was not in camera and was in the full light of day, and there he moved a motion, which I suspect he perhaps did not draft, to fundamentally change the way that we make law in Parliament, affecting the Standing Orders of the House of Commons, with no witnesses, no proof, and no argument, but ramming the change through. A fundamental value that I know the member holds dear is to respect Parliament and try to make the place better. He was completely silent. All the Conservatives were.

My question is this: why, in defence of his presentation here today on the potential reforms to the Senate that we are proposing, does he believe that making arguments and providing proof are important, yet when he proposed this morning to change the very rules of how

we generate and amend legislation and create new law in this country, he thought it sufficient simply to drop the motion on the table and force a vote on the other members of the House of Commons? I do not understand the inconsistency.

As a last thing, I hold the member in high regard for his dedication to this place. It seems to me that today the contrast and hypocrisy from what happened this morning over something so grave is stark. I am wondering if he could reflect on these two very different versions of his presentation as a member of Parliament.

• (1525)

**Mr. Scott Reid:** Mr. Speaker, contained in the question was the following comment: that the government seemed so loath to move legislation relating to Senate reform. I will look back at the legislative history of this government's attempts to cause the Senate to be reformed.

Bill S-4, An Act to amend the Constitution Act, 1867 (Senate tenure) was tabled in 2006. As members can tell from the date, in 2006, the first year of this government, it sought to introduce limits to Senate tenure, which would limit the term of senators, but the opposition blocked it.

In all fairness, that was in the Senate, and I think my colleague is pointing out these were not the New Democrats, and I accept that. However, the fact is the opposition held the majority in the Senate at the time and the government did move. The concern the member had was that the government had not taken action on the Senate.

Bill C-20, the Senate appointment consultations act, which was also moved by the government when it was in minority and opposed by the opposition, would have had the effect of setting in place a national electoral process with a preferential ballot designed to actually avoid some of the pitfalls that created a highly partisan nature in the Australian Senate. We would have ensured that there was none of what they call “above the line” voting that occurs in Australia that causes people to vote for parties instead of individual senators. We did that legislation.

Bill C-7, the Senate reform act, was also put forward by this government.

There are three pieces of legislation, all of which were opposed by the opposition. I cannot remember the details of when the NDP opposed, or which ones were opposed to others, but the general trend has been that NDP members oppose everything because they favour abolishing the Senate, which is a legitimate point of view. However, I do not think it is legitimate to go from that to say the government has not been trying very hard and consistently over the past few years.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is important to pick up on this whole issue. We hear this a lot in terms of the Conservatives saying “reform” or “abolish”.



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I am from the Prairies where there was a great movement at one time known as the “Reform Party” which talked about reforming the Senate, the triple-E Senate, and so forth. Now the government has had the reigns of power for the last number of years. It does not take much to understand that to achieve the type of changes that are necessary with respect to Senate, one has to consult and work with the provinces. Without the support of the provinces, one would not be able to achieve the type of changes that many people would like to see. The desire to see change has been there for many years.

Could the member indicate very clearly to the House today how many premiers the Prime Minister has sat down with or picked up the phone and talked to about the issue of Senate reform?

**Mr. Scott Reid:** Mr. Speaker, I am envisioning the nature of the telephone call that would have to occur under the present circumstances, before we get back answers to our Senate reference question, in which we try to figure out how much provincial consent is needed. If he said, “Hello Mr. Premier, it is the Prime Minister here. I am seeking your consent on an amendment, but I don't know whether I need it or not because we don't know which amending formula applies to the particular amendment I am proposing”, he would look pretty foolish.

What the Prime Minister and the government have done is submit a series of questions that would allow us to determine. These six questions to the Supreme Court, one of which I just read a moment ago, ask the Supreme Court to determine which amending formula applies to which kind of Senate change: electing senators; choosing the length of terms of senators so they do not stay until age 75 but serve some fixed term; whether we want to pass legislation that makes terms renewable or non-renewable; how much consent we need from how many provinces, should it be all of them, 7/50, or none at all, because it will be none at all in certain cases; removing property qualifications and so on.

These are question on which we need to resolve what the process would be for making the changes before we can actually make those changes.

The Supreme Court starts its hearings on these questions next month. It has been receiving factums from the various participants, including the federal government and various provinces, over the past several months. They are available online and I encourage the member to read them. They are interesting, but we will not know what the Supreme Court thinks until it makes its ruling.

Unfortunately, the answer to the member's question of what that conversation should be between the Prime Minister and premiers will not happen until we have the answers about the questions he should ask.

• (1530)

**Mr. Craig Scott (Toronto—Danforth, NDP):** Mr. Speaker, I appreciate the time taken and the speech just given by my hon. colleague. I thought I would try to respond as well as I could on his two main points.

On the travel rules issue, with respect to the idea that travel for parliamentary business that is only directly and clearly connected to parliamentary business is already covered by the current Senate rules, unfortunately it is not to the extent that parliamentary business

at the moment is defined throughout, at least under the administrative rules, and even the existing travel rules still, as including partisan trips.

The only thing that is excluded from the travel rules is travel for purposes of elections, going to elections. However, so many other things are still left open.

On the caucus front, yes, indeed, as someone with some constitutional law background, I have considered the constitutional issues. The first part is that the privilege within the House certainly is of equal force to the freedom of association norms in the charter. However, even if we do apply those norms, as I think we should, section 1 of the charter allows for demonstrable limits in a free and democratic society. As long as barring access to caucus is tied in the way I believe it is to the problem of partisanship in the Senate, then there is a rational connection it would be minimal infringement. There would be no constitutional violation.

**Mr. Scott Reid:** Mr. Speaker, I respectfully disagree with my colleague with regard to the use of section 1 to override other sections.

He is quite right that the Supreme Court can always accept an argument that a limit on freedom of association, freedom of religion, freedom of speech and other vital freedoms, including the freedom of life, can be suspended when the court deems this is compatible with the norms of a free and democratic society.

I actually think that is a very problematic part of our Constitution, to be honest. This is a good example. Are we really going to say that it is constitutionally permissible to limit freedom of association so that elected legislators are unable to participate in the kinds of meetings that would allow them to fully fulfill, by their own judgment, their roles as legislators. That would be very problematic.

With regard to the travel expenses, I take his point. It is a good one.

**The Acting Speaker (Mr. Bruce Stanton):** Before we resume debate, I do see that our next two speakers will be proposing to divide their time.

Just as a comment, I know it has been a few weeks since we have been in this place. Hon. members may realize, especially when we are going into a split time, there are five minutes permitted for questions and comments. The Chair typically looks to see how many members, for example, may be standing to participate in the questions and comments and based on the numbers that are standing, will kind of gauge how much time to permit.

Generally speaking, we would ask members, not knowing how many others may wish to participate, to try to limit their time to about a one minute question and perhaps a one minute response, thereby giving more time for other hon. members to pose questions to the member who had just spoken, just as a general rule of thumb.

I will be watching for that a little more carefully. Questions and comments time is not a time to extend one's speech. There are other opportunities to do that.

Resuming debate, the hon. member for Chambly—Borduas.

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● (1535)

[*Translation*]

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, I am now sitting closer to you than I was when we parted in June. I will be splitting my time with my colleague from Trois-Rivières.

This is my first speech this fall, and the topic is particularly relevant given the feedback we received all summer about senators' scandals. This is not just about senators. It is about the mindset and attitudes that surround that institution. During today's question period, we witnessed a clear lack of courage and thoroughness. Today's opposition motion, put forward by the NDP and especially the hon. member for Toronto—Danforth, seeks to solve all these problems.

Everyone knows that the NDP wants to abolish the Senate, but we know that it will take a lot of work to get that done. We are not blind to that fact, and I believe we can be proud of that, if I say so myself. After all, as politicians, whether we work in the Senate or elsewhere, we need to show the will and courage to do the work if we really want to make things better, which is our aim in seeking to abolish the Senate. In the meantime, we are looking for concrete ways to solve some of the problems that have plagued that institution throughout its history, especially during the last few months.

The sponsor of the motion proposes two specific measures. First, he wants to end senators' participation in caucus meetings, the partisan gatherings in which we participate in the House. It is an important measure given that, originally, when it was created under the Constitution, the Senate was meant to be a chamber of sober second thought. I very much like that expression. It is a chamber whose members are almost supposed to be better, intellectually speaking, than the members of the House of Commons. They are not supposed to stoop to populist tendencies like MPs do because they need to be re-elected every few years. Senators are not supposed to have such tendencies.

When they participate in the partisan process and attend caucus meetings, they become virtually indistinguishable from MPs. It then becomes harder to distinguish between the two chambers which, in turn, leads us to wonder why the Senate exists in the first place. Indeed, if senators perform the same functions as MPs while remaining unelected and unaccountable to Canadians, their very purpose is called into question.

That said, until we can abolish the Senate, this is a worthwhile measure inasmuch as it will compel senators to work strictly as legislators. They should not concern themselves with the somewhat more partisan activities we participate in as MPs, given that we are elected under the banner of a political party—there is no denying it.

The second measure goes to the core of the scandals we have been dealing with in the House, specifically these past few months, regarding travel expenses and secondary residences. Unfortunately, the questions we have asked on these issues remain unanswered. The motion speaks specifically to expenses related to partisan activities.

It is clear that the Senate absenteeism rate is extremely high. This is nothing new; it has always been like that. My first political science teacher at CEGEP described the Senate as a “glorified retirement home”. In this instance, it is a place for friends of certain political

parties in power. Those were the words of my teacher. I do not wish to show any disrespect.

In view of the circumstances, he added that senators rarely showed up for work. For an institution whose role is supposed to be to rigorously analyze legislative work done by members of Parliament, one might well ask why senators should be allowed to travel around the country engaging in partisan activities when their role is to be in the Senate and in committee doing careful legislative work in connection with our tasks in the House of Commons as elected members.

These are the two measures we are proposing.

● (1540)

I feel that they are extremely important measures.

I will now return to the points I raised at the outset. I spoke about what I heard over the summer. Several of the members here, particularly those of us who were newly elected in 2011 and were about halfway through our term, based on the date that was set for the next elections, took advantage of the summer to try to find out what people thought about our work, given that we had reached the halfway point in our term.

In my riding of Chambly—Borduas, I was frequently told us that we should not give up, that we were doing good work, but that we were surrounded by corrupt people.

It hurts to hear things like that. I can understand how people feel, particularly my fellow Quebeckers, because the messy situations that frequently arise tar all politicians with the same brush.

I am a young 25-year-old member of Parliament who has been in politics for only two and a half years, not counting my previous time as a party member. Even we, the young MPs who definitely have no skeletons in the closet, are tainted by the poor behaviour of the people next door. How nice.

I am speaking about—alluding to—my own experience because the Senate, according to the Constitution, as well as academic and even philosophical definitions, is supposed to be an institution, as I mentioned at the outset, that is above all that.

We, as elected representatives, come here to make a difference. Early on, people legitimately wondered how hard the young members would work. If I may make a very humble suggestion, it is that we have done good work. However, when people who have been appointed to the Senate because they are supposedly important and have accomplished great things in life behave in this manner, that is shameful.

It is embarrassing to go door to door and be told about the poor opinion people have of our work. Rather than doing their Senate work properly and rigorously in accordance with their mission, in order to help us better understand our own work, senators have played a detrimental role by forcing us to waste our time on issues like the Senate scandal.

A government member might well say that if I consider this to be a waste of time, why then am I asking questions? Well, because this is about taxpayers' dollars. Parliament is a democratic institution and it is therefore critically important, as I see it, to ask questions.

Despite the fine job that the leader of the Leader of the Opposition is doing by putting questions to the Prime Minister, we would much rather be discussing other concerns. However, I feel we have a duty to tackle these issues head on, because ultimately it is our democracy that is on the line. The legislative work of both houses is at stake.

Many people have asked about the constitutionality of the changes that need to be made. I am thinking in particular about the Conservative member who spoke before me. If we look closely at the changes that are being recommended here, I do not believe that the two measures being proposed require major changes.

Of course, as we move forward, some proposed changes such as Senate abolition, which the NDP favours, will require some major changes. There is no need to be afraid of that.

It is interesting to note that the government often raises this point. In truth, the changes that the government is itself proposing will require some constitutional amendments.

So then, the question is this: do we have the courage to address these problems and resolve them?

The NDP has, I believe, been very clear. It has even acted very responsibly. One need only consider the motion before us today to see that.

I am going to repeat myself, but this is extremely important. We are mindful of the fact that change is something that will happen over the long term. In the meantime, however, if we can act responsibly to bring about the changes that will help limit the damage, so to speak, then we can only support such action.

The two parties represented in the Senate, namely the Liberal Party and the Conservative Party, have no strong desire for change. The Liberal Party advocates the status quo, whereas the Conservative Party insists on our supporting its reform proposals. However, it is hard to debate reform measures that have yet to be tabled. Even measures that were put forward have been withdrawn.

Instead of twisting in the wind and doing nothing, we are putting forward some concrete measures to minimize the damage done by the various scandals that have plagued the Senate. We want to give senators the tools they need to concentrate on their real job, which is to participate in the legislative process.

●(1545)

I hope that by proposing changes like these, I can continue to knock on doors in municipalities in Chambly—Borduas and feel somewhat less embarrassed to belong to a political class whose members unfortunately show very little respect for their mandate and the task at hand.

I truly believe that members of all parties, not merely NDP members, have good intentions where their constituents are concerned. So then, let us show our good intentions and take

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concrete steps to attempt to resolve once and for all the problems plaguing the Senate.

I welcome my colleagues' questions and comments.

[*English*]

**Hon. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC):** Mr. Speaker, I listened to the member's comments with interest.

The NDP, by advocating abolition, is advocating for the status quo, no changes, and the reason is that, right now with the Constitution as it is, it is too difficult to abolish the Senate.

Are P.E.I. or Atlantic Canada going to give up their seats?

A more practical solution is one that the government introduced when I was minister of state for democratic reform a few years ago, and that was non-renewable term limits. Would the NDP support an initiative like non-renewable term limits of, say, eight years?

[*Translation*]

**Mr. Matthew Dubé:** Mr. Speaker, I think the hon. member is confusing us with the other opposition party. The only party proposing the status quo is the Liberal Party.

The NDP's position is clear: abolition, pure and simple. Meanwhile, the hon. member has mentioned how difficult it will be to achieve that goal. That is correct. We do not get involved in politics in order to achieve simple goals.

At the end of the day, as aware as we are of the challenge before us in achieving what we firmly believe in, what we hear on the doorsteps in our constituencies is that it is a priority for Canadians to get rid of the Senate.

In the meantime—as we are doing today with the opposition motion that the hon. member for Toronto—Danforth has introduced—we are proposing changes that will require senators to at least live up to the ethics and the mandate that they have as lawmakers for as long as the Senate continues to exist.

**Ms. Lise St-Denis (Saint-Maurice—Champlain, Lib.):** Mr. Speaker, the hon. member stated that senators must do their work, that is, they must participate in legislative work.

Why does he state that caucus meetings—of whichever party—do not constitute legislative work? Senators cannot work in a bubble, never aware of the legislative work that members of Parliament are doing.

How can he state such a thing? Clearly, the NDP has no senators in their party. I do not know how he can state such a thing.

**Mr. Matthew Dubé:** Mr. Speaker, I can state such a thing because the Senate's goal, its purpose, is to analyze bills and provide sober second thought, as the saying goes. It is really difficult for me to believe that senators can conduct a thorough and non-partisan analysis, without being influenced by hearing the strategy of a party in power discussed at caucus meetings.

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In caucus, we sit down and talk about our approach to legislation. We talk about our legislative objectives as a political unit. If I am a Liberal or Conservative senator, and I attend those meetings, I might ask myself why I should be thorough in my work, because I have just heard exactly what I should do; I am going to follow the party line. Senators are supposed to consider what the House of Commons does.

Everyone makes mistakes. The Senate is supposed to be there to correct mistakes. I have a lot of difficulty understanding how they are going to be able to correct mistakes when they were part of making the mistakes in the first place.

● (1550)

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, before I launch into my heartfelt criticism of what is going on in the Senate and into an explanation of our proposals, I would like to make a distinction between the Senate as an institution and the members who make it up. I actually confess to having a great deal of respect for some senators who have helped to build this country and whose competence and experience are not in doubt. However, even the best of them are caught up in this partisan approach that is tarnishing all of the Senate's work, not to mention clearly going against the spirit and the letter of what the Senate has supposed to have been since it was created.

Let us recall that the Constitution makes no mention of the partisan nature of the Senate. Now everyone can see that this has made it into a real political circus. When unelected people who are not accountable to Canadians are appointed to the Senate, we would expect at very least that the process would be like the one for a lawyer becoming a judge. Immediately, some distance is established with regard to his or her public appearances and public opinions. I know that comparisons are odious, but I made one anyway.

However, this upper chamber, which, in a way, is supposed to be the conscience of Parliament and the place where a second review of bills is conducted, has lost all credibility. The reasons for that loss of credibility are numerous. I will take the liberty of suggesting a few. When senators are not elected, we have a credibility problem. When candidates defeated at elections wind up in the upper chamber, we have a credibility problem. When the bagmen from one or two parties wind up in the Senate, we have a serious credibility problem. When people are appointed for their popularity or their ability to appeal to the electorate more than for their skills, once again we have a credibility problem. When a Senate seat represents a reward or a favour for services rendered, need I say that we have a credibility problem? When a growing number of bills start their life cycle in the Senate instead of being reviewed there, we have a credibility problem. I could go on almost indefinitely, but I believe these few examples are quite enough for everyone to understand that it is time to move on to something else. The NDP's position on this matter is well known and supported by an increasing number of citizens. The Senate must be abolished, period.

I will put this simple question to all those who act shocked when this proposal is put on the table: which parliaments in Canada have abolished their upper chamber and are now making every effort to restore it? Where are the citizens demonstrating for the upper chamber to return to the provincial parliaments that abolished it? Personally, I have witnessed no such demonstrations. To ask the

question is to answer it. That is indeed a sign of an institution that was established in another era and no longer reflects the needs of our time. Furthermore, if I try to weigh the cost of the Senate against its actual usefulness, I believe the majority of Canadians will lose interest and want to move onto something else.

A Senate without scandals, if that is possible, nevertheless costs between \$90 million and \$100 million a year. You can imagine what we could do with that amount of money. Let us consider a few examples just for fun. The travel expenses of Senator Wallin alone represent the federal income taxes of 28 Canadian families. That sum of \$350,000 is also equivalent to the annual Old Age Security benefits that could be paid to 57 seniors. We know the government is very good at half measures when it comes to getting people out of poverty. If we also had to correlate senators' salaries with their expense accounts and number of days worked, I do not dare say it for fear of shocking Canadians, but let us do it since it is time to do away with appearances and take a critical look at the institution: in 2011-2012, the average number of days worked per senator was 56. That is a good hourly wage. In that same year, 19 senators missed more than one-quarter of all sitting days.

I could also give you a list of the senators who spent the most during the last federal election campaign. However, merely citing that category clearly shows that there is an objectivity problem in the second chamber, which is supposed to represent the wisdom of our Parliament.

● (1555)

Today, however, despite the NDP's firm resolve to abolish this institution, we have to implement measures to better manage the finances and ethics of this chamber of scandals. The abolition of the Senate will have to wait until 2015 when we replace the Conservative government, which is embroiled in various scandals of its own making.

In the most recent Speech from the Throne, the Conservatives have once again shown that their strategy is to stall for time and to sweep problems under the rug, instead of addressing them. There was no mention of the rules they intend to put in place to solve the problem in the short term.

Never short on good ideas, with this motion, the NDP is proposing simple, effective solutions that can be applied today. What does putting an end to the partisan work of senators mean? It means that they will no longer be able to participate in weekly caucus meetings, nor will they have the right to do fundraising or political organizing. In addition, they will no longer be able to go on trips that are not directly related to the legislative duties of senators.

Instead of moving in that direction, the Conservatives are adding insult to injury. While they have reduced the House of Commons budget, the budget of members who, let us recall, are duly elected, they have just increased the Senate budget to a total of \$92.5 million.

As to the Senate's administrative rules, they are not available online, if you can imagine, even in our technologically advanced times. To get a copy of them, you have to put in a special request to the Senate administration. What do you find when you put in that request? You find some real gems. For the great benefit of my fellow Canadians, let me give you some examples.

Number one: “partisan activities are an inherent and essential part of the parliamentary functions of a Senator”. I certainly need an explanation for that one. Despite the 11 changes made to the rules for travel, senators are still allowed to take part in a number of partisan activities.

Gem number two: the policy governing senators' travel defines “parliamentary functions” like this: they can travel, for example, for an election of a member of the House of Commons held under the Canada Elections Act. That is funny. I never saw a senator in my riding immersing himself in the orange wave in order to gain a better understanding of many Canadians' desire for change.

The travel policy for senators also uses the definition of “parliamentary functions” to cover things in the private interests of a senator, a family member or a dependent. It is difficult to imagine more latitude, but I feel it would be wrong to believe that this state of affairs is exclusive to the Conservative Party.

Of course, the Liberals before them use the Senate in the same way. This statement by Mr. Trudeau Jr. is proof enough: essentially, he said that the problem in the Senate is that there are now not enough Liberal senators.

In closing, I will say that, in the opinion of this House, urgent steps must be taken to improve accountability in the Senate until the time comes when a political party resolves to put an end to an archaic institution in which unelected and unaccountable senators fritter away the hard-earned money of Canadians.

That party is the NDP. The time will be the election in 2015. Until then, the NDP will continue to put forward effective solutions to show that politicians can work in harmony with the concerns of Canadians.

I hope that the other parties here in the House of Commons will acknowledge the validity of this motion and will support it unanimously.

• (1600)

[*English*]

**Mr. Erin O'Toole (Parliamentary Secretary to the Minister of International Trade, CPC):** Mr. Speaker, in his speech, the hon. member spoke at considerable length about accountability. However, since I have had the honour of being in the House, any approach to accountability in the Senate from the NDP has really been a number of insincere or flippant motions, whether cutting the Senate budget or removing caucus members from the Senate, as we heard today.

I would urge the member to respond in terms of our reference to the Supreme Court that would have elections for the Senate and accountability through term limits. Why would the NDP not get behind these tangible reforms that would actually make the upper house more effective and more in touch with the modern age?

[*Translation*]

**Mr. Robert Aubin:** Mr. Speaker, I thank my colleague for his question.

The question provides a clear illustration of what I was just talking about, namely, the Conservatives' ability to put things off to avoid solving the problem now.

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As for the accountability the hon. member is alluding to, I will remind him that it is the NDP that asked the House to give a completely independent third party the ability and means to determine whether expenditures are relevant to MPs' work or not. If I remember correctly, the government did not grant that request.

[*English*]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I have heard this member and other members from the NDP caucus talk about their constituents. One of the concerns I have is that the New Democrats will often say that what they would like to do in dealing with the issue of Senate reform is to see a referendum and let Canadians ultimately decide what they would like to do with the Senate.

If the NDP got one of its wishes, and Canadians were allowed to make that decision through a referendum, and it lost, would that cause the NDP to change its party position? Would it then be in favour of a Senate?

[*Translation*]

**Mr. Robert Aubin:** Mr. Speaker, it is always if this and if that.

Right now, I have to base my observations on what my constituents tell me, and they are all in agreement. Today, I believe that, if we had the intellectual honesty to put the question to Canadians, they would thank me, thank the NDP government in 2015 for asking the question, even though there are much more important issues. I agree with the importance of working on the economy and job creation, but please, let us get rid of this archaic institution that in no way corresponds with the needs of a modern society.

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, one of the things that is not working in the Senate—and it has been mentioned many times in debate today—is the fact that the institution of sober second thought has become an ultra-partisan institution in an arena that is currently overly partisan. This makes things extremely complicated since the Senate and the senators see their work only in terms of the party line, whether they follow it or not. This issue has been raised on a regular basis.

When people talk about alternatives to the Senate, suggestions include giving more resources to officers of Parliament, who are much more respected than senators, be it the auditor general, the parliamentary budget officer or other parliamentary officers who are watchdogs that can hold Parliament much more accountable than the Senate currently does.

For example, the Supreme Court has the authority to consider matters such as minority rights, which is an issue of major concern.

I would like to hear what my colleague from Trois-Rivières has to say about these alternatives to the Senate and the bicameral system, which is not working properly at present.

• (1605)

**Mr. Robert Aubin:** Mr. Speaker, I thank my colleague from Rimouski-Neigette—Témiscouata—Les Basques.

*Business of Supply*

Once again, the party that is leading the way on this subject is the NDP. When our leader tables a motion to increase the powers of the parliamentary budget officer, we have there a clear example of a modernization or updating of Parliament that is perfectly in line with what people expect in the way of accountability, responsibility and transparency in the management of public affairs.

[*English*]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is a pleasure to rise and address what I think is a relatively important issue.

I would not necessarily say it is the number one issue that the House should be debating today, even though many of my constituents and Canadians from coast to coast to coast are very upset and concerned in terms of what is taking place over in the Senate. It is amazing how a few bad senators who have inappropriately used tax dollars have brought this large black cloud over the Senate.

I must say that the long-lasting scandal taking place in the Prime Minister's Office has had more of a negative impact than the one in the Senate. I say this because there are many different issues out there, and we need to recognize that this is actually the first opposition day motion that has been brought forward.

Personally, I would have thought there might have been something more pressing that Canadians would have wanted the parliamentarians here in the House to Commons to be talking about. An example of that could be the EU trade deal. Another example could be the middle class. Let us look at how big an issue the middle class is. There is the cost of university; and the personal debt issue is very real and continues to increase; and there is the issue of unemployment particularly for young people. Let us look at the people who are unemployed or let go at age 45 and then find out they have to go through some sort of retraining program to get a job that is going to pay close to what it was they were receiving prior to being laid off.

These are the types of issues that Canadians are very much concerned about. We recognize the government has dropped the ball in dealing with Canada's middle class. It could be doing so much more.

Yesterday I made reference to the Prime Minister's Office and the scandal that is taking place in the Prime Minister's Office. That has been a huge issue. Let us take a look at the question periods to date. The reason the session was prorogued is that the Prime Minister did not want to come and face criticism and questions with regard to the scandal that is taking place in the Prime Minister's Office.

Now, we have the New Democrats, in their wisdom—and that could be a contradiction in terms—making a statement that we need to talk about reforming the Senate. That is really what this is all about. This has more to do with their idea of abolishing the Senate. I will get to that particular argument, as to why I believe that.

The motion itself talks about wanting more accountability. Actions speak louder than words. The leader who has failed the most on the issue of accountability in terms of the Senate and the members of Parliament is the leader of the New Democratic Party. The New Democratic Party had the opportunity to ensure that, in

fact, there was going to be more accountability in the Senate chamber, and not only the Senate chamber but also here inside the House.

We could have made that happen back in June when the leader of the Liberal Party stood in his place and asked for unanimous consent to ensure more accountability inside the Senate and inside the House of Commons. What did we see? One political party, one leader of a political party said no. The NDP did not want accountability back in June.

**An hon. member:** Shameful.

**Mr. Kevin Lamoureux:** It is shameful. There was a wonderful opportunity, as opposed to bringing forward a motion, trying to throw in a few things to see if they could get the Liberals to vote against the motion, being a little mischievous.

Instead of doing what was right for Canadians and recognizing that there was a substantial initiative that was taken back in June, and even the Conservative Party stood in its place—

• (1610)

[*Translation*]

**The Acting Speaker (Mr. Bruce Stanton):** The hon. member for Ottawa—Orléans on a point of order.

[*English*]

**Mr. Royal Galipeau:** Mr. Speaker, I wonder if you could advise the hon. member for Winnipeg North that his microphone is actually on.

**The Acting Speaker (Mr. Bruce Stanton):** I thank the hon. member for his intervention. I am quite certain that is not a point of order but perhaps a casual suggestion for the hon. member for Winnipeg North.

**Mr. Kevin Lamoureux:** Mr. Speaker, I am not too sure if the member is referring to the microphone down here or if he is referring in terms of asking—

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. As I just said, it is actually not a point of order. Perhaps the hon. member could carry on with his remarks.

**Mr. Kevin Lamoureux:** Mr. Speaker, I appreciate being able to continue. I suspect I will get a little more time added on because of the point of order, hopefully.

The point that I was trying to make is the fact that we need to recognize that even though we have the motion before us today, asking for more accountability, there was an opportunity for us to have more accountability not only in the House of Commons but also in the Senate, the other place. There is only one political entity in the House of Commons that said no to more accountability and transparency, and that was the New Democratic Party of Canada. When I read the motion before us, one might say it is somewhat hypocritical. When New Democrats had the opportunity to ensure more accountability in the Senate, they chose not to do that.

Having said that, the Liberals were not prepared to leave it at that. We moved forward. We call it proactive disclosure. Today Liberal senators and members of Parliament are providing proactive disclosure on travel and hospitality. This was done a number of years ago when former prime minister Paul Martin instituted it for cabinet ministers.

Now people can go on the Internet and find out that I flew back and forth to Winnipeg. I am not too sure exactly what the cost was but that is okay, because people can go on the Internet and find out what the cost was. People can find out what my hospitality costs were. Someone asked me, "Aren't you leaving yourselves more vulnerable to criticism because other political parties don't have to do that?" My response was no, because not only is it the right thing to do, I believe that by demonstrating that leadership within the Liberal Party, others will follow suit. I believe, ultimately, it is starting to work.

We do not know the details of it, but now the Conservative Party has indicated that its members are going to be proactive in providing public disclosure, which is great. We welcome their participation. We now need to shift all of our focus onto the party that likes to talk about it but does nothing about it. We challenge the New Democrats to not only talk about the issue but demonstrate a little leadership on the issue by saying they too are committed and will in fact make their expenses public. If it is good enough to demand that senators need to provide more public disclosure and accountability, why is it not good enough for members of the House of Commons?

I put that challenge to my colleagues on the New Democratic benches and I anxiously await each one standing, led by their leader, and indicating that they are prepared to do likewise and join other members of the House in support of proactive disclosure. It would be wonderful for us to formalize a rule that would make it absolutely mandatory by regulation or law. That is something I believe Canadians would welcome.

In the motion, the New Democrats talk about senators and they always do it in a very derogatory fashion. They make reference to sober second thought. They do a disservice to many of the things that the Senate has been able to accomplish. Yes, there are some bad apples in the Senate and I am not going to attempt to defend those bad apples. However, I know that there is some value to the Senate.

• (1615)

If we took the time to better understand some of the issues that particular individual senators take upon themselves, they are not all political. Some of the work that former senator Carstairs did on palliative care is recognized across this country. People of all political stripes, New Democrats, Greens, recognize the efforts that Madam Carstairs put in on palliative care, and Senator Kirby on health.

The NDP does not want to allow these senators to participate in caucuses. Do hon. members know how valuable a role individuals such as Senator Dallaire have played in assisting, developing and discussing issues? This is an individual who is in demand around the world because of his activities. We have some outstanding individuals in the Senate. NDP members would say that those outstanding individuals should always run for office. They do not have to be appointed.

### *Business of Supply*

I would suggest and recommend to my New Democratic friends that they pry open their minds a little on this issue. They would find that there is a role for a Senate in Canada. I believe it, and I believe it would be wonderful to see some changes. I am not the first Liberal to say we need changes. Pierre Elliott Trudeau attempted to bring in changes back in the seventies. I remember the whole idea of the house of federation, where provinces had more input in what would happen in the Senate.

The idea of Senate reform and change is nothing new. I had the privilege of sitting on an all-party task force on the Senate in the province of Manitoba. I travelled to different areas in the province. The opinion of the overwhelming majority of individuals who made presentations about the Senate to this group of MLAs, which were majority NDP, was that we need to change and reform the Senate. That was the overwhelming opinion. That is why I pose the question to the former speaker. Is there not value in acknowledging the important role that the Senate could play? We should not write off western Canada's needs. We are a country, and we need to recognize that there are some regions of our country that might see more value to having a Senate than others. What we are saying is that everyone needs to be brought in and be made to feel they are contributing to the whole discussion.

I pose the question to the government members in regard to what consultation they have done with the premiers. The Prime Minister has been in government for how long? How many first ministers conferences have we had? Not one, I believe. I do not believe there has been one first ministers conference.

**Hon. Stéphane Dion:** There was a dinner.

**Mr. Kevin Lamoureux:** There was a dinner. I stand corrected. There might have been a dinner, but has there been any discussion at all about the issue of Senate reform or making changes to the Senate?

Every one of us knows full well that we cannot change the Senate if we do not have substantial support from the provinces. The Conservatives can say what they want, but unless they are prepared to do the work to make it happen, it will not happen. The NDP members say they want to abolish the Senate if they get elected in 2015, heaven forbid. They know they cannot do that. They do not have the mandate to do that. They would have to get the provinces and others on side.

The government members talk about making changes and reforming but all they have done to date, with the exception of the last year, is bring in legislation to make the changes. How many provinces' premiers has the Prime Minister actually talked to about the amendments that the government is trying to force through the House?

*Business of Supply*

• (1620)

How many premiers has the Prime Minister actually talked to about the amendments the government is trying to force through the House? Imagine if the Prime Minister did his job and actually met with the premiers and after meeting with them came back to the House and presented the consensus and conclusion he and the premiers, from coast to coast to coast, arrived at. Imagine if he built the support of the Canadian public. I suspect that the government of the day would have a lot more support in the House for some of its initiatives.

When I look at today's motion, I question the priorities of the official opposition. Why does it not recognize the scandal taking place inside the Prime Minister's Office and the impact it is having on the Senate, on Canadian public opinion of that institution, and on the PMO itself? That is one of the issues I am concerned about.

The other thing I am concerned about is that the NDP consistently brings up accountability, yet when it had the opportunity to be more accountable and to have the Senate be more accountable in a tangible way, it chose to say no. If the NDP wants to join the Conservatives and the Liberals in acknowledging more accountability, and it is the will of this chamber to ensure more accountability and guarantee it to Canadians, then we could do that. We have the ability within the chamber today to make a difference on the issue of accountability. All it takes is for the New Democratic Party to agree to proactive disclosure.

What might be most appropriate would be to ask whether there would be leave to accept in their entirety the motions brought forward by the leader of the Liberal Party back in June, thereby ensuring that we have the accountability, at least in part, that today's motion is actually seeking to achieve. I ask if today might be the day the New Democrats take a step forward on the issue of public accountability and transparency.

• (1625)

[*Translation*]

**The Acting Speaker (Mr. Bruce Stanton):** Before moving on to questions and comments, 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 Haute-Gaspésie—La Mitis—Matane—Matapédia, Intergovernmental Relations.

[*English*]

**Mr. Craig Scott (Toronto—Danforth, NDP):** Mr. Speaker, effectively the government has a set of reform proposals that we do not think it has taken seriously, but at least they are reforms. The NDP does indeed believe in abolition. With this motion, we want to have some interim measures before abolition takes place. However, we have heard nothing from the Liberals, frankly, besides various forms of defence of the status quo. What we have been hearing for ages from Liberals is that we are going to see tweaks, some proposals for an appointment system that would somehow, within the status quo, be a relevant change to the Senate.

I would like to hear more about this. Is this serious? When are we going to hear about it? What is taking so long?

Let us assume that the Liberals are serious. Surely any such system has to exclude partisanship as either the basis for appointments or the outcome. If that is the case, why will the Liberals not support the current motion to reach into the current chamber and try to effect the same results rather than pretending to have a system later? We have not heard what it would be. There would be non-partisan appointments that would only take effect in the future, because we are stuck with a hundred senators now. Will we hear anything at all about this fabled, vaunted system of appointments?

**Mr. Kevin Lamoureux:** Mr. Speaker, if the New Democrats really wanted to see some action, some real, tangible movement on one aspect of the motion, all they would have to do is stand in their places and say that they want to make it happen, and we would see universal, proactive disclosure that would apply to all political parties, both in the House and in the Senate. I am disappointed that he has rejected that suggestion outright.

To say that the Liberal Party has done nothing on the issue is just wrong. It is not factual. Whether it is the issue of reference to the courts or the desire to recognize the reality that provinces have to be involved in the process, it is an absolute necessity. The New Democrats do not believe that this is the case. They do not believe that Canadians need to be consulted, that the provinces have to be consulted, and that they have to be accountable in terms of their own travel and hospitality expenses.

This is a good opportunity for them to get on the record and say that they are prepared to do something tangible other than just talk. That is what this resolution is.

**Hon. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC):** Mr. Speaker, the report the member refers to, which came out of Manitoba, actually has a very interesting section on how to elect senators using senatorial districts based on federal boundaries, for those policy wonks who might be watching.

This is the first day back we have had as a Parliament to discuss issues that are important to Canadians. If we look at what happened over the summer, we saw the financial crisis in the States. We saw the United States shut down. We had issues around the border. We saw war in Syria. We saw many things that are of profound importance to Canadians, yet the opposition picks the Senate. How Ottawa-centric do they have to be?

Will the member agree that this is not a Canadian priority and that the economy is the number one priority for Canadians?



*Business of Supply*

•(1630)

**Mr. Kevin Lamoureux:** Mr. Speaker, I agree with the member in that I too was quite surprised by what the New Democrats chose as their first opposition day motion. This motion is a roundabout way of dealing with the abolition of the Senate. For whatever reason, they love talking about that particular issue. It is not the issue I would have talked about. I cited other issues I would not have been as surprised about. Based on what I am hearing at the local McDonald's, in meeting with constituents, and in talking with the average person, there is genuine concern about what is taking place on the issue of accountability and the Prime Minister's Office. What did the Prime Minister know? Has he been honest with Canadians? This is something that goes right to the core of democracy, going into the Prime Minister's Office itself.

That is not to marginalize the need for more accountability and transparency in the Senate chamber. As I say, we have taken great strides in ensuring that this would actually take place. The Liberal Party—

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, I wonder why the NDP is so willing to look at the accountability of others but not of itself. We are asking about the House as much as the Senate, it seems to me.

I ask my colleague, after his wonderful speech, why it is that the NDP only provides links on its MPs' websites to the existing annual data the House of Commons' financial services office provides every year. These are aggregated totals and provide no detail on individual trips and hosting events. How do they explain that the NDP has done practically nothing to provide more accountability on the status quo?

**Mr. Kevin Lamoureux:** Mr. Speaker, I welcome the question from my colleague. That is the big question. Do we want to define hypocrisy? Deal with the motion we have before us and listen to how the NDP keeps on saying “no, no, no, no” with regard to having more accountability inside the House, let alone the Senate. That was the essence of 20% of my speech.

The NDP can take it upon itself. The Liberals have already done it. The Conservatives have committed to doing it. All eyes are on the New Democrats. When are they going to do it? The NDP does not have to wait until we change the law. It can actually do it proactively. I think that is the point my good friend is making.

Do not wait for the law to change. Make some effort to be proactive on accountability. Do not just say that the Senate needs to be more accountable. We need to be more accountable here, too. Why not join the Liberals and the Conservatives? I do not like saying nice things about the Conservatives, but they did do something smart here, and they have agreed to be more accountable on the issue. Join—

•(1635)

**The Acting Speaker (Mr. Bruce Stanton):** Order, please.

We are getting narrow on time for the remaining period. We have time for one more question.

The hon. member for Alfred-Pellan.

[*Translation*]

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, I found it very strange to hear Liberals and Conservatives talking just now of transparency with regard to spending in the two chambers. It set a fire under me and I was in quite a hurry to rise, it made so little sense.

The NDP is the only party whose members post their expenses online so that they are accessible to all Canadians. No other party in the House does this. Let no one speak to me about the Liberals' transparency.

I have looked in vain at what the Liberals are trying to do for the Senate: I see no plan. None. For days and days, I have been responding to reply cards from hundreds of people in my riding who are writing to me to ask if we are finally going to abolish the Senate—that is all they are waiting for.

Frankly, I am extremely disappointed. I can say that in my riding, in Laval, and everywhere in Canada that my New Democrat colleagues went this summer, people talked to us about abolishing the Senate. I consider what the Liberal member is trying to do very small-minded.

Where is the Liberals' plan? They do not have one.

[*English*]

**Mr. Kevin Lamoureux:** Mr. Speaker, I am somewhat reluctant to be the bearer of bad news. I believe that the leader of the New Democratic Party and his team of communications people have somewhat hoodwinked the backbenchers. If they believe that they are more transparent than the Liberal Party by having a link that goes to another link that goes to a site that says that in total here is what they have spent, I would suggest that she get outside of her leader's bubble and the New Democratic line, because that is not the case.

I would suggest that she go to the Liberal Party website. There she can find out how much money I spent on hospitality when I flew to Winnipeg. She can not only do that for the Liberal MPs but for the Liberal senators.

All we are saying is to join us in sharing with Canadians. Stop laughing at Canadians and join us in sharing with Canadians. Tell Canadians how and why they are spending the kind of—

**The Acting Speaker (Mr. Bruce Stanton):** Order, please.

We are moving on to resuming debate.

The hon. member for Pierrefonds—Dollard.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, I will be sharing my time with my very dear colleague from Compton—Stanstead.

I am pleased to rise for my first speech in this parliamentary session. In question period, I asked a number of questions about the expense scandal and the Wright-Duffy scandal, as well as about the accountability of the Conservatives and more specifically the Prime Minister's Office.

*Business of Supply*

I asked a number of questions in order to see whether the government would deny its previous statements, which contradicted some new facts and statements that were brought to our attention just this week.

How did they answer them? They said that they had already answered those questions, yet how can they have already answered the questions when the previous questions were asked several months ago and there are now new questions based on additional information obtained only a few days ago? It is nothing more than a diversionary tactic. They also answered that they did not want to talk about the issue and that they preferred to talk about the economy.

It is true that it is extremely important to discuss the economy. I agree with that, but how can anyone trust a government that cannot even give straight answers to questions about accountability and transparency?

When a government simply stops trying to duck questions, and says bluntly that it does not want to discuss them, it seems as though the government is admitting to lying, but saying that it does not want to talk about it and that it would rather talk about something else. Of course the government would rather talk about something else. We understand that. The fact remains, however, that the Prime Minister and the government in power are accountable to the people. The people are entitled to answers and transparency. That is something we are trying to achieve.

All of these questions about the Senate expense scandal and the involvement of the Prime Minister's Office have led us today to the NDP motion, which addresses the expense and Senate scandals.

[English]

I recently received a few emails from Caitlin, Leslie-Alan, Christine, Tom, Steve, Don, Edward, Donna, Paul, Trpimir and Shaima.

I would like to quote a few sentences from those emails. The first says, "This is now about more than a Senate spending scandal. This is about the potential cover-up of the abuse of public money for partisan political purposes".

Another part of the email says, "In addition, the public inquiry should fully investigate all senators to determine if they are using public money to pay for partisan gain".

I heard from a few people in my riding who are very concerned about the expenses of the Senate and the use of public money for political partisan purposes. This is exactly what the NDP motion addresses today.

Specifically, for those people who wrote me with their concerns and others who wrote me on different topics, which I will come back to later, that, yes, I heard what they had to say. The NDP is aware of the concerns we hear in the general Canadian population. That is why we brought this motion forward. It is to answer those specific concerns and ask: to prohibit senators from taxpayer-funded partisan work; and that senators no longer participate in party caucuses or do fundraising, or organizing or public advocacy on behalf of a political party using Senate resources. Members can see the link with the emails I received recently.

Another thing we ask in the motion is to end taxpayer-sponsored travel not directly related to senators' legislative work. This is what we propose regarding what we heard from Canadians.

•(1640)

[Translation]

Both the Conservatives and the Liberals seem to be telling us that we are way out in left field. I am sorry to say that they are wrong; we are not out in left field. We are trying to listen to people's concerns and quickly suggest practical solutions. That is our goal, but the Liberals' and the Conservatives' partisanship is keeping us from achieving that goal.

Why would the Liberals and the Conservatives oppose the NDP's common-sense motion? The basic reason is that we have a different view of the Senate's tasks and mission. According to the Senate administrative rules, partisan activities are an inherent and essential part of the parliamentary functions of a senator.

I receive many emails and letters from constituents who are unhappy when they see public funds being used for political and partisan purposes. However, the Senate administrative rules say that such a thing is completely normal. Partisan activities are part of the parliamentary functions of senators. That is something we cannot agree with. For the NDP, the Senate, in its very essence and foundation, is clearly not meant to serve political goals or missions. The Senate should be the wise chamber, the independent chamber that examines bills to make sure that they do not contain any major flaws. Either way, the House of Commons would have passed the Bill. In fact, the Conservatives and the Liberals often use these same arguments: let us keep the Senate in place. It serves a useful role in reviewing bills and plays a part in a healthy democracy.

That sounds like doublespeak to me. If senators really serve a partisan function, how can they truly study the bills introduced by the various parties with any integrity? There have been times when, not wanting to defeat a given bill for fear of upsetting its base or its supporters, the government, whether Liberal or Conservative, has publicly voted in favour of the bill, only to have it defeated in the Senate under orders from the Prime Minister or the party, neither of which wished to be seen opposing the bill. It seems that the Senate is not as wise a chamber as we would have hoped. It is a partisan tool to be wielded by political parties.

I would now like to move on to another point. The Senate's partisan functions give rise to more than a few inconsistencies. I would like to point out that I do not recall any protests or major complaints by citizens regarding the abolition of provincial senate chambers. It does not seem like the provinces are any less democratic, that they are less functional or in peril. Not at all. The Senate spends \$90 million every year. There are probably quite a few community organizations in my riding that would have some suggestions as to how those funds could be reinvested.

Earlier, I heard a Conservative MP say that voters would never be ready to see the senators representing them resign their seats. I would like to talk about something rather amusing that happened on Montreal's West Island. A senator decided to run for federal office. My colleague, right next to me, knows this story and I can hear him chuckling, so then let me tell the story again. A senator resigned his seat to run in the elections. He came in third in the 2011 election. He was then reappointed to the Senate. If it is true that voters did not want to lose this valuable senator, they could have voted otherwise, but this senator did not win the seat he was contesting and he was subsequently reappointed to the Senate. That is not all. Many people have heard that apparently this very same senator is considering running again in a future election. I would be curious to see that happen. I know of several examples. I am familiar with this case because it happened in my riding. It illustrates just how frustrated people are with everything that is wrong with the Senate.

In conclusion, I just want to say that a number of reforms are needed in the Senate. Earlier, my Liberal colleague said that he was in favour of Senate reform. The Liberals have been talking about reform for quite some time, but nothing has happened so far.

• (1645)

The Conservatives said that they were going to reform the Senate. It was an election promise. So what are we seeing right now? I would like to see the proposed Senate reform legislation. Maybe I missed something, but I do not recall seeing any such legislation brought forward. I have not seen any legislation, because none has been forthcoming.

The promises of the Liberals and Conservatives have not amounted to anything. The NDP will move forward with its proposal to abolish the Senate. However, why wait until 2015 and the election of an NDP government? We can act now on issues that are of concern to Canadians. That is why the NDP has tabled this motion today.

**Ms. Lise St-Denis (Saint-Maurice—Champlain, Lib.):** Mr. Speaker, there is one question I would like to ask my colleague.

Does she take a partisan stand when she is supporting a bill as a member of her party? Furthermore, would she say it is unacceptable to take a partisan stand when supporting a bill?

**Ms. Lysane Blanchette-Lamothe:** Mr. Speaker, I thank my colleague for her question. She wants to know whether I sometimes show partisanship when defending a bill.

I ran in the last election under the NDP banner. As such, I promised constituents that if elected, I would defend the NDP's platform and values, which I proudly do today.

Is it the same for senators, you may ask? No, it is not the same. Senators are chosen by a political party, therein lies the rub. They claim to be part of the wise Chamber, when they are in fact guided by partisanship, as my colleague pointed out.

Unlike members of Parliament, senators never had to campaign under a party's banner to be elected. That is the whole problem. We should not confuse the issue.

### *Business of Supply*

• (1650)

[*English*]

**Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.):** Mr. Speaker, I will vote for the opposition motion, but I am disappointed that it is a little vague and does not cover all the bases and specifics that it might have.

One thing I would have liked to have seen in the motion is a specific reference to senators campaigning during elections. A Liberal senator came into my riding and held public meetings holding the hand of the Liberal candidate, whom I will acknowledge only took third anyway. Is this an appropriate use of members of the chamber of second thought?

Why did the NDP not mention some of these specifics rather than these broad generalities?

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** I thank my colleague for his question, Mr. Speaker.

Perhaps he believes the motion is not vague enough. I did not hear any specific suggestion about what should be added.

I can say, however, that travel for partisan purposes is a problem. I agree with him on that point.

I think the NDP motion adequately addresses that issue as it seeks to limit travel expenses paid for by the taxpayer to activities that are directly related to senators' legislative functions. When senators travel during an election, is that related to their legislative work?

In my opinion, the motion give us the means and the tools to deal with a senator who spends taxpayer money for partisan purposes.

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I asked the question earlier, but I would like to hear what the hon. member for Pierrefonds—Dollard has to say on the issue of credibility and alternatives for the Senate.

Originally, the Senate was the place where populist excesses that might have occurred in the House of Commons could be discussed and, in a sense, possibly eliminated.

Today, however, the Senate does not play that role. The Senate is an extension of the House of Commons for political parties. One instance of this is the participation of senators in caucuses and in the whole issue of fundraising and partisan appearances at various political events for the parties.

In that sense, the Senate has lost a great deal of its credibility and its legitimacy in the eyes of Canadians.

However, there are still some alternative solutions that would serve to strengthen various mechanisms, such as officers of Parliament, including the auditor general, or other oversight and watchdog functions, including the parliamentary budget officer, so that the Senate does in fact fulfill its role of overseeing House of Commons activities.

I would like to hear what my colleague has to say on these possible alternatives to the status quo of a dysfunctional Senate that has lost all credibility and legitimacy in the eyes of Canadians.

*Business of Supply*

**Ms. Lysane Blanchette-Lamothe:** Mr. Speaker, a brief answer will not be easy, but I will try.

I would like to thank my colleague for reminding us about the bills and motions that the NDP has tabled to ensure that there is an independent review and some transparency in the House of Commons, which goes well beyond what the senators can currently do when they are tied to political parties.

I would like to wrap up by showing you the 200 or so notes I received from my constituents supporting Senate abolition. For example, one of them said that in 2004, the Prime Minister committed to Senate reform and said that he would never appoint a senator. However, he has appointed 59 since. That is inconsistent. The only ones defending the Senate are the Conservatives and the Liberals, the two parties currently benefiting the most from the Senate.

**Mr. Jean Rousseau (Compton—Stanstead, NDP):** Mr. Speaker, I would like to take advantage of my party's first opposition day to ask the government to put immediate measures in place to put an end to partisanship in the Senate. In this spirit, I will unreservedly support the motion of my colleague from Toronto—Danforth because it is particularly meaningful when one considers the many scandals brought to light last spring.

Need I elaborate at greater length on the subject of those senators who are under investigation and those who will soon have to answer for their actions before the law?

Moreover, the first part of the motion reads as follows:

That, in the opinion of this House, urgent steps [hence their urgent nature] must be taken to improve accountability in the Senate, and, therefore, this House call for the introduction of immediate measures to end Senators' partisan activities...

This is unacceptable. We in the NDP firmly believe we do not need to wait until the Senate is abolished to take adequate corrective measures in this matter. That will be done starting in 2015, when an NDP government is elected for Canada as a whole. In the meantime, concrete measures can be taken immediately to make the Senate more accountable and more transparent. We want measures requiring no constitutional amendment to be taken.

First of all, we would like to abolish the partisan work being done at taxpayers' expense. Senators should no longer be allowed to attend caucus meetings, take part in fund-raising or engage in political organization or the promotion of a political party using the Senate's resources. That is unacceptable. It is a virtual betrayal of Canadians.

The original mission of the Senate of Canada was much more to protect citizens and abandoned regions. Quite frankly, virtually all of Canada and rural Quebec feel abandoned by this government, which is indecent and unfair to the population of Canada.

One thing is clear: too much public money is being spent on partisan activities. Once again, this is not normal in a democracy, particularly in these times of fiscal restraint.

I am going to say what the vast majority of Quebecers think about the Senate of Canada. First of all, it is referred to in one popular expression as "the senile chamber". I will not go that far because I know some senators in this chamber who have very good intentions. That is not the problem. However, Quebecers and

Canadians from sea to sea have had enough of a Senate that is unelected, unaccountable and, above all, under investigation. That makes no sense when you think of the middle class, which struggles every day to make ends meet. This is an insult to the middle class, both in Quebec and in Canada as a whole. That is one of the reasons why the NDP is proposing the only real solution: that the Senate simply be abolished.

Yes, the NDP genuinely wants to abolish the Senate because that institution is expensive, costing nearly \$100 million that could be allocated to people living in Conservative misery. In the meantime, Canadians should not have to wait for more transparency, genuine accountability and the end of partisanship when solutions can be introduced immediately.

Both Liberals and Conservatives speak in favour of the Senate, claiming that the upper chamber offers an opportunity to take a second look at proposed legislation. How can the Senate play that role when the Liberals and Conservatives have filled it with their friends, party organizers and backers and former candidates? Do they really think people are that stupid?

It is unacceptable for senators to travel all across the country at election time on the public dime. It is unacceptable because, as we well know, senators typically serve only the interests of the party that nominated them.

● (1655)

That is why the motion suggests another valuable change: putting an end to taxpayer-funded trips not directly related to senators' legislative roles. The current practice is an aberration, an insult to our intelligence!

Senators may have to travel for their work, of course, and that is perfectly all right. However, Canadians should not have to pay for any personal trip a senator makes for partisan purposes or because of a supposed second home.

More and more Canadians tell us that there is no place in our democracy for an unelected, unaccountable Senate. As a modern society, we need to adapt to a modern democracy and a modern economy. Our democracy no longer needs a useless Senate whose very rare interventions have always been partisan. Clearly, the use of public funds for partisan work must stop.

At the end of the day, appointed senators, and particularly those who abuse their privileges, do not at all represent the interests or values of Canadians who work hard to make ends meet. We think of the budget cuts affecting employment insurance, the protection of family farms and the rural economy. The middle class accounts for over 90% of the Canadian population and the government let it down. I said before that senators' initial mission was to protect these people but they no longer do so.

Consequently, the Senate is fundamentally an undemocratic institution and it should no longer be part of the Parliament of Canada. It dates back to the time of Confederation. The Fathers of Confederation gave that chamber the mission of reviewing and improving legislation passed by the House of Commons. At the time, senators had to be less partisan and, historically, they rarely got involved in this debate.

The Fathers of Confederation had also imagined a Senate that would ensure adequate representation of the minorities, the provinces and the regions in our federal legislative process. However, the Senate never really fulfilled that role. Senators have always voted based on their parties' interests instead of the interests of the regions that they should represent.

What we on this side really want—except for a few stubborn members who still have friends in the other place—is to abolish the Senate. That is all. We know that this objective will be hard to achieve in the short term. That is why today we are proposing with this motion that the other parties join us to begin a process that will lead to a reform and that will also satisfy Canadians, who are clearly demanding that the Senate be modernized.

The Senate must not be elected. It must be non-partisan. Senators are entitled to their political opinions, like many other observers. However, we think that the Senate was not created to be a partisan institution and that tax dollars should not be used to fund partisan activities.

As I said, we want senators to stop attending caucus meetings. It is an aberration. In Ottawa, senators should make good use of their time and of the Senate resources. They should not attend partisan activities such as caucus meetings. Rather, they should review the legislation objectively, in the true sense of the word, as was originally intended.

In closing, I congratulate my colleagues for their speeches today. I will let the next speakers provide a more detailed explanation of the second part of the excellent motion presented by the hon. member for Toronto—Danforth. In that part, we are asking that the administrative rules of the Senate be updated so that the definition of “parliamentary functions”, for example, excludes partisan work and work not related to the Senate. Subsequently, senators will no longer be allowed to use tax dollars for activities other than those related to their functions. The legislation should also be reviewed so that the regions of Canada are better represented.

● (1700)

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I ask my NDP colleague whether he believes that the constituents he represents are entitled to a little more accountability and transparency in terms of MPs and senators bringing forward to the public their travel and hospitality expenses, two things that cabinet ministers currently do. Does he believe, for example, that his constituents have the right to know when and where he has flown at taxpayers' expense and where he is spending money in terms of hospitality? Does he believe his constituents have a right to see how he has spent money?

● (1705)

**The Acting Speaker (Mr. Bruce Stanton):** I am not sure the question is completely relevant to the question before the House.

[Translation]

Does the hon. member for Compton—Stanstead wish to answer the question?

**Mr. Jean Rousseau:** I will answer the question, Mr. Speaker. When people inquire about my expenses and ask to see my expense

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account, they can easily consult our website, where they can follow a link to get that information. However, if they need more information, we can go over it together. I am extremely transparent about the activities and expenses in my riding, including those of my staff and my travel expenses.

Geographically speaking, my riding is vast. Consequently, my travel expenses are high. However, I always try to make ends meet in the most efficient way possible, as our expenses have been limited, or should I say frozen, in the last few years. The size of my riding makes that aspect of my work very challenging.

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, it is a great pleasure to be back in the House. I am pleased to be able to ask a question.

To answer the hon. member for Winnipeg North, New Democrats are not followers, they are innovators. That is why we want no part of the Liberal Party's marketing campaign. Instead, they are welcome to our ideas.

That said, I have a comment for the hon. member for Compton—Stanstead. We want the Senate abolished because it is fundamentally flawed and has been since birth. One hundred and fifty years ago, one of the criteria for being appointed a senator was to hold property worth \$4,000. At the time, that was a huge sum. It made for a very elite institution.

Would the hon. member like to talk about that aspect of elitism and about the birth defect that is impossible to correct without killing the baby?

**Mr. Jean Rousseau:** Mr. Speaker, the question from the hon. member for Beauport—Limoilou is an excellent one because it really does highlight the elitist nature of the chamber that, at the time, was conceived as such. Today, it does not apply at all to our current situation.

I really want to believe in the good intentions surrounding some appointments. We see people from many different walks of life in our upper chamber, including economics, politics and even sport.

However, if, at one time, we thought in terms of an elite, today, we would do better to think in terms of our population. What does our population look like; how is it made up? That is what should be better represented now. In the Senate, we should see not only people like those I have just named, but also people from every social class, people who have done community work, people who have worked in economic activities of all kinds, but also people from all kinds of ethnic groups. In fact, we have to fully accept that Canada is so different from one end of the country to the other that it would be unthinkable for an upper chamber not to reflect those differences.

What does elitism mean today? How can we quantify or qualify it? We should have an elected upper chamber and we should take a very close look at the applicants. We have to think about Canada's demographics, from coast to coast. First Nations should be represented, as should people of all kinds.

However, what the NDP wants is quite simply the abolition of the Senate, because \$100 million is being spent for nothing.

*Privilege*

[English]

**The Acting Speaker (Mr. Bruce Stanton):** Before I recognize the member for Hamilton Centre under resuming debate, he will probably know this, of course, but I will remind him that there are about six minutes remaining in the time allocated for the business of supply this afternoon. He may want to guard his comments around that time frame.

Resuming debate, the hon. member for Hamilton Centre.

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, I do appreciate your caution on the time. You are probably fully aware that it takes me almost six minutes just to clear my throat. I will do my best to keep it as tight as I can, but I am so glad to have this chance.

This is one of my favourite subjects, the senate, and the fantasyland that exists between what people think is happening over there and what is really happening there. That is why I am very proud that my caucus, the official opposition, has put this motion forward, and I will read it.

That, in the opinion of this House, urgent steps must be taken to improve accountability in the Senate, and, therefore, this House calls for the introduction of immediate measures to end Senators' partisan activities, including participation in Caucus meetings....

There is more after that, but for the sake of time I am going to focus on the caucus meetings.

It is interesting that the fallacy, the fantasy that exists right now, is that this House is there for sober second thought. I am not going to play on the obvious, but the whole idea, and why Canadians have been willing to accept and live with this, is because of the belief that high-calibre Canadians, people respected across the country, would sit in a chamber and use their love and passion for this country to look at things from a distance in a non-partisan way after we have dealt with something in a very partisan way. It sounds good, which is why I think Canadians have been willing to live with this albatross over there.

The fact is that there is nothing independent about the Senate. There are some independent senators, I will give them that, but most of them overwhelmingly are partisan. If there is any doubt, we can look at the way the House is structured. There are positions called "leader of the government in the Senate" and "leader of the opposition". They have whips, the same as we have.

Why do we have caucus whips? It is an awful job. Their job is to go around to every member of their caucus and, whether they like the matter or not, they are to make sure that the platform the party ran on and stands behind is maintained, that the caucus works in unity and that they get in there. That is why there are all these jokes about whips and we see whips given to whips as a bit of joke. However, the reality is that it is a crucial part of our system meant to make sure that those who belong to a certain partisan caucus get in the House and vote the way that caucus is voting.

If one has independence in a House, why would one need whips? It is because it is not non-partisan. It is fully partisan. That is why we are saying that, at the very least, if they are going to continue this facade, stop the embarrassment of all those senators, Liberal and Conservative mostly, marching nicely in order into the caucus

meetings where they meet with partisan MPs, are part of policy development and are part of caucus unity. When they walk out the door, they are in lockstep with their MP partisan colleagues. Where is the independence in that? There is not any independence. Therefore, at the very least, we are asking if we can at least not have them participate obviously in the weekly caucus meetings. Is that so much to ask?

I realize there are some questions about constitutionality and how we would do all that, but it is a motion. It is an expression of intent. It is an expression of the opinion of this House.

In our opinion, this House should reflect the fact—not that we do not want the Senate, nor that we do not want any partisanship. However can we at least get rid of some of the blatant evidence that points to the contrary? At the very least, let them get their marching orders by email rather than walking into the caucus meetings when they are supposed to wearing a label that says "independent; nobody tells me what to do, except the Prime Minister, and the caucus, and my whip and the leader in Senate".

There is no independence in that, yet Conservatives and Liberals will continue to play this fantasy that there is some kind of independent thought going on. There is, in the hands of a few senators, some excellent ones and I want to give them their due, but the vast majority are entitled to wear the title of "partisan hack". Let us call it what it is.

● (1710)

I want to end on this note. If anybody doubts the partisanship, I do not normally name individuals, but Senator Duffy really did take it to a whole new level. The ink was hardly dry on his order in council, and he was attacking the opposition and praising the government. Where is the independence in that?

Let me leave the House with this. The idea that electing senators is going to solve our problem is equally a fallacy, because even the Supreme Court of Canada has said that an elected Senate would be a radical change to our parliamentary system. The court does not use the word "radical" lightly.

The current system does not work. Electing senators just creates the kind of nightmare gridlock that exists down in the United States. The only thing that makes any sense is abolishing the Senate.

\* \* \*

● (1715)

### PRIVILEGE

STATEMENTS BY PRIME MINISTER REGARDING REPAYMENT OF SENATOR'S EXPENSES

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I rise at this time to respond to the question of privilege raised by the member for Timmins—James Bay, regarding the Prime Minister's remarks in question period on June 5, 2013. These comments are supplemental to my initial comments last Thursday. I assured the House that I would return, and that is what I am doing right now.

The assertions of the member for Timmins—James Bay for the NDP are absurd. They are more a political stunt than a question of privilege. From the outset, I would like to point to the ruling of Mr. Speaker Fraser of May 5, 1987, on pages 5765 and 5766 of the *Debates*. He said:

I would remind the House, however, that a direct charge or accusation against a Member may be made only by way of a substantive motion of which the usual notice is required. This is another long-standing practice designed to avoid judgment by innuendo and to prevent the overextended use of our absolute privilege of freedom of speech. One of my distinguished predecessors, Mr. Speaker Michener, in a ruling on June 19, 1959, which has frequently been quoted in this House stated that this is a practice demanded by simple justice.

As I told the House last week, the Prime Minister has been very clear on this matter. He had no knowledge of Mr. Wright's personal payment until May 15, after it was reported. The file was handled by Nigel Wright, and he has taken sole responsibility.

As the Prime Minister said during the summer adjournment, after this new information came to light, "when I answered questions about this in the House of Commons, I answered questions to the best of my knowledge".

We also heard this Monday, from the right hon. member in question period. Let me refer to the blues:

[*Translation*]

I answered based on the information I had at that time.

[*English*]

What is more is that the Prime Minister told us this and made this record clear during the first question period he attended after the subsequent news became public over the summer. The case presented by the opposition centres on a ruling of Mr. Speaker Jerome in relation to evidence heard at a royal commission. The unique nature of that case was later explained in a ruling of Mr. Speaker Francis on January 24, 1984 at page 701 of the *Debates*. He said:

In every case, except one, that I have studied that is relevant to the issue involved, the Speaker has ruled that there was no prima facie case of privilege. The question I have to answer is whether the facts in this instance require that this one decision by Mr. Speaker Jerome in 1978 should be the relevant precedent.

In the 1978 case, there was evidence before the McDonald Commission that the then Solicitor General had been deliberately misled by officials under his jurisdiction. That evidence was the specific element which led Mr. Speaker Jerome to find a prima facie case of privilege and to allow the usual motion to be put to the House. In the present case before the Chair there is no such admission of wrongdoing or of wilful omission by officials or by the Minister.

The admission in question was described by Madam Speaker Sauvé on May 27, 1981 at page 9979 of the *Debates* in another ruling that distinguished the 1978 case. She said:

That precedent has to do with a letter which had been improperly drafted by the RCMP and which they admitted had been improperly drafted...

As pointed out by the hon. member for Timmins—James Bay, Mr. Speaker, your ruling of May 7, 2012 at page 7649 of the *Debates* articulated a three-part test for establishing a contempt in relation to misleading the House. Referring back to the words I just quoted from my right hon. friend, the claim by the hon. member opposite fails in no fewer than two respects of that test you articulated. First, no answers given in the House were known to be incorrect. On Thursday, I quoted from the Prime Minister's July comments. On Monday, we heard from him here in the House.

### *Privilege*

Citation 494 of *Beauchesne's Parliamentary Rules and Forms*, sixth edition, states:

It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted.

This is echoed by Mr. Speaker Fraser on November 1, 1990 at page 14970 of the *Debates*. He said:

...it is a fundamental principle and long-established convention of the House to accept as true the word of an hon. member.

On the second branch of that three-part test, there was no intention whatsoever to mislead the House in any way, shape or form. The necessity of intent is a consistent thread through countless Speakers' rulings over the years. For example, Mr. Speaker Parent, on October 19, 2000 at page 9247 of the *Debates*, said:

Only on the strongest and clearest evidence can the House or the Speaker take steps to deal with cases of attempts to mislead members.

Madam Speaker Sauvé addressed situations like this on May 27, 1982 at page 17824 of the *Debates*. She said:

The Chair cannot give precedence to a motion offered under the head of privilege unless it can be determined, prima facie, that a contempt has been committed...

Assertions have been made to that effect, but they remain assertions, and as such do not provide grounds for the Chair to find a prima facie breach of privilege.

Unlike the hon. member for Timmins—James Bay, let me offer a fact. The Prime Minister's actual conduct is entirely consistent with the answers he provided. On May 28, the Right Hon. Prime Minister said:

On Wednesday, May 15, I was told about it. At that very moment, I demanded that my office ensure that the public was informed...

That is the expectation he set for his own office and for his own staff. His immediate direction to staff to issue a public statement indicating that such a payment from Mr. Wright occurred is the action of someone being open and candid with the public. It is not the conduct of someone seeking to hide anything. That is also entirely consistent with his answers here in the House.

If the Prime Minister set such a clear expectation for his staff, how can the hon. member for Timmins—James Bay reconcile his allegations with the words of the Prime Minister? As I mentioned earlier, it is long established that members are taken at their word. The Prime Minister has been forthright, he has been public about this matter and he has been clear about this in both word and in deed.

In conclusion, I respectfully submit that there is no prima facie case of privilege. Therefore, Mr. Speaker, you should be able to dismiss the question based on the ample arguments here presented without the need for further interventions on the point.

• (1720)

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I thank my colleague across the way for his intervention. We were looking forward to it. I would ask the indulgence when the Speaker returns to the chair, I know he will be looking at the blues of this intervention by my friend across the way, as there may be a small supplemental that we will seek to further enhance and perhaps counter some of the arguments that the government House leader has made.

*Privilege*

I have just a few very brief ones right now with respect to a couple of the points that were raised. The gravity of the situation is obviously serious and significant. What we are talking about is an ongoing police investigation into the Prime Minister's Office, involving all of his hand-chosen staff, and having implicated and led to the resignation of Nigel Wright in the involvement of the Mike Duffy scandal, and the payoff of \$90,000 which, according to Mr. Duffy's lawyer, was done under some considerations.

What was specifically raised earlier this week, when I rose on this question of privilege just yesterday, was that Mr. Duffy contends, and has evidence to this effect that is now before the courts and in the hands of the police, that the Prime Minister's own contestation in this place, when we took his word last spring, was that Mr. Wright acted alone and there was no one else involved.

However, we now find out that the correspondence between the Prime Minister's chief of staff and Mr. Duffy on many occasions involved the terms "we" and "we will coordinate". Lawyers were involved, the Prime Minister's own lawyer, as well as the lawyer representing Mr. Duffy, at various points.

The Prime Minister is now seeking somehow to be believed that he has plausible deniability. His chief of staff, his lawyer, several of his senior aides within the Prime Minister's Office were all working on this file for many weeks and months. It was dominating the national news. However, the Prime Minister never at any point asked any questions of them, and was never at any point briefed about the most serious scandal affecting his government of the day.

Maybe for some of the prime ministers in our past that might somehow be possible, if they were the more laissez-faire and casual kind. I would never suggest that this Prime Minister has ever been accused of being casual about his control of the agenda and his own staff, as my colleague just said.

Allow me to quote from something that arose in question period. My friend has said that the Prime Minister has always been forthright in these conversations, yet just today when given very specific questions by the Leader of the Opposition about a specific element of this case and this scandal, the Prime Minister stood and the first thing he said was that he had already answered that question.

It would be laughable if it were not tragic, because the specific question was clearly not answered because then the Prime Minister would go on about something else. He is continuing to lose credibility.

I want to quote this, because I think it is important in terms of accountability, what we are seeking here as a government principle, and also the prima facie case that we are seeking with you, through your office, Mr. Speaker. The Prime Minister's message to his ministers, the context around ministerial accountability and being accountable for a ministership, was called "Accountable Government", a guide for ministers and parliamentary secretaries, 2011. It reads:

As a Minister, you are individually accountable to Parliament for the discharge of all responsibilities vested in you. You must answer all questions pertaining to your areas of responsibility, correcting any inadvertent errors at the earliest [possible] opportunity.

These are the definitions we also use about telling the truth in this place, which is the case that is before the Speaker's table now, as to whether the Prime Minister lied or not, whether he knowingly misled the House or was misled by his staff, and as minister is still accountable for that misinformation which he continued to say: that Mr. Wright acted alone in the Duffy affair, that there was no conversation had within the PMO, that there was only one actor. Those things have now proven to be untrue. It is the Prime Minister's duty and obligation to follow his own words and his own direction to his ministers. The government is seeking distinction but with no difference.

I would allow that even today in the House leader's submission to this place in defence of his Prime Minister, just three hours ago we saw the Prime Minister on his feet using the exact same tactics that have gotten him into trouble to this point. When we ask for accountability or any level of regret from this Prime Minister, we see none.

• (1725)

In terms of answering questions, we could literally count on one hand the number of questions the Prime Minister has actually taken from the media on any of these things. The audacity of any member of the media to ask a question inadvertently gets them barred off the prime ministerial plane, it seems. That decision was thankfully reversed.

Allow this, Mr. Speaker, that in the question we are looking at, the seriousness of this case will require your office to do somewhat of an investigation itself. It will have to compare the answers that the Prime Minister gave, particularly in the springtime under questions from the Leader of the Opposition, the answers the Prime Minister offered up, looking straight into the camera and suggesting that something is proven to be not true that was under his watch, in his ministership as Prime Minister, and the fact that leads to the conclusion that a prima facie case of misleading the House is of the most serious nature.

This cannot be casually dismissed by the government or some attempt to change the channel and all of the rest, because of an RCMP investigation into the Prime Minister's Office, into the very heart of his inner sanctum. The only very clear comparison we have is the John A. Macdonald affair. Massive corruption existed when the great line was built across Canada. However, where the police had to investigate a sitting Prime Minister through his chief of staff and all the way down, we have not seen that before.



In the worst years of the Liberal scandals in Quebec, in the worst years of the Brian Mulroney regime and the years going back, we never saw the depth of concern that Canadians now have over a Prime Minister who seems to have, in the initial case, such profoundly restricted judgment and a sense of right versus wrong and then a Prime Minister who is so unwilling at any point in this entire conversation to come forward and say, “The facts as I knew them in the spring of this year were then proven to be wrong. I regret that”. That would actually take care of the case we have before us and I would also offer would go a long way to restoring some faith that Canadians have lost in the government for being accountable and even showing a modicum of honesty in the way it deals with something so important as paying off a sitting senator to stay quiet because he had illegally taken money and his reimbursement. That is the debate going on in the Senate right now.

It is incredible to me that these words are so difficult for the Prime Minister. Many of us in politics have a challenge with the “I am sorry” or “I was wrong” statements, but it always seems that as grave as the initial infraction was, it is only compounded when leaders, as the Prime Minister has done, refuse to admit what is obvious to everybody who is watching, that mistruths were spoken and people were misled. People expect more from the Prime Minister. This is beneath the office of the Prime Minister to conduct himself in this way and to stand day after day in the House of Commons and suggest things that are simply not true.

While it might seem to the cynics on that side that this is just business as usual, we actually believe that we can hope for something better and that when things go so badly wrong, when illegal acts are taking place with the Prime Minister's own chief of staff, under his watch with the people he appointed to the Senate against his promise not to do so, it reminds me again that shortcuts in democracy might make sense in the very short, expedient term, but in the long term do not pay off.

The government is now reaping the rewards of all of these decisions. All of these values that the Conservatives used to hold that they have now broken are now allowing them to reap those rewards and those rewards must not feel all that good. Certainly, for a government that staked its credit and acclaim on cleaning up the mess in Ottawa, it seems government members did not come and change Ottawa, but Ottawa ended up changing them. That is too bad, but that is for them to account for.

However, the sense of entitlement and arrogance that I see consistently displayed by the government when it comes to basic matters of accountability puts a lie to the very first act it moved, which was meant to be the Accountability Act. It is not me saying that. It is the Information Commissioner, the Privacy Commissioner, the Auditor General, the Parliamentary Budget Officer and everybody who tries to get basic simple answers from the government.

Time and time again it seems there is a certain allergy of the government with declaring the truth as it is known to be. In this case, the Prime Minister seems to have got himself into a corner that he finds himself unable to get out of.

It is all of his own making. From Nigel Wright to Mike Duffy, there is nobody involved in the scandal who was not particularly and individually chosen by the Prime Minister. He cannot look to pass

### *Private Members' Business*

the blame. The victim in this case is not himself. I would like him to stand up for victims once in a while, and that is the Canadian taxpayers, who had to foot the bill for all of the Prime Minister's very bad decisions and the damage it has done to our country's reputation and to our stature in the world of a free and democratic country.

● (1730)

**Hon. Peter Van Loan:** Mr. Speaker, very little of what was just said by the opposition House leader was relevant to the actual question of privilege in question.

I was disappointed to hear him put into the Prime Minister's mouth words that the Prime Minister never spoke in an effort to support the question of privilege he is seeking to have you rule on, Mr. Speaker.

The Prime Minister's comments have been clear. What he had said is clear. It is not what the opposition House leader said he had said. He had said that Nigel Wright, in the matter in question, took full responsibility. He had said that Nigel Wright took sole responsibility. Those are the words he has spoken in the House, not the words that the opposition House leader said he spoke.

**The Deputy Speaker:** Order, please. I thank both the government House leader and the official opposition House leader for their submissions. I assure you the Speaker will take them into account.

I would ask the House leader of the official opposition that if he in fact will not be making any further presentations, to advise the table as soon as possible so the Speaker can make his ruling as soon as possible.

[*Translation*]

Pursuant to the order made earlier today, every question necessary to dispose of the opposition motion is deemed to have been put, and the recorded division is deemed to have been demanded and deferred until Wednesday, October 23, 2013 at the expiry of the time provided for oral questions.

[*English*]

The House will now proceed to the consideration of private members' business as listed on today's Order Paper.

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## PRIVATE MEMBERS' BUSINESS

● (1735)

[*Translation*]

### PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT

**Ms. Charmaine Borg (Terrebonne—Blainville, NDP)** moved that Bill C-475, An Act to amend the Personal Information Protection and Electronic Documents Act (order-making power), be read the second time and referred to a committee.

She said: Mr. Speaker, I am having a déjà vu. I feel like I already delivered a speech for the first hour of debate.

I am very pleased to have the opportunity to reopen the debate on an issue that is extremely important for Canadians and our digital industry and that is the issue of protecting personal information.

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My Bill C-475 seeks to modernize the Personal Information Protection and Electronic Documents Act, which has not been updated since the arrival of the first generation of iPod. That is an eternity in a modern and ever-changing society like ours. Several million Canadians have never known a world without smart phones. This legislation that governs crucial aspects of our lives does not respond to the challenges of our time.

As I have already mentioned, we use the Internet every day. We use the Web to socialize, share our ideas with others, work, contribute to the Canadian and global economies, participate in democracy and educate ourselves. The Internet is indispensable to our personal, academic and professional development.

The Internet is central to the lives of both children and adults, who use it for entertainment and as a work tool. However, all of our web activities create a digital information footprint, which makes it even more clear that we need to protect our information.

I would like to share some facts that show how big a role the Internet plays in our lives. Quebeckers and Canadians spend about 45 hours a week online. More than 70% of Canadians use it daily. Our citizens have more than 18 million Facebook accounts. The digital economy is a sector that is growing exponentially.

Our democracy is becoming increasingly digitized. One example is petitions, which allow our citizens to speak up and become involved in regional, national and international issues. Canada as a country is firmly plugged in.

We are increasingly managing our lives digitally. Because of this major shift, new rules are needed. These rules must take into account the new risks associated with this shift.

Since the beginning of this year, we have seen what a huge impact the loss of personal information has on our communities, for all citizens, regardless of their vulnerability or level of digital literacy. Millions of Canadians are affected by the loss of information, and this is happening more frequently every year, according to the Privacy Commissioner.

A study published in 2011 showed that every publicly traded Canadian company experiences an average of 18 privacy breaches a year. That is a lot.

Two recent reports revealed that 7 million Canadians have lost \$3 billion as a result of cybercrimes. The most common crimes are identity theft and privacy and security breaches. Companies should protect against such breaches.

These reports said that 94% of companies say that they have never experienced a privacy breach. These numbers frighten me. In addition, the more information that is shared on the Internet and our smart phones, the more chances there are that our information could be lost or stolen. This only encourages crime groups in the very lucrative phishing market that have managed to scam thousands of Canadians and steal \$76 million, last year alone, through 156 million emails sent from all over the world.

This is an international problem and we have to address it immediately. Unfortunately, the current legislation to protect privacy and Canadians' personal information has not been updated to address these risks and put in place appropriate measures for our society.

The current legislation does not provide for Canadians to be notified of a breach of their personal information. In fact, organizations are not required to notify them, regardless of the seriousness of the breach. This means that they cannot take appropriate action to protect their identity or their credit in order to reduce any harm they might suffer.

Compliance with Canadian legislation governing the sharing of personal information is another major problem in Canada. In 2011, the Privacy Commissioner noted that a quarter of the most-visited websites in Canada do not comply with Canadian law; they disclose our data without our consent. What is much worse is that companies that choose to ignore our laws do not currently suffer any consequences.

For more than 10 years, Canadians have been waiting for a better regulatory framework, and they are rightly expecting results. It is in that spirit that I decided to draft Bill C-475.

I would like to quickly remind my colleagues of the two simple and effective mechanisms proposed by Bill C-475 to enhance the protection of Canadians' personal information.

● (1740)

First off, Bill C-475 requires that the Office of the Privacy Commissioner be notified by any organization having personal information under its control when there is a possible risk of harm to users. Experts in the commissioner's office will assess the seriousness of the situation against a criterion for harm that sets a high standard. They will recommend whether or not the organization should notify the users affected. This mechanism allows for an objective analysis of the risk and better management of the risk through an expectation of a high level of security, rather than a subjective analysis based on the interests of the organization, which may differ from the interests of users.

In addition, objective risk analysis will ensure that users are not bombarded with notifications of data breaches that do not affect them at all or present a minimal risk. Indeed, this framework will ensure that users are not bombarded with useless notifications. They will only be notified after a thorough risk assessment by the Office of the Privacy Commissioner. The process will empower Canadians to take steps to protect themselves much more quickly, in addition to reducing the harm done to them.

The second mechanism provided for in Bill C-475 is designed to give the Office of the Privacy Commissioner order-making power when an organization fails to obey the law.

The Federal Court would have legislated authority to penalize organizations that fail to carry out an order issued by the commissioner.

These mechanisms are straightforward and clarify the commissioner's powers. In short, the Office of the Commissioner will now have the power to enforce the law, which unfortunately is not now the case. All too often, the commissioner's recommendations are not being followed, and it is Canadians' privacy that is suffering.

This bill was drafted to address the concerns of Canadians, people in the digital industry, civil liberties organizations, Internet experts and specialists in the protection of privacy, some of whom we heard testify during the study conducted by the Standing Committee on Access to Information, Privacy and Ethics on social networks and privacy.

Bill C-475 is a direct response to requests from the community to adapt the law to suit our digital age by providing some flexibility for people in the industry and protecting the ombudsman's role of the Office of the Commissioner.

The bill therefore takes a very balanced approach, despite what members opposite said last May. On October 9, information and privacy commissioners and ombudspersons from Canada's federal, provincial and territorial governments met in Vancouver for their annual meeting. They voted in favour of a resolution calling for reforms to address a series of measures they are interested in looking at and supporting, including the key principles in my bill. These measures follow up on recommendations Commissioner Stoddart put forward last May with the aim of modernizing the Personal Information Protection and Electronic Documents Act in order to strengthen the authority to enforce the act, including the commissioner's ability to make orders and make it mandatory for organizations to report when information has been compromised.

The bill is also balanced with regard to companies, since clear roles and processes enable them to plan their policies and response. It will be clear for organizations that they are required to report a breach to the Office of the Commissioner, but they will not be responsible for deciding what the ultimate risk is. Companies that are law-abiding will no longer have to compete with companies that are not.

Finally, this bill makes it possible to bring our privacy protection legislation up to the same level as countries such as Germany, Great-Britain, Australia and France, as well as Canadian provinces such as Quebec and Alberta. Canada, as a world leader in technology, must implement international standards. A cross-Canada survey published in April by the Office of the Privacy Commissioner, found that 97% of Canadians would want to be notified if the personal information they had given to an organization were compromised. In addition, 80% of respondents would grant more powers to the Office of the Privacy Commissioner.

The principles defended by my bill have garnered support from all classes of stakeholders affected by these changes, including industry representatives, civil liberties organizations, academics specializing in all areas, consumer protection agencies and even by the Privacy Commissioner and the ombudsman for privacy and information.

This fall, the public consultations I conducted in my riding and the West confirmed the growing interest of Canadians in privacy issues and their support for my bill.

● (1745)

The Union des consommateurs, for example, has stated that:

[it] believes that the implementation of the principles proposed by the NDP, through their private member's bill amending the Personal Information Protection and Electronic Documents Act, constitutes a real advancement to better protect the privacy of consumers.

### *Private Members' Business*

Michael Geist, the Canada research chair of Internet and e-commerce law at the University of Ottawa, said the following:

Bill C-475 is a far better proposal ...Those provisions would do far to ensure a greater respect for Canadian privacy law and give Canadians the assurance of notifications in the event of security breaches.

A few years ago, my colleagues on the other side introduced a bill to modernize the Personal Information Protection and Electronic Documents Act. Therefore, I know they share my concerns about the privacy of Canadians.

Furthermore, in the Speech from the Throne last week, the Conservatives reiterated their willingness to defend the rights of consumers, and the protection of privacy is a crucial part of these rights.

However, Bill C-12 did not receive the serious consideration it needed in the House, and today its principles no longer reflect the reality of our current needs. Moreover, due to the prorogation of Parliament, Bill C-12 has died on the Order Paper.

My bill is the most up-to-date bill and the only one currently on the table.

I urge my colleagues across the way to reconsider their position on Bill C-475, not only because it meets the current needs of citizens and surveillance authorities, but also because, if we wait for the reintroduction and re-evaluation of an outdated bill, it will take months or even years. Canadians need to be protected now, and Bill C-475 will help restore their confidence in the companies with which they do business, as well as in our institutions.

Canada has a deplorable record on the international front when it comes to privacy, and the increasing costly attacks on our personal information demonstrate beyond a shadow of a doubt that we cannot afford to wait any longer; we must act now.

Canada's Privacy Commissioner, Jennifer Stoddart, said it best on October 9, 2013:

We live in a world where technologies are evolving at lightning speed and organizations are using our personal information in ways previously unimaginable—creating new risks for our privacy. Our laws need to keep up. Canadians expect and deserve modern, effective laws to protect their right to privacy.

By voting in favour of Bill C-475, my colleagues would be meeting Canadians' expectations. If the members of this House truly care about the privacy of their citizens, they have absolutely no reason to vote against my bill.

If the Conservatives take their commitment to consumers seriously, they must vote in favour of Bill C-475.

I would also like to reiterate that I am willing to work with all parties in order to ensure that Canadians have the protection they deserve in this digital age.

We must work together, as parliamentarians, to better protect the privacy rights of our citizens, our youth and seniors.

*Private Members' Business*

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, my colleague mentioned déjà vu. Because of prorogation, she has to start that hour of debate over again. I would still like to congratulate her, as I was not here the first time around. I am happy to be able to second and support her bill.

The member touched on many points. The file she is working on is very complex. Specifically, only in the very last sentence of her speech did she mention youth and seniors. That is what makes this issue so interesting.

When I tour the schools in my riding, I hear young people and their parents express concern about their privacy on the Internet. When I attend the seniors' forum in Chambly, for example, the police always make a presentation on the dangers of breaches of information and its many consequences, like fraud.

I would like to give my colleague the opportunity to expand on the consultations she held. She mentioned several prominent people in the field, like Michael Geist. I know she consulted widely. Along with my colleagues, I would like to hear more about the kind of comments she heard because, as we all know, people are losing confidence. I can feel it in my riding and I am sure several of my colleagues feel it in theirs. I would like to hear more from the member on that subject.

• (1750)

**Ms. Charmaine Borg:** Mr. Speaker, I thank my colleague for his question and for his support of my bill.

He raises an excellent point. In fact, I consulted many Canadians and held information sessions about my bill. I also tried to make both young and old people realize what happens to our personal information when we put it online. Many were very surprised to hear just how widely their personal information is used, and for what purposes. In many cases, it is used in ways people never agreed to.

We do have an existing legislation: the Personal Information Protection and Electronic Documents Act is meant to protect Canadians against unauthorized disclosures of information and other similar problems. However, that legislation is being broken, and therein lies the problem.

Many firms offering Web services are simply huge, which means these issues are becoming more and more international in scope. Unfortunately, these firms do not always comply with Canadian laws.

I believe that as parliamentarians, we have a duty to implement modern protections that both young and old Internet users will be aware of. They will then be protected as the law intended, instead of seeing the law not being followed, as is sadly the case today.

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I would like to congratulate my colleague from Terrebonne—Blainville for her speech and especially for the bill she has introduced.

I trained as an archivist and part of my training dealt, of course, with the protection of personal information. This field has expanded quite a bit over the years. It was an important consideration for more traditional mediums such as paper documents and electronic documents before the Internet era. What is really frightening is the

proliferation of means of exchanging this information with total impunity.

Could my colleague give us an idea of how complex this can be, of just how many opportunities for sharing, stealing or distributing personal information there can be?

**Ms. Charmaine Borg:** Mr. Speaker, in the digital age, the personal information we provide is disclosed and transferred from person to person very quickly. It takes just milliseconds. There is a real risk.

The other thing is that there is so much personal information in such a huge data base as the Internet, and everyone can have a certain amount of access with an electronic hacking tool. That is why it is important to put in place a system that will notify people if an organization is hacked. We have to be able to inform people that their personal information has been stolen in order for them to protect themselves.

[English]

**Hon. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC):** Mr. Speaker, I am pleased to speak to private member's Bill C-475 as presented by my hon. colleague from across the aisle.

Bill C-475 proposes to amend the Personal Information Protection and Electronic Documents Act known as PIPEDA, a law that has been in place for over a decade. PIPEDA has proven its value and retained its relevance in the face of unprecedented technological change.

At its core, PIPEDA gives individuals control over whether and how their personal information can be collected, used or disclosed during commercial activity. This protection fosters trust and confidence in the online marketplace, an important part of the Canadian economy that is growing by leaps and bounds.

The government is committed to updating PIPEDA. In fact, the Minister of Industry met with the Privacy Commissioner only yesterday. However, any changes that are proposed should have been discussed thoroughly with business, consumer advocates and academics or fall within the framework of the existing legislation, as is the case with the former Bill C-12. The proposed new measures put forward in Bill C-475 were not. The proposed amendments in Bill C-475 give the Privacy Commissioner new powers and present a major change to PIPEDA and the role of the commissioner. The impact of such a change on all stakeholders has not been considered.

The Privacy Commissioner's role as defined in PIPEDA is to serve as an ombudsman, a role she has performed impressively to the great benefit of Canadians. Indeed, the commissioner has been internationally recognized and applauded for her success. It was in recognition of this that her term was extended to three years in 2010.

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As the commissioner's term enters its final months, the government is pleased to have this opportunity to express its gratitude for the commissioner's dedication to the protection of the privacy of Canadians.

Let us begin by highlighting some of the successes so far. PIPEDA's ombudsman model has proven very successful in setting a high standard for the protection of personal information in Canada. PIPEDA allows for mediated solutions to privacy conflicts that can give both individuals and companies a clear understanding of their rights and responsibilities. A less formal dispute-resolution mechanism is far less intimidating for individuals and easier for them to navigate.

PIPEDA's current oversight and redress regime reflects a deliberate decision by Parliament to adopt a mechanism that avoids litigation when resolving privacy disputes. PIPEDA also provides the Privacy Commissioner with a range of powers to address privacy issues. She can investigate, enter premises and compel evidence, mediate a settlement, make recommendations, publish the names of those who contravene PIPEDA and take matters to the Federal Court.

Bill C-475 would give the Privacy Commissioner new, quasi-judicial enforcement powers. Unfortunately, the enforcement regime proposed by the private member's bill is fraught with procedural failings. As my colleagues will note, the bill contains a list of consequences for non-compliance. This includes a monetary penalty of up to \$500,000, a very significant amount.

However, should penalties imposed on small firms be as large as those for multinationals? Unfortunately, the bill completely overlooks this matter. The size of the firm or its ability to bear the burden of monetary penalty is apparently not a factor to be considered.

Given the potential severity of the monetary penalty, it is also puzzling to observe that this particular remedy only applies to failure to comply with orders. Indeed, organizations that have been found to wilfully violate the privacy of individuals, including those that have profited significantly from the violation, are not subject to this penalty. They are only penalized if they have failed to change their ways after having been caught. There are many outstanding issues and questions with respect to the enforcement measures that are being proposed in Bill C-475.

PIPEDA already provides the Federal Court with the ability to provide any remedy it deems appropriate, including orders to correct practices, award damages, or order offending parties to publish a notice of corrective action. Clearly, PIPEDA establishes a comprehensive process for taking action against privacy violations. Businesses, both large and small, together with individuals, have found much success in the resolution of their disputes.

We must ask, then, how the proposed enforcement measures are going to affect the level of co-operation that exists between organizations subject to PIPEDA and the Privacy Commissioner. Would the enforcement regime of Bill C-475 change the current dynamic between organizations subject to PIPEDA and the commissioner, making the parties more adversarial and the process counterproductive? These are questions that cannot be taken lightly.

● (1755)

Finally, the implications of these new powers on the structure and resources of the Privacy Commissioner's office do not seem to have been considered during the drafting of Bill C-475. The new powers would place an undue burden on personnel within the Privacy Commissioner's office. One cannot simply add new enforcement powers to a law without thorough study and consideration of the impact on its existing oversight regime or on its regulator.

We cannot support Bill C-475. There are too many omissions and fundamental questions left unanswered in this bill.

In spite of the difficulties with this private member's bill, though, the issue of compliance with PIPEDA certainly warrants further exploration. The government will continue to send a strong message about the importance of complying with PIPEDA, given its critical role in building trust and confidence in the online marketplace. Furthermore, there must be an opportunity for all Canadians with an interest in privacy issues to be comprehensively canvassed and thoroughly heard.

To conclude, the government does not support private member's Bill C-475. Instead, the government remains committed to updating PIPEDA in a more considered and comprehensive manner. Our government will have a balanced approach, one that takes seriously the protection of private information while establishing a regulatory framework that is workable for businesses.

● (1800)

**Mr. Scott Andrews (Avalon, Lib.):** Mr. Speaker, it is a pleasure to contribute to this debate today. I listened to the parliamentary secretary speak to the bill. He left out a few interesting facts.

Bill C-12, which was the government's bill, was introduced in 2007. Five long years have passed since then, and the government has not kept its commitment to changing PIPEDA and making the necessary changes. Twice the bill has fallen off the Order Paper. The government has not been taking PIPEDA very seriously at all.

I commend the member for bringing forward the bill. It would deal with two small measures. First, it talks about reporting the loss or disclosure of unauthorized access to personal information. Where a reasonable person would conclude that there exists some possible risk, the commissioner would have to be notified. The other part would give the commissioner some actual teeth to dig in and fine when personal information is lost.

We, as a government, are falling behind the rest of the world when it comes to protecting people's privacy.

I find it comical that the parliamentary secretary says that PIPEDA has kept its relevance. I am going to quote Commissioner Stoddart with respect to its relevance. She stated:

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Back in 2001, when PIPEDA began coming into force, – and even when I became Privacy Commissioner in 2003 – there was no Facebook, no Twitter and no Google Street View. Phones weren't smart. “The cloud” was something that threatened picnic plans. And predictive analytics was largely the domain of tarot card readers.

A lot has changed since 2001, and our PIPEDA legislation just has not kept up.

This is a good start. It would give the commissioner more enforcement powers. Currently the commissioner can only publicly shame a company for breaching PIPEDA. It is time for the commissioner to have the strong enforcement powers needed. Some of that may have been contained in the government's bill, Bill C-12, but that bill has not seen the light of day.

Bill C-475 is with us now. It is something we need to refer to committee. We need to update our privacy laws, and we will be supporting the bill.

[*Translation*]

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, I am very pleased to speak in support of the bill introduced by the member for Terrebonne—Blainville. Earlier, I congratulated her on her work, because we all agree that this is a very complex issue, as I said when I asked her a question.

It is rather amazing to realize that the Personal Information Protection and Electronic Documents Act has not been updated since 2000. At the risk of showing my youth, which I really do not need to do here, the last time this bill was updated I was at the ripe old age of 12. We can see how much the technology has changed, particularly in relation to the legislation as a whole.

In my view, it is completely absurd to claim that we can keep going as we are with Facebook, Twitter and iPhones. We could stay here all night just listing all the changes in technology.

Indeed, all we had to do was listen to the news this morning, not to point fingers. Of course, there are all kinds of practices, but there was one news item about what Bell does with the personal information of its customers. I am not necessarily blaming the company. I think it falls to us, the elected politicians, to assume our responsibilities—but more particularly to the government to assume its own—and implement legislation that will provide better protection of our personal information in the digital age, which is also an age of uncertainty.

What I have found in discussing this issue with my constituents is that there is a lot of confusion. There is a lack of knowledge, and it is not because my constituents are uninformed on the subject. On the contrary. It is difficult to keep the legislation in line with what the Privacy Commissioner, among others, has already said about what should be done. There is quite a hodge-podge of information.

My colleague is proposing we update the law and bring it in line with recommendations from the Privacy Commissioner, for one. I know that this is not the only element, but it is a striking one because we often see the commissioner's proposals in the news. Obviously, this one jumps out at people who are following this issue.

I really appreciate an important component of this bill, which addresses the idea of coordinating our legislation with that of other

countries to ensure that we are keeping up with what is happening around the world. In the digital age, privacy knows no boundaries.

Consider this scenario: someone could subscribe to an Internet service that is based in the United Kingdom. Imagine that the individual's information is compromised; questions are raised about the Canadian government's power to protect that individual's private information. We need to recognize that borders are disappearing in the digital world. We need to take that into account when we update our laws. That goes without saying.

In the question I asked my colleague earlier, I spoke about another aspect that I want to touch on in my speech, and that is the fact that this issue is not bound by age. It is not limited to a single generation.

There is a tendency to think that Facebook is for young people. Similarly, we think that seniors are the ones maliciously targeted by fraudsters. However, it is not that cut and dried. Just as there are no borders—as I said when I was talking about the international component—fraud and privacy breaches are not limited to one generation more than any other.

I want to come back to the example that I gave in my earlier question. While discussing various suggestions with students, for example, we often ask them what they can do to better protect themselves on the Internet.

● (1805)

Canadians can and must have proactive habits, both on the Internet and elsewhere. However, the federal government must also enact legislation that has more teeth in order to allow for more appropriate punishments for businesses that do not perform their due diligence. We put our trust in them when we give them our personal information, which is vulnerable to fraud. Unfortunately, for a few years now, people are realizing that trust and good faith are not enough. The federal government has a duty to legislate in this regard, which is what this bill does.

In my speeches, I often give examples of all kinds of issues raised at the seniors' forum in Chambly, which I attend every year. This event really captures a wide range of issues that matter to seniors. For me, as a member of Parliament, it is an excellent way of knowing what is going on with seniors and of understanding their concerns. Every year, there is always a portion of the event that addresses fraud and elder abuse.

Considering the world they grew up in, seniors do not always know how to protect themselves online, despite their best efforts. I do not think it is unkind to say so. As I said, seniors recognize this themselves and are demanding that the government do something in order to ensure that, when they hand over their personal information to a website or company, it will be protected.

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This also applies to cellphones. More and more seniors are using this technology, which is a good thing, because we want them to be able to participate in this technological aspect of our society. We need to do our duty, as elected representatives, to ensure that they can do so safely, while recognizing that they need to be proactive, just as younger people need to be. The need for citizens to be proactive does not relieve legislators of their responsibility to do their part to ensure that laws are in place and that companies cannot run around with people's personal information, since this could lead to bad situations.

I would even say that this issue has been one of the government's weak points. I would also like to point out that privacy is a very hot topic at the moment. Many of my constituents really care about privacy. My colleague for Terrebonne—Blainville has often raised other issues related to the digital age. Clearly, the government has not done enough when it comes to improving the legislation or acting proactively as federal MPs to take advantage of the digital age.

Consider the lack of information about the lost student loan data and other situations at Service Canada. These situations show that the government is not proactive enough and is not making necessary improvements.

Luckily, my colleague is being proactive by introducing her bill as digital affairs critic for the NDP. She is also working on our digital strategy. I commend her on her work and I am proud to support her. I know my constituents will feel much better knowing that at least one party is taking a firm stand on this issue.

• (1810)

[English]

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, it is a pleasure for me to speak on Bill C-475 on the issue of privacy and digital communications.

The whole privacy issue has been a thorny one for the Conservatives. Last year they had Bill C-30, the online snooping bill, which triggered a huge countrywide backlash. Many Canadians were concerned about that bill because it proposed some very serious invasions of privacy and was an attack on the fundamental rights and freedoms of Canadians.

Privacy is also an issue because increasingly we have seen that many federal government departments, including HRSDC and Indian affairs, have lost personal information they have collected from Canadians. However, the good news for Canadians is that the NDP digital affairs critic, the MP for Terrebonne—Blainville, has been on the job defending the interests of Canadians. We thank her for introducing Bill C-475, which is an excellent response for our times to the issue of digital privacy and personal information.

Bill C-475 responds to a number of calls for greater security for public information. In the ethics committee last year there was a study on social media and privacy, led by the NDP. That committee and that study heard numerous calls from the Privacy Commissioner of Canada, legal experts on Internet security, consumer protection groups, and concerned citizens for the need to update the Personal Information Protection and Electronic Documents Act, a lengthy act that is commonly known as PIPEDA. There are many ways this act

can be updated, but the fact is that it has not been updated since the year 2000.

If we think back, the year 2000 was a long time ago, before the era of iPads and smart phones. It was a time when Canadians voluntarily shared much more of their information. Times have changed dramatically, but because our laws have not changed and have not offered Canadians more protection during that period, it is not surprising that more and more Canadians are losing confidence in the ability of the government to be able to protect their privacy when it comes to PIPEDA.

Before going into it in more detail, I will summarize what this bill would do. It would ensure, first of all, that Canadians would be notified if there was a breach in security with respect to their personal information if that breach could cause them harm.

It would also add new strengths to the compliance section. Right now the Privacy Commissioner does not have much in the way of power to enforce compliance, which is unlike the situation in many other countries in the world, so it would bring Canada onto a level playing field with many other countries.

The issue of online privacy is one of growing concern. We are now in the age of big data. Companies are data mining, gathering personal information from a variety of sources, and using it for marketing, for advertising, for personalized ads, for all kinds of measures. There is nothing to protect the privacy of Canadians. There is nothing to protect the personal data of Canadians when there is a data breach that could cause them harm.

• (1815)

What we found in the ethics study of this issue was that there is increasing commodification of this data, called big data, by companies online so that they can do marketing, in which this personal information is often collected, used and disclosed to other parties. The person whose information is collected often does not have any idea that this is even happening. They certainly did not give consent, and it is in violation of PIPEDA.

Throughout the ethics study, there were repeated calls by Internet and privacy experts and civil society groups to empower the Privacy Commissioner of Canada with enforcement powers and to introduce mandatory data breach notification. That is exactly what Bill C-475 would do.

I want to thank my colleague from Terrebonne—Blainville for her excellent work on this issue and her tailoring of the bill to really respond to this very recent study in updating this legislation.

*Private Members' Business*

Again, what Bill C-475 would do is give enforcement powers to the Privacy Commissioner of Canada. It would allow the Privacy Commissioner to order an organization that is found to be in violation of PIPEDA to undertake actions to comply with the act. If they do not comply with the orders within a timeline established by the commissioner, they could be liable to a fine of up to \$500,000, as determined by the Federal Court. It is a very serious penalty if they are given the opportunity to comply with the act and fail to do so.

Second, it would introduce mandatory data breach notification where there is possible risk of harm to individuals whose information has been compromised. Individuals must be notified.

If anyone thinks these are by any means radical measures—I am sure they sound like a lot of common sense to Canadians—many other jurisdictions already have such measures in law. Countries such as the U.K., France, Germany and Australia and some provinces have this provision in law. British Columbia, Alberta and Quebec have commissioners responsible for data protection or privacy. They are equipped with enforcement powers to force organizations to comply with the law. It seems like good common sense. These enforcement powers for all of these other jurisdictions include administrative monetary penalties. Canada is behind the times when it comes to PIPEDA and the lack of enforcement and the lack of notification.

What are others saying about this legislation brought forward by our colleague from Terrebonne—Blainville? OpenMedia.ca executive director Steve Anderson said, “We welcome...[the MP's] online privacy bill.... This bill is a useful stepping stone to safeguard our privacy”.

Michael Geist, chair of Internet and e-commerce law at the University of Ottawa, a renowned public affairs commentator who often has a column in my local newspaper in Toronto, said:

Bill C-475 is a far better proposal.... Those provisions would do [sic] far to ensure greater respect for Canadian privacy law and give Canadians the assurance of notifications in the event of security breaches.

In conclusion, the people I represent in Parkdale—Hyde Park include many young artists, young communicators and people who work in digital media. I have heard many calls for this kind of privacy legislation. It is long overdue, and I would urge all members of the House to vote in favour of Bill C-475.

• (1820)

[*Translation*]

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, I am very honoured to rise today to speak to Bill C-475, which I will support at second reading.

First, I would like to speak to the work ethic of my colleague from Terrebonne—Blainville when it comes to digital issues. As the digital issues critic, my colleague has done a lot of work on a policy to better protect our personal information on the Internet. I appreciate the work she has done.

My colleague held a number of public consultations, which is important to note with this bill, since it has been well received by the public. If there is one thing that is very important and that the NDP puts a lot of emphasis on, it is public consultation. I know that most

of my colleagues have held their own consultations in recent weeks and months on several issues that affect the Canadian public.

Digital issues, and privacy in particular, are extremely important issues that affect all Canadians. Later on in my speech I will talk about what the people of Alfred-Pellan, in Laval, have told me. It shows a good work ethic to consult the public, and we can create excellent bills that reflect what the public wants.

It is sad to see that, unfortunately, the federal government is not consulting the public about digital issues and our privacy. This issue is very topical and we must take it seriously. That is why public consultation is so important.

Bill C-475 would create modern protections for an issue for which it is extremely difficult to set parameters. I think that Bill C-475 achieves a very important objective: improving protections on the Internet.

The Privacy Commissioner has called for measures to be implemented on many occasions. My colleague from Terrebonne—Blainville included them in Bill C-475.

Therefore, we can say that we are listening to consumers. In fact, the Union des consommateurs supports this bill. I believe that it is very important to point that out. We have to crack down on Internet fraud and abuse. It is really important.

A little earlier, I heard a Conservative member on the other side of the House say that they are on the right track when it comes to protecting consumers and people's privacy on the Internet. Unfortunately, I doubt it. I will not give the Conservatives free reign, especially when it comes to consumer protection. Unfortunately, their record to this point strongly suggests otherwise.

We have a golden opportunity to have all parties in the House, no matter their political affiliation, work together to protect the privacy of Canadians, to all come together to work on a bill that I believe is extremely well researched.

Most people might think that the protection of privacy is assured and that we have a great deal of protection, especially when navigating the Internet. Unfortunately, that is not the case. There are no guidelines and we do not take action against the big companies that will take advantage of the system in order to use our personal information.



In that regard, I would like to talk about a few things that happened to us in Laval this past summer. I went door-to-door a great deal this summer in order to find out about the concerns of the constituents of Alfred-Pellan in Laval. Many issues were discussed during my visits. We talked about this earlier today. Many people talked to me about the Senate and abolishing it, and they told me that it will be a good thing when the NDP government abolishes the Senate in 2015.

People also talked to me about the bill introduced by my colleague from Terrebonne—Blainville. In fact, they raised questions about what we were doing to improve people's safety on the Internet. I found that extremely interesting and we had some good discussions about that.

• (1825)

I talked to a young man who is in a relationship and who just bought a house. He was very interested in our policies on Internet protection and not just consumer protection. He was extremely pleased to see that the NDP had a substantive bill on the subject.

During the summer, like many of my colleagues probably, I toured a number of old age homes. People were very happy to see us. We talked about protecting personal information. That is something that is very important to our seniors because, unlike a young woman like myself, they have not been immersed in all things Internet and social media since they were young. Many people do not have access to that and it is all new to them. These are things they have to learn. It can be hard for them to understand. I can see how it might be hard for them to use social networks and to cope with the fast pace of the Internet.

Often seniors tell me that they tend to be trusting and give out their personal information. Unfortunately, there are cases in my riding of people who have lost money and are being harassed because they gave out their personal information somewhere. They suddenly receive information they did not ask for from all sorts of people. It is upsetting to them.

These people were extremely concerned about protecting their information. I talked about this bill with them and they were glad to see that there is a party in the House of Commons that wants to review the rules and cares about their safety and protecting their personal information.

I think it is important that we reach out to them in this case because they are the ones who are affected the most.

My colleague from Chambly—Borduas talked a lot about seniors. I will not elaborate on that, but I will say that we must include them in this process.

As the hon. members for Chambly—Borduas and Terrebonne—Blainville said, the federal government has a responsibility to set parameters without necessarily being too tough. At some point enough is enough. There are ways to go about this that we need to oversee. The government has a responsibility and it must step up to the plate.

I studied what this bill contains in more detail because it addresses so many items. I found that it changed some very interesting things.

### *Adjournment Proceedings*

I saw that Bill C-475 granted, for example, powers of enforcement to the Privacy Commissioner of Canada, which is extremely important.

As I mentioned at the beginning of my speech, the commissioner called for many changes and measures that we are dealing with right now. Any organizations that refuse to implement these measures within a time frame set by the commissioner would risk a fine of up to \$500,000, according to a Federal Court decision.

At this time, there are no fines for a company or anyone who abuses on our social networks or the Internet. Putting these guidelines in place today prove that we are serious and we take privacy protection seriously.

There is also the fact that Bill C-475 would make it mandatory to report any data breaches that could harm the people involved.

I believe that this is another important item that we should pay special attention to.

I see that I am almost out of time, so I would like to list the stakeholders that have given us their support. As I mentioned at the beginning of my speech, the hon. member for Terrebonne—Blainville found during consultations that the Union des consommateurs supports our position. Aubrey LeBlanc, president of the Consumers Council of Canada, has come out in support of our position, as has Steve Anderson, executive director at OpenMedia. The National Association for Information Destruction Canada and the University of Ottawa's Canadian Internet Policy and Public Interest Clinic also agree with our position.

The list goes on and on. I believe that proves, as I said earlier, that we need to work together, tackle this problem, put partisanship aside for once, make the right decisions and support Canadians.

• (1830)

**The Deputy Speaker:** The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the Order Paper.

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## ADJOURNMENT PROCEEDINGS

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

[*Translation*]

### INTERGOVERNMENTAL RELATIONS

**Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matapédia, BQ):** Mr. Speaker, I rise here today to speak to the government's decision to challenge the Quebec National Assembly's Bill 99.

The Government of Canada has chosen a path of confrontation by trying to invalidate this bill, which is fundamental for Quebec. Bill 99 states that only Quebecers can decide their future. In fact, Ottawa is denying this decisive prerogative, because by challenging this bill, the federal government is going after the recognition of the Quebec nation and its inalienable right to self-determination.

*Adjournment Proceedings*

However, the government should recall that, in 1995, the House of Commons voted to recognize Quebec as a distinct society. In addition, in 2006, the House also voted to recognize the Quebec nation.

Unfortunately, it was all just lip service. The Clarity Act, 2000 and today's direct attack on Bill 99 fly in the face of those statements of principle. In fact, those principles, which should guide this Parliament's policies, both in theory and in practice, are actually nothing but smoke and mirrors meant to mollify Quebecers and their government. When it comes time to defend Quebec beyond empty rhetoric, actions will speak louder than words.

Bill 99 includes a number of provisions. The best known one is the absolute majority: 50% plus one. The refusal to abide by the 50% plus one rule is outright discrimination against individuals and is contrary to the principle of equality of votes. The votes of one option would have more weight than those of the other option in the decision making process.

However, the absolute majority rule was good enough for the other referendums on Quebec's sovereignty, for Newfoundland joining Confederation, for the vote on the Meech Lake accord and so on.

There are other provisions of Bill 99 that no one talks about much, but probably bother the federal government quite a bit, including on the sovereignty of Quebec's jurisdictions, which Canada has systematically violated. There is the Gérin-Lajoie doctrine to extend Quebec's jurisdiction internationally, which Canada has always refused to subscribe to, the protection of the territory and the freedom to develop it without the unilateral interference of the federal government.

The part that the federal government is interfering in today involves issues that are important to Quebecers. What Canada is afraid of with Bill 99 is that Quebec not only has the right to legislate, but it also has the moral obligation to do so, in response to the federal government imposing an increasingly predatory, subjugating, mind-numbing and childish federalism, with no respect for the Quebec nation.

This bill also contains section 10, which upsets the federal government:

As regards the exercise of the fundamental and inalienable right of the Quebec people to decide its own destiny, the State of Quebec and the National Assembly are bound only by the provisions of this act and by other acts applying to the National Assembly. No other parliament or government may reduce the powers, authority, sovereignty or legitimacy of the National Assembly.

That is what is upsetting the federal government. The Minister of Intergovernmental Affairs, who is a bit uncomfortable with the whole thing, agrees with it on a personal level. All of the political parties in the National Assembly recognize this legitimate right for Quebec.

This brings me to a fundamental issue for the government. If parties of all stripes in Quebec agree on the powers of the National

Assembly, on the terms and conditions surrounding a referendum, including the rule of absolute majority and the wording of a question, does the federal government think that the federal Parliament can override all of the National Assembly's bills?

• (1835)

[*English*]

**Mr. Paul Calandra (Parliamentary Secretary to the Prime Minister and for Intergovernmental Affairs, CPC):** Mr. Speaker, I think the Prime Minister said it best today when he said that the process for dividing the country is best left up to the courts.

More importantly, we know that all members on this side of the House, in fact I would suggest all members on both sides of the House with the exception of the Bloc members, believe in a united, strong Canada. We will continue to move forward with policies that will do just that.

What we really know is that the people of Quebec do not want a referendum. They want to continue down the road to hope, prosperity and new economic activity that comes with the Canada-European Union free trade agreement.

[*Translation*]

**Mr. Jean-François Fortin:** Mr. Speaker, the saddest thing is that all federalist parties in the House agree that the power, authority and legitimacy of the Quebec National Assembly should be reduced. They have all agreed to impose their own clarity act. The Conservatives have joined with the Liberals on the current clarity act. The NDP has introduced Bill C-470 and is using it to impose on Quebec a referendum question chosen by the federal government. It wants to block a future referendum by referring the matter to the Quebec Superior Court and, ultimately, the Supreme Court. As I said, no other parliament or government can reduce the powers, authority, sovereignty or legitimacy conferred by the people on the National Assembly of Quebec.

[*English*]

**Mr. Paul Calandra:** Mr. Speaker, we know that the people of Quebec are not interested in a referendum. What they are interested in is jobs and economic activity. They want us to focus on that, not referendums.

We will let the courts decide on the process of how the country should be divided. In the meantime, members of Parliament on both sides of the House, with the exception of the Bloc members, will continue to work hard for a strong, united Canada.

• (1840)

[*Translation*]

**The Deputy Speaker:** The motion to adjourn the House is now deemed to have been adopted. This House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:40 p.m.)





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